

ORDINANCE NO. 190

AN ORDINANCE AUTHORIZING THE CITY OF STILWELL, OKLAHOMA, TO ENTER INTO CONTRACTS, OR AGREEMENTS, WITH INDIVIDUALS, FIRMS, PRIVATE ORGANIZATIONS OR ASSOCIATIONS, OR POLITICAL SUBDIVISIONS OF THE STATE, FOR FIRE PROTECTION OUTSIDE THE CORPORATE LIMITS OF SAID CITY; TO PROVIDE FIRE PROTECTION JOINTLY WITH OTHER ORGANIZATIONS AND MUNICIPAL SUBDIVISIONS OF THE STATE; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE CITY OF STILWELL, OKLAHOMA, AS FOLLOWS:

SECTION 1. The City of Stilwell is hereby authorized and empowered to enter into contracts or agreements with individuals, firms, private corporations or associations, or political subdivisions of the State of Oklahoma, for fire protection outside the corporate limits of said City, and to contract to provide fire protection jointly with other organizations and municipal subdivisions of the State.

SECTION 2. Any contract entered into by the City of Stilwell, Oklahoma, with an individual owner, firm, private corporation, or association for outside aid or mutual aid for fire protection shall provide for the payment by said owner, firm, private corporation or association, or political subdivision, to the City of Stilwell, Oklahoma, for such fire apparatus and personnel at the rate of Three Hundred Dollars (\$300.00). All monies received from said calls shall go into the general fund to be used in such manner as the City Council directs.

SECTION 3. The Fire Department of the City of Stilwell is hereby authorized and directed to answer all outside calls within Adair County, a distance of twelve (12) miles from the nearest fire station, unless, in the opinion of the Fire Chief, it is inexpedient to do so on account of another fire in the City, broken apparatus, impassable or dangerous highways or other physical conditions.

SECTION 4. All firemen of the Fire Department of the City of Stilwell, attending and serving at fires or doing fire prevention work outside the corporate limits of the City of Stilwell, as herein provided, shall be considered as serving in their regular line of duty as fully as if they were serving within the corporate limits of the City of Stilwell, and said firemen shall be entitled to all the benefits of any firemen's pension and relief fund in the same manner as if the fire fighting or fire prevention work was being done within the corporate limits of the City.

SECTION 5. The Fire Department of the City of Stilwell, answering any fire alarm, or call, or performing any fire prevention services outside the corporate limits of the City, shall be considered as an agent of the State of Oklahoma and acting solely and alone in a governmental capacity, and said municipality shall not be liable in damage for any act of commission, omission or negligence while answering or returning from any fire, or reported fire, or doing any fire prevention work under and by virtue of Sections 1, 2, 3 and 4 hereof.

SECTION 6. All motorized equipment of the Fire Department of the City of Stilwell shall have the right-of-way over all other commercial and pleasure vehicles.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. That, in order to preserve and protect public safety, health and peace, an emergency is hereby declared to exist by reason whereof this

Ordinance shall take effect immediately upon its passage and publication.

PASSED by the Council of the City of Stilwell, Oklahoma, on this 8<sup>th</sup> day of September, 1987.

APPROVED by the Mayor of the City of Stilwell, Oklahoma, on this 8<sup>th</sup> day of September, 1987.

HUGH ZIMMERMAN  
Mayor

ATTEST: SUE CATRON  
City Clerk

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*[Related Ordinances, No. 61 and No. 211]*