

GEM COUNTY FIRE PROTECTION DISTRICT NO. 2

RESOLUTION NO. 01 -2026

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF GEM COUNTY FIRE PROTECTION DISTRICT NO. 2 ADOPTING A POLICY REGARDING AUTHORIZED EMERGENCY RESPONSE, INCIDENT COMMAND, MUTUAL AID, AND THE PROTECTION OF PUBLIC SAFETY

WHEREAS, Gem County Fire Protection District No. 2 ("District") is a fire protection district organized and existing pursuant to Chapter 14, Title 31, Idaho Code, and is a political subdivision of the State of Idaho; and

WHEREAS, the District is charged by law with providing fire protection and related emergency services within its jurisdictional boundaries; and

WHEREAS, the District is a participating agency to the Boise, Gem and Valley Counties Mutual Assistance Agreement, which establishes procedures governing requests for mutual aid, emergency response, resource accountability, and Incident Command among participating agencies;

WHEREAS, the Mutual Assistance Agreement provides, among other things, that emergency resources are furnished upon request of the Requesting Party, report to the person designated by the Requesting Party, and that all incidents are managed under the National Incident Management System ("NIMS") and the Incident Command System ("ICS"), with the Requesting Party's Incident Commander retaining authority over incident operations unless command is lawfully transferred;

WHEREAS, the Board of Commissioners finds that firefighter safety, responder accountability, public safety, and effective emergency operations require strict adherence to established dispatch procedures, mutual aid agreements, and the Incident Command System; and

WHEREAS, the Board further finds that unauthorized self-dispatch by individuals or organizations not requested through established dispatch or Incident Command procedures creates unnecessary risks to firefighters, emergency responders, property owners, and the public; and

WHEREAS, the Board desires to formally establish District policy governing emergency response within its jurisdiction.

Resolution 2026-__ Authorized Emergency Response Policy

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Gem County Fire Protection District No. 2 as follows:

Section 1: Adoption of Policy.

- 1.1 The Board hereby adopts as the official policy of the District that all emergency incidents occurring within the jurisdiction of the District shall be managed under the National Incident Management System (NIMS) utilizing the Incident Command System (ICS).

Section 2: Authorized Emergency Responders.

- 2.1 Only the following persons or entities shall participate in emergency response activities within the jurisdiction of the District unless otherwise authorized by law:
- A. District personnel;
 - B. Personnel of governmental agencies responding pursuant to lawful authority;
 - C. Personnel responding pursuant to a valid mutual aid, automatic aid, cooperative, or other authorized emergency response agreement;
 - D. Persons specifically requested or authorized by the Incident Commander.

Section 3: Unauthorized Emergency Response.

- 3.1 The Board finds that any person or organization independently responding or attempting to respond to emergency incidents without authorization from the Incident Commander or established dispatch procedures may:
- A. interfere with emergency operations;
 - B. compromise firefighter and public safety;
 - C. disrupt accountability of emergency personnel;
 - D. interfere with the Incident Command System;
 - E. create unnecessary liability exposure; and
 - F. impede the efficient deployment of emergency resources.

Section 4: Authority of Incident Commander.

- 4.1 The Incident Commander assigned to each emergency incident shall possess authority to direct emergency operations consistent with applicable law, District policies, the Mutual Assistance Agreement, and the National Incident Management System.

- 4.2 All authorized responders shall comply with lawful directions issued by the Incident Commander.

Section 5: Direction to Fire Chief.

5.1 The Fire Chief is authorized and directed to:

- A. ensure compliance with this Resolution;
- B. document any unauthorized responses occurring within the District;
- C. preserve incident reports, dispatch records, radio traffic, photographs, videos, and witness statements relating to unauthorized emergency responses;
- D. notify the Gem County Sheriff's Office whenever necessary to protect responder safety, maintain scene security, preserve the integrity of the Incident Command System, or address unauthorized interference with emergency operations;
- E. coordinate with other governmental agencies regarding unauthorized emergency response activities occurring within the District.

Section 6: Authority of Legal Counsel.

- 6.1 The Board authorizes District legal counsel to investigate incidents involving unauthorized emergency response activities and, if voluntary compliance cannot be obtained, to undertake such legal action as counsel determines appropriate to protect the interests of the District, including actions seeking declaratory relief, temporary restraining orders, preliminary injunctions, permanent injunctions, and any other legal or equitable remedies authorized by law.

Section 7: Volunteer Assistance.

- 7.1 Nothing contained in this Resolution shall be interpreted as discouraging private citizens from participating in lawful wildfire education, community preparedness, defensible space projects, fundraising, charitable activities, or other volunteer efforts undertaken in cooperation with governmental agencies.
- 7.2 However, this Resolution affirms that emergency fire suppression and emergency incident operations occurring within the District shall be conducted only through lawful governmental authority and established emergency response procedures.

Section 8: Effective Date.

- 8.1 This Resolution shall become effective immediately upon its adoption.

PASSED BY THE BOARD OF COMMISSIONERS of Gem County Fire Protection
District No. 2 at a regular meeting held on the 8 day of July, 2026.

GEM COUNTY FIRE PROTECTION DISTRICT NO. 2

By: 96y CH
Harvey Church, Chairman, Board of Commissioners

ATTEST:

PCW
Patrick Cowan, Secretary of the Board

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