

CHAPTER 36: DEPARTMENTS

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POLICE DEPARTMENT

§ 36.01 POLICE DEPARTMENT ESTABLISHED.

A Police Department is established and their numbers shall be as fixed from time to time by the City Council. They shall also fix salaries for its members.

Statutory reference:

Police departments in cities of the fourth class, KRS 95.710 et seq.

Cross reference:

Robbery and burglar alarms, response of Police Department, see Ch. 100.

FIRE DEPARTMENT

§ 36.10 REAFFIRMATION OF EXISTENCE; PURPOSE; POLICIES AND PROCEDURES.

(A) The name of the Fire Department shall be "Bardstown Fire Department", and its existence is reaffirmed. Its purpose shall be to better protect life and property within the city. The Department will provide services for fire suppression, rescue and recovery, limited hazard removal, fire and hazard inspection, support to other emergency agencies, and fire prevention and safety training.

(B) Policies and procedures. Subject to the executive authority of the city, a Standard Operating Procedures Manual and Handbook shall be promulgated by the membership, reviewed by the Fire Committee and Mayor, and approved by the City Council for the safe and efficient operation of the Department.

(Ord. passed 9-14-26; Am. Ord. 615, passed 11-26-96)

§ 36.11 EQUIPMENT; MEMBERS.

(A) Equipment. The Department shall be equipped with such apparatus and accessories as are necessary for the carrying out of its purpose and as are required by the State Fire Commission.

(B) Members. The Department shall maintain a roster of trained, active firefighters, both paid, full-time, part-time and volunteer and support personnel. The Department shall be staffed by a Chief and paid full-time and part-time fire fighters and volunteer fire fighters, all of whom shall be members of the Fire Department.

(Ord. passed 9-14-26; Am. Ord. 615, passed 11-26-96)

§ 36.12 RELATIONSHIP TO BARDSTOWN/NELSON COUNTY VOLUNTEER FIRE DEPARTMENT, INC.

The Bardstown/Nelson County Volunteer Fire Department, Inc., a fire department organized and incorporated under KRS Chapters 75 and 273, which provides services outside the city limits of the City of Bardstown, may be housed in and operate out of the facilities owned by the City of Bardstown so long as its chief and officers are the same as those of the City of Bardstown Fire Department.

(Ord. passed 9-14-26; Am. Ord. 615, passed 11-26-96; Am. Ord. B2012-01, passed 2-14-12)

§ 36.13 CHAIN OF COMMAND.

Upon appointment, the Chief shall declare the chain of command for the Department.

(Ord. 615, passed 11-26-96)

§ 36.14 DUTIES OF THE CHIEF.

(A) The Chief of the Fire Department shall be responsible for the organization and operation of the Fire Department and shall supervise, direct, and control the equipment of the Fire Department and the firefighters in their duties as set out in § 36.10.

(B) The Chief shall be responsible for the plans, preparations, procedures, practice, and training in regard thereto, and may as Chief of the Fire Department, or his appointed designee(s), perform or cause to be performed all other actions authorized by law, ordinance, regulation, or as may be included in his/her job description.

(C) The Chief shall keep on file at the Department headquarters, an inventory list of all property belonging to the Department, also the Chief of the Department shall be responsible for keeping accurate records as to training, Department responses and daily duties.

(D) The Chief shall be present at the regular monthly meetings of the City Council.

(Ord. passed 9-14-26; Am. Ord. 615, passed 11-26-96; Am. Ord. B2014-21, passed 8-21-14)

§ 36.15 PAID FULL AND PART-TIME FIRE FIGHTERS.

These members of the Department shall occupy established positions in accordance with a Personnel Pay and Classification Plan adopted by ordinance.

(Ord. 615, passed 11-26-96)

§ 36.16 VOLUNTEER FIRE FIGHTERS.

Membership shall be controlled by a Standard Operating Procedures Manual and Handbook adopted by the Department. Minimum qualifications shall include those provided by statute.

(Ord. 615, passed 11-26-96)

§ 36.17 COMPENSATION.

Employee members occupying approved, established positions shall be compensated in accordance with a Personnel and Pay Classification Plan adopted by ordinance. Compensation and/or reimbursement paid to volunteer members shall be as set by the City Council.

(Ord. passed 9-12-46; Am. Ord. 615, passed 11-26-96)

Statutory reference:

Qualifications of firefighters, see KRS 95.710

Right-of-way to emergency vehicles, see KRS 189.940

Falsely reporting an incident, see KRS 519.040

Citation powers of Fire Chief, see KRS 83A.087

§ 36.18 FIRE ALARMS.

The fire alarm signals shall be handled and transmitted by the Nelson County Dispatch Center.

(Ord. passed 9-14-26; Am. Ord. B2014-21, passed 8-21-14)

Cross-reference:

Fire alarm systems, §§ 95.35 through 95.38

§ 36.19 CHIEF AND DEPUTY CHIEF TO REPORT THEIR ABSENCE.

The Chief or Deputy Chief shall not leave the city for extended periods of time without reporting to the Mayor. During such absences a competent officer shall be notified and left in charge of the Department.

(Ord. passed 9-14-26; Am. Ord. B2014-21, passed 8-21-14)

§ 36.20 CHIEF TO HAVE POWER AND PRIVILEGE OF POLICEMEN.

For the purposes of this chapter and in furtherance of his duties, the Fire Chief is hereby granted and clothed with all power and privileges of a regular policeman under statutes of Kentucky and the city ordinances.

(Ord. passed 9-14-26)

§ 36.21 DUTY OF POLICE TO ASSIST AT FIRES.

