

**PART 13
PUBLIC SAFETY**

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SECTION 13-101 ADOPTION OF FIRE PREVENTION CODE

There is hereby adopted to the City Council for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the Fire Prevention Code, recommended by the National Fire Protection Association, being particularly the current edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended. Not less than one copy of the Code has been filed in the office of the Clerk of the City and the same are hereby adopted and incorporated as fully as if set out at length herein. The provisions of The Fire Prevention Code shall be controlling within the limits of the City.

Cross Reference: See also Section 8-110.1 on burning Refuse and exemption from fire Code.

SECTION 13-102 ENFORCEMENT

The Code hereby adopted shall be enforced by the Chief of the Fire Department.

SECTION 13-103 DEFINITION

Wherever the word “municipality” is used in the Fire Prevention Code hereby adopted, it shall be held to mean the City.

SECTION 13-104 LIMITS FOR STORAGE OF FLAMMABLE LIQUIDS, BULK STORAGE OF LIQUEFIED PETROLEUM GASES, EXPLOSIVES AND BLASTING AGENTS

The limits referred to in the Fire Prevention Code, in which storage of flammable liquids in outside above-ground tanks is prohibited, shall be the City limits. A flammable liquid is any liquid having a flash point below 100 degrees F. (38 degrees C) and having a vapor pressure not exceeding forth (40) PSIA (717.08 kpa) at 100 degrees F. (38 degrees C). The limits referred to in which bulk storage of liquefied petroleum gas is restricted, and the limits in which storage of explosives and blasting agents is prohibited, are hereby established as the fire limits provided in Part 5 of this Code.

SECTION 13-105 MODIFICATIONS

The Chief of the Fire Department shall have power to modify any of the provisions of the Code hereby adopted in his own discretion or upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the letter of the Code, provided that the spirit of the Code shall be observed, public safety secured, and substantial justice done. The particulars of such modifications when granted or allowed and the decision of the Chief of the Fire Department thereon shall be entered upon the records of the Department and for applications requesting change, a signed copy shall be furnished the applicant.

SECTION 13-106 APPEALS

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the City Council within thirty (30) days from the date of the decision appealed.

SECTION 13-107 PENALTY

Any person, firm or corporation who violates any provision of this Chapter, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in Section 1-108 of this Code.

**CHAPTER 2
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Section 13-214	Department Considered Agent of State

SECTION 13-201 FIRE DEPARTMENT

- A. There shall be a Fire Department, the head of which shall be the Chief of the Fire Department.
- B. The term “volunteer firefighter” means one who is enrolled as a member of the Fire Department of the City and who serves in that capacity without receiving a regular salary. The size of the volunteer Fire Department of the City shall be composed of not less than twelve (12) nor more than twenty (20) members.
- C. It is the duty of the Fire Department, among others, to extinguish fires; to rescue persons endangered by fire; to resuscitate, and to administer first aid to, persons injured in or about burning structures, or elsewhere in case of an emergency; to promote fire prevention; and unless otherwise provided, to enforce all ordinances relating to fires, fire prevention, and safety of persons from fire in public and private buildings.

State Law Reference: Volunteer Fire Departments, provisions and requirements, 11 O.S. Sections 9-201 et seq.

SECTION 13-202 DUTIES OF THE FIRE CHIEF

The Chief shall be the administrative head of the Department, subject to the laws of the State, Ordinances of the City, and the rules and regulations adopted in this Chapter. The Chief shall have the following powers and duties, and he may assign duties to other members of the Department:

1. The Chief shall be responsible for the general condition and efficient operation of the Department, the training of members, and the performance of all other duties imposed upon him. He shall have supervision and control of the Fire Department,

subject to the supervision and control of the City Council;

2. The Chief may inspect or cause to be inspected by members of the Department, the fire hydrants, cistern and other sources of water supply at least twice each year;
3. The Chief may maintain a library or file of publications on fire prevention and fire protection and shall make use of it to the best advantage of all members;
4. The Chief shall make every effort to attend all fires and direct the officers and members in the performance of their duties;
5. The Chief shall see that the citizens are kept informed on fire hazards in the community and on the activities of the Department;
6. The Chief shall see that each fire is carefully investigated to determine its cause, and in the case of suspicion of incendiarism or arson, shall notify property authorities and secure and preserve all possible evidence for future use in the case;
7. The Chief is authorized to enter any building or premise in the City at any reasonable hour for the purpose of making inspections and to serve written notice on persons for any violations that may be found; and
8. The Chief shall see that complete records are kept of all fires, inspections, apparatus and equipment, personnel and other information of the Department and shall make reports to the City Council as it may require. The Chief shall keep the City Council informed regarding the Fire Department and its needs.

