

**CITY OF WARD
ORDINANCE NUMBER O-2025-17**

**AN ORDINANCE AUTHORIZING THE WARD FIRE DEPARTMENT TO CHARGE FOR FIRE
RESPONSES AND OTHER EMERGENCY RESPONSES OUTSIDE THE CITY LIMITS OF WARD**

WHEREAS, THE CITY OF WARD first established a Ward Volunteer Fire Department (WVFD) in 1989 and reaffirmed the establishment via Ordinance O-2021-10 renaming the department the Ward Fire Department (WFD); and,

ARKANSAS CODE ANNOTATED (A.C.A.) § 14-20-108 allows for Volunteer Fire Departments to levy (collect) fire department dues for parcels in unincorporated areas in the county and WVFD began collecting sometime after it was established; and,

WHEREAS, AS THE CITY OF WARD is a City of the First Class and as such the Fire Department cannot collect fire dues under § 14-20-108 as affirmed by Arkansas Attorney General Opinion 2025-028 dated July 22,2025.

WHEREAS, CITY OF WARD ORDINANCE O-2024-04 authorized the city's Fire Department to respond outside the city limits as a primary response for fire and EMS type calls.

WHEREAS, because there is no current means to collect fire dues or levy fire dues on parcels outside the city limits for cities of the first class; the City of Ward will begin charging for all fire calls and certain rescue calls in its Fire District as allowed under § 14-53-102.

NOW, THEREFORE IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS THAT:

SECTION 1 – AUTHORIZATION: § 14-53-102 authorizes an organized fire department of a city that combats¹ a fire beyond their corporate limits (city limits) to take reasonable efforts for ninety (90) days to collect 100% of the expendable resources the city used to respond

SECTION 2 – AUTHORITY TO CHARGE FOR SERVICES AND TO WHOM: The City of Ward Fire Department and/or the City of Ward is hereby authorized to charge for all fire related calls and certain rescue type calls as listed below that occur **OUTSIDE THE CITY LIMITS OF WARD AND WITHIN THE WARD FIRE DISTRICT**. This listing is not inclusive as other situations may allow for charging for services.

¹ "Combating a fire" refers to the act of fighting and extinguishing a fire, employing various methods and tools to control and suppress the flames and prevent further damage or spread. This can involve using water, foam, or other extinguishing agents, as well as creating firebreaks and employing other tactical strategies to contain the fire.

1. **Structure Fires:** Any call in which upon arrival on scene, means to combat the fire are undertaken. If known, the homeowner's insurance company will be billed. If unknown, the individual homeowner will be billed.
2. **Natural Vegetation (grass, etc) Fires:** Any call in which upon arrival on scene, means to combat the fire are undertaken. If known, the homeowner's insurance company will be billed. If unknown, the individual homeowner will be billed.
3. **Vehicle Fires:** Any call in which upon arrival on scene, means to combat the fire are undertaken. If known, the registered owner's insurance company will be billed. If unknown, the registered owner will be billed.²
4. **Vehicle Incidents/Accidents (to include farm implements) etc:** Any call in which upon arrival on scene, steps are taken to mitigate the situation, provide first aid, extrication, etc. If known, the registered owner's or the individual's insurance company will be billed. If unknown, the registered owner and/or individual will be billed.²

SECTION 3 – FORMS AND SOURCES OF REIMBURSEMENT:

1. **Equipment:** FEMA Schedule of Equipment Rates
2. **Personnel:**
 - a. **Full and Part Time:** Hourly rate not including benefits
 - b. **Volunteers:** Amount paid for initial response per Ordinance
 - c. **Expended Resources:** Current cost to include shipping/delivery charges and taxes, if applicable.

SECTION 4 – AUTOMATIC AND MUTUAL AID RESPONSES: Fire and other emergency responses outside the city limits as outlined in Automatic or Mutual Aid Agreements will not be charged to anyone or anyone's insurance except if requested so by the Fire Department in charge (Incident Command).

SECTION 5 – INITIAL RESPONSE OUTSIDE THE WARD FIRE DEPARTMENT DISTRICT: If the City of Ward's Fire Department is called out to respond to any fire or other emergency incident outside the department's fire district because of a non-response by the responsible department or the responsible department cannot respond, the City of Ward and its Fire Department reserves the right to bill for services as outlined in Section 2.

SECTION 6 – REIMBURSEMENT FOR PREVIOUS PAID FIRE DUES: Upon implantation of this Ordinance, the city will reimburse – pro rata - those who have paid dues for calendar year 2026.

SECTION 7 – COLLECTION ACTION: Collection actions may be initiated if a charge/invoice is not paid within 90 days of billing.

² If the owner is a resident of Ward and lives within the city limits, no charges will be billed.

SECTION 8 – IMPLANTATION DATE: This Ordinance is effective January 1, 2026 or 30 days after passage, whichever is later.

SECTION 9 – SEVERABILITY: If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions

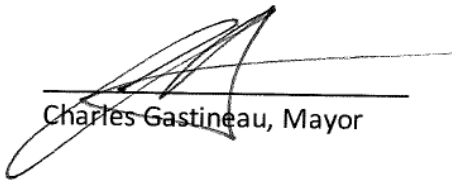
SECTION 10 – CODIFICATION: This Ordinance shall be codified in the Ward Municipal Code and the sections may be renumbered or re-lettered to accomplish such intention.

SAID ORDINANCE WAS ADOPTED ON 10/21/25.

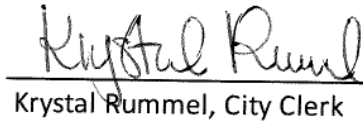
Brooke Yes, Chapman Yes, Hall Yes, Hefner Yes, McMinn Yes, Ruble Yes

YEAS: 6 NAYS: 0 Mayor (if needed) _____

APPROVED:


Charles Gastineau, Mayor

ATTEST:


Krystal Rummel, City Clerk

