

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF PAYNE SPRINGS, TEXAS AMENDING ORDINANCE 1988-5-1-01 ESTABLISHING CHAPTER 5 (FIRE PROTECTION) OF THE PAYNE SPRINGS CODE OR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Payne Springs, Texas (“City”) has previously passed Ordinance No. 1988-5-1-01 establishing Chapter 5 (Fire Protection) of the Payne Springs Code of Ordinances; and

WHEREAS, City Council finds that an amendment to the aforementioned fire protection regulations is necessary and in furtherance of good government and the health and safety of the citizens of Payne Springs.

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Payne Springs, Texas as follows:

**I.
AMENDMENT**

- Ordinance 1988-5-1-01, Chapter 5 (Fire Protection), Section 1-01 (Volunteer Fire Department Authorized) is hereby amended as follows:

The Volunteer Fire Department of the City of Payne Springs is hereby established in conformity and pursuant to the laws of the State of Texas. Said Volunteer Fire Department shall provide fire suppression and emergency response services to the citizens of Payne Springs and other areas within its service district. The Volunteer Fire Department shall be supported by donations and shall have its own organizational rules, guidelines and bylaws.

**II.
SEVERABILITY**

The provisions of this Ordinance are severable, and if any sentence, section or other parts of this Ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

**III.
REPEALER**

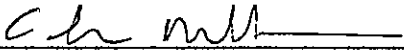
Should any ordinance, resolution and/or any other policy of Payne Springs be in conflict with the provisions of this ordinance, same shall be repealed to the extent of said conflict.

IV.
EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and approval by the City Council for the City of Payne Springs, Texas.

PASSED AND APPROVED on this 15th day of October, 2024.

APPROVED BY:



Andrea Miller, Mayor

ATTEST:



Beth Billings, City Secretary

1988

CHAPTER 5
FIRE PROTECTION

§ 1-00. FIRE DEPARTMENT

§ 1-01. Volunteer Fire Department Authorized

The volunteer fire department of the City of Payne Springs shall be an official body representing the City of Payne Springs, Texas even though it is supported by donations and has its own organization and by-laws, ~~but the fire department will report to and be under the supervision of the city council of the City of Payne Springs, all of which is~~ in conformity with the V.T.C.A. Local Government Code, § 342.004 and V.T.C.A. Civil Practice & Remedies Code, § 78.001 (formerly Revised Statutes of the State of Texas, Title 28, Article 1069 and 1070.1), which provide for the establishment of volunteer fire departments and limit the liability of volunteer firemen for any damage done in actions fighting or extinguishing any fires on property. (Ordinance No. 8 adopted March 9, 1976)

§ 1-02. Officers

- (a) The department shall consist of a chief and other officers as the fire department may deem necessary for the effective operation of the department.
- (b) The chief and other officers, except the fire marshal, shall be elected by the membership of the Payne Springs Volunteer Fire Department. The chief shall be technically qualified by training and shall have ability to command men and hold their respect and confidence.

§ 1-02. Identification Badge to be Issued to Firefighters

Each member of the department shall be issued an identification badge or card.

§ 1-03. Volunteer Fire Department Fund

All monies collected by the fire department shall go into a fund for the exclusive benefit of the fire department. The fire chief shall administer the fund and maintain a record of receipts and disbursements therefrom. In addition, the fire chief shall submit such financial reports as requested by the city council.

§ 1-04. By-Laws and Regulations

The department may establish its own by-laws and regulations provided they are not in conflict with any provision contained in this section and are approved by the city council. (Ordinance adopting Code)