

## **CHAPTER 4 POLICE & FIRE DEPARTMENTS**

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**CHAPTER 4  
POLICE AND FIRE DEPARTMENTS**

**ARTICLE 4-1 POLICE DEPARTMENT**

- 4-1-1 Created; Composition
- 4-1-2 Appointment of Officers
- 4-1-3 Compensation of Officers
- 4-1-4 Departmental Rules and Regulations
- 4-1-5 Duties of Police Department
- 4-1-6 Answering Calls Outside the City

Section 4-1-1 Created; Composition

There is hereby created a Police Department for the City which shall consist of a Chief of Police who may also serve as City Marshal, and as many policemen as may from time to time be deemed necessary by the Council for the safety and good order of the City.

Section 4-1-2 Appointment of Officers

The Chief of Police shall be appointed by the Manager.

Section 4-1-3 Compensation of Officers

The Chief of Police shall not receive any perquisites, commissions or compensations for his services as Chief of Police, except as the Council may prescribe.

Section 4-1-4 Departmental Rules and Regulations

The Police Department shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be adopted by the Council.

Section 4-1-5 Duties of Police Department

It is the duty of the Police Department, under the direction of the Chief of Police, to:

- A. Enforce this code and the statutes of the State of Arizona within jurisdictional limits as conferred by law and to arrest and charge the violators thereof.
- B. Take charge of the City jail and all prisoners confined therein, and all those who are sentenced to labor on the streets or public works of the City, and to see that orders and sentences with reference to such are fully executed and complied with.
- C. Deliver any persons who may be confined in the jail upon conviction of a crime committed under the jurisdiction of the Magistrate's Court to any authorized officer of the City who shall at any time demand such prisoners. Any such authorized person so demanding and receiving such prisoners shall work such prisoners on the streets or alleys of the City or on any and all authorized work as may be determined by the Council.
- D. Render such account of the Police Department, its duties and receipts as may be required by the Council, and keep records of the office open to inspection by the Council at any time.
- E. Direct traffic and ensure the orderly flow thereof and investigate and make reports of traffic accidents.
- F. Inspect and ascertain the condition of traffic control devices of every description which have been erected within the City on the authority of the Council and to notify the Council of any defects found therein.
- G. Perform such additional duties as may be required by the Council.
- H. Collect the following fees:

Work furlough fees for those prisoners incarcerated on a part-time basis and are otherwise employed in the community as provided by ARS §31-332 et seq. Boarding fees to be assessed upon jurisdictions other than the City of Page for the keeping of prisoners in the City of Page Detention Facility and any person serving any term of confinement in the City of Page Detention Facility that was not sentenced by the Page Magistrate Court. Any additional boarding fees assessed to the City of Page by other jurisdictions when said prisoner serves time in said foreign jurisdiction.

[Added Ord. 328-96]

Section 4-1-6 Answering Calls Outside the City

The members of the Police Department of the City are duly authorized to answer calls for aid and assistance beyond the corporate limits of the City pursuant to mutual aid agreements and state statutes.

## **ARTICLE 4-2 FIRE DEPARTMENT\***

- 4-2-1 Created; Composition
- 4-2-2 Departmental Rules and Regulations
- 4-2-3 Appointment, Powers and Duties of Chief
- 4-2-4 [Intentionally left blank]
- 4-2-5 [Intentionally left blank]
- 4-2-6 [Intentionally left blank]
- 4-2-7 Providing Fire Protection Outside the City
- 4-2-8 Acknowledgment of Right of Way
- 4-2-9 Fire Alarms
- 4-2-10 Orders of Fire Chief

[\*See, ARS Sec. 9-240 (B) (7)]

### Section 4-2-1 Created; Composition

There is hereby created a Fire Department for the City which shall consist of a Chief and as many volunteer firemen as may be deemed necessary from time to time by the Council.

### Section 4-2-2 Departmental Rules and Regulations

The Fire Department shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be adopted by the Council.

### Section 4-2-3 Appointment, Powers and Duties of Chief

The Chief of the Fire Department shall be appointed by the Manager. It shall be the duty of the Chief to:

- A. Be accountable to the Manager for the personnel, moral and general efficiency of the Fire Department.
- B. Direct the operations of the Fire Department subject to the rules and regulations thereof.
- C. Be present at all fires, if possible, and plan and direct the extinguishment thereof. During the progress of a fire the authority of the Fire Chief shall be absolute in all matters directly concerning the extinguishment of the fire and the disposition of property endangered by it.

