

## CHAPTER 26

### EMERGENCY AMBULANCE SERVICE

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26.03 Powers and Duties  
26.04 Compensation

26.05 Calls Outside Corporate Limits  
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**26.01 SERVICE ESTABLISHED.** There is established an ambulance service owned and operated by the City and known as the Gladbrook-Lincoln Community Emergency Vehicle Service.

**26.02 BOARD ESTABLISHED.** There is established an Ambulance Service Board consisting of three members appointed by the Mayor with the approval of the Council. In December of each year the Mayor shall appoint one Board member to serve a three-year term, commencing January 1 following. Nothing herein shall prevent a Board member from being appointed to successive terms. Vacancies shall be filled by appointment by the Mayor for the unexpired term. The Board shall recommend members for appointment by the Mayor.

**26.03 POWERS AND DUTIES.** The Ambulance Service Board shall have the power and authority to do the following:

1. Generally conduct and supervise the operation of the ambulance service;
2. Form an emergency unit and select and recruit personnel to serve voluntarily, and maintain an accurate list of such persons;
3. Prescribe standards and training for emergency unit personnel;
4. Seek and investigate methods of improvement of service, and, with Council approval, attend schools and courses and designate unit members to attend;
5. Maintain the vehicles and equipment as deemed necessary for the proper operation of the service, incurring expenditures within its allowed budget, subject to claim approval by the Council as provided by law;
6. Accept the donation of funds and equipment and establish billing and collection procedures;
7. Submit to the Mayor and Council a comprehensive report of the status and operations of the service, including a complete inventory of equipment, in July of each year and otherwise as may be required; and
8. Perform such other duties as may be referred to it by the Council.

**26.04 COMPENSATION.** Members of the Ambulance Service Board and personnel of the emergency unit are volunteers and shall serve without compensation. In the discretion of the Ambulance Service Board and with approval of the Council, members of the Board and personnel of the unit may be reimbursed for their expenses, which reimbursement may be in the form of nominal amount designed to approximate expenses actually incurred. In no event shall any payments be based upon the value of services performed. Members of the

emergency unit shall be considered to be employees of the City while in the performance of ambulance duties for the purpose of the application of worker's compensation statutes.

**26.05 CALLS OUTSIDE CORPORATE LIMITS.** The service is authorized to respond to calls outside the corporate limits of the City and to transport patients to such locations as may be necessary; except that the Ambulance Service Board may establish policies, subject to Council approval, for response to such calls and for the routine transfer of patients.

**26.06 SCHEDULE OF FEES.** The Ambulance Service Board shall determine rates and fees to be charged users.

**26.07 PAYMENT.** All ambulance fees and charges are due upon presentation of a statement for said fees and charges. Actions for collections of same shall be brought in the name of the City in the same manner as other actions at law. The Ambulance Board shall submit a monthly report to the Clerk summarizing all revenues received and disbursements made by the Board for the month.

**26.08 MUTUAL AID AND AGREEMENTS WITH OTHER GOVERNMENTAL SUBDIVISIONS.** The Council may by resolution enter into agreements with any other governmental subdivision to provide primary ambulance service or mutual aid ambulance service to that governmental subdivision at terms acceptable to the Council.

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## CHAPTER 30

# CONTRACT LAW ENFORCEMENT

**30.01 CONTRACT LAW ENFORCEMENT.** The Council may contract with the County Sheriff or any other qualified lawful entity to provide law enforcement services within the City, and the Sheriff or such other entity shall have and exercise the powers and duties as provided in said contract and as required by law or ordinance.

*(Code of Iowa, 28E.30)*

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## 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 volunteer fire department are volunteers and shall serve without compensation. In the discretion of the Council, members of the department may be reimbursed for their expenses, which reimbursement may be in the form of nominal amount designed to approximate expenses actually incurred. In no event shall any payments be based upon the value of services performed. Members of the volunteer fire department shall be considered to be employees of the City while in the performance of all volunteer fire department duties for the purpose of the application of worker's compensation statutes.

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

**35.06 ELECTION OF OFFICERS.** The department shall elect a Fire Chief and such other officers as its constitution and bylaws may provide, but the election of the Fire Chief shall be subject to the approval of the Council. 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 Fire Chief.

**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 RESCUE SERVICE.** The department is authorized to provide emergency rescue services, and the accidental injury and liability insurance provided for herein shall include such operation.

**35.16 AGREEMENTS WITH TOWNSHIPS.** The Council may, by resolution, enter into an agreement with any Township to provide fire protection to that Township in exchange for financial payments to the City by the Township.

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