

CHAPTER 141
Fire Division

EDITOR'S NOTE: In accordance with Ohio R.C. 737.13, the Director of Public Safety-Service has promulgated rules for the regulation, operation, discipline and guidance of the Fire Division. Provisions relative to compensation received by members are not included herein since they are subject to frequent change. Fringe benefits are contained in Chapter 153.

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CROSS REFERENCES

Director of Public Safety-Service as Head - see CHTR. Art. IV. Sec. 4
 Civil Service Application - see CHTR. Art. V, Sec. 3; Ohio R.C. 737.11
 Reductions, Suspensions and Removals - see Ohio R.C. 124.34,
 et seq. 737.12
 Sick Leave - see Ohio R.C. 124.38
 Fire Chief Suspension - see Ohio R.C. 124.34, 124.40
 Age and Promotions - see Ohio R.C. 124.31, 124.45, et seq.
 Schooling, Buildings and Equipment - see Ohio R.C. 715.05,
 737.23, et seq.
 Fire Protection Contracts - see Ohio R.C. 9.60
 Fire Chief - see Ohio R.C. 737.09
 Classification of Fire Personnel - see CHTR. Art. V, Sec. 3,
 Ohio R.C. 737.10, 737.13
 General Duties - see Ohio R.C. 737.11
 Hours and Leave - see Ohio R.C. 737.21, 4115.02

141.01 COMPOSITION.

Effective February 17, 1997, the Fire Division shall consist of the following officers and other members:

- (a) Regular members who shall be classified:
- (1) A Fire Chief
 - (2) Three (3) Captains
 - (3) Six (6) Lieutenants
 - (4) One (1) Fire Prevention Officer
 - (5) Eighteen (18) regular Firemen

(b) Effective August 17, 2002, the Mayor shall have the authority to promote on a temporary basis to the positions of Captain and/or Lieutenant when necessary due to absence through disability or other emergency.

(Ord. No. 126-02. Passed 9/03/02.)

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(c) Upon the announcement of the retirement of the Fire Prevention Officer, an extra Fireman shall be employed for a period of not more than three (3) months to allow for training of the new Fire Prevention Officer. (Ord. No. 151-02. Passed 10/28/02.)

(d) Supportive members who shall not be regarded as regular members and who shall be unclassified:

(1) One (1) Executive Secretary;

(2) Three (3) extra Firemen to relieve regular Firemen on vacation or absent through disability or other emergency, but no such extra Firemen shall be employed unless needed for the purposes herein set forth, and such extra Firemen shall not be employed for a period of more than three

(3) consecutive months at a time.

(Ord. 75-99. Passed 6-25-99.)

(e) A person who has reached the age of eighteen, but who has not reached the thirty-sixth birthday may be eligible to receive an original appointment to the Fire Department, as further provided by the rules and regulations for classified service of the City of Rocky River. (Ord. 66-07 Passed 6-26-07)

141.02 THREE PLATOON SYSTEM APPROVED.

(a) In accordance with the provisions of Ohio R.C. 4115.02, the Fire Chief is hereby authorized and directed to divide the uniform force of the Fire Division into three (3) platoons and operate such Division as a three position system by, at all times, keeping one platoon on duty twenty-four (24) consecutive hours, after which the platoon so serving shall be allowed to remain off duty for at least forty-eight (48) consecutive hours, except in cases of extraordinary emergency. However, all officers and members of the Fire Division, who are assigned or perform duties other than that of fire fighters and whose work does not require them to be on duty continuously for a platoon period, shall not be required to work more than forty (40) hours in any one week. The schedule of work of such Fire Division shall be so arranged that such officers and members shall not be required to work more than eight (8) consecutive hours in a twenty-four (24) hour period and so that no more than forty (40) hours shall be worked within five (5) consecutive twenty-four (24) hour periods, except in cases of extraordinary emergency.

It is further provided in cases of sickness, death or other necessary occasion, the Fire Chief may permit the exchange of working hours between officers and members of the Division.

Nothing contained in this section shall affect the provisions of any other existing ordinance or custom granting vacations, rates of pay or leaves of absence. (Ord. 2314. Passed 11-4-52.)

(b) The Safety-Service Director and Fire Chief are hereby directed to continue the operation of the Fire Division under the three platoon system in the manner and as provided for herein until further order by ordinance of Council.

The past operation of the Fire Division under such three platoon system is hereby approved and ratified.
(Ord. 228-59. Passed 10-12-59.)

141.03 AUTHORITY TO RESPOND TO CALLS OUTSIDE THE CITY.

(a) In accordance with Ohio R.C. 9.60, Council hereby grants authority to the Fire Division of the City to render its services to another municipal corporation or political subdivision in times of emergency.

