

ORDINANCE O-08-2026

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS, AMENDING CHAPTER 6. FIRE PREVENTION AND PROTECTION, ARTICLE 6.02 VOLUNTEER FIRE DEPARTMENT; FORMALLY ESTABLISHING THE JACKSBORO FIRE DEPARTMENT AS THE OFFICIAL MUNICIPAL FIRE DEPARTMENT AND PRESCRIBING THE POWERS AND DUTIES OF THE DEPARTMENT AND ITS OFFICERS WITHIN THE DEPARTMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Jacksboro, a Type A General-Law City, may organize a fire department and prescribe the powers and duties therein under Local Government Code, Section 342.004; and

WHEREAS, the City Council has determined that current City Ordinances are no longer applicable, as the Jacksboro Fire Department has been established as a full-time, 24-hour responding fire department; and

WHEREAS, Chapter 6, Fire Prevention and Protection, Article 6.02 VOLUNTEER FIRE DEPARTMENT, documents the various general provisions of fire prevention and protection, established by Ordinance of the City Council as follows:

**§6.02.001 Definitions**

**§6.02.002 Designation of volunteer fire department; agreement for emergency services; duties.**

**§6.02.003 City to provide equipment, training and benefits.**

**§6.02.004 Consideration system; restrictions on municipal officers serving as volunteer firefighters.**

**§6.02.005 Selection of fire chief; duties; salary.**

**§6.02.006 Appointment of fire marshal; designation of enforcement authority; appeals.**

**§6.02.007 Municipal officers not to serve as fire marshal or fire chief.**

**§6.02.008 Mitigation rates for deployment of emergency and nonemergency services.**

**§6.02.009 False fire alarms in commercial business.**

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and general welfare of the public to amend Article 6.02 Volunteer Fire Department of the Code of Ordinances to establish the organization of the Jacksboro Fire Department as the official municipal fire department and prescribe the powers and duties within the department and its officers; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS, THAT:**

**SECTION 1.** All of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION 2. Chapter 6. Fire Prevention and Protection** of the City of Jacksboro Code of Ordinances is hereby amended relative to Article 6.02 Volunteer Fire Department, as set forth in the attached "Attachment A".

**SECTION 3. REPEALING CLAUSE.** All provisions of the Code of Ordinances of the City of Jacksboro, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and affect.

**SECTION 4. SEVERABILITY.** It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance since the city council would have enacted them without the invalid portion.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall take effect and be in full force from and after its passage, approval and adoption.

**PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS, THIS THE 9TH DAY OF MARCH 2026.**

**CITY OF JACKSBORO**

  
\_\_\_\_\_  
**ALTON MORRIS**  
**MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**SHALYN BURRITT**  
**CITY SECRETARY**

**APPROVED AS TO FORM: SPILLER & SPILLER**

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# Attachment A

**ARTICLE 6.02**  
**VOLUNTEER FIRE DEPARTMENT**

**§ 6.02.001. Definitions.**

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

Board of appeals. ~~The city council.~~ **The Board of Zoning Adjustments**

Code. The International Fire Code, ~~2000~~ **2015** edition, as supplemented and amended, and/or the most current version.

Code official. The ~~fire marshal.~~ **Fire Marshal**

Fire department. The ~~city volunteer fire department.~~ **The Jacksboro Fire Department.**

Jurisdiction. The City of Jacksboro.

Municipal officer. Includes yet is not limited to those persons elected to serve on the city council or appointed by the city council to serve on a board, commission or other recommending or advisory body, the ~~m~~**M**Mayor, ~~e~~**C**ity ~~m~~**M**anager and ~~e~~**C**ity ~~s~~**S**ecretary. "Municipal officers" do not include city employees.

