

**TITLE 2 – GOVERNMENT ADMINISTRATION
PART II – DEPARTMENTS; DIVISIONS
CHAPTER 2-16 FIRE DEPARTMENT**

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CHAPTER 2-16 FIRE DEPARTMENT**

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Amended on January 22, 2020 by Resolution No. C01-15-20 and Ordinance No. 06-20.*

SUBCHAPTER A GENERAL PROVISIONS

Section 10 Establishment of the Fire Department (2 PYTC § 2-16-10)

- (A) The purpose of this Chapter is to establish the Fire Department of the Pascua Yaqui Tribe and to provide authorization and guidance for its operation.
- (B) The organizational division to be known as the Pascua Pueblo Fire Department is hereby created as a division of the Executive Branch of the Pascua Yaqui Tribe Government.
- (C) If any section or part of this Chapter is later determined to be void or unenforceable, the remainder of this Chapter shall nevertheless remain in full force and effect, unless this Chapter, without said void or unenforceable section or part, fails in its purpose.

Section 20 Short Title; Codification (2 PYTC § 2-16-20)

This ordinance shall be known as the “Pascua Pueblo Fire Department Ordinance.”

Section 30 Purpose of Department (2 PYTC § 2-16-30)

Provide such service as, but not limited to, fire suppression and prevention, emergency medical services, Public education and assistance in conjunction with the other Public Safety Departments to provide services to the community.

Section 40 Mission (2 PYTC § 2-16-40)

To provide quality service as it pertains to fire suppression, prevention, education, and emergency medical services always remaining loyal to our duty.

SUBCHAPTER B DIRECTOR

Section 50 Creation and Appointment (2 PYTC § 2-16-50)

- (A) The position of Fire Chief is hereby created.
- (B) The Fire Chief shall not be deemed to be a tribal officer as defined in Article VII of the Constitution of the Pascua Yaqui Tribe; and
- (C) The Fire Chief shall be nominated by the Chairperson and must be approved by the Tribal Council by majority vote of the entire Council. Approval by the Tribal Council will constitute appointment to the position of Fire Chief.
- (D) The Fire Chief will be a full-time employee of the Tribe and will be paid compensation commensurate with his or her skills, education, experience, and responsibilities within the standards of compensation, if any, established by the Tribe.
- (E) The Fire Chief must report to, and will be directly supervised by, the Chairperson.
- (F) The Fire Chief serves at the pleasure of the Tribal Council, and may be removed from that position only by a majority vote of the entire Council.

Section 60 General Duties of Director (2 PYTC § 2-16-60)

- (A) The Fire Chief will administer, supervise and direct the activities of the Department.
- (B) The Fire Chief will advise the Chairperson regarding;
 - (1) All matters affecting the Fire Department;
 - (2) All matters related to Fire Safety and Protection, Fire Prevention, and Fire Code Enforcement; and
 - (3) All matters affecting the Fire Department’s Emergency Medical Services.

Section 70 Supervisory Duties and Authorities of Director (2 PYTC § 2-16-70)

- (A) The Fire Chief has authority to select, appoint, and hire employees necessary to carry out the laws, regulations, policies and programs adopted by the Tribal Council including, but not limited to;
 - (1) Hiring authority, subject to the policies and procedures of the Tribe’s Employee Handbook and the personnel policies;
 - (2) Termination authority, subject to the policies and procedures of the Tribe’s Employee Handbook and the Pascua Pueblo Fire Department Policies and Procedures.
 - (3) Personnel discipline;
 - (4) Personnel performance review;
 - (5) Personnel job assignments;
- (B) The Fire Chief has authority to delegate any function, powers, and authorities to other employees of the Department, except as may be prohibited by Tribal law.
- (C) The Fire Chief has budgetary authority for the Department.
- (D) The Fire Chief has authority to develop and implement internal policies for the efficient and effective administration of the Department.
- (E) The Fire Chief has signature authority for the Department, except as may be permissibly delegated.

SUBCHAPTER C ORGANIZATION

Section 80 Organization (2 PYTC § 2-16-80)

- (A) The Fire Department consists of a Fire Chief and such departments and offices necessary for the execution of its mission, performance of its mandated functions, and to achieve its long and short term goals and objects.
- (B) The Department may employ staff professionals, support personnel, and/or contract with professional service firms as the Fire Chief determines, consistent with the laws of the Tribe and approved budgetary authority.
- (C) The Department must maintain a current organizational chart. The organizational chart must accompany its annual budget submission and any budget modification requests during the fiscal year, in accordance with the Tribe’s Fiscal Management Ordinance.

SUBCHAPTER D AUTHORIZED PROGRAMS

Section 90 Authorized Programs (2 PYTC § 2-16-90)

The Department will have the following authorized programs, and such other programs as the Tribal Council or the Chairperson may assign.

- (1) Fire protection.
- (2) Emergency Medical Services.
- (3) Fire Prevention, Public Education, Public assists, Explorer Program.
- (4) If a program is authorized by the Tribal Council, it may terminate such program at any time, and such termination shall act as a revision to this Chapter.
- (5) If a program is authorized by the Chairperson, it may be terminated, in whole or in part, by either the Chairperson or the Tribal Council.

SUBCHAPTER E PROGRAM EVALUATION AND MONITORING

Section 100 Program Evaluation and Monitoring (2 PYTC § 2-16-100)

- (A) The Fire Chief must conduct ongoing evaluation of all programs under his or her control.
- (B) The Fire Chief must monitor all programs under his or her control on a regular basis. In the event the Fire Chief discovers any irregularity in a program under his or her control, he or she must report that irregularity immediately to the Chairperson.
- (C) The Fire Chief must report to the Council on programs under his or her control on a schedule determined by the Tribal Council.