

CHAPTER 32: POLICE AND FIRE DEPARTMENTS

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Cross-reference:

Fire prevention, see Ch. 93

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POLICE DEPARTMENT

§32.01 ORGANIZATION

The Police Department of the city shall consist of a Chief and as many police officers as the City Council shall from time to time determine and deem necessary for the proper policing of the city.

(’67 Code, Ch B, §1, as amended)

§32.02 CITY COUNCIL TO HAVE CONTROL

The City Council shall have general supervision over the Police Department.
(‘67 Code, Ch B, §2)

§32.03 UNIFORMS

All police officers shall wear uniforms and shall be provided by the city and shall keep such uniforms in a neat and clean condition, and shall surrender all uniforms and equipment upon leaving the police service of the city if such uniforms and equipment were furnished by the city.
(‘67 Code, Ch B, §3)

§32.04 DUTIES OF POLICE

- (A) The Police Department shall enforce this code and all laws and ordinances of the city and state, and shall at all times preserve the peace, protect the property and the safety of the citizens of the city.
(‘67 Code, Ch B, §2, as amended in the City Charter June ‘69)

- (B) In addition to other duties assigned, it shall be the duty of each member of this police force, upon information furnished him or upon his own knowledge of any violation of the ordinances of the city, to make complaint thereof and secure proper warrants for the arrest and trial of any and all offenders against the laws of the city and to furnish the names of all witnesses for the prosecution as may be known to him and necessary to the conviction of the offended.
(‘67 Code, Ch B, §6)

§32.05 CHIEF OF POLICE

The Chief shall have control over the Police Department under the supervision of the City Manager. The Chief shall keep the City Manager and the City Council informed of the Department’s activities and make such reports as the City Manager may from time to time require, and shall perform such other duties as may be required.
(‘67 Code, Ch B, §5)

§32.06 SPECIAL POLICE OFFICERS

Any special police officers appointed for temporary service shall be uniformed as each case prescribed, so that they may be easily recognizable as peace officers during their temporary service.
(‘67 Code, Ch B, §6, as amended)

§32.07 AUXILIARY POLICE DIVISION

Pursuant to G.S. §160A-282(a) and (b), there is established within the city police department, was a division thereof, an auxiliary police division. The auxiliary police division shall be a volunteer organization, whose members shall serve without compensation, composed of as many members as may from time to time be determined by the Chief of Police and approved by the City Manager.
(Ord. 06-19, passed 6-5-06)

FIRE DEPARTMENT

§32.20 ORGANIZATION

The Fire Department shall consist of the Chief of the Fire Department, an assistant chief elected from the volunteer firefighters, an assistant chief in charge of equipment elected from any of the full-time salaried employees and a “sufficient number of firefighters (voluntary, part or full time) to maintain and operate the Department. The Department may from time to time adopt its own rules and regulations governing the Department subject to the approval of the City Manager. However, any such rules and regulations shall include provisions for at least one training period each month.

(’67 Code, Ch C, Art I, §1)

Editor’s Note: *From time to time, the city signs mutual aid agreements with other governmental units relating to fire investigation and emergency response.*

§32.21 DUTIES OF CHIEF

The duties of the Chief, subject to supervision by the City Manager shall be as follows:

- (A) General control of the Department, the personnel, apparatus and fire alarm systems;
- (B) To command the Department and supervise the firefighting and extinguishing of all fires and to have the authority to keep away from the vicinity of all fire any and all idle, disorderly or suspicious persons;
- (C) To inspect or cause to be inspected all trucks and other equipment of the Fire Department each and every week to ascertain that such equipment is being kept in proper condition and to report annually to the City Manager the condition of all equipment;

(D) To inspect or cause to be inspected all fire hydrants and fire alarm systems at least annually and to make a report of such inspection to the City Manager.

('67 Code, Ch C, Art I, §2)

§32.22 GENERAL AUTHORITY AT FIRES

(A) It shall be unlawful to congregate on the streets or alleys near a fire in a manner which would interfere with the activities of the Fire Department.

(B) In the event of an alarm of fire, the apparatus of the Fire Department responding to it shall have the right-of-way in and upon all streets, lanes, alleys and other public ways.

('67 Code, Ch C, Art I, §3) Penalty, see §10.99

§32.23 COMBUSTIBLE AND INFLAMMABLE MATERIALS

(A) It shall be the duty of the Chief and the Assistant Chief of the Fire Department to examine all premises in the city and have removed there from all combustible material and inflammable conditions dangerous to the safety of property, and to require the removal of benzene, benzol, dynamite, fireworks, gasoline, Greek fire, gun powder, naphtha, nitroglycerine or other explosives, phosphorous or petroleum or any of its products of greater inflammability than kerosene oil of the United States standard, whenever the same is not kept in accordance with the terms of the standard form of Fire Insurance Policy of the state.

(B) The Chief or his assistant shall have the right to enter all buildings and premises for the purpose of making such examination. Any person refusing to move any of the merchandise listed in division (A) within 24 hours when notified to do so by the Chief of the Fire Department or Chief of Police, or shall in any way interfere with the Chief of the Fire Department in the discharge of his duty shall be guilty of a misdemeanor.

('67 Code, Ch C, Art I, §11) Penalty, see §10.99

§32.24 RIDING ON TRUCKS RESTRICTED

No person other than a bona fide member of the Fire Department shall mount any fire engine, wagon or apparatus before it leaves the station or while on its way to or from a fire, or at any time, unless by permission of the driver or officer in command of such engine, wagon or other apparatus.

('67 Code, Ch C, Art I, §6) Penalty, see §10.99

§32.25 RESPONSE TO TECHNICAL RESCUE EMERGENCIES

(A) The Fire Chief or his or her designee shall have the authority to summarily abate, control, or mitigate technical rescue situations that generally endanger the health or safety of the general public, The Fire Chief or his or

her designee shall have the authority to enter public or private property, with or without the property owner's consent, to respond to and mitigate such technical rescue incidents.

(B) The Fire Chief or his or her designee shall determine the type, amount and quantity of equipment and personnel required to adequately control, abate and mitigate all technical rescue situations. Technical rescue shall include, but not limited to, any or all of the following types of incidents:

- (1) Confined space incidents;
- (2) Full or partial structural collapse;
- (3) Trench cave-ins;
- (4) Vehicle extrications;
- (5) Other unusual rescue situations.

(Ord. 04-08, passed 2-24-04)