

DEPARTMENT: Fire Protection

BY: Jim Wilson, Fire Chief

PHONE: 966-4330

RECOMMENDED ACTION AND JUSTIFICATION:

Give direction to the Fire Chief regarding a request by Bootjack Company 37 for permission to park four pieces of County-owned fire apparatus outside the fire station overnight. Co. 37 sponsors a quarterly pancake breakfast fundraiser utilizing the engine bays for tables and chairs. Leaving fire apparatus outside overnight will permit table set-up the night before.

Since the Board previously set the precedent for this type of decision, this request for permission has been referred to the Board for consideration. The fire chief recommends against permitting this request for the following reasons:

1. With the recent purchase of new apparatus and upgrade of equipment and technology stored in and on the vehicles, the total value to be left unsecured and open to the elements now exceeds one million dollars.
2. It is important that all MCFD companies be treated consistently. When informed of past precedence and policy other MCFD companies have elected to not leave apparatus and equipment unsecured. Permitting one company to maneuver around historic practice and advice will send a message of "double standards" to all those department members who have voluntarily cooperated in the past.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

In June 2007 the Board of Supervisors set the precedent for determining which pieces of fire apparatus were permitted to be housed or parked outside of a secure fire station location. This action was necessary since the fire department did not have a sufficient number of enclosed engine bays to accommodate all apparatus.

In December 2010 the Board of Supervisors approved an updated Fire Station Use Policy. In general, the new policy charges the fire chief with responsibility to protect County fire stations and equipment. However, it does not specifically delegate decision authority over security of fire apparatus. Unless changed, that decision remains with the Board.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Permit County-owned assets to be left unsecured overnight and exposed to the elements.

| | | |
|---|----------------------|--|
| Financial Impact? () Yes (x) No | Current FY Cost: \$0 | Annual Recurring Cost: \$0 |
| Budgeted In Current FY? () Yes () No () Partially Funded | | |
| Amount in Budget: \$ _____ | | List Attachments, number pages consecutively |
| Additional Funding Needed: \$ _____ | | Fire Station Policy (1-3) |
| Source: | | _____ |
| Internal Transfer | | _____ |
| Unanticipated Revenue | _____ 4/5's vote | _____ |
| Transfer Between Funds | _____ 4/5's vote | _____ |
| Contingency | _____ 4/5's vote | _____ |
| () General () Other | | _____ |

CLERK'S USE ONLY:

Res. No.: 11170 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California

By: _____
 Deputy

CAO: 



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JIM WILSON, Fire Chief
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Discussion and Possible Direction to the Fire Chief Regarding a Request by Bootjack Company 37 for Permission to Park Four Pieces of County-Owned Fire Apparatus Outside the Fire Station Overnight

RES. 11-170

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on April 26, 2011

ACTION AND VOTE:

- 5 **Fire**
Discussion and Possible Direction to the Fire Chief Regarding a Request by Bootjack Company 37 for Permission to Park Four Pieces of County-Owned Fire Apparatus Outside the Fire Station Overnight
BOARD ACTION: Discussion was held with Jim Wilson relative to the request and his recommendation to not leave the fire apparatus outside overnight from a policy standpoint.

Input from the public was provided by the following:

Rich Hulbert, volunteer with Company 37, advised they have four breakfast fundraisers every year – January, April, July and October; and they set up the night before. Last January was the first time they were told they couldn't pull the vehicles out the night before. He advised that they do request the Sheriff's Office to patrol and they have not experienced any problems.

Discussion was held, including consideration of weather for this and future events. (M)Cann, (S)Stetson, Res. 11-170 was adopted approving this request as described to allow Company 37 to park the apparatus outside of the fire station overnight for this one event. Further discussion was held relative to officially requesting additional security. Ayes: Unanimous.

Cc: File

**MARIPOSA COUNTY FIRE STATION FACILITIES
AND
APPARATUS/EQUIPMENT USE POLICY**

1. General Conditions: These requirements are applicable to all activities sponsored by official and unofficial groups, brigades, auxiliaries, non-profits, etc. acting on behalf of the Mariposa County Fire Department. Any requested use of a County Fire Station Facility or of County-owned apparatus/equipment to be used for fund raising or social activities must submit a facility use form and obtain the approval of the County Fire Chief or his/her designee prior to the event. The County Fire Chief or his/her designee has the authority to deny use of any County Fire Station Facility or County-owned apparatus/equipment to be used for fund raising or social activities if the terms of this policy are not complied with.
2. Advertising: All announcements, press releases, letters and/or posters advertising the use of a County Fire Station Facility or of County-owned apparatus/equipment must be approved by the County Fire Chief or his/her designee prior to release or posting.
3. Department Right to Enter: The Fire Chief or his/her designee shall have the right to enter all facilities at all times during any and all occupancies.
4. Fire Regulations: Exits shall not be obstructed and exit signs shall not be covered. At no time shall group size exceed the facility occupancy load as established by the County and/or State Fire Marshal. Events exceeding these standards are prohibited.
5. Loss or Theft of Personal Property or Equipment: The County of Mariposa shall not be responsible for loss or theft of personal property or for any equipment or items left in or on County property.
6. Insurance: The permittee may be required to file evidence of adequate public liability and property damage insurance and shall name the County of Mariposa as additional insured.
7. Normal Operating Hours: Normal operating hours for use of County Fire Station facilities under County jurisdiction are as follows:

