

Public Safety

PART 13

PUBLIC SAFETY

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SECTION 13-101 ADOPTION OF INTERNATIONAL FIRE CODE

The International Fire Code, the latest edition thereof, as published by the International Codes Council, is hereby adopted as the fire prevention code of the city for the control of buildings and structures as therein provided. Each and all of the regulations, provisions, penalties, conditions and terms of the International Fire Code are hereby referred to, adopted, incorporated and made a part hereof as if fully set out in this code with the additions, insertions, deletions and changes if any prescribed in this chapter.

SECTION 13-102 FIRE DEPARTMENT TO ENFORCE CODE

- A. The International Fire Code shall be enforced by the fire department of the city, under the supervision of the chief of the fire department. Whenever the word "municipality" is used in the International Fire Code, it means this city. Whenever the word "corporation counsel" is used in the code, it means the city attorney of this city.
- B. The chief of the fire department may detail such members of the fire department as inspectors or as may from time to time be necessary.
- C. The fire chief shall issue all permits required by this chapter except as may be otherwise provided.

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SECTION 13-103 LIMITS WITHIN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVEGROUND TANKS, LPG, EXPLOSIVES ARE PROHIBITED

The limits referred to in the International Fire Code in which:

1. Storage of flammable liquids in outside aboveground tanks is prohibited;
2. New bulk plants for flammable liquids are prohibited;
3. Bulk storage of liquefied petroleum is prohibited; and

Storage of explosives and blasting agents is prohibited.

This section shall not prohibit installations described in paragraphs 1 and 2 above which are in existence at the initial effective date of this section.

SECTION 13-104 MODIFICATIONS

The city manager and fire chief, with the approval of the city council, shall have power to modify any of the provisions of the International Fire Code 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 strict 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 modification when granted or allowed and the decision of the manager, fire chief and council thereon shall be entered upon the records of the council, and a signed copy shall be furnished the applicant.

SECTION 13-105 NEW MATERIALS, PROCESSES, OR OCCUPANCIES WHICH MAY REQUIRE PERMITS

The city manager, the chief of the fire department, and one person appointed by the city council shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes, or occupancies, which shall require permits, in addition to those now enumerated in the fire code. The fire chief shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

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SECTION 13-106 APPEALS

Whenever the fire chief or the city manager 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 city manager to the city council within thirty (30) days from the date of the decision appealed.

SECTION 13-107 OPEN BURNING REGULATIONS

- A. Burning shall not take place within fifty (50) feet of any structure.
- B. Burning shall not take place without suitable extinguishing equipment readily available, including, but not limited to, charged water hose, fire extinguisher, wet burlap bags or shovels.
- C. Burning shall not take place in a manner that will impede traffic visibility on any highway or street.
- D. Burning shall not be allowed except during daylight hours.
- E. Flammable liquids shall not be added after ignition of fire.
- F. Burning shall not take place unattended.
- G. Burning shall not take place without either written or verbal notification to the city fire department.

Violation of this section is punishable as provided in Section 1-108 of this code.

SECTION 13-108 PENALTIES

- A. Any person who violates any of the provisions of the International Fire Code hereby adopted or fails to comply therewith, or who violates or fails to comply with any order made hereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved hereunder, or any certificate or permit issued hereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed therein, shall severally for every such violation and noncompliance respectively, be guilty of an offense, punishable as provided in Section 1-108 of this code

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The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

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VOLUNTEER DEPARTMENT

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ARTICLE C

CALLS OUTSIDE LIMITS

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SECTION 13-201 FIRE DEPARTMENT CHIEF OF THE DEPARTMENT

There shall be a fire department, the head of which shall be the chief of the fire department appointed by the city manager for an indefinite term. The chief of the fire department shall be an officer of the city and shall have supervision and control of the fire department. There shall be such additional firefighters as may be authorized. All firefighters shall be officers of the city. 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 and explosions in theaters, stores, and other public buildings.

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SECTION 13-202 DUTIES OF THE FIRE CHIEF

The chief shall be at the 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:

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;
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 once each year;
3. The chief shall 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 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 premise in the city at any reasonable hour for the purpose of making inspections and to serve written notice on the owners or occupants to correct any hazards or 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 manager as he may require.

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 therefor in all respects with the full powers and responsibilities of the chief. The assistant chief shall be appointed by the city manager. Other officers or employees as deemed necessary shall be appointed by the city manager after consultation with the fire chief.