(Ordinance O-15-03 adopted 8/26/2003; 1997 Code, sec. 34.01)

**§ 6.02.002. Designation of ~~official volunteer fire department;~~ ~~agreement for emergency services;~~ ~~duties.~~**

- (a) The ~~city volunteer~~ **Jacksboro Fire Department** shall be recognized as the official fire department of the ~~e~~**C**ity.
- ~~(b) An agreement shall be executed which memorializes the volunteer fire department's agreement to provide emergency services to the city. Such agreement shall be reviewed annually and, if acceptable, renewed annually, subject to modification. A proposed copy of the agreement is attached to Ordinance O-15-03 (adopted 8/26/2003) as exhibit A for illustrative purposes.~~
  - (b) The Department shall consist of:
    - (1) **Paid fire protection personnel employed by the City;**
    - (2) **Volunteer fire protection personnel who serve without regular wages.**
- ~~(c) An agreement shall be executed which memorializes the volunteer fire department's agreement to provide emergency services to the city. Such agreement shall be reviewed annually and, if acceptable, renewed annually, subject to modification. A proposed copy of the agreement is attached to Ordinance O-15-03 (adopted 8/26/2003) as exhibit A for illustrative purposes.~~
  - (c) **The Department shall provide fire suppression, rescue services, emergency medical response within the authorized scope, hazardous materials response, fire prevention, public education, disaster response, and related public-safety services.**
- ~~(d) The city council may adopt any ordinances that it considers necessary for the general health, safety and welfare of the citizens of the city. The city volunteer fire department shall adhere to and enforce all such city ordinances relative to fire prevention and safety, including the code, to the extent provided for in an "Agreement For Emergency Services," as it may be amended.~~

**(d) The Department shall be funded through the City's annual budget.**

~~(e) The city volunteer fire department, as an independent contractor, shall fulfill the following obligations to the city:~~

- ~~(1) Provide personnel to respond to any emergency that may arise within the city limits including, yet not limited to, fire, tornado, severe storms, building collapse, vehicle accidents, emergency medical services (when requested), floods, emergency management, and other natural or human-made emergency situations that may arise and shall require the response of the department as requested by the city.~~
- ~~(2) Assure that all members of the department are well trained and will operate under the incident command system to ensure an orderly response to these incidents.~~
- ~~(3) Assist in the maintenance and repair of equipment (including personal protective equipment, trucks, hoses, ladders, nozzles and the like) provided by the city and operate the equipment in a manner that assures the safety of operations as well as the citizens of the community.~~
- ~~(4) Hold regular training meetings, as well as attending area and state schools, to receive training and make reports to the proper agencies.~~
- ~~(5) Abide by the constitution and bylaws of the department and manage and conduct all emergency situations in a professional manner.~~
- ~~(6) Control the work and the manner in which it is performed, consistent with and subject to state statutes and applicable ordinances.~~

~~(Ordinance O-15-03 adopted 8/26/2003; 1997 Code, sec. 34.02)~~

**§ 6.02.003. City to provide equipment, training and benefits.**

- (a) The city council may obtain fire engines and other fire protection apparatus and shall have control over the use and disposition of the apparatus and provide a fire station to preserve the apparatus. The ~~f~~Fire ~~d~~Department shall maintain the fire engines and fire protection apparatus including ensuring that all routine maintenance is performed in accordance with manufacturers' recommended warranties.
- (b) The ~~e~~City shall provide certain equipment, training and benefits to the **volunteers** ~~volunteer fire department~~. Such equipment, training and benefits include yet is not limited to the following:
  - (1) Provide, repair and maintain such equipment as may be necessary for the safe operation and management of all emergency situations that may arise. This shall include yet is not limited to pump trucks, hoses, ladders, nozzles and other water handling appliances, smoke ejectors, self-contained breathing apparatus, personal protective equipment (helmet, boots, gloves, coats, pants, suspenders and the like), and other equipment that may be necessary to manage emergency situations (command posts, van, rescue unit).
  - (2) Provide insurance to protect the department against injury, liability and the like.
  - (3) Provide and manage the firefighter's relief and retirement fund and compensate persons already eligible, as well as members becoming eligible in the future.

