

AN ORDINANCE PROVIDING FOR BOARD OF SUPERVISORS
APPROVAL OF THE CREATION AND CONTINUED EXISTENCE OF
VOLUNTEER FIRE COMPANIES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Chapter 2, commencing with section 31.201, is added to Division 1 of Title 3 of the San Diego County Code of Regulatory Ordinances to read as follows:

CHAPTER 2. REGULATION OF VOLUNTEER FIRE COMPANIES

SEC. 31.201. STATEMENT OF PURPOSE

Health and Safety Code section 14831 provides that the board of supervisors of a county which has a population of 1,000,000 or more may, by ordinance, regulate the formation and continued existence of volunteer fire companies. This chapter is adopted pursuant to that authority.

SEC. 31.202. REGULATION OF FORMATION AND CONTINUED EXISTENCE OF VOLUNTEER FIRE COMPANIES

(a) No volunteer fire company shall be formed unless the Board approves its formation. The proponents for formation of the company shall file an application with the department designated by the Chief Administrative Officer.

(b) The Chief Administrative Officer shall review the application and make a recommendation to the Board for approval, conditional approval or denial of formation.

(c) The Board shall consider the following factors before approving formation of a volunteer fire company:

(1) The need for services.

(2) The adequacy of funding for the services.

(3) Whether creation of the company complies with any plan adopted by the Board for the delivery of fire protection and emergency medical services in the unincorporated area of the County.

(4) Whether the provision of supplemental or competing fire services by any other entity would result in the mismanagement of emergencies or in confusion to those seeking aid.

(d) The Board may order the dissolution of or consolidation of existing companies after considering the factors in subdivision (c).

(e) Nothing in this section requires a volunteer fire company that exists on the effective date of this section to obtain approval from the Board to continue in existence. The existence of each such company is hereby approved unless the Board affirmatively orders the dissolution of the company.

Section 2. Effective Date. This ordinance shall take effect and be in force 30 days after the date of its passage, and before the expiration of 15 days after its passage, a summary shall be published once with the names of the members voting for or against the same in a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 23rd day of July, 2008.