It is hereby made the special duty of the Chief of Police and policeman on duty at the time to promptly answer all fire alarms and attend each fire and assist the Fire Chief and his Department in protecting the property of the Department, the lives and property of the citizens, and in controlling and regulating the traffic and maintaining order.
(Ord. passed 9-14-26)

§ 36.22 RIGHT-OF-WAY OF FIRE DEPARTMENT; VEHICLES FOLLOWING FIRE APPARATUS TOO CLOSELY.

(A) The Department shall have the right-of-way at all times over all traffic and it is hereby made the duty of drivers of all vehicles of every description to clear the way by pulling to the right and coming to a dead stop.

(B) No unauthorized person shall trail or follow within 300 feet of any apparatus belonging to the Department actively responding to a fire or drive vehicle over fire hose.

(C) Any person violating the provisions of this section shall be fined any sum not exceeding \$200.
(Ord. passed 9-14-26; Am. Ord. B2014-21, passed 8-21-14)

§ 36.23 PARKING OR BLOCKING ANY FIRE STATION PARKING LOT, ACCESS TO FIRE GROUNDS, FIRE LANES, FIRE HYDRANTS, SPRINKLER SYSTEM HOOK-UPS.

(A) No person shall park a vehicle or otherwise cause any of the following to be blocked by any object:

- (1) Within 50 feet of a fire station door or entrance;
- (2) Any marked fire lanes;
- (3) Access to fire grounds;
- (4) Within 30 feet of a sprinkler hook-up;
- (5) Within ten feet of a fire hydrant.

(B) Any person violating the provisions of this section shall be fined in any sum not exceeding \$200.
(Ord. passed 9-14-26; Am. Ord. 615, passed 11-26-96; Am. Ord. B2014-21, passed 8-21-14)

§ 36.24 FALSE ALARMS.

(A) No person shall maliciously sound an alarm of fire.

(B) Any person violating the provisions of this section shall be fined in any sum not exceeding \$200.

(Ord. passed 9-14-26; Am. Ord. B2014-21, passed 8-21-14)

Cross-reference:

False alarms permitted, § 95.37

Exceptions, § 95.38

§ 36.25 OPEN BURNING.

(A) No person shall cause the open burning of leaves, brush, construction materials, or other debris without specific authorization from the Chief of the Bardstown Fire Department or his appointed designee(s).

(B) Any person violating the provisions of this section shall be fined any sum not exceeding \$200.

(Ord. B2014-21, passed 8-21-14)

§ 36.26 USER FEES FOR THE DEPLOYMENT OF PUBLIC SAFETY SERVICES.

(A) The City of Bardstown's Fire Department shall establish fees for the delivery of Fire Department services, personnel, supplies and equipment to the scene. The rate of the user fees shall be that which is the usual, customary and reasonable costs, which includes any services, personnel supplies and equipment and may fluctuate based on the needs of the incident.

(B) The user fees shall be filed to the insurance companies, representing an add-on-cost of the claim for damages.

(C) The city may make rules or regulations and from time to time may amend, revoke or add rules and regulations not inconsistent with this section as it may deem necessary or expedient in respect to billing for these fees or the collection thereof.

(D) If any part of this section is declared to be unenforceable or unconstitutional for any reason then the same shall not affect the validity of the remainder of this section.

(E) Citizens that reside in the Bardstown city limits and the Bardstown-Nelson County Volunteer Fire Department's service area shall be exempt from any user fees.

FEE SCHEDULE	
Simple Extrication: <15 min	\$100
Extended Extrication: >15 min	\$200
Hazmat (Cars and trucks <30 gal)	\$150
Hazmat (Cars and trucks >30 gal)	Up to \$500
Car fire (Engine compartment only)	\$125
Car fire (Extension in passenger compartment)	\$250
Large truck fire	Up to \$500
Technical rescue	Up to \$500
Traffic control	\$50/hr per truck & \$25/hr per man
Itemized expendable items	Actual cost

(F) User fees shall be paid within 60 days of the invoiced date.

(G) Any person violating the provisions of this section shall be fined any sum not exceeding \$500.

(Ord. B2014-21, passed 8-21-14)

DEPARTMENT OF RECREATION

§ 36.35 ESTABLISHMENT.

There is hereby created the Department of Recreation for the city. The Department of Recreation shall consist of the Director of Recreation and other employees as shall be provided by the Mayor. The Metropolitan Bardstown Recreation Commission previously created by ordinance adopted on July 12, 1966, is hereby merged into the newly created Department of Recreation.

(A) The Director of Recreation shall be appointed by the Mayor with the approval of the City Council.

(B) The Director of Recreation shall, on behalf of the city, supervise and oversee the use of all public parks and any lands or lots heretofore or hereafter devised and bequeathed to the city for park purposes.

(C) The Director of Recreation shall be responsible for the scheduling and use of city park facilities and parks and shall be responsible for the operation and administration of city recreation programs.

(D) The Director of Recreation shall enforce rules and regulations necessary for the proper conduct of persons using the parks.

(E) Rates for the use of Recreation Department facilities and programs shall be set by the City Council.

(F) The Director of Recreation shall have charge of the care and upkeep of all parks and pools owned by the city and shall see that the parks and pools are kept in a clean and well-maintained condition.
(Ord. 428, passed 5-8-90; Am. Ord. 596, passed 11-14-95)

Cross-reference:

Recreation Advisory Commission, see §§ 34.20 through 34.26

§ 36.99 PENALTY.

Any person, firm or corporation violating any provision of this chapter or failing to comply with any of its requirements shall constitute a misdemeanor and upon conviction thereof, be fined not less than \$50 nor more than \$500, and in addition shall pay all costs and expenses involved in the case. Each day a violation continues shall be considered a separate offense. Nothing herein contained shall prevent the city from taking any other lawful action as is necessary to prevent or remedy any violation.

(Ord. B2014-21, passed 8-21-14)