

CHAPTER 5 PUBLIC SAFETY DEPARTMENT

Article 5-1 Public Safety Department

There is hereby created the public safety department which may encompass all activities provided in chapter 5 of this code.

Article 5-2 Police Department

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

Section 5-2-1 Created; Composition

There is hereby created a police department which shall consist of a chief of police and as many policemen as may from time to time be deemed necessary by the manager for the safety and good of the city.

Section 5-2-2 Appointment of Officers

The chief of police shall be appointed by the manager with the advice and consent of the council. The chief of police, with the approval of the manager, shall appoint as many policemen as may from time to time be deemed necessary for the safety and good order of the city.

Section 5-2-3 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 chief of police, the city manager or the council.

Section 5-2-4 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 statutes of the state 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.
- C. Render such account of the police department, its duties and receipts as may be required by the manager or council, and keep records of the office open to inspection by the manager or council at any time.
- D. Direct traffic and ensure the orderly flow thereof and investigate and make reports of traffic accidents.

E. 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 manager of any defects found therein.

F. Perform such additional duties as may be required by the manager or council.

Section 5-2-5 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 statutes.

Article 5-3        POLICE RESERVE CORPS

- 5-3-1        Creation
- 5-3-2        Qualification of Members
- 5-3-3        Oath Required
- 5-3-4        Duties
- 5-3-5        Termination of Membership
- 5-3-6        Badges and Insignia
- 5-3-7        Uniforms
- 5-3-8        Honorary Appointment Prohibited
- 5-3-9        Impersonations
- 5-3-10       Carrying Fire Arms

Section 5-3-1    Creation

There is hereby created a police reserve corps. The members of the reserve corps shall serve without compensation and be composed of male or female persons appointed by the manager. Membership in such corps shall not exceed that amount of persons as determined by the Council by written resolution, except in the event of an emergency or disaster where additional members may be appointed.

Section 5-3-2    Qualifications of Members

To be eligible for consideration for the appointment as a police reserve officer, the person shall not be less than twenty-one (21) years of age, a resident of the city, be of good moral character and in good health.

Section 5-3-3    Oath Required

Each appointee before entering upon his duties shall sign an appropriate oath that he will faithfully perform the duties of a police reserve officer.

Section 5-3-4    Duties

The duties of the corps, subject at all times to the direction, supervision and control of the chief of police, shall be to aid and assist the regular members of the police department of the city in the enforcement of the law, direction of traffic and maintenance of peace and order whenever and wherever its services are required. The Chief of police shall establish rules and regulations consistent with this article for the purpose of governing the corps, including the fixing of specific duties of its members and providing for the fixing of discipline among the members. The chief of police may change such rules and regulations from time to time as he sees fit.

Section 5-3-5 Termination of Membership

The membership of any person in the corps may be terminated without the necessity of assigning any reason therefore. Any member may resign from the corps at any time upon submitting written notification to the chief.

Section 5-3-6 Badges and Insignia

The chief of police shall issue to each member of the corps an identification card and a badge of authority to be used only while on duty and with the proper shoulder insignia. The badge shall be in such a design as determined by the chief of police, but shall bear the word "reserve" across the face thereof. All property so issued shall remain the property of the city and shall at no time become the personal property of the individual. Upon discharge or resignation from the corps, the identification card and badge shall immediately be returned to the chief of police.

Section 5-3-7 Uniforms

The uniforms for members of the corps shall be similar to the uniforms worn by the members of the regular police department of the city and shall be purchased and maintained by the members of the corps at their own expense and at no expense to the city or police department of the city.

Section 5-3-8 Honorary Appointment Prohibited

No person shall be appointed as police reserve officer who does not or will not serve as an active reserve officer as specified by the rules and regulations of the police reserve corps.

Section 5-3-9 Impersonations

No person shall impersonate a police reserve officer, nor shall any person undertake the duties of a police officer without first being appointed by the manager.

