SUMTER COUNTY ORDINANCE 2011-___

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, PROVIDING FOR THE AMENDMENT OF CHAPTER 8, ARTICLE I, SECTION 8-3 OF THE SUMTER COUNTY CODE OF ORDINANCES, FOR THE PURPOSE OF AMENDING THE ENABLING LANGUAGE OF THE FIRE RESCUE DEPARTMENT, THE TITLE AND FUNCTION OF THE FIRE CHIEF AND THE TITLE, MEETING SCHEDULE, PURPOSE AND APPOINTMENT PROCESS OF THE SUMTER COUNTY FIRE RESCUE ADVISORY BOARD, PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Sumter County Fire Rescue Department is the sole provider of fire suppression, fire prevention, extrication, rescue and emergency response to incidents including manmade or natural disasters that are not primarily law enforcement in nature in the geographical limits of Sumter County, Florida, except as designated by separate resolution and/or agreement by the Board of County Commissioners of Sumter County, Florida ("County"); and,

WHEREAS, the Sumter County Fire Rescue Department is considered a Division for purposes of equity within the County's organizational structure; and,

WHEREAS, the County has determined that it is necessary to amend the stated function, purpose and jurisdiction of the Fire Rescue Department as it currently exists; and,

WHEREAS, the County has entered into an agreement with a private provider for the provision of advanced and basic life support transport services (ambulance), and requires a mechanism for acquiring public input regarding the sufficiency and quality of those services; and,

WHEREAS, the County has approved a change in title, responsibilities and duties of the Fire Chief; and,

WHEREAS, the frequency of advisory board meetings is required to increase due to the addition of emergency medical and ambulance services; and,

WHEREAS, the Board of County Commissioners of Sumter County, Florida, after the appropriate publication of notice of its intention to consider this Amendment, has determined that in consideration of the health, safety and welfare of its citizens, it is in the best interests of Sumter County, Florida to approve this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Sumter County, Florida, as follows:

SECTION 1. Chapter 8, Article I, Section 8-3, subsections (a), (b), (c) and (d) of the Sumter County Code of Ordinances are stricken in their entirety and replaced with the following language:

Sec. 8-3. Fire and Emergency Medical Services Division.

(a) *Creation.* There is hereby established the Sumter County Fire and Emergency Medical Services Division (Division). The Division shall be the sole provider of fire suppression, fire prevention, fire code plan review and inspections, extrication, rescue, basic and advanced life support, and basic and advanced life support transport services in the geographical limits of Sumter County, Florida.

(b) *Exception Area.* The Villages Center Community Development District ("VCCDD") may be granted, by contract, the right to provide fire suppression, fire prevention, fire code plan review and inspections, extrication, rescue, and basic and advance life support services within The Villages of Wildwood Development of Regional Impact, Tri-County Villages Development of Regional Impact and Villages of Sumter Development of Regional Impact.

(c) *Chief.* There is hereby established the position of Chief. The Chief shall oversee, direct, and administer the operations of the Division. The Chief shall serve as the countywide chief, and as the highest-ranking officer and chief executive of the Division. The Chief shall report to and be held accountable by the County Administrator. The Chief shall oversee the operation of the Division and work closely with the authorities having jurisdiction over law enforcement, water supply, public works, emergency management, planning/development, and the VCCDD, among other services, to provide for protection of the public interest in those instances that involve those other agencies. The Chief shall work closely with all state and federal agencies in protection of the public interest.

(d) *Advisory Board.* There is hereby created a Sumter County Fire and Emergency Medical Services Advisory Board ("Advisory Board"), the purpose of which is to provide input and recommendations for the public interest to the Chief, County Administrator, and the Board of County Commissioners of Sumter County, Florida ("County") concerning issues related to fire suppression, fire prevention, extrication, rescue, basic and advanced life support, and basic and advanced life support transport services in the geographical limits of Sumter County, Florida. Membership on the Advisory Board shall be comprised of seven (7) voting members who are residents of specific jurisdictional areas and two (2) at-large alternate members who can vote in the absence of a voting member, and one (1) ex-officio member that is the Chief. Absence is defined by a voting member not being present for the roll call to determine a quorum before any action is taken by the Advisory Board. The designated voting member and at-large alternate members shall be appointed by the County and shall serve in three-year alternating terms. The starting members and their respective starting length of terms for staggering purposes shall be as follows:

a.	*City of Wildwood Resident*	(3-Year Term)	1/1/2011 – 12/31/2013
b.	*City of Bushnell Resident*	(3-Year Term)	1/1/2011 – 12/31/2013
c.	*City of Center Hill Resident*	(3-Year Term)	1/1/2011 – 12/31/2013
d.	*City of Webster Resident*	(2-Year Term)	1/1/2011 – 12/31/2012
e.	*City of Coleman Resident*	(2-Year Term)	1/1/2011 – 12/31/2012
f.	*Exception Area Resident*	(2-Year Term)	1/1/2011 – 12/31/2012
g.	*Unincorporated Area Resident*	(1-Year Term)	1/1/2011 – 12/31/2011
h.	*At-Large Alternate Member*	(3-Year Term)	1/1/2011 – 12/31/2013

i. *At-Large Alternate Member* (3-Year Term) 1/1/2011 – 12/31/2013

The staggered terms are used to maintain Advisory Board continuity. A simple majority of the voting members (4) present shall constitute a quorum of the Advisory Board and shall be required for actions or recommendations to pass. The Advisory Board is subject to all rules, regulations, and statutes applying to advisory boards in Sumter County, Florida, including open meetings and public records requirements. The advisory board shall meet monthly, with proper public notice. The Advisory Board may schedule additional meetings, as it deems necessary, with due public notice. The Advisory Board will select its own Chairman and Vice Chairman. The Chief shall prepare the agenda for the Advisory Board. The Chairman, upon opening the Advisory Board meeting, shall allow for amendments to the agenda from a majority vote of the Advisory Board. Recommendations from the Advisory Board shall be forwarded to the County Administrator and the County. The Advisory Board shall not have authority to act on behalf of the County other than to provide recommendations related to its purpose.

SECTION "X". CONFLICTS AND REPEALER.

This Ordinance shall be cumulative of all provisions of the Ordinances of Sumter County, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event all Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

DONE AND ORDAINED this 26th day of April, 2011, in regular session by the Sumter County Board of County Commissioners in Bushnell, Florida.

ATTEST:	CONNIE WEBB CLERK OF CIRCUIT COURT	DON BURGESS SUMTER COUNTY, FLORIDA
	_____	_____
	Deputy Clerk	Chairman

(SEAL)

Approved as to Legal Form:

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County Attorney