- D. Conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the City, water supplies and all other matters generally considered essential to good firemanship and safety of life and property from fire.
- E. Assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.
- F. Inspect buildings and premises and serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. For the purpose of conducting such inspection, the Chief is hereby empowered to enter any and all buildings and premises within the City at any reasonable hour. Any person served with such written notice shall comply and notify the Chief of his compliance within a reasonable time.
- G. Keep complete records of all fires, inspections, apparatus and equipment, personnel and other information about the work of the department open to the Manager and Council inspection and furnish to the Manager and Council such information upon request.
- H. Make a complete annual report, in writing, to the Manager and Council at such time as may be specified by the Manager, and such report shall include the information specified in Section 4-2-3 (G), together with comparative data for previous years and recommendations for improving the effectiveness of the department.
- I. Enforce or cause to be enforced all ordinances, laws and regulations of the City and State, insofar as they pertain to fire and safety.
- J. Demote, dismiss or expel any officer or member of the Department for neglect or refusal to perform departmental duties, subject to the right of any members so demoted, dismissed or expelled to appeal to the Council.

Section 4-2-4 [Intentionally left blank]

Section 4-2-5 [Intentionally left blank]

Section 4-2-6 [Intentionally left blank]

#### Section 4-2-7 Providing Fire Protection Outside the City

The Council may enter into agreements or contracts to furnish fire protection outside the City or enter into mutual aid agreements, and the Fire Department is authorized to render fire fighting service pursuant to the terms of such agreements or contracts.

#### Section 4-2-8 Acknowledgment of Right of Way

Each member of the department who drives a private motor vehicle shall be issued suitable insignia which may be attached to such motor vehicle. All motor equipment of the department shall have right of way over all other traffic when responding to an alarm. No unauthorized vehicle shall follow within six hundred feet (600') of any apparatus belonging to the department nor park any vehicle or otherwise cause any obstruction to be placed within ten feet (10') of the entrance to any fire station or other place where fire apparatus is stored or within fifteen feet (15') of any fire hydrant. No person shall drive any vehicle over fire hose except upon specific orders from the Chief or other officer in charge where the hose is used.

#### Section 4-2-9 Fire Alarms

Suitable arrangements or equipment shall be provided for citizens to turn in an alarm and for notifying all members of the department so that they may promptly respond. It is unlawful for any person knowingly to turn in or cause to be turned in a false alarm.

#### Section 4-2-10 Orders of Fire Chief

It is unlawful for any fireman or citizen to refuse to obey an order issued by the Fire Chief pursuant to his authority.

### **ARTICLE 4-3 FIRE CODE**

4-3-1 Short Title

4-3-2 Adoption of the International Fire Code 2006 Edition

4-3-3 Adoption of National Fire Protection Association Standards 2007 Edition

4-3-4 Fire Code Amendments

4-3-5 Adoption of Fire Permit Fees

#### Section 4-3-1 Short Title

A. This article shall be known as the "City of Page Fire Code" and may be cited as such.

- B. Where the designation “International Fire Code” or its abbreviation “IFC” appears in this Chapter, such shall be construed as referring to the “International Fire Code” as adopted herein.
- C. Where the designation “National Fire Protection Association” or its abbreviation “NFPA” appears in this Chapter, such shall be construed as referring to the “National Fire Protection Association” Standards as adopted herein.

[Amended Ord. 548-09]

#### Section 4-3-2 Adoption of the International Fire Code 2006 Edition

That certain code entitled “International Fire Code” 2006 edition, and Appendix A, B, C, D, E, F, and G, contained therein, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC, 20001, is hereby adopted as the City of Page Fire Code and made a part of this Chapter the same as though said codes were specifically set forth in full herein and a copy of said code shall be on file with the office of the City Clerk, as well as the Page Fire Department, and kept available for public use and inspection at said locations.

[Amended Ord. 548-09]

#### Section 4-3-3 Adoption of the National Fire Protection Association Standards 2007 Edition

That certain code entitled “National Fire Protection Association Standards” 2007 edition, 1 Battery March Park Quincy, MA. 02169-7471, is hereby adopted as part of the City of Page Fire Code and made a part of this Chapter the same as though said codes were specifically set forth in full herein and a copy of said code shall be on file with the Office of the City Clerk, as well as the Page Fire Department, and kept available for public use and inspection at said locations.

[Amended Ord. 548-09]

#### Section 4-3-4 Fire Code Amendments

- A. An automatic sprinkler system shall be installed throughout all buildings 4,000 square feet or greater in total area. For the purpose of this item fire resistant walls and barriers shall not define separate buildings.
- B. An edition to any existing non-sprinklered building or structure which expands the total area to 4,000 square feet or greater shall contain an automatic sprinkler system.

- C. With the exception of Special Hazard areas as approved by the Fire Chief, if any fire area in a building or structure is provided with fire sprinklers, whether required or not, all fire areas in the building or structure shall be provided with fire sprinklers.

- D. [Intentionally left blank]

[Repealed Ord. 566-10]

- E. All buildings requiring an exterior lock box for fire department access shall install a KNOX BOX in an approved location or locations. Existing buildings shall have up to five (5) years to comply with this requirement upon approval of the Fire Chief.

