

**CHAPTER 7
FIRE PREVENTION**

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Section 7-1. Volunteer Fire Department.

1. There is hereby established for the Town of Mountain Park, Oklahoma, a Volunteer Fire Department under the provisions of the Oklahoma Volunteer Fireman's Act, **which Act is incorporated fully by reference.** (See Chapter 1, Sections 1-27 and 1-28, this Code of Ordinances)
2. The Mountain Park, Oklahoma Volunteer Fire Department shall consist of not less than six (6) and not more than twenty (20) members. The Department shall not employ more than two (2) full-time, salaried firemen. Members of the Mountain Park, Oklahoma, Fire Department may continue as members of the Volunteer Fire Department established under this Code of Ordinances without probation, but shall be subject to the by-laws authorized under this Code of Ordinances.
3. All new members shall be on probation for one (1) year after their appointment to the Department and shall not become regular members of the Department upon completion of their probation period, until approval by a majority of the regular members of the Mountain Park, Oklahoma, Volunteer Fire Department, subject to the ratification of the Mountain Park, Oklahoma, Town Board of Trustees.
4. The Mountain Park, Oklahoma, Volunteer Fire Department shall adopt by-laws (a copy of which shall be deposited with the Town Clerk-Treasurer), which shall include the following:
 - a. All volunteer fire fighters are required, when notified, to respond to alarms of fire and other emergencies;
 - b. All volunteer fire fighters are 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 (1) regular business meeting each month;
 - d. Any volunteer fire fighter having two (2) unexcused absences in a period of three (3) months, will be dropped from the Department rolls;
 - e. Volunteer fire fighters leaving Town for an extended period of time shall notify the Fire Chief in advance;

- f. Any volunteer fire fighter refusing to attend training classes will be dropped; and
 - g. Any volunteer of the Fire Department shall be dropped from the rolls by the Town Board of Trustees, upon the recommendation of the Fire Chief, for any of the following offenses: (1) conduct unbecoming a fire fighter, (2) insubordination, (3) neglect of duty, (4) violation of rules and regulations governing the Department, or (5) **arrest for**, or conviction of, a felony.
5. Copies of this Code of Ordinances and any amendments relating to the Volunteer Fire Department of the Town of Mountain Park, Oklahoma, shall be submitted to the State Insurance Commissioner.

Section 7-2. Fire Prevention Code: Enforcement; Variances.

- 1. The Fire Prevention Code adopted by the Town Board of Trustees shall be enforced by the Mountain Park, Oklahoma Volunteer Fire Department, under the supervision of the Fire Chief; members of **the** Department may be detailed as inspectors by the Fire Chief, if it is deemed necessary. (See also Chapter 4, this Code of Ordinances.)
- 2. The Chief of the Mountain Park, 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 a duly authorized agent), when there are practical difficulties in carrying out the strict letter of **the** Code; provided, that, the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification, 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.

Sections 7-3 through 7-9. (Reserved for future use.)

Article 2. Rural Fire Protection.

Section 7-10. Authorization for Rural Fire Services; Right-of-Way.

- 1. The Town of Mountain Park, Oklahoma, is hereby authorized and empowered to enter into contracts or agreements with individuals, firms, private corporations or associations, or political subdivisions of the State of Oklahoma for fire protection outside the corporate limits of **the** Town, and to contract to provide fire protection jointly with other organizations and Municipal subdivisions of the State.
- 2. Any contract entered into by the Town of Mountain Park, Oklahoma, with an individual owner, firm, private corporation or private or non-profit association, for outside aid or mutual aid for fire protection, shall provide for the payment by said owner, firm, private corporation, private or non-profit association, or political subdivision to the Town of Mountain Park, Oklahoma, for such fire apparatus and personnel. All monies received from said calls shall go into the Fund designated by **Resolution** of the Town Board of Trustees.

3. The Fire Department of the Town of Mountain Park, Oklahoma, is hereby authorized and directed to answer all outside calls within a distance of five (5) miles from the nearest fire station, unless, in the opinion of the Fire Chief, it is inexpedient to do so on account of another fire in the Towne broken apparatus, impassable or dangerous highways, or other physical conditions. All other responses shall be at the direction of the Fire Chief, Assistant Fire Chief or Mayor.
4. All firemen of the Fire Department of the Town of Mountain Park, Oklahoma, attending or serving at fires, or doing fire prevention work outside the corporate limits of said Town, 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 Mountain Park, Oklahoma, 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 of Mountain Park, Oklahoma.
5. The Fire Department of the Town of Mountain Park, Oklahoma, 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 Subsections 1, 2, 3 or 4 hereof.
6. All motorized equipment of the Fire Department of the Town of Mountain Park, Oklahoma, shall have the right-of-way over all other commercial and pleasure vehicles.

