

CHAPTER 35

FIRE DEPARTMENT

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35.01 ESTABLISHMENT AND PURPOSE. A volunteer fire department is hereby established to prevent and extinguish fires and to protect lives and property against fires, to promote fire prevention and fire safety, and to answer all emergency calls for which there is no other established agency.

(Code of Iowa, Sec. 364.16)

35.02 ORGANIZATION. The department consists of the Fire Chief and such other officers and personnel as may be authorized by the Council.

(Code of Iowa, Sec. 372.13[4])

35.03 APPROVED BY COUNCIL. No person having otherwise qualified shall be appointed to the department until such appointment is submitted to and approved by a majority of the Council members.

35.04 TRAINING. All members of the department shall meet the minimum training standards established by the State Fire Marshal and attend and actively participate in regular or special training drills or programs as directed by the Fire Chief.

(Code of Iowa, Sec. 100B.2[4])

35.05 COMPENSATION. Members of the department shall be designated by rank and receive such compensation as shall be determined by resolution of the Council.

(Code of Iowa, Sec. 372.13[4])

35.06 FIRE CHIEF APPOINTED. The Fire Chief shall be appointed by the Mayor with the approval of a majority of the Council. The Fire Chief shall serve at the pleasure of the Mayor and may be removed by the Mayor at any time for just cause with the consent of a majority of the Council. Once appointed, if the Chief is absent, the officer next in rank shall be in charge and have and exercise all powers of the Chief. The Department shall elect such other officers as their constitution and bylaws may provide.

35.07 FIRE CHIEF: DUTIES. The Fire Chief shall perform all duties required of the Fire Chief by law or ordinance, including but not limited to the following:

(Code of Iowa, Sec. 372.13[4])

1. Enforce Laws. Enforce ordinances and laws regulating fire prevention and the investigation of the cause, origin, and circumstances of fires.

2. Technical Assistance. Upon request, give advice concerning private fire alarm systems, fire extinguishing equipment, fire escapes and exits, and development of fire emergency plans.

3. Authority at Fires. When in charge of a fire scene, direct an operation as necessary to extinguish or control a fire, perform a rescue operation, investigate the existence of a suspected or reported fire, gas leak, or other hazardous condition, or take any other action deemed necessary in the reasonable performance of the department's duties.

(Code of Iowa, Sec. 102.2)

4. Control of Scenes. Prohibit an individual, vehicle or vessel from approaching a fire scene and remove from the scene any object, vehicle, vessel or individual that may impede or interfere with the operation of the Fire Department.

(Code of Iowa, Sec. 102.2)

5. Authority to Barricade. When in charge of a fire scene, place or erect ropes, guards, barricades or other obstructions across a street, alley, right-of-way, or private property near the location of the fire or emergency so as to prevent accidents or interference with the firefighting efforts of the Fire Department, to control the scene until any required investigation is complete, or to preserve evidence related to the fire or other emergency.

(Code of Iowa, Sec. 102.3)

6. Command. Be charged with the duty of maintaining the efficiency, discipline, and control of the Fire Department. The members of the Fire Department shall, at all times, be subject to the direction of the Fire Chief.

7. Property. Exercise and have full control over the disposition of all fire apparatus, tools, equipment, and other property used by or belonging to the Fire Department.

8. Notification. Whenever death, serious bodily injury, or property damage in excess of two hundred thousand dollars (\$200,000) has occurred as a result of a fire, or if arson is suspected, notify the State Fire Marshal's Division immediately. For all other fires causing an estimated damage of fifty dollars (\$50.00) or more or emergency responses by the Fire Department, file a report with the Fire Marshal's Division within ten (10) days following the end of the month. The report shall indicate all fire incidents occurring and state the name of the owners and occupants of the property at the time of the fire, the value of the property, the estimated total loss to the property, origin of the fire as determined by investigation, and other facts, statistics, and circumstances concerning the fire incidents.

(Code of Iowa, Sec. 100.2 & 100.3)

9. Right of Entry. Have the right, during reasonable hours, to enter any building or premises within the Fire Chief's jurisdiction for the purpose of making such investigation or inspection that under law or ordinance may be necessary to be made and that is reasonably necessary to protect the public health, safety, and welfare.

(Code of Iowa, Sec. 100.12)

10. Recommendation. Make such recommendations to owners, occupants, caretakers, or managers of buildings necessary to eliminate fire hazards.

(Code of Iowa, Sec. 100.13)

11. Assist State Fire Marshal. At the request of the State Fire Marshal, and as provided by law, aid said marshal in the performance of duties by investigating, preventing and reporting data pertaining to fires.

12. Records. Cause to be kept records of the Fire Department personnel, firefighting equipment, depreciation of all equipment and apparatus, the number of responses to alarms, their cause, and location, and an analysis of losses by value, type and location of buildings.

13. Reports. Compile and submit to the Mayor and Council an annual report of the status and activities of the department as well as such other reports as may be requested by the Mayor or Council.

35.08 OBEDIENCE TO FIRE CHIEF. No person shall willfully fail or refuse to comply with any lawful order or direction of the Fire Chief.

