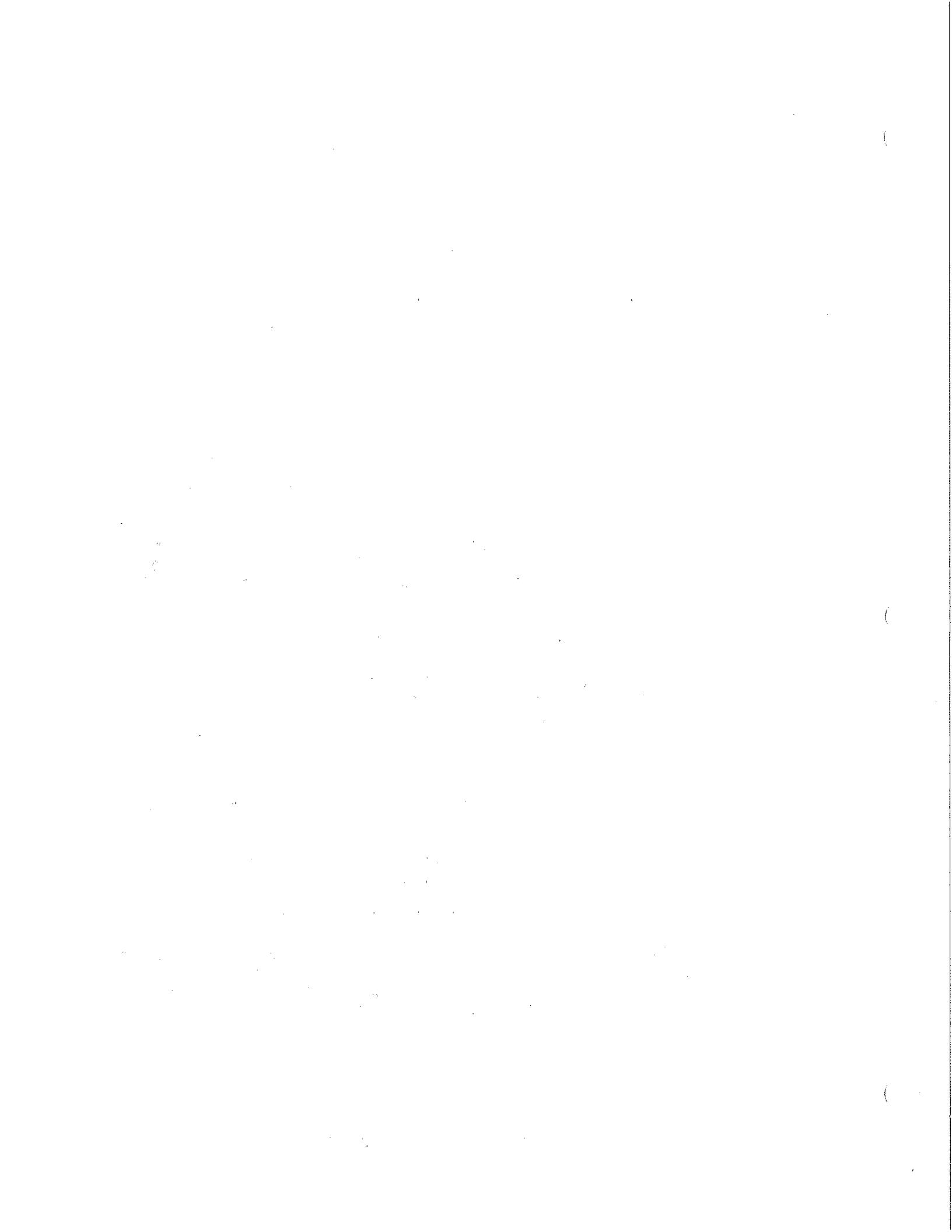


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TITLE II - COMMUNITY PROTECTION  
DIVISION 1 - ADMINISTRATION

CHAPTER 25  
POLICE DEPARTMENT

25.01 Department Established	25.06 Police Chief Appointed
25.02 Organization	25.07 Police Chief: Duties
25.03 Peace Officer Qualifications	25.08 Summoning Aid
25.04 Required Training	25.09 Taking Weapons
25.05 Compensation	

25.01 DEPARTMENT ESTABLISHED. The police department of the City is established to provide for the preservation of peace and enforcement of law and ordinances within the corporate limits of the City.