(Ordinance O-15-03 adopted 8/26/2003; 1997 Code, sec. 34.03)

**§ 6.02.004. Consideration system; restrictions on municipal officers serving as volunteer firefighters.**

- (a) The following consideration system is hereby established for those who serve as ~~volunteers. on the city volunteer fire department.~~
- (b) Persons who serve as ~~members of the city volunteer fire department~~ **volunteers** may elect to receive consideration for service as a volunteer firefighter as follows:
  - (1) Firefighters who reside in the corporate limits of the city may receive a \$10.00 credit per month on the e-City utility (water) bill provided that the bill is current or paid when due less the \$10.00 credit. The e-City will credit the firefighter's account in the amount of \$10.00 at that point. Failure to pay the water bill on time will result in no credit being given. For the purposes of this consideration, payment on time is deemed to be at 5:00 p.m. on the date payment is due.

~~(e) Municipal officers who serve as volunteer firefighters may not participate in the preparation of budgets or ordinances relative to the city volunteer fire department. To avoid the appearance of impropriety, the municipal officer should, yet is not required to, abstain from voting on issues relating solely to the city volunteer fire department unless abstention is otherwise required by law.~~

(Ordinance O-15-03 adopted 8/26/2003; 1997 Code, sec. 34.04)

**§ 6.02.005. Selection of fire chief; duties; salary; and authority.**

- (a) The Fire Chief shall be ~~a member of the volunteer fire department and shall be selected by the members of the department and shall be confirmed by the city council.~~ **appointed by the City Manager. The Fire Chief must be a commissioned or certified firefighter and meet standards set by the City.**
- (b) The Fire Chief shall report to the eCity ~~m~~Manager and perform all lawful duties directed to him or her by the city manager.
- (c) The Fire Chief shall assist the fire marshal in his or her duties and responsibilities.
- (d) The salary of the Fire Chief, ~~if any~~, shall be recommended by the City Manager and approved by the city council.
- (e) The Fire Chief shall submit an annual budget to the City Manager for review and consideration by the city council.
- (f) **The Department shall operate under the command of the Fire Chief with administrative oversight by the City Manager.**
- (g) **The Fire Chief is the chief administrative and operational officer of the Department and shall supervise all operations, personnel, equipment and facilities.**
- (h) **The Fire Chief shall be responsible for:**
  - (1) **Recruiting and evaluating applicants;**
  - (2) **Managing training and certifications;**

- (3) **Assigning duties and responsibilities;**
- (4) **Appointment and removal of paid and volunteer officers; and**
- (5) **Discipline, suspension, and termination of personnel as necessary**
- (i) **The Fire Chief has full authority to hire and terminate paid and volunteer personnel, subject to due-process requirements and appeal rights established herein.**
- (j) **The Fire Chief may appoint or remove officers – including Assistant Chiefs, Battalion Chiefs, Captains, Lieutenants, or other supervisory roles.**
- (k) **The Fire Chief may issue, modify, and enforce rules, regulations, standard operating procedures, and guidelines for the safe and efficient operation of the Department.**
- (l) **The Fire Chief shall oversee the enforcement of adopted fire codes and the investigation of fires.**
- (m) **The Fire Chief shall maintain all personnel, training, equipment, incident, and operational records.**
- (n) **The Fire Chief may negotiate mutual-aid agreements subject to City approval.**  
(Ordinance O-15-03 adopted 8/26/2003; 1997 Code, sec. 34.05)

**§ 6.02.006. Appointment of fire marshal; designation of enforcement authority; appeals.**

- (a) Appointment. The Fire Marshal, in charge of fire prevention, shall be appointed by the ~~members of the department on the basis of competitive examination or based on qualifications. The appointment of the fire marshal shall be confirmed by the city council prior to the person assuming office or performing any duties.~~ **Fire Chief.**
- (b) Designation of members of police department. The Fire Marshal may, with the concurrence of the Chief of Police or his designee, designate that the members of the police department have authority to enforce the provisions of the code for which the normal training of a peace officer would provide the level of technical skills and knowledge required. Such designation of enforcement authority shall be made in writing with specific reference to the code part or parts for which enforcement authority is given, and the Chief of Police shall agree in writing to accept such enforcement authority prior to any enforcement action being taken pursuant to such designation.
- (c) Right of appeal. Any appeal from a decision of the ~~fFire m~~ Marshal relative to the following may be appealed to the ~~board of appeals~~ **Board of Zoning Adjustment** within 30 days from the date of the decision:
  - (1) Disapproval of an application.
  - (2) Refusal to grant a permit.
  - (3) Decision relative to the interpretation or applicability of the code.
- (d) Appeal procedure. Such request for an appeal must be made in writing and submitted to the ~~eCity s~~ Secretary and the ~~fFire e~~ Chief. The ~~board of appeals~~ **Board of Zoning**