Section 5-3-10 Carrying Fire Arms

No member of the corps shall carry any fire arms until he has qualified for and received evidence of such qualification from the chief of police. Such authorized member shall carry fire arms in such a manner and at such times as may be prescribed by the chief of police.

Article 5-4        FIRE DEPARTMENT

- 5-4-1        Created, Composition
- 5-4-2        Departmental Rules and Regulations
- 5-4-3        Compensation
- 5-4-4        Appointment, Powers and duties of the Chief
- 5-4-5        Suspension, Demotion or Discharge; and Appeal
- 5-4-6        Entry Upon Adjacent Property
- 5-4-7        Equipment
- 5-4-8        Fire Protection Agreements
- 5-4-9        Providing Fire Protection Outside the City
- 5-4-10       Acknowledgment of Right of Way
- 5-4-11       Fire Alarms
- 5-4-12       Orders of Fire Chief

Section 5-4-1     Created; Composition

There is hereby created a volunteer fire department for the city which shall consist of a chief, two assistant chiefs, and as many firemen as may be deemed necessary from time to time by the fire chief with approval of the manager.

Section 5-4-2     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 fire chief with the approval of the manager.

Section 5-4-3     Compensation

The fire chief, assistant fire chiefs and volunteer firemen shall be compensated as may be determined by council.

Section 5-4-4     Appointment, Powers and Duties of the Chief

The fire chief, assistant fire chiefs and volunteer 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, morale 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 operation or 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 specific 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 inspection by the manager or council and furnish to the manager such information upon request.
- H. Make a complete annual report, in writing, to the manager at such time as may be specified by the council, and such report shall include the information specified in section 5-4-4 (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. Appoint assistant fire chiefs, subject to the approval of the manager and define their duties and the order of their superiority in the absence of the fire chief.

Section 5-4-5 Suspension, Demotion or Discharge; and Appeal

Subject to the approval of the manager, the fire chief may suspend, demote or discharge from the department any volunteer fire fighter at any time he shall deem such action necessary or appropriate for the good of the department.

Section 5-4-6 Entry Upon Adjacent Property

It is lawful for any fireman acting under the direction of the chief or another officer in command to enter upon the premises adjacent to or in the vicinity of any building or other property that is on fire for the purpose of extinguishing such fire, and no person shall hinder, resist or obstruct any fireman in the discharge of his duty as herein before provided.

#### Section 5-4-7 Equipment

The department shall be equipped with such apparatus or other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire. Recommendations concerning apparatus and equipment needed shall be made by the chief to the manager, and after approval by the council, such apparatus and equipment shall be purchased in such manner as may be designated by the council. All equipment of the department shall be safely and conveniently housed in such place or places as may be designated by the fire chief with approval of the manager. No persons shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully take away or conceal any article used in any way by the department. No person shall enter any place where the fire apparatus is housed or handle any apparatus or equipment belonging to the department unless accompanied by, or having special permission of, an officer or authorized member of the department. No fire apparatus or equipment shall be hired out or permitted to leave the fire station except in response to a call for aid at a fire within the corporate limits of the city or in response to a call for aid at a fire in an area authorized for fire protection service or mutual aid under provisions of section 5-4-8.

#### Section 5-4-8 Fire Protection Agreements

The manager is authorized, with the consent and approval of the council, to enter fire protection agreements to furnish fire protection to premises located outside the corporate limits of the city upon payment of a stipulated monthly annual fee, and to enter into mutual aid agreements with other municipalities, school districts or governmental agencies of the United States, State of Arizona, and the County of Pinal. The city shall, subject to the provisions of this section, render fire fighting assistance to the premises covered by said fire protection agreements, without payment of an extra fee as provided in section 5-4-9.