25.02 ORGANIZATION. The department shall consist of the Police Chief and such other law enforcement officers and personnel, whether full or part time, as may be authorized by the Council.

25.03 PEACE OFFICER QUALIFICATIONS. In no case shall any person be recruited, selected, or appointed as a peace officer unless such person:

(Code of Iowa, Sec. 80B.11)  
(IAC, 501-2.1; 501-2.2[1 and 2])

1. Resident Citizen. Is a citizen of the United States and a resident of Iowa or intends to become a resident upon being employed.
2. Age. Has reached eighteenth birthday at the time of appointment.
3. Driver's License. Has a valid driver's or chauffeur's license issued by the State of Iowa.
4. Alcohol and Drugs. Is not addicted to drugs or alcohol.
5. Character. Is of good moral character as determined by a thorough investigation including a fingerprint search conducted of local, state and national fingerprint files and has not been convicted of a felony or a crime involving moral turpitude.

6. Physical Agility. Has successfully passed the physical agility test developed by the Iowa Law Enforcement Academy.

7. Conscientious Objector. Is not by reason of conscience or belief opposed to the use of force, when necessary to fulfill said person's duties.

8. Education. Is a high school graduate with a diploma, or possesses an equivalency certificate which meets the minimum score required by the State of Iowa as determined by the State Department of Education.

9. Vision. Has an uncorrected vision of not less than 20/100 in both eyes, corrected to 20/20 and normal color vision. Normal color vision, as determined by the American Optical Company, Pseudo-Isochromatic Plates test, requires correct identification of fourteen out of the eighteen plates.

10. Hearing. Has normal hearing in each ear. Hearing is considered normal when, tested by an audiometer, hearing sensitivity thresholds are within 25db measured at 1000Hz, 2000Hz and 3000Hz averaged together.

11. Physical Exam. Is examined by a licensed physician or surgeon and meets the physical requirements necessary to fulfill the responsibilities of a law enforcement officer.

12. Written Exam. Has performed satisfactorily in pre-employment cognitive or personality tests or both.

25.04 REQUIRED TRAINING. All peace officers shall have received the minimum training required by law at an approved law enforcement training school within one year of employment. Peace officers shall also meet the minimum in-service training as required by law.

(Code of Iowa, Sec. 80B.11 [2])  
(IAC, 501-3 and 501-8)

25.05 COMPENSATION. Members of the department shall be designated by rank and receive such compensation as shall be determined by resolution of the Council.

25.06 POLICE CHIEF APPOINTED. The Police Chief shall be appointed by the City Manager, subject to Council approval.  
(Code of Iowa, Sec. 400.13)

25.07 POLICE CHIEF: DUTIES. The Police Chief shall have the following powers and duties subject to the approval of the Council.

(Code of Iowa, Sec. 372.13 [4])

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1. General. Perform all duties required of the police chief or marshal by law or ordinance.
2. Enforce Laws. Enforce all laws, ordinances and regulations and bring all persons committing any offense before the proper court.
3. Writs. Execute and return all writs and other processes directed to him.
4. Accident Reports. Report all motor vehicle accidents investigated to the State Department of Transportation.  
(Code of Iowa, Sec. 321.266)
5. Prisoners. Be responsible for the custody of prisoners, including conveyance to detention facilities as may be required.
6. Assist Officials. When requested, provide aid to other City officers, boards and commissions in the execution of their official duties.
7. Investigations. Provide for such investigation as may be necessary for the prosecution of any person alleged to have violated any law or ordinance.
8. Record of Arrests. Keep a record of all arrests made in the City by showing whether said arrests were made under provisions of State law or City ordinance, the offense charged, who made the arrest and the disposition of the charge.
9. Reports. Compile and submit to the Mayor and Council an annual report as well as such other reports as may be requested by the Mayor or Council.
10. Command. Be in command of all officers appointed for police work and be responsible for the care, maintenance and use of all vehicles, equipment and materials of the department.

