

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

ORDINANCE NO. 2024- 11

**AN ORDINANCE PROVIDING FOR THE ADMINISTRATION AND OPERATION OF
THE SANTA FE COUNTY FIRE DEPARTMENT, AND REPEALING ORDINANCE
NOS. 1997-11 AND 2010-1**

**BE IT ORDAINED BY THE SANTA FE COUNTY BOARD OF COUNTY
COMMISSIONERS:**

SECTION 1. SHORT TITLE.

This Ordinance may be cited by number or as the “Santa Fe County Fire Operations Administrative Ordinance.”

SECTION 2. PURPOSE.

A. This Ordinance provides for the administration and operation of the Santa Fe County Fire Department (Department), including both Career and District Members; assigning responsibilities for coordinated fire prevention, fire suppression, rescue operations, emergency and non-emergency medical services, community risk reduction programs, and other services including but not limited to, mutual aid and cooperation with fire departments or other services of government; establishing policy for implementation of fire, rescue, and medical service programs; promulgation of rules, regulations, medical treatment guidelines and standard operating guidelines and/or procedures for the operation of the Department.

B. The organization, administration and operation of Santa Fe County Fire Department is herein established and governed by the Santa Fe County Board of County Commissioners, through the Fire Chief of the Santa Fe County Fire Department.

SECTION 3. DEFINITIONS.

A. Career Member – An individual who is employed by Santa Fe County and works within the Fire Department.

B. Command Staff – Career Members staff at the rank of Deputy Fire Chief, Assistant Chief Battalion Chief, and/or identified Captains hired by the Fire Chief who assists with the administrative and operational oversight of Santa Fe County Fire Department.

C. County Manager – The Santa Fe County Manager or Deputy County Manager designated by the County Manager to discharge any of the duties under this Ordinance.

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D. District Chief – A volunteer who has been duly elected by the membership of the Fire District and confirmed by the Fire Chief. The District Chief, as defined by Section 9 of this Ordinance, is responsible for the day-to-day operational activities of the Fire District's County-owned stations, apparatus, equipment; supervision of District Members; and allocated district funds under the direction and supervision of the Fire Chief.

E. District Chiefs Association – A collaborative assembly of district chiefs representing their respective districts. This group convenes regularly with designated command staff to offer insights and feedback from their districts and members regarding fire department operations, fostering communication and alignment between district-level and department-wide objectives.

F. District Member – An individual in good standing who has been accepted to and does volunteer their time and service within an individual Fire District.

G. Fire Chief – A position hired by the County Manager to oversee the administration and operation of Santa Fe County Fire Department.

H. Fire District – An area designated by the Board of County Commissioners based on a geographical boundary, which encompasses cultural identities and communities- within Santa Fe County.

SECTION 4. AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES.

Joint resolutions, memoranda of understanding, joint powers agreements and mutual aid agreements between Santa Fe County and other units of government pertaining to fire prevention, fire suppression, emergency and non-emergency medical services, community risk reduction programs and other 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 Santa Fe County Board of County Commissions or the County Manager as permitted by applicable resolutions.

SECTION 5. POLICY.

A. The quality of life of the citizens of Santa Fe County is enhanced by the vigorous administration of effective fire prevention, fire suppression, community risk reduction, emergency and non-emergency medical services and other services administered by the Santa Fe County Fire Department.

B. Fire Districts within Santa Fe County bring cultural value and community cohesion to the Department, providing positive individual identity and the ability for mutual benefit. As the Santa Fe County Fire Department is a combined volunteer and career department, the individual boundaries and identities of each district are recognized and valued.

C. Santa Fe County Fire Department is organized through the combined efforts of the Fire Chief, Command Staff, District Fire Chiefs, and Department personnel with the priority of delivering quality emergency services to the citizens and visitors of Santa Fe County.

D. Providing the aforementioned services is consistent with the constitutionally prescribed functions of government to provide for the health, safety, and welfare of the general public.

E. Santa Fe County is to provide staffing, funding and equipment for Santa Fe County Fire Department based on available resources consistent with the guidelines of local, state, and national standards.

F. The Santa Fe County Fire Department is administered through the Fire Chief who is ultimately responsible for running a cohesive, effective, well-functioning Department. The Fire Chief does this with support from Department Command Staff, individual District Chiefs and the District Chiefs Association, providing a mutual, community-based approach for monitoring, overseeing, directing, and coordinating all Department activities.

G. The Board of Commissioners shall determine, with input from the Fire Chief, after consulting with the District Chiefs, the required number of Fire Districts, Fire Regions, and associated Fire Department Identification Numbers (FDIDs), to appropriately deliver emergency services throughout Santa Fe County.

SECTION 6. COOPERATION WITH PRIVATE, NON-PROFIT, AND AUXILIARY ORGANIZATIONS.

