

ORDINANCE NO. 61

AN ORDINANCE PRESCRIBING DUTIES AND POWERS OF THE FIRE CHIEF, AND PROHIBITING INTERFERENCE WITH FIREMEN AND FIRE HYDRANTS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, IOWA:

Section 1. For purposes of this ordinance, "Fire Department" shall mean the fire department of the City of University Heights or of any other municipality or governmental body with whom the City of University Heights has a current contract for fire protection services, and "Fire Chief" and "assistant fire chief" shall mean those persons holding said positions in the Fire Department as hereinbefore defined.

Section 2. The fire chief, or in his absence or inability to act the assistant fire chief, shall have sole and absolute charge of all members of the fire department, of all fire-fighting apparatus, and of all other persons present at the fire; shall direct all operations necessary to the safety of life, control and extinguishing of fire, and removal of endangered property; and shall be empowered to call upon all able-bodied persons over sixteen (16) years of age to assist the fire department when necessary. Any person refusing to obey an order of the fire chief at time of fire shall be guilty of a misdemeanor and punished accordingly. The fire chief and assistant fire chief shall have police powers at fires, the same as city police officers. The fire chief shall have power to cause an investigation of the origin of any fire and to cause the arrest of any person suspected of causing fire in violation of the laws of the state; shall keep a true and correct list of all members of the fire department in good standing, showing dates of admission, suspension, withdrawal or expulsion of each member thereof; and shall also keep a record of the fire alarms answered, which record shall show the date, location, cause and loss resulting, and the members attending the fire.

Section 3. During the progress of any fire, the fire chief, with the consent of the mayor, shall have power to order any fence, building or erection of any kind torn down, demolished, blown up or otherwise removed if in his judgment it is necessary to prevent further spread of the fire. The fire chief shall also have power to demolish any portion of a building left standing after a fire if in his judgment it is dangerous to persons or to other property.

Section 4. No person shall willfully hinder or interfere with any

fireman in the performance of his duty while attending, going to or returning from any fire, nor fail or refuse to assist at any fire or in taking apparatus to any fire when requested to do so by any officer of the fire department.

Section 5. No person shall interfere with, molest or attempt to use in any way any hydrant erected for fire protection, unless such person is an officer of the City of University Heights, an officer of the fire department, or a person acting under the direction of an officer of the City of University Heights, or an officer of the fire department.

Section 6. Any violation of this ordinance shall constitute a misdemeanor and shall upon conviction be subject to confinement in jail for up to 30 days, or a fine of up to \$100.00, or both.

Section 7. This ordinance shall become effective upon final passage, approval and publication as provided by law.

Passed by the Council the 11th day of April, 1978, and approved this 11th day of April, 1978.