25.08 SUMMONING AID. Any peace officer making a legal arrest may orally summon as many persons as the officer reasonably finds necessary to aid the officer in making the arrest.  
(Code of Iowa, 804.17)

25.09 TAKING WEAPONS. Any person who makes an arrest may take from the person arrested all items which are capable of causing bodily harm which the arrested person may have within such person's control to be disposed of according to law.  
(Code of Iowa, 804.18)

TITLE II - COMMUNITY PROTECTION  
 DIVISION 1 - ADMINISTRATION

CHAPTER 26  
 RESERVE POLICE FORCE

26.01 Reserve Police Force Established	26.06 Repeal of Rules
26.02 Membership Rules	26.07 Violation of Laws
26.03 Term of Service; Removal	26.08 Operation of City Vehicles
26.04 Supervision	26.09 Training
26.05 Employment Status	26.10 Carrying Weapons

26.01 RESERVE POLICE FORCE ESTABLISHED. There is hereby created and established the Webster City Reserve Police Force as provided by Chapter 80D, Code of Iowa, and subject to the regulations therein contained. The Reserve Police Force shall serve until abolished by the Council.

26.02 MEMBERSHIP RULES. Membership in said Reserve Police Force shall be as prescribed in the reserve's bylaws, rules and regulations and shall be subject to the approval of the Mayor, City Manager and the Police Chief. The Mayor, City Manager and Police Chief may, from time to time, prescribe such other bylaws, rules and regulations as they, in their sole discretion, may deem to be desirable.

26.03 TERM OF SERVICE; REMOVAL. The members of the reserve police force shall serve at the discretion of the Police Chief and shall be removed and discharged from said reserve at any time upon violation of any bylaw, rule or regulation prescribed as aforesaid or upon recommendation of the reserve police executive committee.

26.04 SUPERVISION. The members of the reserve force shall be subject to lawful orders of a member of the Webster City Police Department, the Mayor and the City Manager.

26.05 EMPLOYMENT STATUS. Members of the reserve police force shall be considered employees of the City during those periods when they are performing police duties as authorized and directed by the Police Chief or the Assistant Chief in the absence of the Chief, and they shall receive a salary of one dollar per year. However, said reserve members shall not be entitled to any benefits or obligations of police retirement benefits or civil service except worker's compensation insurance stature.

26.06 REPEAL OF RULES. Any rule, regulation, constitution or bylaw of said reserve inconsistent with or in violation of this chapter is hereby repealed.

26.07 VIOLATION OF LAWS. No member of said reserve shall violate the ordinances of the City or the laws of the State or the United States of America, and any such violation may be grounds for summary dismissal.

26.08 OPERATION OF CITY VEHICLES. Members of the reserve may drive or operate a motor vehicle owned, leased or under the control of the City, but such privilege will be granted only after the reserve member has successfully passed the required probationary period.

26.09 TRAINING. Each person appointed to serve as a reserve peace officer shall satisfactorily complete, within four years from the date of appointment, a minimum training course consisting of 150 hours of training and instruction in accordance with Section 80D.3 of the Code of Iowa.

26.10 CARRYING WEAPONS. A member of the reserve force may carry a weapon in the line of duty when authorized by the Police Chief, provided such member has been approved by the City Council and has been certified by the Iowa Law Enforcement Academy Council to carry weapons.



