

AN ORDINANCE PROVIDING FOR MUTUAL AID AGREEMENTS  
FOR USAGE OF FIRE EQUIPMENT  
OUTSIDE THE CITY LIMITS;  
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

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

Section 1. Definitions.

For the purpose of this ordinance, the following terms are defined as follows:

(a) Municipality: A city, village or incorporated fire protection district;

(b) Other Governmental Agency: Arkansas State Police, the Faulkner County Sheriff's Department, the State Office of Emergency Services, the Arkansas Highway Department;

(c) Mutual Fire Aid Program: A plan or program as provided for in this ordinance whereby the municipalities participating in the program agree to come to one another's assistance in case of fire or disaster too large for local equipment and personnel to handle.

(d) Participating municipality: A municipality that participates in the mutual fire aid program by adopting an ordinance authorizing or approving the program and entering into an appropriate agreement (substantially as provided herein) with other participating municipalities for rendering and receiving first aid in case of fire or other disaster.

(e) Stricken municipality: A participating municipality in which a fire or other disaster occurs that is of such magnitude that it cannot be adequately coped with by local fire-fighting equipment and personnel.

(f) Aiding municipality: A municipality furnishing fire equipment to a stricken municipality, or to another aiding municipality.

Section 2. Agreement to effectuate the mutual fire aid program.

The agreements contemplated herein shall be executed by the Mayor and the City Clerk upon the recommendation of the Conway Fire Chief or his designee, with the approval of the city council.

The Mayor is authorized on behalf of the City to enter into (and from time to time alter and amend) an agreement with any and all of the municipalities in the mutual aid area defining and putting into effect a mutual aid program providing generally as follows:

(a) In the event that, in the judgment of the officer in charge of the fire department of a stricken municipality, the available fire-fighting equipment of the municipality or other governmental agency is inadequate to effectively cope with a fire or other disaster therein, said officer may call on a neighboring participating municipality to furnish fire-fighting equipment and personnel (to the extent specified in the agreement) to the stricken municipality, or other governmental agency for use, either (1) in combating the fire or other casualty, or (2) as a standby reserve to meet other calls that may occur before the local fire-fighting equipment is free to take care of them.

(b) Each aiding municipality furnishing fire-fighting equipment to a stricken municipality shall have the right to call on another participating municipality for fire-fighting equipment and personnel (to the extent specified in the agreement) as a standby reserve to take the place, in part, of the equipment furnished to the stricken municipality until such equipment shall be returned.

(c) On receipt of a call under paragraph (a) or (b) above, the aiding municipality called upon shall (to extent provided in the agreement) furnish the equipment and personnel called for by the stricken municipality, or other governmental agency or by the first aiding municipality except that such aiding municipality may always be permitted to retain sufficient fire-fighting equipment and personnel to fight any fire or to meet any emergency within its own boundaries that may reasonably be anticipated. This determination shall take into consideration road and weather conditions and available equipment as determined by the officer in charge of the Conway Fire Department.

### Section 3. Mutual fire aid program.

The chiefs of the fire departments of the municipalities participating in such mutual aid shall prepare a mutual aid program which

shall incorporate the necessary provisions of this article. Such mutual aid program shall, after approval by the corporate authorities of the municipalities participating, be in full force and effect and binding on such participating communities.

Section 4. Obligation of this city under mutual fire aid program.

The city shall furnish fire-fighting equipment and personnel for use outside it's boundaries, as provided in the tentative mutual fire aid program and/or as provided herein, or in any mutual fire aid program agreed to as provided herein, to any municipality and other governmental agency that has agreed to conform to said program and has assumed the obligations imposes upon it thereby.

Section 5. In reference to other governmental agencies as defined in Section 1(b) of this ordinance the chief of the Conway Fire Department, or other employee in charge in the chief's absence, shall furnish fire-fighting equipment and personnel for use outside the city limits of Conway, Arkansas, under the same conditions and circumstances as provided in Section 2 of this ordinance, if applicable. In rendering assistance under this section in the absence of mutual aid agreement, the protection of the City of Conway and maintaining an adequate reserve of equipment and personnel shall be the foremost consideration.

Section 6. That all ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 7. That ordinance being necessary for the protection of the Public Peace, Health Safety and emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

Passed this 9 day of September, 1980.

Approved: *Bill W. Wright*  
Mayor

ATTEST: *Ann D. Danna*  
City Clerk