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CITY OF HOMER
HOMER, ALASKA

ORDINANCE 87-13

AN ORDINANCE REPEALING AND REENACTING CHAPTER 1.60,
DEPARTMENT OF PUBLIC SAFETY, OF THE HOMER MUNICIPAL
CODE.

WHEREAS, Chapter 1.60 of the Homer Municipal Code, is
presently inadequate to address the growing demands of the City
with regard to public safety services, and

WHEREAS, the Homer City Council finds there is a necessity
to update and expand the provisions of Chapter 1.60 to meet the
public needs.

NOW THEREFORE, the City of Homer ordains:

Section 1. Chapter 1.60 of the Homer Municipal Code is
hereby repealed in its entirety and reenacted to read as follows:

Chapter 1.60

DEPARTMENT OF PUBLIC SAFETY

Sections:

- 1.60.010 Department Created
- 1.60.020 Function of Department
- 1.60.030 Authority of Department
- 1.60.040 Department Service Divisions
- 1.60.050 Contracts for Services Authorized
- 1.60.060 Authority of Homer Volunteer Fire Department

1.60.010 Department Created. There is hereby created a
Department of Public Safety which shall consist of two Divisions,
the Division of Police Services and the Division of Emergency
Services. The Department of Public Safety shall 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 Directors of each
department division who shall supervise and direct the activities
of each such division.

1.60.020 Function of Department. It shall be the function
of the Department of Public Safety to preserve order, enforce all

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1 ordinances and laws in the City, preserve the peace, render aid
2 in the case of accident or disaster, and to prevent and extin-
3 quish accidental or destructive fires.

4 1.60.030 Authority of Department. The Director of Public
5 Safety shall have all the duties and power assigned by law or
6 ordinance to provide law enforcement, emergency communications,
7 fire protection, rescue and emergency medical services and shall
8 have the supervision of all officers and employees assigned to
9 that department and shall have the authority to administer
10 contracts for public safety services not provided by department
11 personnel.

12 1.60.040 Service Divisions - Each division of Public Safety
13 shall have the duties and authority hereinafter set forth:

14 a. The Division of Police Services shall have the duty
15 and authority to preserve order, enforce all ordinances and laws
16 in the City, preserve peace and in all respects to perform all
17 duties pertaining to the offices of policemen. The Director of
18 Police Services shall have the authority to supervise and direct
19 the activities of the Division of Police Services.

20 b. The Division of Emergency Services shall have the
21 duty and the authority to provide for emergency medical services,
22 fire protection services and in general, comprehensive emergency
23 management services within the City. The Director of Emergency
24 Services shall have the authority to supervise and direct the
25 activities of the officers and employees assigned to the Division
26 of Emergency Services.

17 1.60.050 Contracts for Services Authorized.

18 a. The City of Homer shall have the authority to
19 contract for the provision of public safety services, including
20 fire control and related services.

21 b. The City of Homer shall have the authority to
22 delegate to the contractor the duties and powers required for the
23 supervision and direction of the activities performed under
24 contract to the City, except as may otherwise be prohibited by
25 law.

23 1.60.060. Authority of Homer Volunteer Fire Department.

24 a. An officer of the Homer Volunteer Fire Department,
25 Inc., or his authorized representative, while providing the
26 services under contract, has the authority to:

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(1) control and direct the activities at an emergency incident;

(2) order a person to leave a building or place in the vicinity of the emergency incident, for the purpose of protecting the person from injury;

(3) blockade a public highway, street, or private right-of-way temporarily while at an emergency incident;

(4) trespass upon property at or near the scene of an emergency incident any time of the day and night;

(5) enter a building, including a private dwelling, or upon the premises where a fire is in progress, or where there is reasonable cause to believe a fire is in progress, for the purpose of extinguishing the fire;

(6) enter a building, including a private dwelling, or premises near the scene of a fire for the purpose of protecting the building or premises or for the purpose of extinguishing the fire which is in progress in another building or premises;

(7) upon 24-hour notice to the owner or occupant, inspect for pre-planning all buildings, structures, or other places within the City of Homer, except the interior of a private dwelling, where combustible material is or may become dangerous as a fire menace in the building;

(8) direct the removal or destruction of a fence, house, motor vehicle, or other thing which he may judge necessary to remove or destroy to prevent the further spread of fire;

(9) request or prohibit open burning if he determines that weather or other conditions create a situation that endangers life or property;

(10) request and direct the activity of support services from City departments;

(11) An EMT certified under AS Sec. 18.08.086 may take or control such activities as may be necessary to render aid to an injured or ill person who reasonably appears to the EMT to be in immediate danger of serious harm or death;

b. An owner or occupant of a building or place specified in this section or any other person on the site of a

1 fire or other emergency who refuses to obey the order of an
2 officer of the HVFD or his duly authorized representative in the
3 exercise of his official duties is guilty of an infraction, and
4 upon conviction, is punishable by a fine of not more than
5 \$300.00.

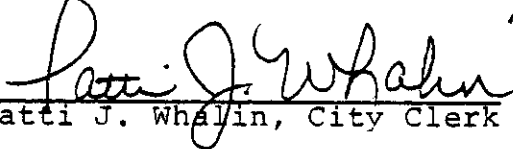
6 c. In this section, "inspect for pre-planning" means
7 to conduct limited inspections for the purposes of preparing a
8 fire attack plan in the event of a future emergency, but does not
9 include inspections for the purpose of determining compliance
10 with statutory or municipal fire code requirements.

11 DATED at Homer, Alaska, this 23rd day of June, 1987.

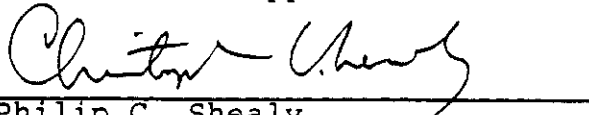
12 CITY OF HOMER

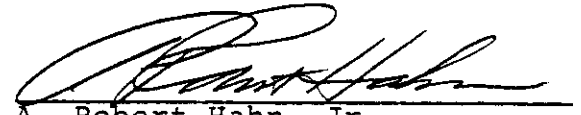
13 
14 JOHN P. CALHOUN, Mayor

15 ATTEST:

16 
17 Patti J. Whalin, City Clerk

18 Reviewed and approved as to form and content:

19 
20 Philip C. Shealy
21 City Manager

22 
23 A. Robert Hahn, Jr.
24 City Attorney 6/24/87

25 First Reading: 5/11/87
26 Public Hearing: 6/8/87
Second Reading: 6/22/87
Date of Adoption: 6/22/87
Effective Date: 6/23/87