State Law Reference: Duties of Fire Chief generally, 11 O.S. Section 20-102; investigations of fires, report to State Fire Marshal, 74 O.S. Section 314.

SECTION 13-203 DUTIES OF THE ASSISTANT CHIEF

In the absence of the Chief, the Assistant Chief on duty shall command the Department and be held responsible therefore in all respects with the full powers and responsibilities of the Chief. The Assistant Chief shall be elected from among the members of the Fire Department.

SECTION 13-204 COMPANY OFFICERS

Company officers shall be selected by the Chief based upon the following criteria:

1. Knowledge of firefighting;
2. Leadership ability; and
3. Knowledge of firefighting equipment.

SECTION 13-205 THE SECRETARY-TREASURER

One member elected by the members of the Fire Department shall be a Secretary-Treasurer. His duties shall consist of the following:

1. Calling the roll at the opening of each meeting;
2. Keeping the minutes of each meeting; and
3. Collecting any money due the Department by the members.

SECTION 13-206 NEW MEMBERS

New members of the Department shall be appointed by the Chief and shall be on probation for one (1) year after their appointment. Upon completion of their probation period, new members must be approved by the majority of the other members of the Fire Department and the City Council.

SECTION 13-207 BYLAWS

The Bylaws of the Department shall include the following:

1. All volunteer Fire Department members are required, when notified, to respond to alarms of fire and other emergencies;
2. A member is required to be present at all regular meetings, called meetings and schools presented for the benefit of the firefighters;
3. At least one regular business meeting of the member shall be held each month;
4. Any member having two (2) unexcused absences in succession or three (3) unexcused absences in a period of three (3) months will be dropped from the Fire Department rolls;
5. Any member leaving the City for an extended period of time is required to notify the Chief;
6. Any member refusing to attend training classes provided for members of the Department will be dropped; and
7. Any member of the Fire Department may be dropped from the rolls for the following offenses:
 - a. Conduct unbecoming a firefighter;
 - b. Any act of insubordination;
 - c. Neglect of duty;
 - d. Any violation of rules and regulations governing the Fire Department;

- e. Conviction of a felony; or
- f. By majority vote of the members of the company and approval of the City Council.

SECTION 13-208 RULES AND REGULATIONS

The City Council by motion or resolution may adopt and change regulations relating to the Fire Department, its organization, operation and compensation.

SECTION 13-209 USE OF FIRE EQUIPMENT; INVENTORY AND REPAIR

No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in any way by the Department. No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless accompanied by, or having the special permission of, an officer or authorized member of the Department.

SECTION 13-210 CONTRACTS AUTHORIZED OUTSIDE CITY LIMITS

The City is hereby authorized and empowered to enter into contracts or agreements with individuals, firms, private corporations or associations, or political subdivisions of the state for fire protection outside the corporate limits of the City, and to contract to provide fire protection jointly with other organizations and municipal subdivisions of the state.

State Law Reference: Fire calls outside limits, 11 O.S. Section 29-108.

SECTION 13-211 CONTRACT TERMS, FEES FOR SERVICE

Any contract entered into by the City with an individual owner, firm, private corporation, or association, for outside aid, or mutual aid for fire protection, shall provide for the payment by the owner, firm, private corporation, or association, or political subdivision to the City for such fire apparatus and personnel at the rate per call as set by the City Council. All moneys received from the calls shall go into the general fund.

SECTION 13-212 AUTHORITY TO ANSWER CALLS

The Fire Department of the City is hereby authorized and directed to answer all outside calls outside the corporate City limits in the discretion of the Fire Chief. The Fire Department may not answer such outside calls if, in the opinion of the Fire Chief, it is inexpedient to do so on account of another fire in the City, broken apparatus, impassable or dangerous highways, or other physical conditions.

