

ORDINANCE NO. 2024-031

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 AMEND SECTION 2-82, "USE OF OFF-DUTY FIREFIGHTER/PARAMEDICS OR FIRE INSPECTORS FOR UNOFFICIAL FUNCTIONS," TO PROVIDE FOR AN INCREASE OF OFF-DUTY DETAIL FEES FOR FIREFIGHTER/PARAMEDICS OR FIRE INSPECTORS AND ADD JUNETEENTH AS A HOLIDAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 2, "Administration," Article III, "Departments," Division 3, "Fire Rescue Department," Section 2-82, "Use of off-duty firefighter/paramedics or fire inspectors for unofficial functions," of the City's Code of Ordinances provides procedures and fees for the hiring of off-duty firefighter/paramedics and fire inspectors for non-City functions; and

WHEREAS, the City desires to update the fees in Section 2-82, "Use of off-duty firefighter/paramedics or fire inspectors for unofficial functions," to make them consistent with the terms of the most recent Fire Collective Bargaining Agreement; and

WHEREAS, the City desires to update Section 2-82, "Use of off-duty firefighter/paramedics or fire inspectors for unofficial functions," of the City's Code of Ordinances to add Juneteenth as a holiday for which the holiday premiums is charged; and

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

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

CODING: Words in ~~struck through~~ type are deletions from existing text.
Words in underscored type are additions to existing text.
A line of *** indicates existing text not shown.

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 Chapter 2, "Administration," Article III, "Departments," Division 3, "Fire Rescue Department," Section 2-82, "Use of off-duty firefighter/paramedics or fire inspectors for unofficial functions," to read as follows:

Chapter 2 - Administration

ARTICLE III. – DEPARTMENTS

DIVISION 3. – FIRE RESCUE DEPARTMENT

Sec. 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 sixty~~ dollars (~~\$5060.00~~) 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, or any time the Fire Chief, or designee, determines a supervisor is required, one (1) person will serve in a supervisory capacity and will be charged at a fee of ~~fifty-four~~ seventy-five dollars (~~\$5475.00~~) per hour.
- (2) The fee for services under this subsection on the following city-observed holidays shall be ~~sixty~~ seventy-five dollars (~~\$6075.00~~) per hour per individual and ninety-five dollars (\$95.00) per hour for supervisors:

New Year's Day

Martin Luther King Junior's Birthday

Presidents' Day

Memorial Day

Juneteenth

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, or any time the Fire Chief, or designee, determines a supervisor is required, one (1) person will serve in a supervisory capacity and will be charged at a fee of ~~sixty-four~~ ninety-five dollars (~~\$6495.00~~) 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 to 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 _____ DAY OF _____, 2024.

PASSED SECOND READING THIS _____ DAY OF _____, 2024.

Sandra L. Welch, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Welch _____
Railey _____
Rydell _____
Brodie _____
Wasserman _____