Section 7-11. Charges for Fire Calls.

1. The Town Board of Trustees shall charge the following fees to persons or property owners involved, for fire calls outside the corporate boundaries of the Town of Mountain Park, Oklahoma.
 - a. Fire calls made within five (5) miles of the corporate limits of the Town of Mountain Park, Oklahoma, shall cost a minimum of **one hundred dollars (\$100.00)** for the 1st hour, or portion thereof, with an additional charge of **seventy-five dollars (\$75.00)** for each additional hour or portion thereof.
 - b. Fire calls made outside of five (5) miles from the corporate limits of the Town of Mountain Park, Oklahoma, shall cost a minimum of **one hundred and fifty dollars (\$150.00)** for the 1st hour, with an additional charge **one hundred dollars (\$100.00)** for each additional hour or portion thereof.
2. Mileage and distances shall be based on actual miles traveled. The Town of Mountain Park, Oklahoma, shall also have the capacity **and right** to prepare supplemental billing costs for use of special equipment or materials.

Sections 7-12 through 7-19. (Reserved for future use.)

Article 3. Miscellaneous Provisions.

Section 7-20. Sale, Possession or Discharge of Fireworks.

1. It shall be unlawful and an offense for any person, firm or corporation to possess, sell or to discharge, ignite, or in any manner aid, assist or abet in the discharging or igniting of any firecrackers of any size, type or description, sky-rockets, pistols, torpedoes, roman candles, flash salutes, flash crackers, balloons or other fireworks or substances designed and intended for pyrotechnic display, or small display ground pieces, canes, cap pistols, cannons or other appliances using caps containing chlorate or potash mixture within the corporate limits of the Town of Mountain Park, Oklahoma, except **on and** between the following times/dates:
 - a. Sale or possession of fireworks shall be allowed between the 15th day of June and the 6th day of July of each year.
 - b. Use of fireworks shall be permitted only on July 4th of each year, between the hours of 8:00 o'clock a.m. and 12: 00 o'clock **a.m.** (midnight).
 - c. It shall be unlawful to use any fireworks within the Fire Zone of the Town of Mountain Park, Oklahoma, or within three hundred (300) feet of any public meeting place, place of religious worship, or flammable agricultural crop.
2. The firing and discharging of such fireworks may, however, be permitted within any Municipal Park when the same is supervised by a Municipal official; provided, further that, the Mayor may order or permit public display of fireworks by properly qualified individuals, under the direction of experts in the handling of such fireworks.

Section 7-21. Explosives.

1. It shall be unlawful for any person or persons to store, keep or have on their premises or in their possession, any explosive materials of any kind or nature without first having complied with the Laws of the State of Oklahoma for the purpose of selling, storing or keeping such articles.
2. 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 Oklahoma concerning the sale and storage of said explosives.

Section 7-22. Inter-Governmental Cooperation Authorized.

1. The Town of Mountain Park, Oklahoma, in an effort to improve the quality of fire protection within said Community, and to protect the health, welfare and safety of its citizens, does hereby determine that any or all members of the Fire Department of the

Town of Mountain Park, Oklahoma, are authorized to assist the Fire Departments of Snyder, Hobart or any Tillman or Kiowa County Rural Fire Departments in protecting **such** areas, upon receipt of a valid request for assistance. For purposes of this Section, "valid request for assistance" shall mean a request for help, **written or oral**, in an emergency situation, by the Mayor, Police Chief, Fire Chief, Dispatcher or County representative of the above entities. Upon receipt of this request for aid, any member of the Mountain Park Fire Department shall respond to said request for assistance.

2. In an attempt to increase the effectiveness of fire protection within the corporate limits of the Town of Mountain Park, Oklahoma, and to provide for the health, welfare and safety of the citizens of said Community, the Town of Mountain Park Oklahoma, does hereby authorize any or all fire Department personnel of the Towns of Snyder, Hobart or of Kiowa or Tillman Counties, to respond to a request for assistance by the Town of Mountain Park, Oklahoma, and the Fire Department Officers extending **such** aid shall have full powers to act within the corporate limits of the Town of Mountain Park, Oklahoma, while under a request for assistance.

Sections 7-23 through 7-29. (Reserved for future use.)

Article 4. **Penalty.**

Section 7-30. **Penalty.**

Any person, firm or corporation who violates any provision of this Chapter, including the provisions of any Code adopted by the Town of Mountain Park, Oklahoma, shall be guilty of an offense and, upon conviction thereof, shall be fined in any sum not to exceed the limits established in Section 11-40, Article 3, Chapter 11 of this Code of Ordinances. Each day upon which a violation continues shall be deemed to be a separate offense.