Summer Season: April 1 to October 31 from 7:00 a.m. to 11:00 p.m.
Winter Season: November 1 to March 31 from 8:00 a.m. to 11:00 p.m.
8. Use of County Equipment: County of Mariposa equipment may be available for public use, but must be requested at the time of application for facility use. The permittee shall be responsible for the set-up and take down of all County equipment.
9. Storage Facilities: Storage facilities are not available unless authorized by the Fire Chief or his/her designee.

10. Supervision of Occupancies: The Fire Chief or his/her designee is responsible for the enforcement of the policies, rules, regulations, terms and conditions governing use of the facilities and shall have complete authority over the facilities used and the activities therein.

The Fire Chief or his/her designee has the authority to terminate the permittee's use for failure to comply.

The Fire Chief or his/her designee will respond to any condition where County facilities or equipment are not functioning properly. Staff is not assigned to events or rentals unless the permittee pays for such assignment. If a condition requiring call out results from the permittee's actions, charges will be assessed at the discretion of the Fire Chief.

11. Additional Conditions: The Fire Chief or his/her designee may specify that additional conditions be met for approval and/or may place additional conditions on the activity to be held (example: portable toilets, dumpsters, etc.), if deemed necessary, or if determined to be a health or safety issue.
12. Public Assemblage Permit: Pursuant to Mariposa County Code, activities involving the assemblage of more than 250 persons will require a Public Assemblage Permit. Permission to use the facility for such activities will not be granted unless a Public Assemblage Permit has been approved by the Mariposa County Sheriff.
13. Alcoholic Beverages: Use, possession, or storage of alcoholic beverages at a County Fire Station Facility is prohibited.
14. Food and Refreshments: Food and refreshments will only be permitted in certain designated areas as determined by the Fire Chief or his/her designee. It is the permittee's responsibility to comply with Mariposa County Health Department standards.
15. Alteration or Modification: Permittee shall obtain in advance permission from the Fire Chief or his/her designee to make any alteration or modification of the premises which may temporarily alter the configuration of an engine bay and render the station unprepared to mobilize apparatus or equipment in case of an emergency call.
16. Responsibility for Conduct: Permittee shall be responsible for the orderly conduct of all persons using the premises by its invitation, whether expressed or implied, during all times covered by the permit. The Fire Chief reserves the right to remove, or cause to be removed from the premises, any person or persons due to undesirable or objectionable conduct.
17. Damage or Loss: The permittee shall be responsible for any damage to or loss of County equipment or property. Any permittee causing damage, loss or extensive clean-up will be required to pay any costs in connection with such damage, loss or clean-up.

18. Decorations: The use of cellophane, adhesive tape, nails, staples, screws, etc., in walls, woodwork, tables or other equipment/facilities is prohibited. Masking tape, if used, must be removed following the event. All decorations must be fireproof or made of fire retardant materials. Nothing shall be attached to light fixtures. Candles or other open flame devices are prohibited.
19. Verbal Agreements: No verbal agreements for use of the facilities and/or apparatus shall be made or honored.
20. Admission Charges: Ticket sales and admission charges are allowed only if indicated in the facility use form and approved by the Fire Chief or his/her designee. County residents cannot be excluded from a special event or other activities. Admission charges are voluntary donations.
21. Kitchens: Use of kitchens shall be subject to the County Health regulations relating to such use.
22. Supplies: It is the permittee's responsibility to ensure that supplies, such as toilet paper, trash bags, and/or cleaning supplies are sufficient to support the permittee's activity. Any additional supplies must be requested in advance.
23. Cancellation of Permittees Use of Facility(ies):
 - A. Mistreatment of the facility, equipment or apparatus.
 - B. Failure to meet requirements and/or conditions regarding the use of the facility(ies).
 - C. Failure to notify the Fire Chief or his/her designee of the cancelation of any date(s) covered by permit.
 - D. The facility is rendered unusable by unsafe conditions, natural disasters or other unforeseen events, such as fire.
24. Removal of Items: Nothing shall be removed from any facilities or premises without prior approval. Signs and bulletins shall not be removed.
25. Weapons: Unauthorized use and/or display of firearms or other dangerous weapons are prohibited.
26. Accounting: Each volunteer entity shall provide the Fire Chief an annual accounting of the benefits that they have received from fund raising efforts which have taken place at fire stations in Mariposa County. The Fire Chief will then report the benefits received from each volunteer entity to the Board of Supervisors at the close of each calendar year.