

**SAN JUAN COUNTY
NOTICE OF INTENT TO AMEND AND RESTATE
ORDINANCE NO. 49
AND NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN of the title and a general summary of the subject matter of an Ordinance proposed to be passed, approved, and adopted by the Board of County Commissioners of San Juan County, New Mexico, at a public meeting to be held on November 14, 2023, at 4:00 p.m. at the San Juan County Administration Building, 100 S. Oliver, Aztec, New Mexico. A complete copy of the proposed Amended and Restated Ordinance No. 49 is available for public inspection during normal business hours at the office of the County Clerk, 100 S. Oliver, Aztec, New Mexico.

The title and a general summary of the proposed Ordinance are as follows:

**SAN JUAN COUNTY ORDINANCE NO. 49
AS AMENDED AND RESTATED
FIRE AND EMERGENCY SERVICES ADMINISTRATION**

PROVIDING FOR THE ADMINISTRATION OF SAN JUAN COUNTY FIRE AND RESCUE, INCLUDING BOTH PAID AND VOLUNTEER PERSONNEL; ASSIGNING RESPONSIBILITIES FOR COORDINATED FIRE PREVENTION, FIRE SUPPRESSION, EMERGENCY MEDICAL SERVICES, AND OTHER EMERGENCY SERVICES INCLUDING BUT NOT LIMITED TO MUTUAL AID AND COOPERATION WITH FIRE DEPARTMENTS OR OTHER EMERGENCY SERVICES OF GOVERNMENT; ESTABLISHING POLICY FOR IMPLEMENTATION OF FIRE DEPARTMENT AND EMERGENCY SERVICES PLANS AND PROGRAMS, PROMULGATION OF RULES, REGULATIONS, MEDICAL PROTOCOLS AND STANDARD OPERATING PROCEDURES FOR THE OPERATION OF THE DEPARTMENT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SAN JUAN, NEW MEXICO:

SECTION 1: SHORT TITLE

This ordinance may be cited by number or as the San Juan County Fire and Emergency Services Administrative Ordinance.

SECTION 2: REPEALER

Any other ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3: PURPOSE

The organization, administration and operation of San Juan County Fire and Rescue is herein established and governed by the San Juan County Board of County Commissioners, through the County Manager and San Juan County Fire Chief.

SECTION 4: CONSOLIDATION OF SAN JUAN COUNTY FIRE AND RESCUE

San Juan County Fire and Rescue, formerly operating as separate districts, shall now be consolidated into a single department, hereby referred to as "San Juan County Fire and Rescue." This consolidation entails the unification of all resources, personnel, and functions previously associated with the individual entities known as San Juan County Fire and Rescue. Henceforth, they shall operate under the umbrella of San Juan County Fire and Rescue, with the aim of providing comprehensive fire and rescue services to the community. The establishment of San Juan County Fire and Rescue under a single Fire Department Identification Number shall be effective immediately upon the adoption of this ordinance. All previous distinctions between the separate districts are null and void, and any related agreements or procedures shall be updated to reflect this consolidation.

SECTION 5: DISSOLUTION OF THE SAN JUAN COUNTY FIRE CHIEF'S ASSOCIATION

The San Juan County Fire Chief's Association, previously established, is hereby dissolved. All memberships and bylaws of said Association are hereby repealed and terminated, and any obligations or duties thereunder are nullified.

SECTION 6: AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES

Joint resolutions, intergovernmental agreements, joint powers agreements and mutual aid agreements between San Juan County and other units of government pertaining to fire prevention, fire suppression, emergency medical services and other emergency services as well as dispatching of the same, now in force or being adopted subsequent to passage of this ordinance, are hereby expressly authorized when drawn or made in conformity to the intent and meaning of this ordinance and upon approval by the San Juan County Board of County Commissioners.

SECTION 7: POLICY

A. It is the policy of San Juan County to provide staffing, funding and equipment for San Juan County Fire and Rescue within available resources consistent with the standards of local, state and national authorities.

B. San Juan County Fire and Rescue is administered through the Fire Chief who is responsible for monitoring, overseeing, directing and coordinating all activities of San Juan County Fire and Rescue.

