

## CHAPTER 30

# POLICE DEPARTMENT

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**30.01 DEPARTMENT ESTABLISHED.** The police department of the City is established to provide for the preservation of peace and enforcement of law and ordinances within the corporate limits of the City.

**30.02 ORGANIZATION.** The department consists of the Police Chief and such other law enforcement officers and personnel, whether full or part time, as may be authorized by the Council.

**30.03 PEACE OFFICER QUALIFICATIONS.** In no case shall any person be selected or appointed as a law enforcement officer unless such person meets the minimum qualification standards established by the Iowa Law Enforcement Academy.  
*(Code of Iowa, Sec. 80B.11)*

**30.04 REQUIRED TRAINING.** All peace officers shall have received the minimum training required by law at an approved law enforcement training school within one year of employment. Peace officers shall also meet the minimum in-service training as required by law.

*(Code of Iowa, Sec. 80B.11 [2])  
(IAC, 501-3 and 501-8)*

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

**30.06 PEACE OFFICERS APPOINTED.** The Mayor shall appoint and dismiss the Police Chief subject to the consent of a majority of the Council. The Police Chief shall recommend other members of the department, to be selected by the City Administrator.  
*(Code of Iowa, Sec. 372.4)*

**30.07 POLICE CHIEF: DUTIES.** The Police Chief has the following powers and duties subject to the approval of the Council.  
*(Code of Iowa, Sec. 372.13 [4])*

1. General. Perform all duties required of the Police Chief by law or ordinance.
2. Enforce Laws. Enforce all laws, ordinances and regulations and bring all persons committing any offense before the proper court.
3. Writs. Execute and return all writs and other processes directed to the Police Chief.

4. Accident Reports. Report all motor vehicle accidents investigated to the State Department of Transportation.  
(*Code of Iowa, Sec. 321.266*)
5. Prisoners. Be responsible for the custody of prisoners, including conveyance to detention facilities as may be required.
6. Assist Officials. When requested, provide aid to other City officers, boards and commissions in the execution of their official duties.
7. Investigations. Provide for such investigation as may be necessary for the prosecution of any person alleged to have violated any law or ordinance.
8. Record of Arrests. Keep a record of all arrests made in the City by showing whether said arrests were made under provisions of State law or City ordinance, the offense charged, who made the arrest and the disposition of the charge.
9. Reports. Compile and submit to the Mayor and Council an annual report as well as such other reports as may be requested by the Mayor or Council.
10. Command. Be in command of all officers appointed for police work and be responsible for the care, maintenance and use of all vehicles, equipment and materials of the department.

**30.08 DEPARTMENTAL RULES.** The Police Chief shall establish such rules, not in conflict with the Code of Ordinances, and subject to the approval of the Council, as may be necessary for the operation of the department.

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## CHAPTER 35

### FIRE DEPARTMENT

35.01 Establishment and Purpose

35.02 Organization

35.03 Training

35.04 Compensation

35.05 Employment Status

35.06 Worker's Compensation and Liability Insurance

35.07 Providing Service Outside the Fire District

35.08 Fees

35.09 Election of Officers

35.10 Fire Chief: Duties

35.11 Obedience to Fire Chief

**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. Currently this is set at 30 firefighters, including the Fire Chief.

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

**35.03 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])*

**35.04 COMPENSATION.** The City shall pay volunteer members as follows:

1. A fee of \$15.00 shall be paid to each firefighter participating in any training meeting or emergency run of the Fire Department.
2. The City shall reimburse training expenses incurred to meet minimum requirements for serving as firefighters on the Fire Department, including mileage to and from training sessions held outside of the City. Lodging, training costing more than \$30.00, training in excess of minimum requirements, or travel in excess of 60 miles for training shall require pre-approval of the Fire Chief.

**35.05 EMPLOYMENT STATUS.** Members of the Fire Department are considered to be employees of the City while in the performance of all duties and services reasonably connected with the operation of the Fire Department, for the purpose of the application of worker's compensation statutes and for the purpose of the application for liability insurance coverage.

**35.06 WORKER'S COMPENSATION AND LIABILITY INSURANCE.** The City shall purchase sufficient insurance to cover all personnel while providing fire services under the worker's compensation statutes of the State and shall purchase sufficient insurance to protect the City against loss from damages or public liability resulting from the operation of the Fire Department. The Council shall determine the amount of the insurance needed.

**35.07 PROVIDING SERVICE OUTSIDE THE FIRE DISTRICT.** The Department is authorized to respond to calls outside the Fire District of the City and to provide mutual aid to other fire and rescue services as required by agreements, either written or verbal, with other services.

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

**35.08 FEES.**

1. Established. Fees for the Fire Department and reasonably related emergency services furnished within or outside the Fire District shall be established by the Council through Fire Service Agreements or rates established by ordinance or resolution. The agreements and rates shall generally be adequate to cover the operating costs of the service.

A. Structural Fires (Emergency) - \$500.00 per emergency call.

B. Voluntary Controlled Burns (Training Fires) - \$1,000.00 to \$2,000.00, depending on the size of the structure with acceptance of the fires and setting of the fees determined by the Fire Chief and City Administrator.