A. Santa Fe County recognizes that some private, non-profit, corporations perform useful functions in support of the Fire Department including the Fire Districts. Private corporations have no authority to manage the operations of Santa Fe County Fire Department, or any part thereof, including Fire Districts. The services provided by Santa Fe County Fire Department are exclusively governmental activities. These entities may, however, utilize county facilities when the function benefits the Department, the events can be accommodated within available management resources, and activities meet all applicable county requirements. With respect to any fund-raising activities, the event must clearly state that the funds raised are being paid to such organizations and are not being paid to, or under the control of, Santa Fe County.

B. Such auxiliary organizations may also enter into agreements with the Santa Fe County Fire Department to be signed by the County Manager, as authorized by appropriate Resolutions, to perform other functions related to fire, life, property and public safety.

SECTION 7. RESPONSIBILITIES AND AUTHORITY OF THE FIRE CHIEF

A. The Fire Chief of Santa Fe County Fire Department shall be an employee of the County who oversees and directs all operations and administration of the Department and reports directly to the County Manager or designee.

B. All revenue sources characterized as public funds require Board of County Commissioners approval prior to expenditure. As such, the Board has directed the Fire Chief under the direction of the County Manager, to set budgetary priorities for Santa Fe County Fire Department, and to review and approve expenditures requested by Department personnel within the budget approved by the Board. The Fire Chief shall review such requests for compliance with all applicable statutes, ordinances, and rules and regulations.

C. The Fire Chief, under the direction of the County Manager, shall develop, maintain, and approve standards, policies, procedures, Department personnel rules, and regulations and protocols, so that the mission of delivering emergency services, non-emergency services, and community risk reduction programs is accomplished. These standards, policies, procedures, Department personnel rules and regulations, and protocols, in conjunction with the County Personnel Rules and Regulations, will serve as the minimum standards for the Department.

D. The Fire Chief, under the direction of the County Manager, 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.

E. The Fire Chief, under the direction of the County Manager shall be responsible for staffing, recruitment, training, budgeting and all other administrative matters for the Department and for the development and improvement of the Department to meet local, state, and federal standards.

F. The Fire Chief, under the direction of the County Manager, shall be responsible for implementation and enforcement of fire and safety codes and any ordinance designating Fire Department services, or the Fire Marshal as the enforcement agency as now in effect or hereafter adopted by Santa Fe County.

G. The Fire Chief, under the direction of the County Manager, and conferring with District Chiefs when appropriate, is hereby authorized to commit Department personnel, equipment, and resources, wholly or in part, to emergency fire protection and emergency and non-emergency service delivery, including mutual aid, for the relief of danger to life or property from fire, accident, medical emergencies, explosion or natural disaster, within the Department's allocated budget.

H. The Fire Chief, after conferring with District Chiefs, when appropriate, may request that the Board of County Commissioners or the County Manager, as appropriate, enter into agreements, contracts, and working arrangements with other units of government for implementing and administering the provisions of this Ordinance.

I. The Fire Chief, under the direction of the County Manager, and conferring with District Chiefs when appropriate, shall promulgate Departmental rules and regulations and shall enforce Departmental rules and regulations for administering disciplinary action for both Career and District Members, with consultation with the County Human Resources Director.

J. The Fire Chief, under the direction of the County Manager, is authorized to arrange communications systems and networks necessary to adequately alert, dispatch and/or communicate with facilities, equipment, and personnel within Santa Fe County for the purpose of responding to fires, accidents, medical emergencies, explosions, and natural disasters.

K. The Fire Chief, under the direction of the County Manager, and conferring with the District Chiefs Association, shall establish Department rules and regulations, job titles, job descriptions, organizational chart, training requirements, and equal promotion of career and District Members. (Note: The extent of DCA involvement is described in Section 11).

SECTION 8. RESPONSIBILITIES AND AUTHORITY OF THE DISTRICT CHIEF.

A. The District Chief is a volunteer who has been duly elected by the membership of the Fire District, confirmed by the Fire Chief and serves at the pleasure of the Fire Chief. The District Chief is responsible for collaborating with Department personnel to ensure the day-to-day operational activities of the Fire District's County-owned stations, apparatus, equipment, supervision of District Members, and allocated budget under the direction and supervision of the Fire Chief. The Fire Chief may appoint personnel to serve in the role of a District Chief in the absence of a qualified district member. If there is no willing or qualified district member to serve in the role of District Chief the Fire Chief may appoint a member of Command Staff to fill the role of District Chief. Should a member of Command Staff serve in the role of a District Chief for greater than two months the Fire Chief will provide a report to the Board of County Commissioners at the next regularly scheduled Board meeting.

B. The District Chief is responsible for allocated district funds and confers with the Fire Chief regarding the budgeting and expenditure of funds, which will be reviewed for approval by the Fire Chief dependent on the Fire Department's priorities and budgetary constraints.

