

ORDINANCE NO. 2022-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE III, "DEPARTMENTS," DIVISION 3, "FIRE RESCUE DEPARTMENT," TO ENACT A NEW SECTION 2-82, "USE OF OFF-DUTY FIREFIGHTER/PARAMEDICS OR FIRE INSPECTORS FOR UNOFFICIAL FUNCTIONS," TO PROVIDE FOR OFF-DUTY DETAIL RATES FOR FIREFIGHTERS/PARAMEDICS OR FIRE INSPECTORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to provide for off-duty detail procedures and fees to be consistent with Fire Rescue Department procedures; and

WHEREAS, the City Commission finds and determines that this ordinance is in the best interest of the residents and business community of the City of Coconut Creek.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Article III, "Departments," Division 3, "Fire Rescue Department," by enacting a new Section 2-82 to read as follows:

Section 2-82. Use of Off-Duty Firefighter/Paramedics or Fire Inspectors for Unofficial Functions.

- (a) Authority. Upon request, the city may make available to any educational, charitable or commercial organization within the city limits or any city resident within the city limits, the services of one (1) or more firefighter/paramedics or fire inspectors for the purpose of protecting the persons and property at a function of the organization or resident, in accordance with the provisions of this division. The use of off-duty firefighters/paramedics or fire inspectors at the function of any above described organization or resident shall be on a purely volunteer basis. Such functions are not City-sponsored and are therefore considered "Unofficial

Functions,” and the firefighters/paramedics are considered to be working “Off-duty Details,” also known as “Special Details.” A three (3) hour minimum will apply for each off-duty personnel request.

- (b) Request for service. Requests for service under this section shall be made to the office of the fire-rescue chief, or designee, in advance of a scheduled activity.
- (c) Scheduling of personnel. Scheduling of off-duty personnel shall be arranged, after approval of the request under this section, by the fire-rescue chief, or designee, for no less than a three-hour assignment.
- (d) Maintenance of time sheets. Time sheets shall be maintained for each of the assigned firefighter/paramedics or fire inspectors under this section and submitted to the finance and administrative services department in time to be included in the next subsequent payroll.
- (e) Fees:
 - (1) Any organization or resident receiving services under this section shall be charged a fee of fifty dollars (\$50.00) per hour per individual, except for holidays as detailed in subsection 2-82(e)(2) below. If four (4) or more individuals are being requested for the same event, one person will serve in a supervisory capacity and will be charged at a fee of fifty-four dollars (\$54.00) per hour.

- (2) The fee for services under this subsection on the following City-observed holidays shall be sixty dollars (\$60.00) per hour per individual:

- New Year’s Day
- Martin Luther King Junior’s Birthday
- Presidents’ Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year’s Eve

If four (4) or more individuals are being requested on a holiday for the same event, one person will serve in a supervisory capacity and will be charged at a fee of sixty-four dollars (\$64.00) per hour.

- (3) An organization or resident requesting additional fire or EMS equipment to be used during the function will be charged hourly at the latest applicable FEMA equipment rate. A three (3) hour minimum will apply for each request.
- (4) Any 501c3 not-for-profit charitable organization located within the City may request a waiver of fees referenced in subsection 2-82(e)(1), (e)(2) and (e)(3) above for extenuating circumstances. The fee waiver request must be in writing to the Fire-Rescue Chief, or designee, at least ten (10) days before the unofficial function. The request may be granted no more than one (1) time per calendar year per organization.

Section 3: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 5: Codification. That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 6: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 13TH DAY OF JANUARY, 2022.

PASSED SECOND READING THIS 27TH DAY OF JANUARY, 2022.

Rebecca A. Tooley, Mayor

Attest:

Marianne Bowers, Interim City Clerk

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>
Railey	<u>Aye</u>	<u>Aye</u>