

TITLE 20

MISCELLANEOUS

CHAPTER

1. EMERGENCY ASSISTANCE POLICY.
2. DEPARTMENT OF PARKS AND RECREATION.

CHAPTER 1

EMERGENCY ASSISTANCE POLICY

SECTION

- 20-101. Policy and procedures.
- 20-102. Definitions.
- 20-103. Requesting assistance.
- 20-104. Responding to a request for emergency assistance.

20-101. Policy and procedures. The purpose of this document is to establish the policy and procedures that will govern the Town of Burns in the process of requesting emergency assistance of another local government or in responding to the request of another local government for emergency assistance.

The following sections establish the guidelines under which decisions and their extent of implementation will be made regarding emergency assistance. (1980 Code, § 1-801)

20-102. Definitions. (1) "Emergency assistance" as defined in the Local Government Emergency Assistance Act of 1987 shall mean fire fighting assistance, law enforcement assistance, requested by a local government in an emergency situation in which the resources of the requesting local government are not adequate to handle the emergency.

(2) "Local government" shall mean any incorporated city or town, any county, metropolitan government, county, utility district, metropolitan airport authority, or other regional district or authority.

(3) "Requesting party" means a local government which requests emergency assistance.

(4) "Responding party" means a local government which responds to a request for emergency assistance.

(5) "Appropriate senior officer" shall mean the police chief or the fire chief or their respective officer in charge. For departments other than law enforcement or fire services the mayor or the person in charge of the particular service area shall be the appropriate senior officer. (1980 Code, § 1-802)

20-103. Requesting assistance. All requests for emergency assistance made on behalf of the Town of Burns shall be made or authorized by the appropriate senior officer. The Town of Burns through its appropriate senior officer, in accordance with the provisions of the Local Government Emergency Assistance Act of 1987, will be in full command of its emergency as to strategy, tactics, and overall direction of the operation and shall direct the actions of the responding party by relaying orders to the senior officer in command of the responding party.

The Town of Burns accepts liability for damages or injuries, as defined in Tennessee Code Annotated, § 29-20-101 et seq., caused by the negligence of its employees or the employees including authorized volunteers of a responding party while under the command of the senior officer of the Town of Burns. However, the Town of Burns does not accept liability for damages to the equipment or personnel including authorized volunteers of a responding party, nor is the Town of Burns liable for any damages caused by the negligence of the personnel of the responding party while enroute to or returning from the scene of the emergency.

The Town of Burns acknowledges that any party from whom assistance is requested has no duty to respond nor does it have any duty to stay at the scene of the emergency and may depart at its discretion. (1980 Code, § 1-803)

20-104. Responding to a request for emergency assistance. The Town of Burns will respond to calls for emergency assistance only upon request for such assistance made by the appropriate senior officer on duty for the requesting town. All requests for emergency assistance shall be made only to the appropriate senior officer in charge of the particular service area for which services are requested.

Upon the receipt of a request for aid as provided for in the preceding paragraph the town is authorized to respond as follows:

(1) The town is authorized to provide at least one (1) piece of equipment and (1) person or crew from that particular service area from which emergency assistance is requested.

(2) The greatest response that the Town of Burns will provide is fifty percent (50%) of the personnel and resources of that particular service for which emergency assistance is requested.

The Town of Burns has no duty to respond to a request and will reject a request for emergency assistance or will depart from the scene of the emergency based upon the discretionary judgment of the appropriate senior officer in command at the scene of the emergency or the appropriate senior officer for that service for the Town of Burns. In cases where two or more requests for emergency assistance are made at the same time, the appropriate senior officer of the Town of Burns shall determine, based upon a reasonable appraisal of the emergencies of the requesting jurisdictions, how best to respond to the requests. The appropriate senior officer may determine to send all available resources to

the jurisdiction with the most dire emergency, or may send some resources to each requesting jurisdiction.

The Town of Burns accepts full liability, as defined in Tennessee Code Annotated, § 29-20-101 et seq., for any damages to its equipment and personnel in responding to a request for emergency assistance and for damages caused by its equipment or personnel while enroute to or returning from the scene of the emergency. However, the Town of Burns shall not be liable for any property damage or bodily injury at the actual scene of any emergency due to actions which are performed in responding to a request for emergency assistance.

The personnel of the Town of Burns shall have extended to any geographic area necessary as a result of a request for emergency assistance the same jurisdiction, authority, rights, privileges, and immunities, including coverage under the workers compensation laws, which they have in the Town of Burns. (1980 Code, § 1-804)

CHAPTER 2

DEPARTMENT OF PARKS AND RECREATION

SECTION

- 20-201. Establishment, equipment and membership.
- 20-202. Organization, rules and regulations.
- 20-203. Records and reports.
- 20-204. Tenure and compensation of members.

20-201. Establishment, equipment and membership. There is hereby established a Department of Parks and Recreation to be supported and equipped from appropriations by the board of commissioners. All equipment and supplies purchased by or through the town shall be and remain the property of the town. The parks and recreation department shall be composed of a department head appointed by the board of commissioners, and a parks and recreation committee appointed by the department head and approved by the board of commissioners and composed of nine (9) members including:

- Department head;
- Members of the Burns Little League;
- Members of the Burns Jr. Pro Basketball;
- Members of the Burns Jr. Pro Football/Cheerleading;
- Members of the Burns Ladies' Auxiliary;

Other members appointed by the department head and approved by the board of commissioners. (Ord. #94, Nov. 1994, as replaced by Ord. #167, April 2006)

20-202. Organization, rules and regulations. The department head shall set up the organization of the department, make definite assignments to individuals, and shall formulate and enforce such rules and regulations as shall be necessary for the orderly and efficient operation of the parks and recreation department. (Ord. #94, Nov. 1994)

20-203. Records and reports. The department head shall keep adequate records that he may feel necessary and keep the commissioners informed on matters he feels the commissioners should be aware of. (Ord. #94, Nov. 1994)

20-204. Tenure and compensation of members. The department head shall serve at the pleasure of the board of commissioners and shall hold office for a term to be fixed by the board of commissioners not to exceed two years or until his successor is elected and qualified unless he is removed by the board of commissioners.

All personnel of the parks and recreation department shall receive such compensation for their services as the board of commissioners may from time to time prescribe. (Ord. #94, Nov. 1994)