SECTION 13-213 FIREFIGHTERS SERVING IN REGULAR LINE OF DUTY

All volunteer firefighters of the Fire Department of the City attending and serving at fires or doing fire prevention work outside the corporate limits of the City, as herein provided, shall be considered as serving in their regular line of duty as fully as if they were serving within the corporate limits of the City. The firefighters shall be entitled to all benefits of any firemen's pension and relief fund in

the same manner as if the fire fighting or fire prevention work was being done within the corporate limits of the City. Compensation of firefighters shall be as provided by the City Council by Ordinance or resolution.

SECTION 13-214 DEPARTMENT CONSIDERED AGENT OF STATE

The Fire Department of the City answering any fire alarm, or call, or performing any fire prevention services outside the corporate limits of the City shall be considered as an agent of the State, and acting solely and alone in a governmental capacity, and the municipality shall not be liable in damages for any act of commission, omission, or negligence while answering or returning from any fire, or reported fire, or doing any fire prevention work under and by virtue of Section s 13-210 to 13-214 of this Code.

**CHAPTER 3
POLICE DEPARTMENT**

Section 13-301	Police Department Created; Chief
Section 13-302	Duties
Section 13-303	Police Officers

SECTION 13-301 POLICE DEPARTMENT CREATED; CHIEF

There shall be a Police Department, the head of which is the Chief of Police, or Police Chief, appointed by the Mayor and City Council and removable by the Mayor and Council. The Chief of Police is an Officer of the City and has supervision and control of the Police Department. The Mayor and Council may appoint the City Marshal, elected as provided in Section 2-102 of this Code to serve as Police Chief. All Police Officers are Officers of the City.

State Law Reference: Police Department and duties, 11 O.S. Sections 34-101 et seq.

SECTION 13-302 DUTIES

It is the duty of the Police Department to apprehend and arrest on view or on warrant and bring to justice all violators of the Ordinances of the City; to suppress all riots, affrays, and unlawful assembles which may come to their knowledge, and generally to keep the peace; to serve all warrants, writs, executions, and other processes properly directed and delivered to them; to apprehend and arrest persons violating federal or State law as provided by law, and to turn them over to proper authorities; and in all respects to perform all duties pertaining to the offices of Police Officers. The Police Department has charge of and operates the City jail.

SECTION 13-303 POLICE OFFICERS

Police Officers shall be appointed subject to approval of the City Council who shall perform such duties as shall be required of them by the Chief of police, City Ordinances, Federal, State and County regulations and any other actions required in the maintenance of good order and public peace.

**CHAPTER 4
EMERGENCY MANAGEMENT AGENCY**

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Section 13-402	Emergency Management Agency Created
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Section 13-407	Enforcement of Laws and Ordinances
Section 13-408	Service Without Compensation; Not Liable for Injuries

SECTION 13-401 PURPOSE OF EMERGENCY MANAGEMENT AGENCY

The purpose of this Chapter is to create an Emergency Management Agency for the City to be prepared for, and to function in the event of emergencies endangering the lives and property of the people of the City. The duty of the Emergency Management Agency shall be the protection of the lives and health of the citizens of the City and of property and property rights, both private and public, and performance of all functions necessary and incident thereto.

SECTION 13-402 EMERGENCY MANAGEMENT AGENCY CREATED

There is hereby established under the Executive Branch of the government of the City the Emergency Management Agency which shall consist of:

1. An Emergency Management Director who shall be appointed by the Mayor of the City and serve at his pleasure and to be removed by written dismissal by the Mayor. The Emergency Management Director and all persons acting by, through or under him shall serve without pay from the City; and
2. An Emergency Management Advisory Committee. This Committee shall consist of the Mayor as Chairman and five (5) members appointed by the Mayor and serving at his pleasure. The Committee shall select from its members a Vice-Chairman and Secretary. It shall hold such meetings as are directed by the Mayor or the Emergency Management Director, and its function shall be to act in an advisory capacity as needed or requested by the Mayor or the Emergency Management Director.

