



MEETING OF SEPTEMBER 19, 2023

TO: Mayor Jordan and City Council
THRU: Brad Hardin, Fire Chief
FROM: Granville Wynn, Financial Analyst - Fire
DATE:
SUBJECT: **Staff requests City Council Approval of an Ordinance formally establishing the Fayetteville Fire Department**

RECOMMENDATION:

Staff requests City Council Approval of an Ordinance formally establishing the Fayetteville Fire Department.

BACKGROUND:

The exact creation of the Fayetteville Fire Department is not well documented. According to Historical Documents, including, One Hundred Years of Fayetteville 1828-1928 by William Campbell, the first Fire Chief of the Fayetteville Fire Department was George Albright starting just after the end of the Civil War. The generally accepted date of establishment is 1869.

DISCUSSION:

The Code of Arkansas A.C.A. 14-53-101 requires City Councils to establish fire departments and provide them with proper engines and such other equipment as shall be necessary to extinguish fires and preserve the property of the city and of the inhabitants from conflagration. The Fayetteville Fire Department is seeking City Council approval of this ordinance to legally establish the Fayetteville Fire Department. This formal establishment will aid in achieving the necessary performance indicators required for the Center for Public Safety Excellence Accreditation.

BUDGET/STAFF IMPACT:

There is not a direct budget impact related to this Ordinance.

ATTACHMENTS: Staff Review Form & Ordinance Wording



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2023-1047

Staff requests City Council Approval of an Ordinance formally establishing the Fayetteville Fire Department

AN ORDINANCE TO ENACT SECTION 33.044 ESTABLISHMENT OF FIRE DEPARTMENT WITHIN ARTICLE V FIRE DEPARTMENT IN §33 DEPARTMENTS, BOARDS, COMMISSIONS AND AUTHORITIES OF THE FAYETTEVILLE CODE

WHEREAS, A.C.A. 14-53-101 states “the governing body of a city shall establish fire departments and provide them with proper engines and such other equipment as shall be necessary to extinguish fires and preserve the property of the city and of the inhabitants from conflagration” or may enter into a contractual agreement with an existing fire department; and

WHEREAS, the formal establishment of the Fayetteville Fire Department is not well documented but, according to historical documents, including One Hundred Years of Fayetteville 1828-1928 by William Campbell, the first Fire Chief of the Fayetteville Fire Department was George Albright starting just after the end of the Civil War and the generally accepted date of establishment is 1869; and

WHEREAS, Article V **Fire Department** in Chapter 33 **Departments, Boards, Commissions, and Authorities** of the Fayetteville City Code created the office of Fire Chief and prescribes certain duties and powers of the Fire Department but makes no provision for the establishment of a Fire Department; and

WHEREAS, neither the Fire Department nor the City Clerk have been able to locate any ordinance establishing the Fire Department; and

WHEREAS, the formal establishment of the Fire Department is necessary for the Center for Public Safety Excellence Accreditation.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby enacts Section 33.044 under Article V **Fire Department** in Chapter 33, **Departments, Boards, Commissions and Authorities** as shown below:

“33.044 Establishment of Fire Department

Recognizing and affirming that the City of Fayetteville established a fire department with the

historically accepted date of establishment of 1869, and pursuant to the requirements of Ark. Code Ann. § 14-53-101, there is hereby established the Fire Department of the City of Fayetteville.”

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby determines that this ordinance should become effective without delay because this provision is required for the Fire Department to receive its accreditation, which is necessary for the public peace as well as the health and safety of Fayetteville residents. Therefore, the City Council hereby declares an emergency exists such that this ordinance shall become effective immediately upon its passage and approval.