

RESOLUTION NO. 04-2024

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION
OF A MUTUAL AID FIRE PROTECTION AGREEMENT BETWEEN
WEBER FIRE DISTRICT AND SOUTH WEBER AUTHORIZING THE
PARTIES TO PARTICIPATE IN PROVISION OF FIRE PROTECTION
AND FIRE RELATED EMERGENCIES MUTUAL AID; AUTHORIZING
THE CHAIR TO SIGN SUCH AN AGREEMENT; AND PROVIDING FOR
AN EFFECTIVE DATE**

SECTION 1. RECITALS

WHEREAS, the Weber Fire District (the “District”) is a Local District created as a Service Area, a body politic and subdivision of the State of Utah, that provides fire protection and emergency services to the owners of certain real property and has distinct boundaries; and,

WHEREAS, in conformance with the provisions of Utah State Code, the Weber Fire District Board of Trustees as the governing body of the District may exercise all administrative powers by resolution; and,

WHEREAS, pursuant to the provisions of the Utah Interlocal Co-operation Act UCA §11-13-1, et seq., Utah Code Ann., 1953, as amended, (the “Act”), any power or powers, privileges or authority exercised or capable of exercise by a public agency of the state (defined as any political subdivision of the state, including municipalities and special districts of various kinds) may be exercised and enjoyed jointly with any other public agency, and that any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the Act; and,

WHEREAS, the District is entering into this mutual aid agreement (“Agreement”) with South Weber pursuant to the, Utah Code Annotated 11-13-1, et seq., Utah Code Annotated 11-7-1, et seq., 1953, as amended, to provide a joint mutual agreement relating to the mutual response and use of fire fighting equipment and personnel to fight structure fires and fire-service-related emergencies; however, excludes emergencies which require the use hazardous material equipment or personnel both within and outside the normal geographical jurisdictional limits of each party hereto, unless the requesting department's governing body has enacted a cost recovery ordinance; and

WHEREAS, in conformance with the provisions of the Utah State Code, the District is authorized to enter into mutual aid agreements; and,

WHEREAS, the Board of Trustees finds that entering into and supporting the Agreement is in the best interest of the citizens of the District; and,

WHEREAS, the Board of Trustees finds that it will be beneficial to the District to enter into a contractual relationship with South Weber for the provision of these mutually beneficial services; and,

WHEREAS, such agreements require the signature of an authorized official of the District; and,

WHEREAS, the Chair of the Board of Trustees is the authorized official of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES THAT:

The Board of Trustees of the Weber Fire District, State of Utah, hereby authorizes entry into an agreement with South Weber for the provision of mutual aid fire protection and fire related emergencies as set out in that document entitled "**Mutual Aid Fire Protection Agreement**" between the District and South Weber (said Agreement attached hereto as "*Attachment A*" and incorporated herein by this reference), and authorizes the Chair of the Board to sign any and all contracts, agreements, or other documents necessary to consummate said agreement; and, authorizes the District Recorder to sign any documents as may be required attesting to the fact that the Chair of the Board has been duly authorized to enter into such arrangements on behalf of the District.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage.

SECTION 2. REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the District, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the Board of Trustees of the Weber Fire District.

SECTION 5. DATE OF EFFECT:

This Resolution shall be effective on the 12th day of March 2024, and after publication or posting as required by law.

PASSED, APPROVED AND ADOPTED on this 12th day of March 2024.

Chair, Weber Fire District
Board of Trustees

ATTEST:

Board Clerk