

RESOLUTION NO. 2036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, ESTABLISHING A RESPONSE PROTOCOL FOR THE CITY'S FIRE DEPARTMENT FOR SERVICE CALLS TO COMMERCIAL AND INDUSTRIAL AREAS OUTSIDE OF THE CITY LIMITS

WHEREAS, the City of Golden operates a full service fire department funded by the citizens of Golden that provides fire and emergency services within the City, and, under certain circumstances, in areas adjacent to the City; and

WHEREAS, the Miller-Coors Brewery and related facilities are roughly bordered by the City of Golden to the west, the Fairmount Fire Protection District to the north, and the Fairmount Fire Protection District and the West Metro Fire District to the east, and South Table Mountain to the south, as depicted on Exhibit A; and

WHEREAS, with the exception of a small portion of the Miller-Coors Brewery located in the City of Golden, and the east half (more or less) of the Miller-Coors property located within the Fairmount Fire Protection District, and a single parcel at the east end of the property located in the West Metro Fire Protection District, the Miller-Coors Brewery is not within the City of Golden, nor in any other fire protection district, and thus does not pay for fire protection services through property taxes; and

WHEREAS, the City of Golden has historically provided fire protection services to the Miller-Coors Brewery property through a contract for services, wherein Golden was compensated for the services provided to the property; and

WHEREAS, the fire protection services agreement between the City and the owner of the Miller-Coors Brewery property terminated on December 31, 2009. The parties have not been able to negotiate a new agreement and the City is no longer under a contractual obligation to provide fire protection services to the property; and

WHEREAS, the City understands that the owners of the Miller-Coors Brewery property have not negotiated the fire protection contract with any other fire protection district; and

WHEREAS, Sections 30-10-512 and 513.5 of the Colorado Revised Statutes, relegates authority to the County Sheriff pertaining to fires within unincorporated areas of the County that have not contracted for fire protection services with a fire protection district or municipality; and

WHEREAS, because of the proximity of the Miller-Coors Brewery to the City of Golden, a fire or other emergency at the Miller-Coors Brewery could well impact the health, safety and welfare of the citizens in Golden; and

WHEREAS, because of the potential impact upon the City of Golden of inadequate fire protection and emergency services at commercial or industrial properties adjacent to the City, City Council believes it is appropriate to establish protocols addressing requests for fire protection and emergency services to commercial or industrial properties that are not within the City limits, or otherwise under contract with the City for services. Such protocols are intended to protect the health, safety and welfare of the citizens of the City of Golden, and to ensure the financial capability of the City of Golden to provide services to its citizens and residents through its fire department.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO

Section 1. The following protocols shall apply with respect to calls or requests for emergency and fire protection services from commercial or industrial properties located outside of the corporate limits of the City of Golden:

A. Applicability.

Subject to the exceptions listed below, the protocols established herein shall apply to all calls for emergency or fire services to the City of Golden Fire Department pertaining to commercial and industrial property located outside of the Golden City limits. The following are excepted from the protocols:

- 1) Properties that are under contract with the City of Golden for the provision of fire or emergency protection services.
- 2) Responses to properties made pursuant to a mutual aid agreement between the City and any other governmental entity.
- 3) Calls for service that the duty command officer of the Golden Fire Department determines require an immediate response in order to protect lives and property within the limits of the City of Golden.
- 4) Calls for service to vehicles on public property.

B. Protocols.

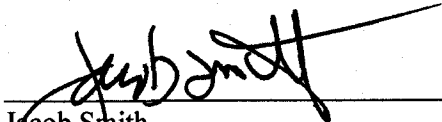
- 1) Parties who call for service that are subject to these protocols shall be advised that the appropriate first responding agency is the Jefferson County Sheriff's Office, as provided by Section 30-10-513.5 of the Colorado Revised Statutes, and that the call should be directed to the Sheriff's Office.
- 2) The City's Fire Department will dispatch its fire crews only upon a request for assistance originating from the Jefferson County Sheriff pursuant to the provisions of Section 30-10-513.5. Any dispatch from the Golden Fire Department pursuant to such a request from the Sheriff shall be limited in a manner to ensure that sufficient resources remain available to protect lives and property within the City of Golden.
- 3) Any City of Golden equipment or personnel dispatched pursuant to these protocols shall only provide such fire and emergency protection services as are necessary to mitigate the immediate danger of fire or emergency. Supplemental services associated with the aftermath of the emergency, such as cleanup, shall not be rendered by the Golden Fire Department.
- 4) The City will pursue full reimbursement of all costs incurred in a response to a request for assistance by the Jefferson Sheriff under the terms of Section 30-10-513.5 C.R.S. The City Manager is directed to establish a schedule of charges that is specific to calls for fire and emergency protection services to unprotected commercial and industrial properties in unincorporated areas of the County that reflects the true, full, and actual costs to the City of providing such services.

C. Protection of City Lives and Property. The foregoing protocols notwithstanding, the duty commander of the Golden Fire Department shall not be precluded from dispatching Golden Fire Department personnel and equipment without awaiting a request from the Jefferson County Sheriff in those instances where the duty commander determines that lives and property within the city limits are at immediate risk. In such circumstances, the city shall diligently pursue recovery of all costs and expenses associated with such dispatch.

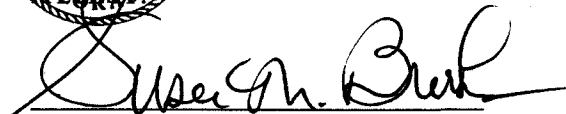
Section 2. Coordinated Response. The City Manager is directed to apprise all emergency responding agencies in the vicinity of these City of Golden protocols in order to ensure coordinated responses to regional emergencies.

Adopted the 11th day of February, 2010.



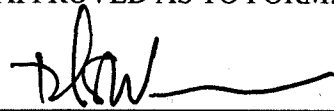


Jacob Smith
Mayor



Susan M. Brooks, MMC
City Clerk

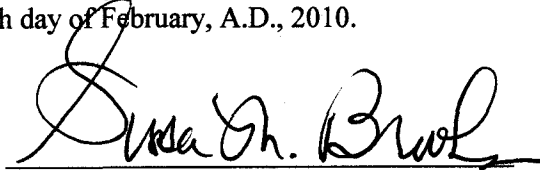
APPROVED AS TO FORM:



David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular business meeting thereof held on the 11th day of February, A.D., 2010.



ATTEST: 

Susan M. Brooks, City Clerk of the City of
Golden, Colorado