(b) The Mayor, the Director of Public Safety-Service, the Chief of the Fire Division and/or any officer in charge of the Fire Division, may order and authorize such emergency fire services to be furnished to another municipal corporation or political subdivision in times of emergency.
(Ord. 54-67. Passed 5-22-67.)

141.04 FIRE PREVENTION BUREAU.

There is hereby established a Fire Prevention Bureau within the Fire Division of the City, the purposes of which is to carry out all fire prevention duties hereinafter described, and such other fire prevention duties as may be directed by the Director of Public Safety-Service.

A. Enforcement of the Fire Prevention Laws.

The Fire Prevention Bureau shall enforce all laws and ordinances pertaining to fire prevention as are contained in the Ohio Fire Code and including, but not limited to, the following duties:

- (a) Inspection of potential fire hazards.
- (b) Abatement of existing fire hazards.
- (c) Investigation of the cause, origin and circumstances of fires.
- (d) Control and use of explosives and flammables.
- (e) Regulation of the maintenance of automatic and other private fire alarm systems and fire extinguishing equipment.
- (f) Control of the means and adequacy of exits, in case of fire, from factories, schools, hotels, lodging houses, hospitals, churches, restaurants, halls, office buildings, theatres and all other places in which numbers of persons work, meet, live or congregate.
- (g) Informing the public about fire safety and securing the cooperation of individuals and property owners in practices for their own safety and the safety of others.
- (h) Consultation with the public on matters affecting fire safety.
- (i) Inspection of properties for situations which create fire hazards affecting the public safety.

- (j) Regulating the transportation of dangerous materials within or through the community.
- (k) Preparation of special orders for situations not covered by specific provisions of ordinances or laws and forwarding recommendations on provisions needed in fire prevention codes and building codes to the Council of the City of Rocky River.
- (l) The enforcement of laws, ordinances and administrative orders for the public safety.
- (m) Direct involvement in the development and implementations of fire, life safety, fire prevention and related codes and standards.
- (n) Prepare and submit on or before April 1 of each year to the Mayor of the City of Rocky River an Annual Report for the prior year stating a description of the activities for the year and statistics pertaining thereto.

B. Right to Enter for Inspection.

The Chief or his designate shall have the right and authority to enter any building, structure or premises within the corporate limits of the City for the purpose of making inspections or investigations at all reasonable hours, provided that except in cases of emergency, the right and authority conferred by this Section shall not apply to the entry of a private residence unless written notice is served on the occupant thereof. Such written notice shall contain a statement of the time that inspection will be made and shall also contain a statement of the purpose of such inspection or investigation. If such entry is refused, the Chief or his designate shall have recourse to every remedy provided by law to secure entry.

C. Scope of Inspection Authorized.

In addition, and not by way of limitation, to those inspections authorized by the Ohio Fire Code and Rocky River Ordinance, the Fire Prevention Bureau shall be authorized to inspect properties within the following scope:

- (a) Disrepair.
- (b) Age and dilapidated condition.
- (c) Faulty or unapproved construction.
- (d) Inadequate or lack of means of egress.
- (e) Inadequate fire alarm protection.
- (f) Inadequate fire extinguishing equipment.
- (g) Materials and buildings especially susceptible to fire.
- (h) Conditions endangering other property or occupants.
- (i) Number of occupants on premises.
- (j) Accumulations of dust or waste material in air conditioning or ventilating systems or the grease in kitchen or other exhaust ducts.
- (k) Accumulations of grease on kitchen cooking equipment, or oil, grease or dirt upon, under or around any mechanical equipment.

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- (l) Accumulations of rubbish, waste, paper, boxes, shavings, or other combustible materials or excessive storage of any combustible material.
 - (m) Hazardous conditions arising from defective or improperly used or installed electrical wiring, equipment or appliances.
 - (n) Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible, explosive or otherwise hazardous materials.
 - (o) Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials.
 - (p) All equipment, materials, processes or operations which are in violation of the provisions and intent of this Code.
 - (q) Any other fire hazard condition that poses a threat to life or property.

D. Order to Correct Violations.

Where violations of this Ordinance or of any other laws or ordinances relating to fire hazards are found by the Chief or his designate, the Chief shall serve a written order, to correct the violations, upon the owner, operator, occupant or to the person responsible for the violation. Order to correct violation shall be based on existing City Ordinance, the Ohio Fire Code, and all other laws and regulations that apply.

E. Failure to Comply.

Any person to whom an order is directed who fails to comply with such order within the specified time shall be liable to penalties as follows:

They shall be guilty of a minor misdemeanor for the first offense. They shall be guilty of a fourth degree misdemeanor for the second offense or subsequent offenses.

(Ord. 89-86. Passed 12-29-86.)