

ORDINANCE NO. A-399

AN ORDINANCE PROVIDING FOR THE FURNISHING OF FIRE FIGHTING FACILITIES OF THE CITY OF CONWAY FOR THE PROTECTION OF CERTAIN PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS; PROVIDING REGULATIONS UNDER WHICH SAID FIRE FIGHTING FACILITIES WILL BE USED; PROVIDING FOR A SCHEDULE OF CHARGES FOR SUCH PROTECTION; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1. From and after the passage and approval of this ordinance, any person firm or corporation within a radius of two (2) highway miles of the city limits of the City of Conway, Arkansas, is granted the privilege of applying to the City Council for limited fire fighting protection. The City Council may, at its discretion, approve or reject any such application.

If the City Council approves any application, the fire fighting facilities of the City of Conway shall then be available to such application, but shall be available only upon the following conditions.

1. An agreement shall be signed by the applicant, which agreement shall state that the City of Conway agrees to furnish only limited fire fighting equipment, and the applicant shall agree that any portion or all of this equipment may be recalled at any time by the City, when, in the judgement of the Chief of the Fire Department, such equipment is necessary for fire protection within the City of Conway. Said agreement shall further provide that the City does not undertake to guarantee any fire fighting results, and offers only such reasonable equipment as is consistent with conditions prevailing at the time, and the applicant shall agree that no claims of any kind or nature shall ever be made against the City resulting from the use and/or operation of the equipment.
2. Fire protection offered under the provisions of this ordinance shall be available only to structures located on the premises of applicant.
3. There is hereby established an Annual Inspection Fee in the amount of \$2.00. This fee shall be payable in advance beginning on June 1, 1963, and each June 1st thereafter. Inspections shall consist of the determination of accessibility of applicant's premises to fire apparatus, and such other minor inspections as may be necessary in the opinion of the Chief of the Fire Department.
4. The sole purpose of this ordinance is to offer service to separate properties, and grouping of properties shall not be allowed for the purpose of this ordinance.
5. In addition to the above fee, the applicant shall pay Usage Fee of Twenty-five dollars (25.00) per hour or fraction thereof for each fire fighting company which responds to an alarm on the premises of the applicant, whether the alarm is false or comes as the result of a fire. Only one fire fighting company shall respond to an alarm on the premises of any applicant unless the applicant or its or his agents request additional companies. The City shall not be bound to dispatch any equipment is available and is not needed at the time for fighting fire within the city limits.
6. Failure of the applicant to pay any fee set out in this ordinance within Ten (10) days after receiving due notice from the City Collector, shall void all agreements between the applicant and the City.

SECTION 2. It is not the intent of this ordinance to cancel or void any Mutual Aid Program now in effect.

SECTION 3. The City Council hereby finds and declares that **confusion** and **uncertainty** has heretofore existed concerning the **matters** contained herein and that such confusion and uncertainty **has** been hazardous to the citizens of protection of the public health, safety and welfare, an emergency **is** hereby declared to exist and **this** ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED the 28th day **May**, 1963.

APPROVED: Walter Dunaway
Mayor

ATTEST: Bill Langford
City Clerk