

RESOLUTION NO. 2010-07-14

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HARTSEL FIRE PROTECTION DISTRICT REGARDING THE ORDERLY ADMINISTRATION, PROTECTION AND MAINTENANCE OF THE DISTRICT'S FACILITIES AND OPERATIONS.

WHEREAS pursuant to Sec. 32-1001(1)(h), C.R.S., the Hartsel Fire Protection District's Board of Directors is charged with the management, control, and supervision of all the business and affairs of this District, including the control, management and supervision of the District's buildings and facilities; and

WHEREAS pursuant to Sec. 32-1-1001(1)(m), C.R.S., the Board is authorized to adopt and enforce rules and regulations for carrying on the business, objects, and affairs of the Board and of the District; and

WHEREAS pursuant to Sec. 18-9-117, C.R.S., certain violations of such rules and regulations pertaining to the use and activities or conduct in or on the District's buildings and grounds may be enforced through the imposition of criminal penalties; and

WHEREAS based upon various incidents occurring during the past 18 months that have resulted in the interference with District personnel in the performance of their lawful duties and at least one incident of a breach of the public peace and order in or near District premises; and

WHEREAS the Board determines that its business meetings should be focused on addressing the District's business affairs and not be distracted by disruptive conduct by members of the public attending such meetings; and

WHEREAS the District's emergency responders are often hampered in their operations by interested spectators whose presence may block a highway or road, jeopardize their own safety or that of the victim, create a hazardous situation endangering lives or property, or interfere with the District's operations; and

WHEREAS the District's Fire Chief is the District's chief executive officer as well as its chief of the District's emergency response and fire department; and

WHEREAS the Board determines that it is in the District's best interests and the best interests of the public's welfare and safety, as well as that of the District's employees, volunteers, and officers, to adopt rules and regulations pertaining to the orderly administration, protection and maintenance of the District's stations, grounds, and facilities and its operations;

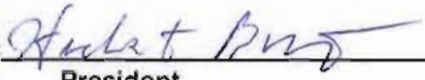
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HARTSEL FIRE PROTECTION DISTRICT THAT:

1. The attached Rules Regarding District Stations, Grounds, and Operations are hereby adopted effective immediately.
2. The District's administration is directed to post a copy of such Rules at the entrance of each facility owned and operated by the District and in the meeting area of the District's Board of Directors, and to publish such Rules on the District's website and in its newsletters.
3. Copies of such Rules shall remain posted, as provided herein, until further action of the Board.

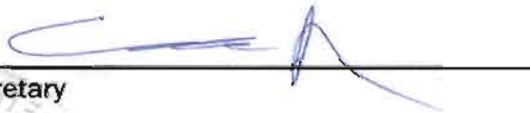
4. The District's Fire Chief shall be charged with the responsibility to monitor compliance and enforce such Rules through the issuance of temporary orders. The Fire Chief or designee shall be authorized to take any one or more of the following corrective actions:
- a. Order such violator or violators to immediately cease and desist such conduct;
 - b. Order such violator or violators to immediately leave the premises, to clear the highway, passageway or premises, or an area that is in dangerous proximity to fire or other hazards;
 - c. To report such violations to the appropriate law enforcement agencies as violations of these Rules and/or applicable state statutes including without limitation: Sections 18-8-102 (obstructing governmental operations); 18-9-106 (disorderly conduct); 18-9-107 (obstructing highway, passageway, or use of premises); 18-9-108 (disrupting lawful assembly); 18-9-110 (trespass of public buildings); 18-9-111 (harassment and stalking); 18-9-117 (unlawful conduct on public property), Colorado Revised Statutes.
5. This Resolution shall be effective immediately upon passage and shall remain in full force and effect until further affirmative action of the District's Board of Directors to rescind, modify, or amend such Rules.

Adopted this 14TH day of JULY 2010

HARTSEL FIRE PROTECTION DISTRICT

By: 
President

Attest:
(Seal)


Secretary



**RULES AND REGULATIONS OF THE
HARTSEL FIRE PROTECTION DISTRICT REGARDING THE ORDERLY ADMINISTRATION, PROTECTION AND
MAINTENANCE OF THE DISTRICT'S FACILITIES AND OPERATIONS.**

The following rules and regulations shall be applicable for all District facilities and operations:

1. The District welcomes the public to inspect and tour District stations/grounds and response apparatus and such visits shall be scheduled through the District's admin office or through contacting the Fire Chief (or designee in his absence).
2. No person who is not an authorized District volunteer, officer, director, or volunteer shall enter upon the District's station or grounds without having either lawful business to conduct at such station/grounds or an invitation to visit such premises, or unless such person is attending a meeting of the Board of Directors or has scheduled a tour/inspection of the District. Except as provided herein, such stations and grounds are not open to the public.
3. Those members of the public that are attending Board meetings or other public District events shall not loiter or remain within the District's facilities or upon the grounds after the meeting has been adjourned or after the conclusion of the event.
4. Members of the public who attend Board meetings shall not willfully impede any District official or employee in the lawful performance of such official's or employee's duties or activities through the use of any restraint, coercion, or intimidation by force or violence, or the threat thereof. The term "employee" shall include both paid and volunteer personnel.
5. Members of the public who attend Board meetings shall not willfully disrupt or hinder the normal proceedings of the Board by any act or behavior which is designed to intimidate, coerce or hinder any member of the Board or District officers from the performance of their duties at such meeting or session.
6. The Board shall provide in its established agenda for public comment and input on any District issues. After such period of public comment, no additional comments from the audience shall be accepted while the Board is conducting its business except for when a public hearing is declared on a particular issue coming before the Board.
7. All persons entering upon on District premises shall conduct themselves at all times in a lawful and peaceful manner and shall not disrupt the conduct of the District's operations or business affairs.
8. Any person who has committed, is committing, or threatens to commit, or incites others to commit any act which did, or would (if completed) disrupt, impair, interfere with or obstruct the lawful missions, processes, procedures, or functions of the District being conducted in or upon District facilities or grounds shall be ordered by the Fire Chief, or his designee, to immediately leave the District's facilities and grounds.
9. No person shall intrude into any non-public area or office in which authorized District personnel are performing their duties (regardless of whether such duties are administrative, training, or maintenance work) and no person shall willfully impede, disrupt, or hinder the normal proceedings of such personnel.
10. No person shall disobey a reasonable request of the Fire Chief, or Incident Commander, to prevent obstruction of a highway or street, passageway, or building entrances or hallways when such obstruction renders the area or premises impassable or unreasonably inconvenient for passage, or hazardous to the safety of persons or property.
11. No person shall disobey a reasonable request of the Fire Chief, or Incident Commander, to clear an area or to disperse from a gathering when such presence or gathering is in close proximity to a fire or other such similar hazard to public safety and welfare.