

**PART 13**  
**PUBLIC SAFETY**

Subject	Chapter
Fire Prevention Code <sup>1</sup> (Rep. by Ord. 2017-02, 4-13-2017) . . . . .	1
Fire Department And Service . . . . .	2
Police Department . . . . .	3
Civil Defense . . . . .	4

---

1. See section 5-101 of this Code.

CHAPTER 1  
**FIRE PREVENTION CODE<sup>1</sup>**

(Rep. by Ord. 2017-02, 4-13-2017)

---

1. See section 5-101 of this Code.

## CHAPTER 2

**FIRE DEPARTMENT AND SERVICE**

## SECTION:

13-201:	Fire Department
13-202:	Duties Of The Fire Chief
13-203:	Duties Of The Assistant Chief
13-204:	Company Officers
13-205:	Secretary-Treasurer
13-206:	New Members
13-207:	Bylaws
13-208:	Rules And Regulations
13-209:	Use Of Fire Equipment; Inventory And Repair
13-210:	Contracts Authorized Outside Town Limits
13-211:	Contract Terms, Fees For Service
13-212:	Authority To Answer Calls
13-213:	Firefighters Serving In Regular Line Of Duty
13-214:	Department Considered Agent Of State

13-201: **FIRE DEPARTMENT<sup>1</sup>:**

- A. There shall be a fire department, the head of which shall be the chief of the fire department. (1989 Code)
- B. The term "volunteer firefighter" means one who is enrolled as a member of the fire department of the town and who serves in that capacity without receiving a regular salary. The size of the volunteer fire department shall be composed of not less than twelve (12), nor more than twenty five (25) members. (Ord. 04-02, 8-5-2004)
- 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;

---

1. 11 OS § 29-201 et seq.

and unless otherwise provided, to enforce all ordinances relating to fires, fire prevention, and safety of persons from fire in public and private buildings. (1989 Code)

13-202: **DUTIES OF THE FIRE CHIEF<sup>1</sup>:**

- A. The chief shall be the administrative head of the department, subject to the laws of the state, ordinances of the town, 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 town board;
  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 proper authorities and secure and preserve all possible evidence for future use in the case;
  7. The chief is authorized to enter any building or premises in the town 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

---

1. 11 OS § 20-102; 74 OS § 314.

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 town board as it may require. The chief shall keep the board of trustees informed regarding the fire department and its needs. (1989 Code)

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 therefor 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. (1989 Code)

13-204:       **COMPANY OFFICERS:**

- A.     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. (1989 Code)

13-205:       **SECRETARY-TREASURER:**

- A.     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. (1989 Code)

13-206:       **NEW MEMBERS:** New members of the department shall be appointed by the chief and shall be on probation for one 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 town board. (1989 Code)

**13-207: BYLAWS:**

- A. 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 members 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 town 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 town board of trustees. (1989 Code)

**13-208: RULES AND REGULATIONS:** The town board of trustees by motion or resolution may adopt and change regulations relating to the fire department, its organization, operation and compensation. (1989 Code)

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 wilfully 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. (1989 Code)

13-210:       **CONTRACTS AUTHORIZED OUTSIDE TOWN LIMITS<sup>1</sup>:**  
The town 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 town, and to contract to provide fire protection jointly with other organizations and municipal subdivisions of the state. (Ord. 0300, 3-6-2003)

13-211:       **CONTRACT TERMS, FEES FOR SERVICE:** Any contract entered into by the town 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 town for such fire apparatus and personnel at the rate of five hundred dollars (\$500.00) per call. All monies received from the calls shall go into the general fund to be used for fire department expenses. (Ord. 0300, 3-6-2003)

13-212:       **AUTHORITY TO ANSWER CALLS:** The fire department of the town is hereby authorized and directed to answer all outside calls within a distance of five (5) miles from the nearest fire station; unless, in the opinion of the fire chief, it is inexpedient to do so on account of another fire in the town, broken apparatus, impassable or dangerous highways, or other physical conditions. (Ord. 0300, 3-6-2003)

13-213:       **FIREFIGHTERS SERVING IN REGULAR LINE OF DUTY:**  
All firemen of the fire department of the town attending and serving at fires or doing fire prevention work outside the corporate limits of the town, 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

---

1. 11 OS § 29-108.

town, and said firemen shall be entitled to all the benefits of any firemen's pension and relief fund in the same manner as if the firefighting or fire prevention work was being done within the corporate limits of the town. (Ord. 0300, 3-6-2003)

13-214:        **DEPARTMENT CONSIDERED AGENT OF STATE:** The fire department of the town answering any fire alarm, or call, or performing any fire prevention services outside the corporate limits of the town 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 sections 13-210, 13-211, 13-212, and 13-213 of this chapter. (Ord. 0300, 3-6-2003)



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 town board of trustees and removable by the board. The chief of police is an officer of the town, and has supervision and control of the police department. All police officers are officers of the town.

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 town; to suppress all riots, affrays, and unlawful assemblies 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 town jail.

SECTION 13-303      POLICE OFFICERS.

Police officers shall be appointed subject to approval of the town board of trustees. Police officers who shall perform such duties as shall be required of them by the chief of police, town ordinances, federal, state and county regulations and any other actions required in the maintenance of good order and public peace.



CHAPTER 4

CIVIL DEFENSE

Section 13-401	Purpose of civil defense organization.
Section 13-402	Department established.
Section 13-403	Duties of director.
Section 13-404	Powers of director in emergencies.
Section 13-405	Compensation of members.

SECTION 13-401      PURPOSE OF CIVIL DEFENSE ORGANIZATION.

A civil defense organization is created for the town to carry out preparations for and to function in the event of emergencies endangering the lives and property of the people of the town. The duties of the civil defense organization are the protection of the lives and health of the citizens and of property and property rights, both private and public, and performance of all functions necessary and incident thereto.

State Law Reference: Local civil defense organizations, 63 O.S. Section 683.11.

SECTION 13-402      DEPARTMENT ESTABLISHED.

There is hereby established under the executive branch of the government a department of civil defense which shall consist of:

1. A director of civil defense who shall be appointed and may be removed with or without cause by the mayor; and
2. A civil defense 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 and its function shall be to act in an advisory capacity as needed or requested by the mayor or the director of civil defense.

SECTION 13-403      DUTIES OF DIRECTOR.

The director of civil defense shall be the executive head of the department of the civil defense and shall be responsible for carrying out the civil defense program of the town. 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 director of civil defense as soon as practicable after his appointment to perfect an organization to carry out the purposes set forth in this chapter and 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 civil defense agencies of other governmental units, including the state and the federal government. The director of civil defense is further authorized to formulate written plans and gather information and keep written record thereof to govern the functions of the civil defense organization.

SECTION 13-404      POWERS OF DIRECTOR IN EMERGENCIES.

A. In the event of an enemy-caused emergency or emergency resulting from natural causes, the director of civil defense after due authorization from the mayor

## Public Safety

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 or civil defense organizations. If required by the mayor, the director shall have control over any and all funds allocated from any source for the purpose of alleviating distress conditions in the town.

B. The director of civil defense and other members of the civil defense organization created by him shall have the power and authority to enforce the laws of the state and ordinances of the town 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 13-405      COMPENSATION OF MEMBERS.

All members of the civil defense organization created in this chapter shall serve without compensation. The town shall not be liable for any personal or bodily injury received by any member of such organization while acting in the line of duty.