C. San Juan County recognizes that some private, non-profit corporations or other organizations perform useful functions in support of San Juan County Fire and Rescue. Private corporations or other organizations have no authority to manage the operations of San Juan County Fire and Rescue, or any part thereof. The services provided by San Juan County Fire and Rescue are exclusively governmental activities.

SECTION 8: COOPERATION WITH PRIVATE, NON-PROFIT, AUXILIARY ORGANIZATIONS

In consideration of the services provided by the private, non-profit, auxiliary organizations in support of San Juan County Fire and Rescue, the Fire Chief is authorized to enter into agreements with such organizations to allow the use of fire stations by such organizations for meeting, fund raising and social events, provided that any fund raising activities clearly state that the funds raised are being paid to such organizations and are not being paid to, or under the control of, San Juan County.

Such Auxiliary organizations may also enter into agreements with the Fire Chief to perform other functions related to fire, life, property and public safety.

SECTION 9: RESPONSIBILITIES AND AUTHORITY OF THE FIRE CHIEF

- A. The Fire Chief of the San Juan County Fire and Rescue shall be an employee of the County who oversees and directs the operation and administration of the department and reports directly to the County Manager.
- B. The Fire Chief, under the direction of the County Manager, shall develop, maintain and upgrade standards, policies, procedures, department personnel rules, regulations and protocols to ensure that the mission of delivering emergency services is accomplished consistent with the safety and protection of all paid and volunteer department personnel.
- C. The Fire Chief shall be responsible for the maintenance and protection of those licenses and authorities held by the County, as required by State and Federal regulators, for the delivery of emergency services and shall set forth the rules, regulations and reporting standards as required to maintain and protect those licenses and authorities.
- D. The Fire Chief, under the direction of the County Manager, shall be responsible for recruitment and training for the department and for the development and improvement of the department to meet local, state and federal standards.
- E. The Fire Chief shall be responsible for implementation and enforcement of fire and safety codes and any ordinances designating San Juan County and Rescue as the enforcement agency as are now in effect or hereafter adopted by San Juan County.
- F. The Fire Chief is authorized to enter into agreements, contracts and working arrangements with other units of government for implementing and administering the provisions of this ordinance following approval of the County Manager or the Board of County Commissioners as appropriate.
- G. The Fire Chief, under the direction of the County Manager shall promulgate departmental rules and regulations and shall enforce departmental rules and regulations for administering disciplinary action for both paid and volunteer personnel.

SECTION 10: PROCEDURE FOR ADOPTION OF DEPARTMENT RULES AND REGULATIONS

Proposed Rules and Regulations as well as modifications to the Rules and Regulations shall be made and forwarded to the County Manager for review. The County Manager may adopt, modify, or reject such proposals.

SECTION 11: MEDICAL CONTROL

All San Juan County Fire and Rescue personnel responding to emergency medical service calls and/or providing patient care, regardless of level of training or education, shall do so under the prior authorization and supervision of the San Juan County Fire and Rescue Medical Director. All firefighters shall operate solely within their scope of practice as defined by the New Mexico State EMS Criteria and San Juan County Medical Protocols. The Medical Director shall have responsibility and

authority which includes medical protocols. Nothing in this section shall be construed to give the Medical Director authority to allocate funding.

SECTION 12: SEVERABILITY

If any section, subsection, sentence, clause, word or phrase of this ordinance is held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance, The Board of County Commissioners of the County of San Juan hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, word, or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, words or phrases be held unconstitutional or otherwise invalid.

SECTION 13: EFFECTIVE DATE

This ordinance shall take effect and be in force thirty days after its final publication as provided by law.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held at the hour of 4:00 p.m. on November 14, 2023, at the San Juan County Commission Chambers, County Administration Building, 100 S. Oliver, Aztec, New Mexico, for the purpose of allowing comment either for or against the adoption of the above-described Ordinance.

**BOARD OF COUNTY COMMISSIONERS
OF SAN JUAN COUNTY, NEW MEXICO**

By: 
Steve Lanier, Chairman



By: 
Tanya Shelby, County Clerk