

Chapter 79: Fire Department

(Adopted by Ordinance 1003, passed and effective on March 2, 2015)

Section 79.010. Created - There is hereby created a department of the city government to be known as the Sarcoxie Fire Department. The department heretofore organized in the city is hereby authorized to use the fire-fighting equipment of the city, so long as such organization shall be an active organization, having an active membership of not less than six (6) members, subject to the rules and regulations set out in this ordinance, and the agreement between the City of Sarcoxie and the Sarcoxie Fire Protection District as approved by the Board of Alderman.

Section 79.020. Composition of the department - The fire department shall consist of a Fire Chief and such firefighters as to staff the department with a maximum of 25 firefighters including the Chief. The Chief may organize the personnel into groups (i.e. squads and battalions) and assign individuals into various positions of authority (i.e. battalion chief, captains) as he sees fit. Such assigned positions of authority will be consolidated into a group called the command staff. All members of the Fire Department shall not be deemed to be employees of the City of Sarcoxie, Missouri.

Section 79.030. The Fire Chief:

1. Shall be appointed by the Mayor with the advice and consent of the Board of Aldermen.
2. Shall be the commander of the fire department.
3. Shall have control of and be responsible for the care and condition of the fire equipment, which shall at all times be ready for immediate use.
4. Shall provide a monthly report to the city board of aldermen. The report will include the condition of the department and its equipment, and recommendations for alterations, additions or changes, as the department may require in his judgment.
5. Shall have the right to summons any and all persons present to aid in extinguishing a fire or to aid in removing personal property from any building on fire or in danger thereof, and in guarding the same.
6. Shall have full power, control and command over all persons whomsoever present at fires, and he shall direct the use of all fire apparatus and equipment, and command all firemen in the discharge of their duties. He shall take such measures as he may deem necessary in the preservation and protection of property and the extinguishing of fires.
7. Shall keep in convenient form a complete record of all fires and calls as well as transmit such information to state and federal agencies as required by law.
8. Shall keep an inventory of all city fire department property and equipment, and report the same to the city board of aldermen once each year in writing.
9. Shall adopt such rules, regulations, and standard operating procedures pertaining to the department as he may deem best calculated to perfect and preserve the

organization as an effective fire department. Such rules, regulations, and standard operating procedures, before becoming fully effective, shall be approved by the board of aldermen; provided however, that such rules and regulations shall not conflict with this code or the ordinances of the city.

10. Shall, as far as practicable, attend all fires that occur in the city.
11. Shall have charge of the basic training program of the department and set up training programs and schedules.

Section 79.040. Individual Command Staff Members:

1. Shall assist the fire chief, obey his orders, and in the absence of the chief from any fire, shall have all the powers of the powers of the chief and perform the duties of that officer.
2. Shall perform all duties of a firefighter.

Section 79.050. Firefighters:

1. Shall be under the immediate control and direction of the fire chief and assistant fire chief and upon an alarm of fire shall without unnecessary delay report to the endangered premises with the city fire apparatus.
2. Shall be subject to call, at any time of the day or night, to attend any fire within the city; and if any member shall fail, neglect or refuse to attend any fire, without reasonable cause, be subject to immediate removal from the department.
3. Shall not leave the scene of a fire without the permission of the fire chief or the on-scene commander.

Section 79.060. Minimum Training Requirements:

1. All Volunteer Firefighters shall have a minimum state certified training level of Firefighter Basic within 12 months of being appointed in to the department.
2. The Fire Chief, Battalion Chief, and any command officers (i.e. Captains) shall have a minimum state certified training level of Firefighter 2 to be considered for appointment.

Section 79.070. Powers and duties--Fire department generally.

1. The fire department shall have charge of the fire apparatus and shall keep the same in good order for immediate use, and for more effectually perfecting the fire fighters in discharge of their duties,
2. Shall as often as practicable thoroughly test the condition of the fire-fighting apparatus.
3. Upon arrival at any fire, the members present shall take all necessary and proper action to extinguish such fire as quickly as possible and with the least possible damage and take all reasonable steps necessary under the circumstances to prevent the spread of the fire and damage to adjoining property.
4. No city owned fire vehicle will be taken outside the fire district except in extreme

emergency or except in accordance with a mutual agreement with another unit of government.

