Chapter 1.60 Department of Public Safety

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1.60.010 Department created.There is created a Department of Public Safety which shall consist of two divisions called the Homer Police Department and the Homer Volunteer Fire Department. The Department of Public Safety may be headed by the Director of Public Safety who shall be appointed by the City Manager for an indefinite term, confirmed by the City Council and shall be removable only for cause by the City Manager. The Director of Public Safety shall appoint the Chief of Police and the Fire Chief who shall supervise and direct the activities of their respective departments. (Ord. 96-03, '1, 1996; Ord. 92-44(A) '1(part), 1992; Ord. 87-13 '1(part), 1987).

1.60.020 Function of department. It shall be the function of the Department of Public Safety to preserve order, enforce all ordinances and laws in the City, preserve the peace, render aid in the case of accident, sudden illness or disaster, and to prevent and extinguish accidental or destructive fires. (Ord. 92-44(A) '1(part), 1992; Ord. 87-13 '1(part), 1987).

1.60.030 Authority of the Director of Public Safety. The Director of Public Safety shall have all the duties and authority assigned by law or ordinance to provide law enforcement, emergency communications, fire protection, rescue and emergency medical services and shall have the supervision of all officers and employees assigned to the department and shall have the authority to administer contracts for public safety services not provided by department personnel. (Ord. 92-44(A) '1(part), 1992; Ord. 87-13 '1(part), 1987).

1.60.035 National Incident Command System. The City of Homer hereby adopts the National Incident Management System (NIMS) as its system of preparing for and responding to disaster incidents. NIMS includes the use of the Incident Command System for responding to and management of disasters. (Ord. 06-28 §1).

1.60.040 Police and fire divisions; duties and authorities. The police department and fire department within the Department of Public Safety shall have the duties and authority hereinafter set forth:

a. The police department shall have the duty and authority to preserve order, enforce all ordinances and laws in the City, preserve peace, and in all respect to perform all duties pertaining to the offices of police officer.The Chief of Police shall have the authority to organize, supervise and direct the activities and personnel of the police department.

b. The fire department shall have the duty and authority to provide for fire protection services, emergency medical services and in general, comprehensive emergency management services; and to enforce the ordinances, codes and laws pertaining to fire prevention and life safety. The fire chief shall have the authority to organize, supervise and direct the activities and personnel of the fire department.(Ord. 96-03 '2, 1996).

1.60.050 Contracts for services authorized. a. The City of Homer shall have the authority to contract for the provision of public safety services.
b. The City of Homer shall have the authority to delegate to the contractor the duties and powers required for the services to be performed under contract to the City, except as may otherwise be prohibited by law. (Ord. 92-44(A) section 1(part), 1992; Ord. 87-13 section 1(part), 1987).

1.60.060 Fire department volunteer personnel.
a. Fire department volunteer personnel formally appointed by the fire chief to positions within the fire department.
b. The fire chief shall have the authority to:
1. organize, manage and direct the activities of the fire department volunteers;
2. select, appoint, schedule, promote, transfer, assign, train or retrain volunteers in positions within the fire department;
3. Suspend, demote, discharge, or take appropriate disciplinary action against volunteers according to the fire department policy and procedures manual;
4. establish job description for all volunteer positions within the fire department; and
5. establish reasonable work rules and rules of conduct for all volunteers.
c. Volunteer personnel shall be treated as employees for the purpose of indemnification from personal liability by the City according to Chapter 1.10 of this Code. They shall also be afforded statutory immunity provided by law.
d. The City shall provide Worker's Compensation insurance for all volunteer personnel.
e. Volunteer members of the fire department may organize into an association. The function and duties of the association shall in no way conflict with the role and authority of the fire department or the fire chief. The fire department may assist the association by supporting the activities of the volunteer association that supports the mission of the fire department and encourage volunteer participation.
f. The fire chief shall have the authority to establish reasonable fire department privileges to encourage and reward the active participation of volunteers in fire department activities ans services. Such privileges shall be described in the fire department procedures and policy manual.
g. The fire chief may recommend specific compensation or benefits be provided for volunteer fire department personnel. Such compensation or benefits must be approved by the City Council by resolution, and are subject to annual appropriation to the fire department budget. Absent such specific approval, volunteer fire department personnel shall not be paid and shall have no right or claim to any employee compensation or benefits. (Ord. 01-35, 2001; Ord. 92-44(A) section 1(part), 1992; Ord. 87-13 section 1(part), 1987).

1.60.070 Emergency responses--Fees; liability.
a. The City Council may, by resolution, establish a schedule of fees to be charged for emergency services. Fee schedules may be established for, but are not limited to:

1. false alarms;

2. emergency medical services or rescue services;

3. reimbursement of the cost of an emergency service response involving hazardous materials or demanding unusual or extraordinary efforts, or caused by criminal or negligent conduct;

4. fire protection services.

b. As used herein, "costs of an emergency service response" means actual costs incurred by the City, including Homer Volunteer Fire Department, and any other City contractors, in reasonably responding to an emergency incident, including the costs of providing police, fire fighting, rescue, emergency medical services, and other personnel, equipment or services in response to the incident, but shall not exceed those costs directly arising out of the response to the incident.

c. The charges authorized in subparagraph a. constitute a debt of the responsible parties and is collectible by the City in the same manner as in the case of an obligation under a contract, express or implied. The City of Homer shall have the right to bring suit for collection of these charges, plus costs and attorneys' fees, against any or all of the parties responsible for payment.

d. Payments received for emergency service responses shall be prorated among the City departments and contractors responding to the incident. (Ord. 92-44 (A) section 1(part), 1992; Ord. 92-20, 1992; Ord. 91-26, 1991.)

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