C. Emergency Accident Scene Responses - \$100.00 per emergency call.

2. Calculation of Fees. The Fire Chief, with the assistance of the Emergency Services Coordinator, shall calculate and render bills for Fire Department and all reasonably related services rendered pursuant to the fees established by the Council.

3. Payment of Fees. All Fire Department fees and charges reasonably related emergency services shall be payable per any agreement or upon presentation of a statement for said fees and charges to the user and/or recipient of the service, and shall be paid to the City.

**35.09 ELECTION OF OFFICERS.** The Department shall elect a Fire Chief and such other officers as its constitution and bylaws may provide. In case of absence of the Fire Chief, the officer next in rank shall be in charge and have and exercise all the powers of the Fire Chief.

**35.10 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 \$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 \$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 which under law or ordinance may be necessary to be made and 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.

*(Code of Iowa, Sec. 100.4)*

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.

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

## CHAPTER 36

### EMERGENCY AMBULANCE SERVICE

36.01 Ambulance Service Established  
36.02 Organization  
36.03 Compensation  
36.04 Employment Status

36.05 Worker's Compensation and Liability Insurance  
36.06 Providing Service Outside the City Limits  
36.07 Fees  
36.08 Bylaws; Rules and Regulations

**36.01 AMBULANCE SERVICE ESTABLISHED.** There is hereby established an ambulance service owned and operated by the City and known as the Hawarden Ambulance Service.

**36.02 ORGANIZATION.** The Ambulance Service shall be under the general supervision of the Ambulance Director. The Ambulance Director shall ensure that the service is operated in accordance with high standards and meets all requirements of the State and Federal governments. The Ambulance Director, Medical Director, and Volunteer Advisory Board shall ensure that personnel for the Ambulance Squad are qualified and have met the minimum education and training requirements. The City Administrator shall appoint, supervise and dismiss the Ambulance Director. The Ambulance Director and City Administrator shall represent the Ambulance Squad in all matters before the Council. *(Ord. 673 – Aug. 12 Supp.)*

**36.03 COMPENSATION.** The City shall pay volunteer members as follows:

1. A run fee of \$20.00 for each driver or student; a fee of \$25.00 for each Emergency Medical Responder, and a fee of \$30.00 for each Emergency Medical Technician participating in the runs shall be paid per run. The run fees shall be doubled during the 24-hour period of a City-recognized holiday, as listed in the City personnel manual. No fees shall be paid for training meetings.
2. The City shall reimburse training expenses incurred to meet minimum requirements for serving as an attendant on the ambulance, including mileage to and from training sessions held outside of the City. Lodging, training costing more than \$30.00, training in excess of minimum requirements, or travel in excess of 60 miles for training shall require pre-approval of the Ambulance Director.

*(Ord. 673 – Aug. 12 Supp.)*

**36.04 EMPLOYMENT STATUS.** Members of the Hawarden Ambulance Service are considered to be employees of the City while in the performance of all duties and services reasonably connected with the operation of the ambulance, for the purpose of the applications of worker's compensation statutes and for the purpose of the application for liability insurance coverage.

**36.05 WORKER'S COMPENSATION AND LIABILITY INSURANCE.** The City shall purchase sufficient insurance to cover all personnel while providing ambulance service and during emergency medical training, under the worker's compensations statutes of the State and shall purchase sufficient insurance to protect the City against loss from damages or public liability resulting from the operation of the Ambulance Service.

**36.06 PROVIDING SERVICE OUTSIDE THE CITY LIMITS.** The Ambulance Service is authorized to respond to calls outside the incorporated limits of the City and to provide mutual aid to other ambulance and rescue services as required by agreements, either written or verbal, with other services and to transport patients to such locations as may be necessary in individual circumstances.

**36.07 FEES.**

1. Established. Fees for the use of the ambulance service and reasonably related emergency services furnished within or outside the City shall be established to adequately cover all of the operating costs of the service except the replacement of vehicles, unless otherwise specified according to incident.

<b>AMBULANCE SERVICE AND MATERIAL CHARGES</b>	
<b>Services and Materials</b>	<b>Charge</b>
ALS1 – Emergency Rate	\$ 665.00
BLS – Emergency Rate	\$ 560.00
ALS1 – Transport Rate	\$ 425.00
BLS – Transport Rate	\$ 350.00
Skilled Care Transport	\$ 668.00
Loaded Mileage	\$ 12.00

2. Calculation of Fees. The City shall provide for the calculation of fees and billings for the ambulance services and all reasonably related services rendered as directed by the Council.

3. Payment of Fees. All ambulance service fees and charges reasonably related to emergency services shall be payable upon presentation of a statement for said fees and charges to the user and/or recipient of the service, and shall be paid as directed by the City according to procedures established by the Council. Actions for collection of fees and charges shall be brought in the name of the City, after authorization of commencement of action by the Council, in the same manner as other actions at law.

*(Ord. 673 – Aug. 12 Supp.)*

**36.08 BYLAWS; RULES AND REGULATIONS.** The Ambulance Service shall submit to the Council a set of bylaws and/or rules and regulations for the operation of the department upon request to ensure the department is acting in accordance with all applicable State and Federal laws, rules and regulations.

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