Section 79.080. Fireman Standard of Conduct:

1. Any of the following is sufficient cause for the suspension or removal of any member of the Fire Department:
 - a. For responding to a call while intoxicated or public intoxication while on duty.
 - b. For public intoxication while either on or off duty.
 - c. For willful disobedience to any order lawfully issued to him.
 - d. For disrespect shown to the Mayor or an Alderman.
 - e. For incompetence in the performance of his duties.
 - f. For any neglect of duty.
 - g. For discussing the affairs of the Department, in a manner likely to disrupt the movement or discipline of the Department, with any person not a member of the Department or the Mayor or Board of Aldermen.
 - h. For cowardice or for lack of energy which may be construed as either incompetence or gross neglect of duty.
 - i. For violating any of the rules, regulations, or standard operating procedures of the department.
 - j. For indecent, profane or harsh language while on duty or in uniform.
 - k. For conduct unbecoming an officer.
 - l. For conduct detrimental to the good order and discipline of the department.
 - m. For careless handling of City or Department property, either fixed or movable.
 - n. For conviction of any felony or misdemeanor.
 - o. For repeated violation of City Ordinances.
2. Truthfulness of members. All members of the Department are required to speak the truth at all times, and under all circumstances, whether under oath or not. If forbidden by the rules of the department to divulge information, they will state, "No Comment", unless compelled to divulge such information by a court of competent jurisdiction or pursuant to lawful judicial process.
3. Members to give name. Any member of the department, when called upon to do so by any person under any circumstances shall give his name in a respectful and courteous manner.

Section 79.090. Right of Appeal. The right of appeal granted City employees by Section 23.150(7) et seq. is expressly preserved for volunteer members of the department.

Section 79.100. Return of equipment upon quitting or removal from department:

1. When any member of the department has been dropped from the rolls thereof and has property of the department or city in his possession, the fire chief shall demand the immediate delivery of such property to the fire chief.

Section 79.110. Compensation of Volunteer Firefighters:

1. Firefighters shall be compensated up to \$5 dollars for each call they participate in to help cover costs for fuel and any other expenses they incur.
2. Firefighters shall be compensated up to \$5 dollars for each official intra department training event they attend providing the Chief provides the board of aldermen documentation of the event including date held, subject of training, and who attended.
3. The Fire Chief can approve the purchase of fuel to assist firefighters if they go to training outside of the city. If appropriate, and in consultation with the Mayor, the Fire Chief can approve additional costs associated with leaving the city to attend training or other official business of the department.

Section 79.120. Purchase of department uniforms, equipment; ownership:

1. Whenever the board of aldermen shall deem it proper, it shall purchase uniforms and other necessary equipment for the members of the department, but all property of the department including the uniforms of such members, shall be the property of the city.
2. The uniforms of the members of the department shall be used only at parades and public fire events and at such times and places as the Chief may direct. The Chief shall take into custody any uniform that is improperly used.

Section 79.130. Driving near fire or over hoses:

1. No person shall operate any vehicle through or interfere with any active emergency scene where the fire department is engaged in preparing to put out, putting out, or leaving the scene of any fire or other emergency response; provided, however, that the provisions of this section shall not apply to any duly appointed and acting member of the fire or police department.
2. No person shall run over hoses at a fire event unless instructed to do so by a member of the fire or police department, or a designate.
3. Any person convicted of a violation of this Section shall be penalized as provided in Section 13.010 of this Code.

Section 79.140. Private Burning In the City.

1. Open burning is restricted to the following items:
 - a. Yard Waste: Tree limbs, leaves, brush, etc.
 - b. Untreated Wood: Lumber and other wooden materials that have not been chemically treated for resistance to moisture, fire, fungi, insects and other pests or has not otherwise been treated or manufactured with chemicals, or that does not contain adhesives or resins. Untreated wood does not include plywood, particleboard, chipboard or wood with other than minimal amounts of paint, coating or finish.
2. Items specifically not allowed to be burnt includes:

- a. Residential waste - solid waste produced by routine household activities such as paper waste and garbage from daily activities.
 - b. Home remodeling wastes except as provided above.
 - c. Wastes from home businesses
 - d. Durable goods such as old appliances, carpets or furniture
 - e. Tires
 - f. Other non-routine household waste
 - g. Oil or used oil
3. Open burning must be continuously supervised and not started between the hours of 9 pm and 6 am.
 4. Any person convicted of a violation of this Section shall be penalized as provided in Section 13.010 of this Code.

Section 79.150. Burn Ban. Burning is generally allowed unless a burn ban is in effect. When temperature, humidity, and wind speed conditions elevate the risk of fire spreading a burn ban will be implemented. Burn bans are declared by the Fire Chief based on several criteria such as drought conditions, humidity, wind speeds, etc.

1. Burn bans are communicated via all available communications means by City Hall including news releases, website, or a sign posted at City Hall. All notifications will specifically state if burning is or is not allowed.
2. Any person convicted of a violation of this Section shall be penalized as provided in Section 13.010 of this Code.