



NOTICE OF PUBLIC MEETING

Public Safety Committee

The City of Adel's Public Safety Committee will meet in the council chambers at the Adel City Hall, 301 S. 10th Street, Adel, Iowa, on **Tuesday, February 5, 2019** at **6:15 p.m.**

AGENDA

1. Call to Order
2. Consider Approval of July 30, 2018 Minutes
3. Disaster Plan and Future Plans for Storm Sirens
4. Follow-up on Open Burn Ban Ordinance
5. Fire Department Items
 - a. Updates on Tyler Technologies/Dallas County's New EMS Tool, Pre-Plan Forms, and If/How Building Permit Information Can Be Incorporated
 - b. Strategic/Future Planning Updates and Department Budget
 - c. Command Vehicle Discussion
6. Any Other Business
7. Adjournment

2/4/2019 2:19:24 PM

Please Note: Members or a quorum of members of other City Boards, Commissions, Committees, and / or the Council may be in attendance. Only items on the agenda may be acted upon and / or discussed.



July 30, 2018 Public Safety Committee - Minutes

The City of Adel's Public Safety Committee met in the council chambers at Adel City Hall, 301 South 10th Street, Adel, Iowa, on July 30, 2018 at 6:00 p.m.

The meeting was called to order at 6:00 p.m. by Chair Selby. Members present: McAdon, Ockerman, and Selby. Others: City Administrator Brown, Police Chief Shepherd, Fire Chief Morlan, and Assistant Fire Chief Nemechek.

McAdon motioned, seconded by Ockerman, to approve the March 20, 2018 minutes. Motion carried unanimously.

Discussion began on Dallas County's new EMS tool and the City's related FY18-19 Budget item for the Fire Department. Morlan stated that Dallas County Sheriff Communication Director Terry McClannahan is still working through bugs on the County's EMS tool. Tyler Technologies meeting did not provide adequate answers.

Morlan stated that if the County does not have other cities support the system, the County will not do it. Ockerman noted that it may take 14 months to enter all pre-plans, though the County has grant funds to pay for this. The committee discussed how the system was established in other states but new for Iowa. McAdon noted that the system would have a County-wide advantage with minimal costs to the City (i.e., iPads and start-up fees).

Discussion moved to potential Fire inspections through an official ordinance/policy. Brown stated that six cities with populations less than 5,201 have volunteer departments but no inspections. Four cities between 6,056 and 19,284 have several full-time staff and provide inspections. The State Fire Marshal's Office stated full-time staff is key.

Morlan noted that, while there are many ways to perform inspections, the goal is to explain and correct unsafe situations. Morlan noted that it is especially important for new construction. A lack of enforcement in State Code can become a critical issue during an emergency. Morlan noted that inspections are also used to build pre-plans. Morlan stated that the Fire Department has been performing inspections on new businesses and on complaints. Ockerman stated that inspections should be part of the overall roadmap for the Fire Department.

Discussion moved to the future of the Fire Department. Morlan provided a preliminary report based on questions from the last meeting. Ockerman stated that he wants to know about personnel and equipment needs and a timeline for when they need to be increased. These include an aerial truck, a new fire station, and paid daytime staff.

Morlan noted that other communities seem to move to full-time staff at a population of 5,000. Brown asked about when communities move to an appointed Fire Chief by the council. Morlan noted that every community does this differently. Ockerman stated that full-time Fire Departments typically have appointed positions. Ockerman noted that the County could consider a joint 28E agreement to provide fire protection (i.e., a County Fire Department). This idea could take some time to put together. McAdon asked about mutual aid for aerial trucks with cities like Waukee. Morlan noted that the City has requested certain trucks before, but it does not guarantee anything.

Discussion moved to the recent complaints on the Open Burn Ban ordinance. Selby noted that she had received several calls on this recently. McAdon stated that she would support a ban. Ockerman stated that there could be too many exceptions. The current ordinance used to have requirements like "backyard only" and supervision. Shepherd noted that too many restrictions could make it unenforceable. Shepherd will research complaints to the Police Department. Brown will contact metro communities, look at State Code, and talk with City Attorney Kristine Stone.

In other business, Shepherd noted that a new fire station could allow the Police Department to occupy the Public Safety Building for another 20 years. Shepherd noted that Officer Natalie Gillett was promoted to Sergeant. Nemechek noted that the Fire Department will develop its SOGs for the Fire Boat in September.

With no other business, the meeting was adjourned at approximately 7:09 p.m.

Respectfully submitted, Anthony Brown, City Administrator

9. “Refuse” means putrescible and non-putrescible waste, including but not limited to garbage, rubbish, ashes, incinerator residues, street cleanings, market and industrial solid waste and sewage treatment waste in dry or semisolid form.

(IAC, 567-100.2)

10. “Residential premises” means a single-family dwelling and any multiple-family dwelling up to and including two (2) separate dwelling units.

