



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

ORDINANCE NO. 281

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AMENDING THE CITY CODE BY REPEALING THE POSITION OF PUBLIC SAFETY DIRECTOR AND AMENDING PROVISIONS REGARDING THE POLICE DEPARTMENT AND THE FIRE DEPARTMENT; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY

Whereas, the City of San Luis pursuant to Ordinance No. 245 created the position of Public Safety Director and eliminated the positions of Chief of Police and Fire Chief;

Whereas, the position of Public Safety Director was never filled; and

Whereas, the City Council desires to eliminate the position of Public Safety Director and return to an organizational structure of a Police Department headed by a Chief of Police and a Fire Department headed by a Fire Chief;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the City of San Luis, State of Arizona, as follows:

Section 1: Section 3-2-8 of the City Code of the City of San Luis, entitled Public Safety Director, is hereby repealed.

Section 2: Section 4-1-1 of the City Code is hereby amended to read as follows:

Sec. 4-1-1 Created; Composition

There is hereby established a police department. The police department shall be composed of a chief and such other personnel as are authorized by the council.

Section 3: Section 4-1-2 of the City Code is hereby amended to read as follows:

Sec. 4-1-3 Composition of Officers

The Chief of Police shall be appointed by the City Manager, whose appointment shall be confirmed by the City Council, and shall serve at the pleasure of the City Manager on such terms and conditions as may be approved by the City Council. The Chief of Police shall be subject to the direction of the City Manager. The City Manager shall provide for the appointment of as many police officers as may from time to time be deemed necessary for the safety and good order of the city.

Section 4: Section 4-1-4 of the City Code is hereby amended to read as follows:

Sec. 4-1-4 Departmental Rules and Regulations

The police department shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be recommended by the chief of police and approved by the city manager.

Section 5: Section 4-2-1 of the City Code is hereby amended to read as follows:

Sec. 4-2-1 Created; Composition

There is created a Fire Department for the city which shall consist of a Fire Chief and as many firemen as may from time to time be deemed necessary by the City Manager for the safety and good order of the city.

Section 6: Section 4-2-2 of the City Code is hereby amended to read as follows:

Sec. 4-2-2 Departmental Rules and Regulations

The Fire Department shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be recommended by the Fire Chief and approved by the City Manager.

Section 7: Section 4-2-3 of the City Code is hereby amended to read as follows:

Sec. 4-2-3 Compensation

The Fire Chief and the firemen shall be compensated as may be determined by council.

Section 8: Section 4-2-4 of the City Code is hereby amended to read as follows:

Sec. 4-2-4 Appointment, Powers and Duties of Chief

The Fire Chief shall be appointed by the City Manager, whose appointment shall be confirmed by the City Council, and shall serve at the pleasure of the City Manager on such terms and conditions as may be approved by the City Council. The Fire Chief shall be subject to the direction of the City Manager. It shall be the duty of the Fire Chief to:

- A. Be accountable for the personnel, morale and general efficiency of the fire department;
- B. Direct the operations of the fire department, subject to the rules and regulations thereof;
- C. Be present at all fires, if possible, and plan and direct the extinguishment thereof. During the progress of a fire the authority of the fire chief shall be absolute in all matters directly concerning the extinguishment of fire and the disposition of property endangered by it;
- D. Conduct suitable drill or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the city, water supplies and all other matters generally considered essential to good firemanship and safety of life and property from fire;
- E. Assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires;
- F. Inspect buildings and premises and serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. For the purpose of conducting such inspection, the chief is empowered to enter any and all buildings and premises within the city at any reasonable hour. Any person served with such written notice shall comply and notify the chief of his compliance within a reasonable time;
- G. Keep complete records of all fires, inspections, apparatus and equipment personnel and other information about the work of the department open to inspection by the city manager and furnish to the city manager such information upon request;
- H. Enforce or cause to be enforced all ordinances, laws and regulations of the city and state, insofar as they pertain to fire and safety.

Section 8: Section 4-2-5 of the City Code is hereby amended to read as follows:

Sec. 4-2-5 Appointment and Duties of Firemen

The City Manager shall provide for the appointment of as many firemen as may from time to time be deemed necessary for the safety and good order of the city. The firemen shall be subject to supervision by the Fire Chief.

Section 9: In the event of a conflict between the provisions of this Ordinance and any other ordinance, code, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced.

Section 10: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 22nd day of December, 2009.

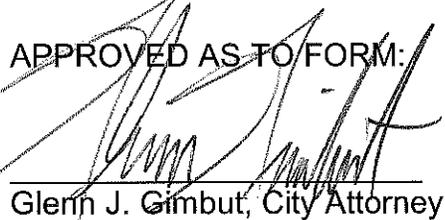

Juan Carlos Escamilla, Mayor

ATTEST:



Sonia Guello, City Clerk

APPROVED AS TO FORM:



Glenn J. Gimbut, City Attorney