## CHAPTER 27

# POLICE RETIREMENT SYSTEM

27.01 Purpose  
27.02 System Established  
27.03 Applicability  
27.04 Board of Trustees

27.05 Duties of Board of Trustees  
27.06 Legal Advisor  
27.07 Medical Board

**27.01 PURPOSE.** The purpose of this chapter is to provide for a police disability and retirement system based upon actuarial tables and to implement and provide for the disability and retirement of Webster City peace officers under the provisions of Chapter 411 of the Code of Iowa.

**27.02 SYSTEM ESTABLISHED.** All of the provisions of Chapter 411 of the Code of Iowa, including all benefits provided therein are hereby adopted by the City of Webster City and made a part of this chapter by this reference.  
*(Ord. 2004-1620 – Jun. 04 Supp.)*

**27.03 APPLICABILITY.** This chapter shall apply only to members of the police department who became such on or after September 21, 1961.  
*(Code of Iowa, Sec. 411.3)*

**27.04 BOARD OF TRUSTEES.** The general responsibility for the establishment and proper operation of the retirement system is vested in the board of trustees for State-wide system created by Chapter 411.36 of the Code of Iowa. The system shall be administered under the direction of the board.  
*(Ord. 2004-1620 – Jun. 04 Supp.)*  
*(Code of Iowa, Sec. 411.5[1])*

**27.05 DUTIES OF BOARD OF TRUSTEES.** The board of trustees shall have and perform all of the duties given unto such board by laws of the State of Iowa and shall have full power to invest and reinvest the funds of the police retirement system in the manner provided by law, and shall administer the same as required by law.  
*(Code of Iowa, Ch. 411)*

**27.06 LEGAL ADVISOR.** The system may employ or retain an attorney to serve as the system's legal advisor and to represent the system. The costs of an attorney employed or retained by the system shall be paid from the fire and police retirement fund created in Section 411.8 of the Code of Iowa.  
*(Ord. 2004-1620 – Jun. 04 Supp.)*  
*(Code of Iowa, Sec. 411.5[7])*

**27.07 MEDICAL BOARD.** The system shall designate a medical board as provided by law.

*(Ord. 2004-1620 – Jun. 04 Supp.)*

*(Code of Iowa, Sec. 411.5[8])*

TITLE II - COMMUNITY PROTECTION  
 DIVISION 1 - ADMINISTRATION

CHAPTER 30  
 FIRE DEPARTMENT

30.01 Establishment and Purpose	30.07 Obedience to Fire Chief
30.02 Organization	30.08 Accidental Injury Insurance
30.03 Training	30.09 Liability Insurance
30.04 Compensation	30.10 Fire Assistance Outside City
30.05 Fire Chief Appointed	30.11 Authority to Cite Violations
30.06 Fire Chief: Duties	30.12 Emergency Ambulance Service

30.01 ESTABLISHMENT AND PURPOSE. A fire department is hereby established to prevent and extinguish fires and to protect lives and property against fires, to promote fire prevention and fire safety, and to answer all emergency calls for which there is no other established agency.

(Code of Iowa, Sec. 364.16)

30.02 ORGANIZATION. The department shall consist of the Fire Chief and such other officers and personnel as may be authorized by the Council.

(Code of Iowa, Sec. 372.13[4])

30.03 TRAINING. All members of the department shall attend and actively participate in regular or special training drills or programs as directed by the chief.

(Code of Iowa, Sec. 372.13[4])

30.04 COMPENSATION. Members of the department shall be designated by rank and receive such compensation as shall be determined by resolution of the Council.

(Code of Iowa, Sec. 372.13[4])

30.05 FIRE CHIEF APPOINTED. The Fire Chief shall be appointed by the City Manager subject to Council approval.

(Code of Iowa, Sec. 400.13)

30.06 FIRE CHIEF: DUTIES. The Fire Chief shall have the following powers and duties:

(Code of Iowa, Sec. 372.13[4])

1. General. Perform all duties required of the Fire Chief by law or ordinance.

2. Enforce Laws. Enforce all ordinances and, where enabled, State laws regulating the following:

A. Fire prevention.

B. Maintenance and use of fire escapes.

C. The investigation of the cause, origin and circumstances of fires.

D. The means and adequacy of exit in case of fire from halls, theatres, churches, hospitals, asylums, lodging houses, schools, factories and all other buildings in which the public congregates for any purpose.