11. “Residential waste” *(Repealed by Ordinance No. 235 – Jul. 07 Supp.)*

12. “Rubbish” means non-putrescible solid waste consisting of combustible and non-combustible waste, such as ashes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery or litter of any kind.

(IAC, 567-100.2)

13. “Sanitary disposal” means a method of treating solid waste so that it does not produce a hazard to the public health or safety or create a nuisance.

(IAC, 567-100.2)

14. “Sanitary disposal project” means all facilities and appurtenances including all real and personal property connected with such facilities, which are acquired, purchased, constructed, reconstructed, equipped, improved, extended, maintained, or operated to facilitate the final disposition of solid waste without creating a significant hazard to the public health or safety, and which are approved by the Director.

(Code of Iowa, Sec. 455B.301)

15. “Solid waste” means garbage, refuse, rubbish, and other similar discarded solid or semisolid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities. Solid waste may include vehicles, as defined by subsection one of Section 321.1 of the Code of Iowa.

(Code of Iowa, Sec. 455B.301)

105.03 SANITARY DISPOSAL REQUIRED. It is the duty of each owner to provide for the sanitary disposal of all refuse accumulating on the owner’s premises before it becomes a nuisance. Any such accumulation remaining on any premises for a period of more than thirty (30) days shall be deemed a nuisance and the City may proceed to abate such nuisances in accordance with the provisions of Chapter 50 or by initiating proper action in district court.

(Code of Iowa, Ch. 657)

105.04 HEALTH AND FIRE HAZARD. It is unlawful for any person to permit to accumulate on any premises, improved or vacant, or on any public place, such quantities of solid waste that constitute a health, sanitation or fire hazard.

105.05 OPEN BURNING RESTRICTED. No person shall allow, cause or permit open burning of combustible materials where the products of combustion are emitted into the open air without passing through a chimney or stack, except that open burning is permitted in the following circumstances:

(IAC, 567-23.2[455B] and 567-100.2)

1. Disaster Rubbish. The open burning of rubbish, including landscape waste, for the duration of the community disaster period in cases where an officially declared emergency condition exists, provided that the burning of any structures or demolished structures is conducted in accordance with 40 CFR Section 61.145.

(IAC, 567-23.2[3a])

2. Trees and Tree Trimmings. The open burning of trees and tree trimmings at a City-operated burning site, provided such burning is conducted in compliance with the rules established by the State Department of Natural Resources.

(IAC, 567-23.2[3b])

3. Flare Stacks. The open burning or flaring of waste gases, provided such open burning or flaring is conducted in compliance with applicable rules of the State Department of Natural Resources.

(IAC, 567-23.2[3c])

4. Landscape Waste. The disposal by open burning of landscape waste originating on the premises. However, the burning of landscape waste produced in clearing, grubbing and construction operations shall be limited to areas located at least one-fourth (¼) mile from any building inhabited by other than the landowner or tenant conducting the open burning. Rubber tires shall not be used to ignite landscape waste.

(IAC, 567-23.2[3d])

5. Recreational Fires. Open fires for cooking, heating, recreation and ceremonies, provided they comply with the limits for emission of visible air contaminants established by the State Department of Natural Resources. Rubber tires, garbage or litter shall not be burned in a recreational fire. *(Ord. 235 – Jul. 07 Supp.)*

(IAC, 567-23.2[3e])

6. Residential Waste. *(Repealed by Ordinance No. 235 – Jul. 07 Supp.)*

7. Training Fires. Fires set for the purpose of conducting bona fide training of public or industrial employees in fire fighting methods, provided that the training fires are conducted in compliance with rules established by the State Department of Natural Resources.

(IAC, 567-23.2[3g])

8. Controlled Burning of a Demolished Building. The controlled burning of a demolished building by the City, subject to approval of the Council, provided that the controlled burning is conducted in accordance with rules and limitations established by the State Department of Natural Resources.

(IAC, 567-23.2[3j])

9. Variance. Any person wishing to conduct open burning of materials not permitted herein may make application for a variance to the Director of the State Department of Natural Resources.

(IAC, 567-23.2[2])

105.06 SEPARATION OF YARD WASTE REQUIRED. All yard waste shall be separated by the owner or occupant from all other solid waste accumulated on the premises and shall be composted or burned on the premises or placed in acceptable containers and set out for collection. The type of container to be used, collection schedule and manner of collection shall be as established by the collector, subject to Council approval. As used in this section, “yard waste” means any debris such as grass clippings, leaves, garden waste, brush and trees. Yard waste does not include tree stumps.