~~Adjustment~~ shall hear the appeal at the first available and practical regular meeting date. The ~~board of appeals~~ Board of Zoning Adjustment may require additional evidence and expert testimony in order to render its decision. The decision of the ~~board of appeals~~ Board of Zoning Adjustment shall be final and binding.

(Ordinance O-15-03 adopted 8/26/2003; 1997 Code, sec. 34.06)

**§ 6.02.007. Municipal officers not to serve as fire marshal or fire chief.**

No municipal officer may serve in the capacity as ~~fFire m~~ Marshal or ~~fFire e~~ Chief while serving in public office.

(Ordinance O-15-03 adopted 8/26/2003; 1997 Code, sec. 34.07)

**§ 6.02.008. Mitigation rates for deployment of emergency and nonemergency services.**

- (a) The ~~e~~City shall initiate mitigation rates for the delivery of emergency and nonemergency services by the fire department for personnel, supplies and equipment to the scene of emergency and nonemergency incidents as listed in exhibit A to Ordinance O-17-18. The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in exhibit A to Ordinance O-17-18, which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.
- (b) A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.
- (c) The city council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.
- (d) The mitigation rates lists in exhibit A to Ordinance O-17-18 will increase by 1.5% annually or based on the annual percentage increase in the Consumer Price Index (CPI), as developed by the Bureau of Labor Statistics of the U.S. Department of Labor, whichever is more. Rate adjustments will occur on the anniversary date of this ordinance/ resolution to keep the ~~fFire d~~ Department's cost recovery program in conformity with increasing operating expenses.

**§ 6.02.009 Administrative V. Emergency-Scene Authority**

- (a) **Administrative Authority – The Fire Chief shall have full authority over staffing, management, training, internal operations, and administrative matters.**
- (b) **Emergency-Scene Authority – At emergency scenes, the Fire Chief – or ranking officer or designated Incident Commander – shall have complete and unquestioned command authority, including control of personnel, access, operations, and safety. Administrative processes or appeals do not override emergency-scene authority.**

**§ 6.02.010 Volunteer Fire Personnel.**

- (a) **Status – Volunteers are recognized as members of the City's Fire Department.**
- (b) **Membership Actions – Membership may be granted, suspended or revoked by the Fire Chief.**

- (c) **Volunteer Bylaws** – Volunteer associations may adopt bylaws, but they are subject to approval by the Fire Chief.
- (d) **Volunteer Fundraising** – Members of the volunteer association, under the laws and guidelines of the State of Texas and the local bylaws of the association, may host and participate in fundraising events for the organization. The use of the City name, images, equipment and facilities shall be subject to City approval.

**§ 6.02.011 Personnel Due Process**

- (a) **Paid Personnel** – Paid personnel subject to discipline or termination shall receive written notice of the basis for the action and an opportunity to respond before the action becomes final.
- (b) **Volunteer Personnel** – Volunteers shall receive written notice of disciplinary action and the reason(s), along with an opportunity to respond to the Fire Chief.
- (c) **Right to Appeal** – Any paid or volunteer firefighter terminated by the Fire Chief may appeal to the City Manager.
  - (1) **Timeline for Appeal** – A written appeal must be filed within ten (10) business days of notice of termination.
  - (2) **Contents of the Appeal** – The appeal must include the appellant's name, contact information, a statement requesting appeal, and supporting information.
  - (3) **Administrative Review** – The City Manager shall review relevant materials, meet with parties as needed, and issue a written decision within twenty (20) business days unless extended for good cause.
  - (4) **Finality** – The City Manager's decision is final.

(Ordinance O-17-18 adopted 11/19/2018; 1997 Code, sec. 34.10, **Ordinance O-08-2026 adopted 02/23/2026**)