C. The District Chief operates in a community-based position, prioritizing the needs of the community, representing that community in the context of SFCFD, and serving as a conduit for community involvement in Department priorities, processes, and operations. The District Chief should work to connect the community, and Department in this role. The District Chief shall confer with neighboring districts, the Fire Chief, and Command Staff to establish

advantageous response arrangements, protocols, and staffing arrangements to best meet the needs of the district and Santa Fe County Fire Department.

SECTION 9. RESPONSIBILITIES AND AUTHORITIES OF OTHER DEPARTMENT PERSONNEL.

The Fire Chief shall have the power and authority to deputize willing personnel of Santa Fe County Fire Department, in writing, to perform as official agents of the Department including the supervision of personnel as may be deemed necessary for the protection of the health, welfare, and safety of the residents of the County and for the enforcement of codes and ordinances.

SECTION 10. RECRUITMENT, APPLICATION, TRAINING, PERFORMANCE AND RETENTION OF PERSONNEL.

A. The Fire Chief, under the direction of the County Manager, shall develop standards for the recruitment, application, hiring, training, performance evaluation, and promotion of Department personnel.

B. The Fire Chief, under the direction of the County Manager and conferring with the District Chiefs Association, shall administer a volunteer retention program to develop standards for the recruitment, application, training, performance evaluation and promotion of District Members who are equal, in so far as feasible, between career and District Members. The application of a prospective District Member shall contain an acknowledgment and acceptance of the conditions of District Membership in Santa Fe County Fire Department as contained in the Rules and Regulations.

C. Such standards shall be in conformance with applicable federal, state, and County regulations and shall be set forth in the Rules and Regulations of the Fire Department following the approval of the County Attorney and County Manager.

SECTION 11. PROCEDURE FOR ADOPTION OF DEPARTMENT RULES AND REGULATIONS.

A. The Fire Chief, under the direction of the County Manager, shall develop proposed Department Rules and Regulations, as well as modifications to the Department Rules and Regulations, for Fire Department services after the final adoption of this ordinance.

B. Proposed Rules and Regulations as well as modifications to the Rules and Regulations shall be made and forwarded to the County Manager for approval after review by the County Attorney.

C. Non-Emergency department policy, procedure, and direction are conducted by the Fire Chief, under the authority of the County Manager, in consultation with the District Chiefs

Association (DCA). In the event of a lack of response from the DCA in a reasonable timeframe, it shall be assumed the DCA concurs with the County Fire Chief's direction on the given topic. Any unresolved disagreement between the DCA and Fire Chief will be evaluated, by the County Manager or designee and will a serve a determination. will be made. Emergency policies, procedure and direction may be issued by the Fire Chief without consultation with the District Chiefs, as needed to protect public health, safety, departmental resources and personnel.

SECTION 12. MEDICAL CONTROL.

All Santa Fe County Fire Department personnel responding to emergency and non-emergency medical service calls and/or providing patient care, regardless of level of training or education, shall do so only under the prior authorization and supervision of the County Fire Department Medical Director or other licensed practitioner if permitted by state law or internally approved treatment guidelines. The medical director is accountable for developing and updating standing medical protocols and treatment guidelines in coordination with the Fire Chief or designee. Nothing in this section shall be construed to give the Medical Director authority to allocate funding.

SECTION 13. REPEAL.

Santa Fe County Ordinance Nos. 1997-11 and 2010-1 are hereby repealed, and any other ordinance in conflict with this ordinance is hereby repealed to the extent of such conflict.

SECTION 14. SEVERABILITY.

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

SECTION 15. EFFECTIVE DATE.

The effective date of this Ordinance shall be thirty (30) days after this Ordinance is recorded with the County Clerk.

PASSED, APPROVED AND ADOPTED ON THIS 1st DAY OF December, 2024.

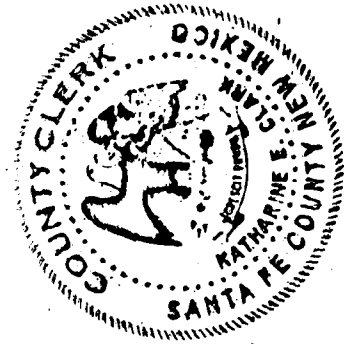
SFC CLERK RECORDED 12/10/2024

SANTA FE COUNTY
THE BOARD OF COUNTY COMMISSIONERS

By: Hank Hughes
Hank Hughes, Chair

ATTEST:

Katharine E. Clark
Katharine E. Clark
Santa Fe County Clerk



Approved as to Form:

Jeff Young
Jeff Young
Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for
Record On The 10TH Day Of December, 2024 at 02:28:25 PM
And Was Duly Recorded as Instrument # 2048561
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy [Signature] County Clerk, Santa Fe, NM

SFC CLERK RECORDED 12/10/2024