105.07 LITTERING PROHIBITED. No person shall discard any litter onto or in any water or land, except that nothing in this section shall be construed to affect the authorized collection and discarding of such litter in or on areas or receptacles provided for such purpose. When litter is discarded from a motor vehicle, the driver of the motor vehicle shall be responsible for the

Open Burning & Fire Pits

Open Burning is *prohibited* within the boundaries of the City of Waukee, **except** when the following exists as per Waukee Municipal Code chapter 212:

- **This does not apply to indoor or outdoor fire places or barbecue grills** with untreated wood for entertainment, religious, ceremonial, cooking, warmth or similar purposes. **These are permitted.**
- A permit may be issued after review of the submitted application by the Fire Chief. The responsible party must provide the signed permit that was issued upon request.
- Organic fire within agricultural areas zoned **A-1** can be permitted as long as there are no fires within **1,000 feet** of any land zoned other than A-1.

It is *NOT* permitted to burn rubbish/refuse which includes yard waste, tires, garbage or plastics.

Conditions

- Burning may not take place under any circumstances when the wind is in excess of 15 mph or any burning bans are in place by the City, County or State.
- No such fire shall be started within 30 feet of any combustible wall, fence, building, or structure.
- Any fire not within a portable outdoor fireplace shall not be less than 25 feet from structures or combustible materials.
- Any fire greater than 36 inches in width and/or two feet in height (bonfire) requires a permit.

Control of Fire/Attendance

- Fires shall be constantly attended by a competent person until the fire is fully extinguished.
- The attendant shall have access and knowledge to use an approved fire extinguishing equipment such as; portable fire extinguisher, water truck, garden hose, dirt, sand or water barrel.
- Any permit granted requires that a reliable water supply, under pressure, must be available by hose line within 20 feet of the burn site.

Home-Type Regulations

- **One- and two-family dwellings and townhouses**, constructed in accordance with the International Residential Code, are not regulated by the Waukee Fire Department regarding portable outdoor fireplaces and open-flame cooking devices due to the practical difficulties involved in enforcing such regulations. Grills should be placed at least 10 feet from any structure or combustible material. Portable outdoor fireplaces/fire pits should be constructed and operated in accordance with the manufacturer's instructions and not within 15 feet from structures or combustible materials.
- **In multi-family dwellings (apartments and condominiums)**, charcoal burners, other open-flame cooking devices and other devices that produce ashes or embers, shall not be operated on balconies or within 20 feet of combustible construction. LP-gas cooking devices having one LP-gas container with a water capacity not greater than 20 pounds may be operated per manufacturer's instructions or within 10 feet from structures or combustible materials.

Penalty

Violating any provisions of this ordinance shall be guilty of a simple misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars (\$100), or imprisonment not exceeding 30 days. Each day upon which such violation occurs after a notice shall constitute a separate violation.

The Fire Department does have the authority to order the extinguishing of a fire when the open burning creates or adds to a hazardous situation or if a permit was required but was not obtained. An outdoor fire is prohibited when atmospheric conditions or local circumstances make such fires hazardous or a nuisance.

Please use good judgment and common sense, and respect your neighbors.

Call 515-978-7998 to speak with a member of the Waukee Fire Department. Of course, call 911 in the event of a fire emergency.

Open Burn Regulation Summary –
(a) Prohibition, (b) Permits, (c) Exemptions & (d) Variances
(Effective August 5th, 2013)

5-7. Open Burning Prohibited.

(a) Prohibition.

No person shall allow, cause or permit open burning of combustible materials within Polk County except as provided in 5.7(1-9).

For purposes of this Section, a person shall be deemed to have permitted the open burning if that person permits the setting or use of open burning for the disposal of refuse, rubbish, garbage or other combustible material under his control, on land under his control, or by employees or other persons under his control.

It shall be unlawful for any person to open burn or to permit open burning of any landscape waste within Polk County from any industrial source, commercial source, or multiple dwelling containing two or more apartment units.

It shall be unlawful for any person to open burn or to permit open burning of any refuse, rubbish, garbage, landscape waste or other combustible material within the cities of Des Moines, West Des Moines, Clive, Windsor Heights, Urbandale, and Pleasant Hill from any source from and after September 21, 1983.

In all other areas of Polk County, it shall be unlawful to open burn or permit open burning of any refuse, rubbish, garbage, landscape waste, or other combustible material, except that, unless prohibited by local ordinance, on any land site where the land use is for single-family dwelling or agricultural operations, open burning may be used to dispose of landscape waste originating on or growing on the same site.

(b) Burn Permits.

Upon receipt of a written request on a form provided by the Local Program, the Health Officer is authorized to issue a permit for an open fire for the following purposes. Such permit may contain conditions and is subject to the provisions set forth in this chapter.

