

CHAPTER 8

FIRE PROTECTION

- Article 1. Fire Protection.
- Article 2. Rural Fire Protection.
- Article 3. Fireworks and Explosives.
- Article 4. Penalty.

Article 1. Fire Protection.

Section 8-1. Volunteer Fire Department

1. There is hereby established for the Town of Corn, Oklahoma a Volunteer Fire Department under the provisions of the Oklahoma Volunteer Fireman's Act. (See Chapter 1, Section 1-32 and 1-33, this Code.)

Reference: 11 O.S. §§ 29-101; 29-201

2. The Corn, Oklahoma Volunteer Fire Department shall consist of not less than eight (8) and not more than twenty (20) members. The department shall not employ more than (2) full-time, salaried firemen.

Reference: 11 O.S. § 29-203

Section 8-2. Minimum Rules and Regulations of Volunteer Fire Department.

1. The fire department shall adopt a code of minimum rules and regulations in substantial compliance with the following:

Article 1. The Fire Chief

- a. The Chief shall be the head of the department, subject to the laws of the State of Oklahoma, ordinances of this municipality, and the rules and regulations adopted pursuant to this Section. The Chief shall be appointed in the manner provided by the law applicable to this municipality for the appointment of municipal officers.
- b. The Chief shall be responsible for the general condition and efficient operation of the department, the training of members, and the performance of all other duties imposed upon him by law or the municipality.
- c. The Chief may inspect or cause to be inspected by members of the department, the municipal fire hydrants, cisterns, and other sources of water supply of the municipality at least twice a year.
- d. The Chief shall maintain a library or file of publications on fire prevention and fire protection and shall make use of it to the best advantage of all members.
- e. The Chief shall make every effort to attend all fires and shall direct the officers and members in the performance of their duties.
- f. The Chief shall see that the citizens are kept informed on fire hazards in the community and on the activities of the department.

FIRE PROTECTION

- g. The Chief shall see that each fire is carefully investigated to determine its cause, and in the case of suspicion of incendiarism shall notify proper authorities. The Chief shall secure and preserve all possible evidence for future use in the case of suspicious incendiarism.
- h. The chief shall file the appropriate activity report forms with the Office of the State Fire Marshall in Oklahoma City each calendar year of those instances that include loss of life, personal injury, or property damage exceeding fifteen thousand dollars (\$15,00.00). The reports shall include but shall not be limited to notification of all fire-related injuries and deaths in the respective jurisdiction, amount of property damage, and of firefighter injuries in the line of duty requiring the services of a physician.

Article 2. The Assistant Chief

In the absence of the Chief, the assistant Chief on duty shall command the department and shall have the full powers and responsibilities of the Chief.

Article 3. Company Officers

The company officers shall be selected upon their: 1. knowledge of fire-fighting, 2. leadership ability, and 3. knowledge of firefighting equipment.

Article 4. The Secretary/Treasurer

The Town clerk/treasurer shall be secretary/treasurer. His duties shall consist of the following: 1. Calling the roll at the opening of each meeting, 2. Keeping the minutes of each meeting, and 3. Collecting any money due the department by the members.

Article 5. New Members

- a. All new members shall be on probation for one (1) year after their appointment.
- b. New volunteer members upon completion of their probation period must be approved by the majority of the fire department.

Article 6. Bylaws

The bylaws of the department shall include but shall not be limited to the following:

- a. All volunteer fire fighters are required to respond to alarms of fire and other emergencies when notified.
- b. A volunteer fire fighter is required to be present at all regular meetings, call meetings, and schools presented for the benefit of the fire fighters.
- c. There shall be at least one regular business meeting each month.
- d. Any volunteer fire fighter having two unexcused absences in succession or three unexcused absences in a period of (3) months will be expelled from the fire department rolls.
- e. Volunteer fire fighters leaving the municipality for an extended period of time will be expelled from the rolls.

FIRE PROTECTION

- f. Any volunteer fire fighter refusing to attend training classes provided for him will be expelled from the rolls.
- g. Any volunteer member of the fire department shall be expelled from the rolls for the following offenses: 1. Conduct unbecoming of a fire fighter, 2. Any act of insubordination, 3. Neglect of duty, 4. Any violation of rules and regulations governing the fire department, or 5. Conviction of a felony.

References: 11 O.S. § 29-204.

2. Copies of this Code of Ordinances and any amendments thereto relating to the Volunteer Fire Department of the Town of Corn, Oklahoma, shall be submitted to the State Insurance Commission when such Ordinances are adopted or amended by the Town Board.

Reference 11 O.S. § 29-205.

Section 8-3. Fire Prevention Code: Enforcement; Variances.