E. The installation and maintenance of private fire alarm systems and fire extinguishing equipment.

3. Authority at Fires. When in charge of a fire scene, direct an operation as necessary to extinguish or control a fire, perform a rescue operation, investigate the existence of a suspected or reported fire, gas leak, or other hazardous condition, or take any other action deemed necessary in the reasonable performance of the department's duties.

(Code of Iowa, Sec. 100B.2)

4. Control of Scenes. Prohibit an individual, vehicle or vessel from approaching a fire scene and remove from the scene any object, vehicle, vessel or individual that may impede or interfere with the operation of the fire department.

(Code of Iowa, Sec. 100B.2)

5. Authority to Barricade. When in charge of a fire scene, place or erect ropes, guards, barricades or other obstructions across a street, alley, right-of-way, or private property near the location of the fire or emergency so as to prevent accidents or interference with the fire fighting efforts of the fire department, to control the scene until any required investigation is complete, or to preserve evidence related to the fire or other emergency.

(Code of Iowa, Sec. 100B.3)

6. Command. Be charged with the duty of maintaining the efficiency and discipline of the fire department. The members of the fire department shall, at all times, be subject to the direction of the fire chief.

7. Property. Exercise and have full control over the disposition of all fire apparatus, tools, equipment and other property used by or belonging to the fire department.

8. Notification. Whenever death, serious bodily injury, or property damage in excess of two hundred thousand dollars (\$200,000) has occurred as a result of a fire, or if arson is suspected, notify the State Fire Marshal's Division immediately. For all fires causing an estimated damage of fifty dollars (\$50.00) or more or emergency responses by the Fire Department, file a report with the Fire Marshal's Division within ten (10) days following the end of the month. The report shall indicate all fire incidents occurring and state the name of the owners and occupants of the property at the time of the fire, the value of the property, the estimated total loss to the property, origin of the fire as determined by investigation, and other facts, statistics, and circumstances concerning the fire incidents.

(Code of Iowa, Sec. 100.2 & 100.3)

9. Right of Entry. Have the right, during reasonable hours, to enter any building or premises within the Fire Chief's jurisdiction for the purpose of making such investigation or inspection which under law or ordinance may be necessary to be made and is reasonably necessary to protect the public health, safety and welfare.

(Code of Iowa, Sec. 100.12)

10. Recommendation. Make such recommendations to owners, occupants, caretakers or managers of buildings necessary to eliminate fire hazards.

(Code of Iowa, Sec. 100.13)

11. Assist State Fire Marshal. At the request of the State Fire Marshal, and as provided by law, aid said marshal in the performance of duties by investigating, preventing and reporting data pertaining to fires.

(Code of Iowa, Sec. 100.4)

12. Records. Cause to be kept records of the fire department personnel, fire fighting equipment, depreciation of all equipment and apparatus, the number of responses to alarms, their cause and location, and an analysis of losses by value, type and location of buildings.

13. Reports. Compile and submit to the Mayor and Council an annual report of the status and activities of the department as well as such other reports as may be requested by the Mayor or Council.

30.07 OBEDIENCE TO FIRE CHIEF. No person shall willfully fail or refuse to comply with any lawful order or direction of the fire chief.

30.08 ACCIDENTAL INJURY INSURANCE. The Council shall contract to insure the City against liability for worker's compensation and against statutory liability for the costs of hospitalization, nursing, and medical attention for fire fighters injured in the performance of their duties as fire fighters whether within or outside the corporate limits of the City. All fire fighters shall be covered by the contract.

(Code of Iowa, Sec. 85.2, 85.61 and Sec. 410.18)

30.09 LIABILITY INSURANCE. The Council shall contract to insure against liability of the City or members of the department for injuries, death or property damage arising out of and resulting from the performance of departmental duties within or outside the corporate limits of the City.