- (1) Disaster rubbish. The open burning of rubbish, including landscape waste, for the duration of the community disaster period in cases where an officially declared emergency condition exists. Burning any structures or demolished structures shall be conducted in accordance with 40 CFR Section 61.145 amended through January 16, 1991 as adopted in 567 IAC Chapter 23, which is the "Standard for Demolition and Renovation" of the asbestos National Emission Standard for Hazardous Air Pollutants.
- (2) Tree and tree trimmings. The open burning of trees and tree trimmings not originating on the premises provided that the burning site is operated by a local governmental entity, the burning site is fenced and access is controlled, burning is conducted on a regularly scheduled basis and is supervised at all times, burning is conducted only when weather conditions are favorable with respect to surrounding property, and the burning site is limited to areas at least one-quarter mile from any inhabited building. However,

Open Burn Regulation Summary –
(a) Prohibition, (b) Permits, (c) Exemptions & (d) Variances
(Effective August 5th, 2013)

when the open burning of trees and tree trimmings causes air pollution as defined in section 455B.131(3) Code of Iowa, the Health Officer may take appropriate action to secure relocation of the burning operation. Rubber tires shall not be used to ignite trees and tree trimmings.

- (3) Flare stacks. The open burning or flaring of waste gases, provided such open burning or flaring is conducted in compliance with Article IV.
- (4) Landscape waste. The disposal by open burning of landscape waste originating on or growing on the same land site only where permitted in this section. However, the burning of landscape waste produced in clearing, grubbing and construction operations shall be limited to areas located at least one-fourth mile from any building inhabited by other than the landowner or tenant conducting the open burning. Rubber tires shall not be used to ignite landscape waste.
- (5) Training fires.
For purposes of this section, a “training fire” is a fire set for the purposes of conducting bona fide training of public or industrial employees in firefighting methods. For purposes of this paragraph, “bona fide training” means training that is conducted according to the National Fire Protection Association 1403 Standard of Live Fire Training Evolutions (2002 Edition) or a comparable training fire standard. A training fire may be conducted, provided that all of the following conditions are met:
 - (a) A training fire on a building is conducted with the building structurally intact.
 - (b) The training fire does not include the controlled burn of a demolished building.
 - (c) If the training fire is to be conducted on a building, written notification must be provided to the Local Program and Iowa Department of Natural Resources (IDNR) on DNR Form 542-8010 and is postmarked or delivered to the Local Program at least ten working days before such action commences.
 - (d) Notification shall be made to the Local Program and IDNR in accordance with 40 CFR Section 61.145, “Standard for Demolition and Renovation” of the asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), as amended through January 16, 1991.
 - (e) All asbestos-containing materials shall be removed prior to the training fire.
 - (f) Asphalt roofing may be burned in the training fire only if notification to the Local Program contains testing results indicating that none of the layers of asphalt roofing contain asbestos. During each calendar year, each fire department may conduct no more than two training fires on buildings where asphalt roofing has not been removed, provided that for each of those training

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fires the asphalt roofing material present has been tested to ensure that it does not contain asbestos.

(h) Rubber tires shall not be burned during a training fire.

- (6) Paper or plastic pesticide containers and seed corn bags. Open burning as specified in Chapter 567 IAC 23.2(3)"h" only where permitted by this section.
- (7) For public gatherings under the legitimate sponsorship of civic fraternal, religious, education or similar organization.
- (8) Crews operating under the authority of any political subdivision, only where permitted by this section.
- (9) Prairie re-establishment and maintenance at sites which are publicly owned or normally open to the general public.

Authorization to permit an open fire will not be granted by the health officer when such conditions arise that would deem such fires to be a safety hazard.

Permit fees may be established by resolution of the Polk County Board of Supervisors.

(c) Exemptions.

1. Fireplaces or grills. This section shall not apply to outdoor fireplaces or grills burning untreated wood or charcoal, used solely for the non-commercial preparation of food or recreation. Such outdoor fireplaces or grills shall not be used for the burning of refuse, rubbish, or garbage.

2. Outdoor patio heaters. This section shall not apply to outdoor patio heaters burning only natural gas, propane, or alcohol. Such outdoor patio heaters shall not be used for the burning of wood, refuse, rubbish, vegetative matter or garbage.

3. Recreational bonfires, fireplaces and grills. Open fires burning charcoal or untreated seasoned wood for cooking, recreation and ceremonies located within a geographic area designated as a neighborhood, community, county or state park; unless prohibited by local authority, ordinance or regulation, provided they comply with Article IV, Section 5-9. Such fires shall not be used for the burning of refuse, rubbish, or garbage

(d) Variance application.

1. Any person wishing to conduct open burning of materials prohibited in section 5-7 (a), meeting the permit requirements in section 5-7 (b) or not exempted in section 5-7 (c) may make application for a variance as specified in section 5-59.

2. In addition to requiring the information specified in section 5-59, the health officer may require any person applying for a variance from the open burning rules to submit adequate documentation to allow the health officer to assess whether granting the variance will hinder attainment or maintenance of a National Ambient Air Quality Standard (NAAQS).