35.09 CONSTITUTION. The department shall adopt a constitution and bylaws as they deem calculated to accomplish the object contemplated, and such constitution and bylaws and any change or amendment to such constitution and bylaws before being effective, must be approved by the Council.

35.10 ACCIDENTAL INJURY INSURANCE. The Council shall contract to insure the City against liability for worker's compensation and against statutory liability for the costs of hospitalization, nursing, and medical attention for volunteer firefighters injured in the performance of their duties as firefighters whether within or outside the corporate limits of the City. All volunteer firefighters shall be covered by the contract.

(Code of Iowa, Sec. 85.2, 85.61 and Sec. 410.18)

35.11 LIABILITY INSURANCE. The Council shall contract to insure against liability of the City or members of the department for injuries, death or property damage arising out of and resulting from the performance of departmental duties within or outside the corporate limits of the City.

(Code of Iowa, Sec. 670.2 & 517A.1)

35.12 CALLS OUTSIDE CITY. The department shall answer calls to fires and other emergencies outside the City limits if the Fire Chief determines that such emergency exists and that such action will not endanger persons and property within the City limits.

(Code of Iowa, Sec. 364.4[2 & 3])

35.13 MUTUAL AID. Subject to approval by resolution of the Council, the department may enter into mutual aid agreements with other legally constituted fire departments. Copies of any such agreements shall be filed with the Clerk.

(Code of Iowa, Sec. 364.4[2 & 3])

35.14 AUTHORITY TO CITE VIOLATIONS. Fire officials acting under the authority of Chapter 100 of the *Code of Iowa* may issue citations in accordance to Chapter 805 of the *Code of Iowa*, for violations of State and/or local fire safety regulations.

(Code of Iowa, Sec. 100.41)

35.15 EMERGENCY AMBULANCE SERVICE. The department is authorized to provide emergency ambulance or rescue services, and the accidental injury and liability insurance provided for herein shall include such operation.

35.16 EMS FEES. The following schedule of fees shall be imposed for all EMS calls made by the Fire Department.

Activity	Rate
A. Response with Basic Life Support transport	\$ 575.00*
Mileage	\$ 12.00 per loaded mile
B. Response with Advanced Life Support transport	\$ 682.00**
Mileage	\$ 12.00 per loaded mile
C. Response with Advanced Life Support 2 transport	\$ 988.00**
Mileage	\$ 12.00 per loaded mile
D. Response with treatment but no transport	
Basic Life Support	\$ 200.00*
Advanced Life Support	\$ 200.00**
Advanced Life Support 2	\$ 200.00**
E. Response with no treatment or transport	No Charge
F. Care refusal	No Charge
G. Tier Response	\$ 200.00
* = No Invasive Procedures	
** = Invasive Procedures	

(Ord. 696 – Mar. 17 Supp.)

35.17 FIRE SERVICE FEES AND CHARGES.

1. The following schedule of charges shall be imposed for all fire calls made by the Fire Department, to wit:

A. Vehicle Fires.	
Cars	\$ 150.00
Trucks and vans (less than 10,000 pounds)	\$ 200.00
Registered gross weight vehicles weighing more than 10,000 pounds	\$ 500.00
B. Grass Fires. Any fire started by the owner of the property and who loses control of the fire (as determined by the fire officer in charge)	
First call	No Charge
Second call	\$ 100.00
Third call and all additional calls within a calendar year	\$ 200.00
C. House Fires.	
Any dwelling needing any type of fire suppression	\$ 500.00
D. Commercial Structural Fires.	
Any commercial dwelling needing any type of fire suppression	\$ 500.00
E. Dwelling Burned at Owner's Request.	
Any dwelling that cannot be used by CVFD as a training opportunity	\$ 500.00
Any dwelling that can be used by CVFD for training purposes	\$ 500.00
F. Extrication.	
Use of any type of extrication tools to extract any person or animal from a vehicle, machinery, etc.	\$ 150.00

2. The City will accept insurance payments as full and complete payment of the above references charges, except for grass fires, dwellings burned at owner's request

as shown in paragraphs B and E above, arson and/or insurance claim that has been denied for some reason other than lack of coverage in the policy. Those charges shown as an exception in this subsection will be the responsibility of the landowner.

3. The Fire Chief and City Clerk are authorized to issue invoices for such fire services, and to collect such fees on behalf of the City and to deposit such fees in a City Fire Equipment Trust and Agency Fund, which shall be used to purchase equipment for the Carlisle Volunteer Fire Department or to retire debt related to the purchase of said equipment.

4. The City of Carlisle/Carlisle Volunteer Fire Department shall only be entitled to receive said fees if they are the primary fire department called to the scene.

5. In any township where service is provided by more than one fire department, no invoices will be issued by the City for fire services fees until all fire departments providing service to said township agree to bill for the above referenced fire services fees.

35.18 KEY VAULT. All new commercial, industrial, and institutional buildings shall install a key vault on the exterior of the building at a location determined by the Fire Chief. The box will be installed at the building owner's expense and will only be used by the Fire Department to gain access to the building in an emergency. All existing commercial, industrial, and institutional buildings shall install a key vault system any time improvements are made to the property that require a building permit.

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