(Code of Iowa, Sec. 613A.2 & 517A.1)

30.10 FIRE ASSISTANCE OUTSIDE THE CITY. The terms and conditions upon which fire fighting equipment of the City shall respond to calls for fire fighting or other emergency assistance outside the corporate limits shall be as follows:

1. Township Fire Protection. The fire department will respond to calls in rural areas that are covered in agreements which the City has entered into with townships under the provisions of Sections 28E.12 and 359.42 of the Code of Iowa.

2. Other Rural Response. The fire department may respond to calls involving vehicles or property not covered by a fire protection agreement described in subsection 30.10(1). In these instances, a fee established by the Council may be charged.

3. Mutual Aid. The fire department is hereby authorized to respond to calls for fire fighting or other emergency assistance from other cities when a request is made for such assistance by the mayor or fire chief of such city. No charge shall be made for responding to such calls except to reimburse the City for any damage done to the equipment.

4. Prior Agreements. Agreements with associations or individuals for fire protection outside the City existing on the date of the passage of the ordinance codified in this section shall be carried out to the date of the expiration of said agreements.

30.11 AUTHORITY TO CITE VIOLATIONS. Fire officials acting under the authority of Chapter 100 of the Code of Iowa may issue citations in accordance to Chapter 805 of the Code of Iowa, for violations of state and/or local fire safety regulations.  
(Code of Iowa, Sec. 100.41)

30.12 EMERGENCY AMBULANCE SERVICE. The department is authorized to provide emergency ambulance or rescue services and the accidental injury and liability insurance provided for herein shall include such operation.

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## CHAPTER 31

### FIRE RETIREMENT SYSTEM

31.01 Purpose

31.02 System Established

31.03 Applicability

31.04 Board of Trustees

31.05 Duties of Board of Trustees

31.06 Legal Advisor

31.07 Medical Board

**31.01 PURPOSE.** The purpose of this chapter is to provide for a fire disability and retirement system based upon actuarial tables and to implement and provide for the disability and retirement of Webster City fire fighters under the provisions of Chapter 411 of the Code of Iowa.

**31.02 SYSTEM ESTABLISHED.** All of the provisions of Chapter 411 of the Code of Iowa, including all benefits provided therein are hereby adopted by the City of Webster City and made a part of this chapter by this reference.

*(Ord. 2004-1621 – Jun. 04 Supp.)*

**31.03 APPLICABILITY.** This chapter shall apply only to members of the fire department who became such on or after September 21, 1961.

*(Code of Iowa, Sec. 411.3)*

**31.04 BOARD OF TRUSTEES.** The general responsibility for the establishment and proper operation of the retirement system is vested in the board of trustees for State-wide system created by Chapter 411.36 of the Code of Iowa. The system shall be administered under the direction of the board.

*(Ord. 2004-1621 – Jun. 04 Supp.)*

*(Code of Iowa, Sec. 411.5[1])*

**31.05 DUTIES OF BOARD OF TRUSTEES.** The board of trustees shall have and perform all of the duties given unto such board by laws of the State of Iowa and shall have full power to invest and reinvest the funds of the fire retirement system in the manner provided by law, and shall administer the same as required by law.

*(Code of Iowa, Ch. 411)*

**31.06 LEGAL ADVISOR.** The system may employ or retain an attorney to serve as the system's legal advisor and to represent the system. The costs of an attorney employed or retained by the system shall be paid from the fire and police retirement fund created in Section 411.8 of the Code of Iowa.

*(Ord. 2004-1621 – Jun. 04 Supp.)*

*(Code of Iowa, Sec. 411.5[7])*

**31.07 MEDICAL BOARD.** The system shall designate a medical board as provided by law.

*(Ord. 2004-1621 – Jun. 04 Supp.)*

*(Code of Iowa, Sec. 411.5[8])*

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