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SECTION 13-204 USE OF FIRE EQUIPMENT. INVENTORY AND REPAIR

- A. 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.
- B. The chief shall prepare and keep a complete inventory of all property belonging to the fire department, and shall at the expiration of his term turn over such inventory and all such property to his successor, together with all books, records, reports and data of the department.

SECTION 13-205 OTHER RULES AND REGULATIONS

The council, by motion or resolution, is hereby authorized to adopt other rules and regulations governing the fire department, and to change them as deemed necessary.

ARTICLE B

VOLUNTEER DEPARTMENT

(RESERVED)

ARTICLE C

CALLS OUTSIDE LIMITS

SECTION 13-220 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.

Cross Reference: See Fee Schedule for fees governing fire services.

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SECTION 13-221 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 as set by the council. All monies received from the calls shall go into the general fund or fire pension fund, all as may be directed by the council.

SECTION 13-222 AUTHORITY TO ANSWER CALLS

The fire department of the city is hereby authorized and directed to answer all outside calls unless in the opinion of the fire chief it is inexpedient to do so because of another fire in the city, broken apparatus, impassable or dangerous highways, or other physical conditions.

SECTION 13-223 FIREFIGHTERS SERVING IN REGULAR LINE OF DUTY

All 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 the 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.

SECTION 13-224 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 this article.

SECTION 13-225 RURAL FIRE DUES

The city shall collect rural fire dues in such sums as are set by the council by motion or resolution for:

1. Membership in the rural fire department, due on or before February 1 of each year;
2. Fees for fire calls, however, the member is entitled to one fire run at no charge;

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3. Non-subscribers to rural fire protection will be charged a separate fee as set by the council by motion or resolution per hour, per truck, with a minimum of one hour for all fire runs;

4. All rural fire dues shall be delivered to the city treasurer of the city at city hall.

SECTION 13-226 RURAL FIRE FUND

All monies received by the city on account of rural fire services shall be paid to the city treasurer, who shall deposit the same in the municipal treasury in a special and separate account designated the Rural Fire Fund. Such money shall be disbursed pursuant to policies as set forth for all city funds. All purchases and disbursements shall be in accordance with the ordinances of the city.

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POLICE DEPARTMENT AND SERVICES

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Section 13-302 Duties

Section 13-303 Police officers

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SECTION 13-301 POLICE DEPARTMENT CREATED, CHIEF

There is a police department, the head of which is the chief of police, or police chief, appointed by the city manager for an indefinite term, and removable by the city manager. The chief of police is an officer of the city, and has supervision and control of the police department. All police officers are officers of the city.

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 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 city jail.

SECTION 13-303 POLICE OFFICERS

Police officers 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. Employees or officers deemed necessary shall be appointed by the city manager after consultation with the chief of police.

SECTION 13-304 EMERGENCY DUTIES IN OTHER CITIES

A. Approval is hereby given for service of members of the regular police department of this city as police officers of any other city or town, in an emergency situation, in the state, not more than one hundred (100) miles distant from this city, when such service is requested by the mayor or chief of police of the city or town.

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- B. Requests for service under this section shall be made by writing or by telephone, or other means of communications, to the city manager and, in his absence, the mayor, who, if he determines that the request can be granted consistently with the continuance of the proper police protection to the inhabitants of this city, and after consultation with the chief of police, shall direct the chief of police to furnish the number of officers requested and to arrange their transportation to the requesting municipality.

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CHAPTER 4

CIVIL DEFENSE

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SECTION 13-401 PURPOSE OF CIVIL DEFENSE ORGANIZATION

The purpose of this chapter is to create a civil defense organization for the city to be prepared for, and to function in the event of, emergencies endangering the lives and property of the people of such city. The duty of such civil defense organization shall be the protection of the lives and health of the citizens of the city and of property rights, both private and public, and to perform all functions necessary and incident thereto.

SECTION 13-402 OFFICE OF CIVIL DEFENSE CREATED DIRECTOR

There is hereby established under the executive branch of the government of the city an office of civil defense, which shall consist of:

- A. A director of civil defense who shall be the City Manager of the City of Coweta;
- B. A civil defense advisory committee. This committee shall consist of the Mayor, City Manager, Police Chief, Fire Chief and Public Works Director. The committee shall function in an advisory capacity on all matters pertaining to civil defense. It shall hold such meetings as are directed by the City Manager; and
- C. Such other volunteer civil defense advisory committees as may be created by the director for the evaluation of technical, professional, or other phases of the work of the office of civil defense and which may provide advisory assistance on any matters pertaining to the City's civil defense.

