

**Title 16. FIRE AND POLICE DEPARTMENT.**

**Chapters:**

**16.01. Fire Department.**

**16.02. Police Department.**

## **Chapter 16.01. Fire Department.**

### **Sections:**

#### **16.01.01. Fire Department Created.**

There is hereby created in the City of Saratoga Springs a Fire Department consisting of a Chief, a Fire Marshall, other officer positions, and fire Department members.

(Ord 19-25; Ord. 12-9; Ord. 11-9; Ord. 00-0525-02)

#### **16.01.02. Fire Chief.**

1. **Appointment of a Fire Chief.** The Mayor, with the advice and consent of the City Council, shall appoint a Fire Chief to perform the duties required of him or her by law and such other duties as the City Manager may require.
2. **Duties of the Fire Chief.** The Fire Chief shall have the following duties:
  - a. The duty of extinguishing fires and of protecting life and property within the City is entrusted to the Fire Chief.
  - b. The Fire Chief may make suitable regulations under which the officers and the members of the Department shall be required to wear an appropriate uniform or badge by which, in case of fire and at other times, their authority and position in the fire Department may be known.
  - c. The Fire Chief shall supervise and direct all officers and members of the Department in the course of performance of the employees' duties and responsibilities.
  - d. The Fire Chief shall adopt such measures as deemed expedient for the extinguishment of fire, protection of life and property, observance of the laws of the state, and duties required of him or her by law and the ordinances of the City.
  - e. It shall be the duty of the Fire Chief to examine the condition of all buildings and to inspect all equipment of the Fire Department. It shall further be the duty of the Fire Chief to see that at all times the provisions of the ordinances relating to the protection and regulation of the property are strictly enforced.
  - f. The Fire Chief shall make necessary reports to the City Council regarding the condition of the equipment and the needs of the Fire Department. He or she may submit additional reports and recommendations at any meeting of the City Council.
  - g. Subject to the advice and consent of the City Manager, the Fire Chief shall be responsible for the training and discipline of the members of the Fire Department. The Fire Chief shall include in his or her reports to the City Council the names of such persons as shall have applied for and been received into the Fire Department membership since his or her last report.
  - h. The Fire Chief shall keep in convenient form a complete record of all fires. Such record shall include the time of the alarm, location of fire, cause of fire (if known), type of property, name of owner and tenant, purpose for which occupied, value of property and content, members of the Fire Department responding to the alarm, and such other information as he may deem advisable.

(Ord. 19-25; Ord. 11-9; Ord. 00-0525-02)

**16.01.03. Fire Marshal.**

1. **Appointment.** The Mayor, with the advice and consent of the City Council, shall appoint a Fire Marshall who shall perform the duties required of him or her by law, and shall perform such other duties as the City Council may require. The office of Fire Marshall may be held by the Fire Chief.
2. **Duties of Fire Marshall.** The Fire Marshall shall be charged with the enforcement of all ordinances aimed at fire prevention. He or she shall have full authority to inspect all premises and to cause the removal or abatement of all fire hazards.

(Ord. 19-25; Ord. 11-9; Ord. 00-0525-02)

**Chapter 16.02. Police Department.**

**Sections:**

- 16.02.01. Appointment of Police Chief.**
- 16.02.02. Duties of Police Chief.**
- 16.02.03. Police officers—Authority.**
- 16.02.04. Right to Arrest Without Warrant.**

**16.02.01. Appointment of Police Chief.**

There shall be appointed by the Mayor, with the advice and consent of the City Council, a Police Chief who shall perform duties required by him by law and who shall perform such other duties as the City Council may require.

(Ord. 11-9; Ord. 07-1)

**16.02.02. Duties of Police Chief.**

1. The Police Chief has authority to:
  - a. suppress riots, disturbances, and breaches of the peace;
  - b. apprehend all persons violating state laws or city ordinances;
  - c. diligently discharge his duties and enforce all ordinances of the city to preserve the peace, good order, and protection of the rights and property of all persons; and
  - d. attend the municipal justice court located within the city when required, provide security for the court, and obey its orders and directions.
2. This Section is not a limitation of the police chief's statewide authority as otherwise provided by law.
3. The chief of police shall adopt a written policy that prohibits the stopping, detention, or search of any person when the action is solely motivated by considerations of race, color, ethnicity, age, or gender.

(Ord. 11-9; Ord. 07-1)

**16.02.03. Police officers—Authority.**

Within the boundaries of the City, police officers have the authority at all times to preserve the public peace, prevent crime, detect and arrest offenders, suppress riots, protect persons and property, remove nuisances existing in the public streets, roads, and highways, enforce every law relating to the suppression of offenses, and perform all duties required of them by ordinance or resolution.

(Ord. 11-9; Ord. 07-1)

**16.02.04. Right to Arrest Without Warrant.**

The members of the police force shall have the power and authority, without process, to arrest and take into custody any person who shall commit or threaten or attempt to commit in the presence of the officer, or within his view, any breach of the peace or any offense directly prohibited by the laws of this state or by ordinance.

(Ord. 11-9; Ord. 07-1)