SECTION 13-403 EMERGENCY MANAGEMENT DIRECTOR; POWERS AND DUTIES

The Emergency Management Director shall be the executive head of the Emergency Management Agency and shall be responsible for carrying out the Emergency Management Program of the City. He shall serve without compensation but may be reimbursed for expenses incurred in the performance of his duties. It shall be the duty of the Emergency Management Director as soon as practicable after his appointment to perfect an organization to carry out the purposes set forth in this Chapter. He shall have all necessary power and authority to form committees or other bodies and to

appoint and designate the Chairman or Chief Officer of such bodies as may be necessary to perfect such an organization. He shall have further duty and responsibility to cooperate with all Emergency Management Agencies of other governmental units, including the State and the Federal Government.

SECTION 13-404 **EMERGENCY MANAGEMENT DIRECTOR; FURTHER POWERS AND DUTIES**

The Emergency Management Director is further authorized to formulate written plans and gather information and keep written records thereof to govern the functions of the Emergency Management Agency. All his acts shall be under the direction and authority of the Mayor and City Council.

SECTION 13-405 **EMERGENCY MANAGEMENT DIRECTOR; EMERGENCY POWERS**

In the event of any enemy-caused emergency or emergency resulting from natural causes, the Emergency Management Director after due authorization from the Mayor shall have the power and authority to enforce all rules and regulations relating to civil defense and, if necessary, take control of transportation, communications, stocks of fuel, food, clothing, medicine, and public utilities for the purpose of protecting the civilian population. He shall cooperate in every way with the activities of other governmental agencies, emergency management agencies, or civil defense organizations. If required by the Mayor, the Emergency Management Director shall have control over any and all funds allocated from any source for the purpose of alleviating distress conditions in the City.

SECTION 13-406 **MAYOR TO TERMINATE EMERGENCIES**

The State of emergency and power exercised thereunder shall terminate upon authority of and by written notice to that effect by the Mayor to the Emergency Management Director in the exercise of his power and discretion as the Principal Officer of the City. All powers of the Mayor shall be exercised by the Vice Mayor in his absence from the City or his inability to act, all as provided by law.

SECTION 13-407 **ENFORCEMENT OF LAWS AND ORDINANCES**

The Emergency Management Director and other members of the Emergency Management Agency created by him shall have the power and authority to enforce the laws of the State and Ordinances of the City during the period of emergency and shall at such time have the further power to make arrests for violations of such laws or Ordinances.

SECTION 13-408 **SERVICE WITHOUT COMPENSATION; NOT LIABLE FOR INJURIES**

All members of the Emergency Management Agency Organization created hereunder shall serve without compensation; and the City shall not be liable for any personal injury received by any member of such organization while acting in line of duty.

**CHAPTER 5
AMBULANCE SERVICES**

Section 13-501 Ambulance Services and Rates Established

SECTION 13-501 AMBULANCE SERVICES AND RATES ESTABLISHED

- A. The emergency medical service (“City of Shidler Emergency Medical Service”) operated by the City of Shidler, or it’s assignee, shall be the sole provider for all of the ground vehicle ambulance service, both emergency and non-emergency, within the corporate limits of the City of Shidler and shall hold the City’s exclusive ambulance license, as authorized by the state statute.

- B. All ambulance calls originating within the corporate limits of the City of Shidler, including transfers from departing healthcare facilities within the corporate limits, must utilize the emergency medical service of the City of Shidler Emergency Medical Service.

- C. All ambulance services operating outside of the corporate limits of the City must first obtain authorization from the emergency medical service dispatch prior to operating within the corporate limits of the City of Shidler.

- D. Exceptions:
 - 1. Hospitals shall be an exception to this Section 99.01 provided the first call of transfer was made to the City of Shidler.

 - 2. Utilization of air ambulance service to facilitate transport of a patient, but only in the event the City of Shidler Emergency Medical Service lacks the appropriate resources needed to transport the patient.

 - 3. Time sensitive illness and/or injury requiring the expediency of air transport.

 - 4. An ambulance providing mutual aid at the request of the City of Shidler Emergency Medical Service.

- E. Ambulance rates may be established from time to time upon approval of the City Council of the City of Shidler.

- F. All retired fire personnel of the City of Shidler and their spouses shall be provided ambulance services at no charge to them for as long as they shall remain residents of the City of Shidler.