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SECTION 13-403 DIRECTOR OF CIVIL DEFENSE, POWERS AND DUTIES

The director of civil defense shall be the executive head of the office of civil defense, and shall be responsible to the mayor for carrying out the civil defense program of the city. He shall serve without compensation but may be reimbursed for expenses incurred in the performance of his duties. 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 coordinate the activities of all organizations for civil defense within the city and shall maintain liaison with and cooperate with civil defense agencies of other governmental units, both within and without the state, including the state and federal government. He shall have such additional authority, duties and responsibilities as may be authorized by this chapter or other law. The director shall have general direction and control of the office of civil defense. He is further authorized to formulate written plans and gather information and keep written records thereof to govern the functions of the civil defense organization.

SECTION 13-404 MEMBERS OR ORGANIZATION TO SERVE WITHOUT COMPENSATION; CITY NOT LIABLE FOR INJURIES TO MEMBERS

All members of the civil defense organization created pursuant to this chapter 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 the line of duty.

SECTION 13-405 EMERGENCY POWERS AND DUTIES OF DIRECTOR AND MEMBERS OF ORGANIZATION

- A. In the event of any enemy-caused emergency or emergency resulting from natural causes, the director of civil defense, 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 or civil defense organizations and, if required by the mayor, shall have control over any and all funds allocated from any source for the purpose of alleviating distress conditions in the city.
- B. The director of civil defense and other members of the civil defense organization shall have the power and authority to enforce the laws of the state and the ordinances of the city during the period of emergency and shall, at such times, have the further power to make arrests for violations of such laws or ordinances.

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CHAPTER 5

UNCLAIMED PROPERTY

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- Section 13-503 Property found by a private person
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SECTION 13-501 COMPLETE RECORD REQUIRED

All personal property which comes into the possession of any police officer, which has been found or stolen or taken off the person or out of the possession of any prisoner or person suspected of, or charged with, being a criminal, and which is not known to belong to some person laying claim thereto, shall be, by the officer securing possession thereof, delivered into the charge of the chief of police. The chief shall, in a permanent record book kept for that purpose, make a record sufficient to identify the property, with the date and circumstances of the receipt thereof, the name of the person from whom it was taken and the place where it was found; and the record shall also disclose the subsequent disposal thereof, giving the date of sale, name and address of the purchaser, and the amount for which it was sold.

State Law Reference: Disposition of personal property by police chief, procedures, application to destroy, 11 O.S. Section 34-104; Uniform unclaimed property disposition act, 60 O.S. Section 655; relating to finders of lost goods, 15 O.S. Sections 511 et seq.; disposal of stolen or Embezzled property coming into hands of police officers, 22 O.S. Sections 1321 et seq.; disposal of liquor and gambling equipment seized by police officers, 22 O.S. Sections 1261 et seq.; alcoholic beverages seized in violation of law, 37 O.S. Section 539.

SECTION 13-502 DISPOSITION OF UNCLAIMED PROPERTY

Any unclaimed personal property, other than animals, which remains in the possession of the chief of police, unclaimed, or the ownership of which is not to him satisfactorily established, for a period of more than thirty (30) days, shall be sold, or disposed of in the manner required by law, except such personal property as in the opinion of the city manager can be more advantageously used by some department or office of the city government.

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SECTION 13-503 PROPERTY FOUND BY A PRIVATE PERSON

Any personal property found by a person other than a public official or employee, which is delivered to any police officer for identification, if not claimed or identified within thirty (30) days, shall, within ten (10) additional days thereafter, if requested by the finder, be returned to him, and a record of such disposal made thereof. If the finder does not request return of the property to him within such additional ten (10) days, then the chief of police shall sell the property in the manner required by law as if it had been found by a public official or employee, or on instruction by the city manager deliver it to some department or office of the city government for its use.

SECTION 13-504 RECOVERY BY OWNER

If any property is sold as herein provided, and the owner thereof takes and recovers possession of same from the purchaser, the amount paid therefor shall be returned to the purchaser, upon verified claim being submitted and approved by the city council.