#### Section 5-4-9 Providing Fire Protection Outside the City

- A. The fire department may, upon the approval of the fire chief, or in his absence the assistant fire chief, render fire fighting services outside the corporate limits of the city. Only such firemen and fire fighting equipment as shall be designated by the fire chief may leave the city in response to such calls. The fire chief in making such designations shall, in his absolute discretion, determine that such personnel and fire fighting equipment will not, upon leaving the city, jeopardize the fire protection for this municipality. The fire chief, within seventy-two hours after responding to a fire call outside of the city, shall file a written report with the manager setting forth the circumstances authorizing the response to such fire call, the

firemen and equipment responding to the fire call, the location of the fire, damage, duration of the fire and such other information as the fire chief or manager shall deem pertinent.

- B. A fee of three-hundred dollars (\$300.00) shall be charged when the fire department responds to any fire call to premises located outside the city, if the owner or occupant of the premises does not have a fire protection agreement then in effect for said premises with the city. This fee shall be charged against the owner or occupant of the premises to whom the fire fighting services are rendered.

Section 5-4-10 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 and all motor vehicles of the department members shall have right of way over all other traffic when responding to an alarm. No unauthorized vehicle shall follow within 600 feet of any apparatus belonging to the department nor park any vehicle or otherwise cause any obstruction to be placed within ten feet of the entrance to any fire station or other place where fire apparatus is stored or within fifteen feet 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 5-4-11 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 into a false alarm.

Section 5-4-12 Order of Fire Chief

It is lawful for any fireman or citizen to refuse to obey an order issued by the fire chief pursuant to his authority.

Article 5-5 ADOPTION OF THE INTERNATIONAL FIRE CODE<sup>123</sup>

Article 5-5 was repealed in its entirety and is superseded by the provisions of new Article 8-14.

Article 5-6 CREATION OF EMERGENCY MEDICAL SERVICES UNIT

That Article 5-6 of "The Code of the City of Coolidge, Arizona", be hereby amended and the following language as set forth be deleted and said such Article be declared to be invalid and no longer appropriate to serve the needs of Coolidge and it's Citizens. The following language therefore is declared to be invalid and inappropriate; "There shall be an Emergency Medical /services unit who shall operate a City owned Ambulance service and have as its immediate supervisor, a Medical Services Coordinator".

Article 5-7 FINGERPRINTING AND CRIMINAL HISTORY RECORD INFORMATION<sup>4</sup>

That Article 5-7 of the Coolidge City Code, relating to fingerprints and criminal history record information, is hereby established to read as follows:

- (a) The City Manager, or designee, is authorized to request and receive criminal history record information from the Arizona Department of Public Safety, as provided in A.R.S. §41-1750, for the purpose of evaluating the fitness of any and all prospective and current employees, contract employees and volunteers.
- (b) Each candidate for any paid City position, prospective or current City employee, contract employee or volunteer who work at on-site City locations and/or will have duties that include working with youths or a potentially vulnerable population, or who may have access to confidential information or City assets, shall submit a full set of fingerprints to the City for the purpose of obtaining a state and federal criminal records check, pursuant to A.R.S. §41-1750 and Public Law 92-544. The Arizona Department of Public Safety is authorized to exchange this fingerprint data with the Federal Bureau of Investigation.

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<sup>1</sup> AMENDED 5-5

<sup>2</sup> AMENDED 5-5 & 5-6

<sup>3</sup> REPEALED 5-5

<sup>4</sup> ADDED 5-7

Ordinance 02-04

Ordinance 02-09

Ordinance 03-13

Ordinance 07-22

Adopted 06/10/02

Adopted 08/12/02

Adopted 11/10/03

Adopted 06/11/07

- (c) The City Manager, or designee, shall submit the fingerprints of the individuals for whom criminal history record information is sought to the Arizona Department of Public Safety, along with any and all prescribed fees. The Coolidge Police Department shall assist, as necessary, in obtaining the fingerprints.
- (d) The City will comply with any relevant state and federal laws, rules and regulations that may relate to the dissemination of the criminal history information.