

43 There is created a Police Department which shall consist of three divisions called Patrol,
44 Dispatch, and Investigations. The Police Department will be headed by the Chief of Police who
45 shall be appointed by the City Manager for an indefinite term, confirmed by the City Council
46 and shall be removable only for cause by the City Manager. The Chief of Police who shall
47 supervise and direct the activities of their divisions.

48
49 **2.52.020 Function of Department.**

50 It shall be the function of the Police Department to preserve order, enforce all ordinances and
51 laws in the City, and preserve peace.

52
53 **2.52.030 Authority of the Police Chief.**

54 The Chief of Police shall have all the duties and authority assigned by law or ordinance to
55 provide law enforcement, emergency communications, and shall have the supervision of all
56 officers and employees assigned to the Department and shall have the authority to administer
57 contracts for public safety services not provided by Department personnel.

58
59 **2.52.035 National Incident Command System.**

60 The City of Homer hereby adopts the National Incident Management System (NIMS) as its
61 system of preparing for and responding to disaster incidents. NIMS includes the use of the
62 Incident Command System for responding to and management of disasters.

63
64 **2.52.040 Police duties and authorities.**

65 The Police Department shall have the duty and authority to preserve order, enforce all
66 ordinances and laws in the City, preserve peace, and in all respects to perform all duties
67 pertaining to the offices of police officer. The Chief of Police shall have the authority to
68 organize, supervise and direct the activities and personnel of the Police Department.

69
70 **2.52.050 Contracts for services authorized.**

71 a. The City of Homer shall have the authority to contract for the provision of public safety
72 services.

73 b. The City of Homer shall have the authority to delegate to the contractor the duties and
74 powers required for the services to be performed under contract to the City, except as may
75 otherwise be prohibited by law.

76
77 **2.52.060 Correctional officer qualifications.**

78 A full-time City correctional officer shall meet the requirements of AS 18.65.130 through
79 18.65.290 that are applicable to municipal correctional officers, including without limitation
80 certification under AS 18.65.242, on or before the later of:

81 a. Six months after the effective date of this section; and

82 b. One year after the date of hire.

83

84

85 Section 2. HCC 2.53, Fire Department is created and reads as follows:

86

87 Chapter 2.53

88 FIRE DEPARTMENT

89

90 Sections:

91 2.53.010 Department created.

92 2.52.020 Authority of the Fire Chief.

93 2.53.030 Fire Department volunteer personnel.

94 2.52.035 National Incident Command System.

95 2.52.040 Emergency responses – Fees – Liability.

96

97 **2.53.010 Department created.**

98 There is created a Fire Department. The Fire Department will be headed by the Fire Chief who
99 shall be appointed by the City Manager for an indefinite term, confirmed by the City Council
100 and shall be removable only for cause by the City Manager. The Fire Chief shall supervise and
101 direct the activities of the department.

102

103 **2.52.020 Authority of the Fire Chief.**

104 The Fire Chief shall have all the duties and authority assigned by law or ordinance to provide
105 emergency communications, fire protection, rescue and emergency medical services and shall
106 have the supervision of all employees assigned to the Department and shall have the authority
107 to administer contracts for Fire Department services not provided by Department personnel.

108

109 **2.53.030 Fire Department volunteer personnel.**

110 a. Fire Department volunteer personnel shall be formally appointed by the Fire Chief to
111 positions within the Fire Department.

112 b. The Fire Chief shall have the authority to:

113 1. Organize, manage and direct the activities of the Fire Department volunteers;

114 2. Select, appoint, schedule, promote, transfer, assign, train or retrain volunteers in positions
115 within the Fire Department;

116 3. Suspend, demote, discharge, or take appropriate disciplinary action against volunteers
117 according to the Fire Department policy and procedures manual;

118 4. Establish job descriptions for all volunteer positions within the Fire Department; and

119 5. Establish reasonable work rules and rules of conduct for all volunteers.

120 c. Volunteer personnel shall be treated as employees for the purpose of indemnification from
121 personal liability by the City according to Chapter 1.10 HCC. They shall also be afforded
122 statutory immunity provided by law.

123 d. The City shall provide worker's compensation insurance for all volunteer personnel.

124 e. Volunteer members of the Fire Department may organize into an association. The function
125 and duties of the association shall in no way conflict with the role and authority of the Fire
126 Department or the Fire Chief. The Fire Department may assist the association by supporting

127 the activities of the volunteer association that supports the mission of the Fire Department and
128 encourage volunteer participation.

129 f. The Fire Chief shall have the authority to establish reasonable Fire Department privileges to
130 encourage and reward the active participation of volunteers in Fire Department activities and
131 services. Such privileges shall be described in the Fire Department procedures and policy
132 manual.

133 g. The Fire Chief may recommend specific compensation or benefits be provided for volunteer
134 Fire Department personnel. Such compensation or benefits must be approved by the City
135 Council by resolution, and are subject to annual appropriation to the Fire Department budget.
136 Absent such specific approval, volunteer Fire Department personnel shall not be paid and shall
137 have no right or claim to any employee compensation or benefits.

138

139 **2.53.035 National Incident Command System.**

140 The City of Homer hereby adopts the National Incident Management System (NIMS) as its
141 system of preparing for and responding to disaster incidents. NIMS includes the use of the
142 Incident Command System for responding to and management of disasters.

143

144 **2.53.040 Emergency responses – Fees – Liability.**

145 a. The City Council may, by resolution, establish a schedule of fees to be charged for emergency
146 services. Fee schedules may be established for, but are not limited to:

- 147 1. False alarms;
148 2. Emergency medical services or rescue services;
149 3. Reimbursement of the cost of an emergency service response involving hazardous materials
150 or demanding unusual or extraordinary efforts, or caused by criminal or negligent conduct;
151 4. Fire protection services.

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

158 c. The charges authorized in subsection (a) of this section constitute a debt of the responsible
159 parties and is collectible by the City in the same manner as in the case of an obligation under
160 a contract, express or implied. The City of Homer shall have the right to bring suit for collection
161 of these charges, plus costs and attorney fees, against any or all of the parties responsible for
162 payment.

163 d. Payments received for emergency service responses shall be prorated among the City
164 departments and contractors responding to the incident.

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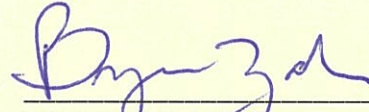
166 Section 3. This ordinance is of a permanent and general character and shall be included
167 in the City Code.

168

169 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 26 day of
170 June, 2017.

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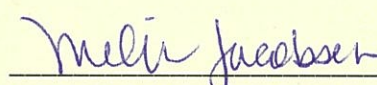
CITY OF HOMER



BRYAN ZAK, MAYOR



ATTEST:

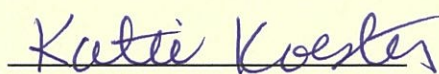


MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6
NO: 0
ABSTAIN: 0
ABSENT: 2


First Reading: 6.12.17
Public Hearing: 6.26.17
Second Reading: 6.26.17
Effective Date: 6.27.17

Reviewed and approved as to form.



Mary K. Koester, City Manager

Date: 6.28.17



Holly C. Wells, City Attorney

Date: 7.30.17

Fiscal Note: NA