[Amended Ord. 548-09]

#### Section 4-3-5 Adoption of Fire Permit Fees

The Common Council shall periodically establish fire permit fees by separate Resolution.

[Amended Ord. 548-09]

### **ARTICLE 4-4 MUNICIPAL AMBULANCE SERVICE**

The Council may establish a municipal ambulance service which shall be operated in accordance with such rates, rules and regulations as may be adopted by resolution of the Council.

### **ARTICLE 4-5 FIREWORKS**

- 4-5-1 Definitions
- 4-5-2 Fireworks Prohibited; Exceptions
- 4-5-3 Sale of Fireworks
- 4-5-4 Posting of Signs by Persons Engaged in the Sale of Fireworks
- 4-5-5 Authority to Enforce Violations of this Article
- 4-5-6 Liability for Emergency Responses Related to Use of Fireworks; Definitions
- 4-5-7 Penalty

#### Section 4-5-1 Definitions

1. *Consumer fireworks* means those fireworks defined by the Arizona Revised Statutes, §36-1601.

2. *Display fireworks* means those fireworks defined by the Arizona Revised Statutes, §36-1601.
3. *Fireworks* means any combustible or explosive composition, substance or combination of substances, or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, that is a consumer firework, display firework or permissible consumer firework as defined by the Arizona Revised Statutes, §36-1601.
4. *Novelty items* means federally deregulated novelty items that are known as snappers, snap caps, party poppers, glow worms, snakes, toy smoke devices, sparklers, and certain toys as defined by the Arizona Revised Statutes, §36-1601.
5. *Permissible consumer fireworks* means those fireworks as defined by the Arizona Revised Statutes, §36-1601, that may be sold within the City of Page even where the use of those items has been prohibited.
6. *Supervised public display* means a monitored performance of display fireworks open to the public and authorized by permit by the Fire Chief or his designee.

[Added Ord. 565-10]

#### Section 4-5-2 Fireworks Prohibited; Exceptions

- A. The use, discharge or ignition of fireworks within the City of Page is prohibited except as provided for in this section.
- B. Nothing in this section or article shall be construed to prohibit the use, discharge or ignition of novelty items.
- C. Permits may be granted by the Fire Chief or designee for conducting a properly supervised public display of fireworks. Every such public display of fireworks shall be of such character and so located, discharged or fired, only after proper inspection and in a manner that does not endanger persons, animals, or property. A permit shall not be issued, and may be revoked during time periods of High Fire Danger warnings. The Fire Chief or his designee has authority to impose conditions on any permits granted.

[Added Ord. 565-10]

#### Section 4-5-3 Sale of Fireworks

- A. No person shall sell, permit or authorize the sale of permissible consumer fireworks to a person who is under sixteen (16) years of age.
- B. No person shall sell, permit or authorize the sale of permissible consumer fireworks in conflict with state law.

[Added Ord. 565-10]

#### Section 4-5-4 Posting of Signs by Persons Engaged in the Sale of Fireworks

- A. Prior to the sale of permissible consumer fireworks, every person engaged in such sales shall prominently display signs indicating the following:
  - 1. The use of fireworks, except novelty items as defined by City of Page Code, including permissible consumer fireworks, is prohibited.
  - 2. Consumer fireworks authorized for sale under state law may not be sold to persons under the age of sixteen (16).
- B. Signs required under this section shall be placed at each cash register and in each area where fireworks are displayed for sale.
- C. The Fire Chief or designee shall develop regulations concerning the size and color of the required signs and shall develop a model sign. The required sign regulations and model sign shall be posted on the City's website and with the Clerk's Office.

[Added Ord. 565-10]

#### Section 4-5-5 Authority to Enforce Violations of this Article

The Page Police Department may issue criminal complaints or summons to enforce the provisions of this article.

#### Section 4-5-6 Liability for Emergency Responses Related to Use of Fireworks; Definitions

- A. A person who uses, discharges or ignites permissible consumer fireworks, fireworks or anything that is designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground, is liable for the expenses of any emergency response that is required by such use, discharge or ignition. The fact that a person is convicted or found responsible for a violation(s) of this article is prima facie evidence of liability under this section.

- B. The expenses of an emergency response are a charge against the person liable for those expenses pursuant to subpart A of this section. The charge constitutes a debt of that person and may be collected proportionately by the public agencies, for-profit entities or not-for-profit entities that incurred the expenses. The liability imposed under this section is in addition to and not in limitation of any other liability that may be imposed.
- C. For the purposes of this section:
  - 1. *Expenses of an emergency response* means reasonable costs directly incurred by public agencies, for-profit entities or not-for-profit entities that make an appropriate emergency response to an incident.
  - 2. *Reasonable costs* includes the costs of providing police, fire fighting, rescue and emergency medical services at the scene of an incident.

[Added Ord. 565-10]

#### Section 4-5-7 Penalty

Violating any prohibition or requirement imposed by this article is a class three misdemeanor.

[Added Ord. 565-10]