1. The Fire Prevention Code adopted by the Town Board of Trustees shall be enforced by the Corn, Oklahoma Volunteer Fire Department under the supervision of the Fire Chief; members of said Department may be detailed as inspectors by the Fire Chief, if he deems it necessary. (See Section 4-1, this Code.)

2. The Chief of the Corn, Oklahoma Volunteer Fire Department, with the approval of the Town Board of Trustees, shall have the power to grant a variance to any of the provisions of the Fire Prevention Code, upon application in writing by the owner or lessee (or his duly authorized agent), when there are practical difficulties in carrying out the strict letter of said Code; provided that the spirit of the Code shall be observed, public safety secured and substantial justice done. The particulars of such modifications, when granted or allowed, and the decision of the Fire Chief thereon, shall be entered upon the records of the Department and a signed copy shall be furnished to the applicant.

Section 8-4. Burning Prohibited.

Burning of any material or substance shall be prohibited in the Town Limits; provided, however, that grilling or cooking of foods shall be permitted for grills or pits constructed for that purpose.

Sections 8-5 through 8-9. (Reserved for future use.)

Article 2. Rural Fire Protection

Section 8-10. Fire Department Boundaries.

The fire department of the Town of Corn is hereby authorized and directed to answer all outside calls within an area of 255 square miles with the following boundaries: Approximately 5 miles East, 10 miles West, 9 miles North, 8 miles South from the nearest fire station; unless in the opinion of the Fire Chief it is inexpedient to do so or because of another fire in the Town, broken apparatus, impassable or dangerous highways, or other such physical conditions.

Section 8-11. Firemen on Regular Duty.

All firemen of the Fire Department of the Town of Corn, attending and serving at fires or doing fire prevention work outside the corporate limits of the Town of Corn, as herein provided, shall be considered as serving in their regular line of duty as fully as if they were serving within the corporate limits of the Town of Corn, and said firemen shall be entitled to all the benefits of any firemen's pension and relief fund in the same manner as if the fire fighting or fire prevention work was being done within the corporate limits of the Town.

FIRE PROTECTION

Section 8-12. Municipality Not Liable.

The fire department of the Town of Corn, answering any fire alarm, or call, or performing any fire prevention services outside the corporate limits of the Town shall be considered as an agent of the State of Oklahoma, and acting solely and alone in a governmental capacity, and said municipality shall not be liable in damages for any act of commission, omission, or negligence while answering or returning from any fire, or reported fire, or doing any fire prevention work under and by virtue of Sections 8-10, 8-11, and 8-12 hereof.

Section 8-13. Fire Equipment Right-of-Way.

All motorized equipment of the fire department of the Town of Corn shall have the right-of-way over all other commercial and pleasure vehicles.

Sections 8-14 through 8-19. (Reserved for future use.)

Article 3. Fireworks and Explosives

Section 8-20. Unlawful Sale and Possession of Fireworks.

It shall be unlawful for any person, firm, partnership, or corporation to offer for sale or to possess any fireworks within the corporate limits of the Town of Corn at any time during the year, however, nothing herein shall permit the use of any fireworks within the fire zone of the Town of Corn or within three hundred (300) feet of any hospital, public meeting or place of religious worship.

Reference: 68 O.S. § 1631

Section 8-21. Unlawful Use of Fireworks.

It shall be unlawful for any person, firm, partnership, or corporation to discharge, ignite, or use fireworks within the corporate limits of the Town of Corn, Oklahoma.

Reference: 68 O.S. § 1627.

Section 8-22. Definition.

The term "fireworks" shall mean and include any composition or device for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and which is defined as common or special fireworks by the United States Department of Transportation (DOT). The term "fireworks" shall not include toy cap pistols and caps, blank cartridges, railroad flares and model rockets.

Reference: 68 O.S. § 1622.

Section 8-23. Explosives.

1. It shall be unlawful for any person or persons to store, keep, have on their premises or in their possession, any explosive materials of any kind or nature without first certifying to the Fire Chief that such person has complied fully with the laws of the State of Oklahoma for the purpose of selling, storing or keeping such articles.

It shall be unlawful for any person to keep or store any explosive on any premises which are occupied as a dwelling or school. Any person storing explosives for sale to the general public must comply with the laws of the State of

FIRE PROTECTION

Oklahoma concerning the sale and storage of said explosives.

Reference: 63 O.S. § 141.1 et. seq.

Sections 8-24 through 8-29. (Reserved for future use.)

Article 4. Penalty

Section 8-30. Penalty.

Any person, firm or corporation who violates any provisions of this Chapter shall be guilty of an offense and, upon conviction thereof, shall be punished by fine and costs as provided for in Section 9-20 of this Code. Each day upon which a violation continues shall be deemed a separate offense.

