

CHAPTER EIGHT  
Revised February 1983  
FIRE CODE

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## ARTICLE I. IN GENERAL.

### 8-1. Establishment and composition of volunteer fire department.

The volunteer fire department is hereby created and established, to consist of so many members as may be from time to time provided, including a chief, a first assistant chief, a second assistant chief and such other officers as the organization may decide. (Ord. No. 419.)

### 8-2. Election, etc., of officers of volunteer fire department.

The chief of the volunteer fire department shall be elected from the membership and shall appoint from the membership of the volunteer fire department a first and second assistant. The decision of the volunteer fire department membership shall be submitted to the Mayor and City Council for their advice and consent. The City Council shall pass a resolution authorizing the Mayor to appoint the designated individual as Chief, if they consent to the appointment. No one shall assume the position of Chief without the consent of the City Council and the approval of the Mayor. All other officers of the volunteer fire department shall be elected by the volunteer organization at an annual election to be held at the regular meeting of the department in December of each year. (Ord. No. 419; Ord. No. 847, 10-4-76.)

### 8-3. Term of elected officers of volunteer fire department.

Officers of the volunteer fire department elected as provided in section 8-2 shall hold office for one year or until their successors have been elected and qualified. (Ord. No. 419.)

### 8-4. Membership of paid firemen in volunteer fire department.

Paid firemen may be members of the volunteer fire department, provided they are selected for membership in the same manner as other members. (Ord. No.419.)

8-5. Oath and bond of fire chief.

The fire chief, before taking office, shall file his oath of office with the city clerk, together with his bond in a sum to be approved by the city council. (Ord. No. 419; Ord. No. 847, 10-4-76.)

8-6. Fire Department Administration.

Administrative responsibility of the Fire Department is shared by the Fire Chief, the First Assistant Fire Chief and the Second Assistant Fire Chief. The Fire Chief shall be a volunteer and shall make himself available to assist at fires and carry out the management of the department. The First and Second Assistant Fire Chiefs shall be employed on a full time basis and shall have full management and administrative authority when the Fire Chief is unavailable. (Ord. No. 419; Ord. No. 847, 10-4-76.)

8-7. Powers and duties of fire chief generally.

The fire chief shall be responsible for the discipline and proper conduct of the fire department, the enforcement of all laws and regulations pertaining thereto, and for the care and condition of the property of the fire department. He shall have command of all members of the fire department. (Ord. No. 419.)

8-8. Police power of fire chief.

At fires, the fire chief shall have full power of a police officer. (Ord. No. 419.)

8-9. Devolution of powers of fire chief.

In case of the absence of the fire chief, the assistant fire chief or other officer placed in command shall have the same powers as the fire chief would have.

8-10. Fire lines.

The fire chief may designate limits in the vicinity of a fire within which no person, except those residing therein, members of the fire department or police force and those admitted by the chief or his subordinate, shall be permitted to come. (Ord. No. 419.)

8-11. Calling for assistance at fires.

The chief or officer having charge at any fire may call upon any person present to assist the firemen in their duties. (Ord. No. 419)

8-12. Removal of wires or turning off of current.

The fire chief shall have the power to cause the removal of all wires or to turn off all currents interfering with the work of the fire department. (Ord. No. 419)

8-13. Removal of buildings, etc., to check, etc., fire.

The fire chief, during the progress of any fire, whenever in his judgment it becomes necessary to check or control the same, shall have power to order any fence, building or structure of any kind to be torn down and removed. He shall have power to cause any building or structure to be blown up for the purpose of checking or extinguishing a fire. (Ord. No. 419.)

ARTICLE II. FIRE DISTRICT AND ZONES.

8-14. City as fire district; Zones.

(a) The entire city is declared to be a fire district composed of Fire Zone One, Fire Zone Two and Fire Zone Three.

8-15. Fire Zone One.

Fire Zone One shall be composed of that area within the City included in the "C-2" Central Shopping District and the "I-2" Heavy Industrial District as provided in the City Zoning Regulations. (Ord. No. 987, 4-16-79)

8-16. Fire Zone Two.

Fire Zone Two shall be composed of that area within the City included in the "C-1" General Commercial District, the "C-S" Highway Services District, the "C-P" Neighborhood Shopping District, the "C-O" Office and Institution District, and the "I-I" Light Industrial District as provided in the City Zoning Regulations. (Ord. No. 987, 4-16-79)

8-17. Fire Zone Three.

Fire Zone Three shall be composed of all that area within the city not included in Fire Zone One and Fire Zone Two. (Ord. No. 419)

8-18. Chief; Inspector.

The fire chief shall be the chief of the bureau of fire prevention and may detail such members of the fire department as inspectors as shall from time to time be necessary. (Ord. No. 419)

ARTICLE III. NATIONAL FIRE PREVENTION CODE.

8-19. Renumbered as 5-5 (Ord. No. 1500, 11-21-83)

8-20. Flammable Liquid Delivery.

(a) The delivery of flammable liquids, including but not limited to gasoline, diesel fuel and fuel oil in bulk to underground storage tanks shall be by liquid tight connection only. Vehicles of a gross vehicular weight less than 23,000 lbs. which are equipped with pumps which deliver liquids through meters and are equipped with automatic shut off hoses may be utilized without provision for liquid tight connections either on the vehicle or the storage tank that is serviced by such a vehicle. All flammable liquid storage tanks and delivery vehicles shall comply with this section within 120 days from the effective date of this Ordinance.

(b) Should any flammable liquids be spilled during the process of delivery into storage tanks, whether or not such delivery was in compliance with Section 8-24 (a) [8-20-(a)] Gillette City Code, it shall be cleaned up and corrected according to the procedures and specific directions of the City-County Fire Inspector. (Ord. No. 1064, 2/80)