

DISTRICT OF CHETWYND

By-Law No. 468

A By-Law of the District of Chetwynd (hereinafter called "The District") for the Regulation and Control of the Municipal Fire Department, fire protection and control and emergency rescue services.

Pursuant to the Municipal Act, R.S.B.C., 1979, and amendments thereto, The Council of the District of Chetwynd, in open meeting assembled, enacts as follows:

TITLE

This By-law may be cited as Fire Protection and Emergency By-Law No. 468.

The Fire Department of the District of Chetwynd as established is hereby continued as a Fire Department pursuant to the Municipal Act R.S.B.C., chapter 290, and amendments thereto,

This By-Law is divided into the following parts:

- Part 1. Definitions
- Part 2. Fire Department Administration and Operation
- Part 3. Fire Prevention and Inspections
- Part 4. Licences and Permits
- Part 5. Miscellaneous

PART 1 - DEFINITIONS

In this bylaw, unless the context otherwise requires,

- 1.1 Administrator - means the Clerk-Administrator of the District of Chetwynd.
- 1.2 Apparatus - means any vehicle provided with machinery, devices, equipment or materials for fire fighting and emergencies as well as vehicles used to transport fire fighters and emergency response persons or supplies.
- 1.3 Code - means the Fire Services Act and regulations and bulletins thereunder, and includes the National Fire Code of Canada.
- 1.4 Council - means the Council of the District of Chetwynd.
- 1.5 Equipment - means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

- 1.6 Fire Chief - means the member appointed by Council, as head of the Fire Department, and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act.
- 1.7 Fire Protection - means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.
- 1.8 Incident - means a fire or explosion or a situation where a fire or explosion is imminent, or an emergency occurs.
- 1.9 Member - means any person or officer who is duly appointed by Council as a member of the Fire Department and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act.
 - 1.9.1 Member includes probationers whose period of probation commencement has been approved by the Fire Chief and reported to the Administrator.

PART 2 FIRE DEPARTMENT ADMINISTRATION & OPERATION

- 2.1 The Fire Chief shall be appointed by a resolution of Council.
- 2.2 Other officers and members of the department shall be appointed by Council as recommended by the Fire Chief.
- 2.3 Council may appoint another officer of the Fire Department to serve as acting Fire Chief during the absence or illness of the Fire Chief.
- 2.4 The Fire Chief may appoint other officers of The Fire Department to act as Fire Chief on his behalf.
- 2.5 All those persons whose names appear on Schedule "A" attached hereto are hereby appointed members of the District of Chetwynd Fire Department.
- 2.6 No part of the fire or emergency apparatus shall be used beyond the limits of the municipality except:
 - (a) in accordance with the District of Chetwynd/Peace River Regional District Fire Protection Agreement; or
 - (b) in accordance with the District of Chetwynd/Peace River Regional District Emergency Response Agreement;without the approval of Council, Administrator or the Fire Chief.
- 2.7 The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction, regulation and control of the Council to which he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities as Council directs including but not limited to:
 - (a) rescue,
 - (b) other incidents,
 - (c) pre-fire planning,
 - (d) disaster planning,
 - (e) preventive inspections and patrols,
 - (f) budgetary recommendations.

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- 2.8 The Fire Chief, subject to ratification by Council resolution, shall establish rules, regulations, policies and committees necessary for the proper organization and operation of the Fire Department, including but not limited to:
- (a) use, care and protection of Fire Department property,
 - (b) the conduct and discipline of officers and members of the Fire Department, and
 - (c) efficient operations of the Fire Department.
- 2.9 The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of all Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, he shall continue to act until relieved by a senior officer.
- 2.10 The Fire Chief, or in his absence, the senior ranking officer of the Department, shall report annually to Council:
- (a) the number and sufficiency of the officers and members of the Fire Department under his control;
 - (b) the quantity, condition and adequacy of the equipment, apparatus or property under his charge or belonging to the Fire Department;
 - (c) the number of fires, alarms of fire and other emergencies which occurred since last report;
 - (d) the extent of damage of all fires;
 - (e) the nature and occasion of all accidents resulting from fire, and all accidents whatsoever which have occurred to members of the Fire Department while on duty; and
 - (f) with such recommendations and suggestions to Council as in his opinion would improve and best promote the efficiency of the Fire Department.
- 2.11 The Fire Chief or any other member, in charge at a fire, is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
- 2.12 The Fire Chief, or the member in charge at an incident is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment of the fire Department to enter, as he deems necessary, in order to combat, control or deal with the incident.

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- 2.13 The Fire Chief, or the member in charge at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department to enter or pass through or over buildings and property, where he deems it necessary to gain access to the incident or to protect any person or property.
- 2.14 The Fire Chief, or the member in charge at an incident may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
- 2.15 No person shall enter the boundaries or limits of an area prescribed in accordance with section 2.14 unless he has been authorized to enter by the Fire Chief or member in charge.
- 2.16 The Fire Chief or member in charge at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in section 2.14.
- 2.17 The Fire Chief may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this bylaw.
- 2.18 No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
- 2.19
1. The Fire Chief or member in charge of the incident may request persons who are not members to assist in extinguishing the fire and in removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident, such persons shall be deemed to be municipal employees for the purpose of indemnification.
 2. The Fire Chief or member in charge may obtain a Fire Guard Agreement (Appendix "A") from the owner of the premises where in the opinion of the Fire Chief or member in charge it would be advisable to post a fire guard.
- 2.20 The Fire Chief or member of the Fire Department charged with the enforcement of this bylaw, acting in good faith, in accordance with Indemnification By-Law #470 in relation to the incident shall be indemnified by the municipality against any claim for damages arising out of any act or omission in the course of the member's employment, and in addition, pay legal costs incurred in a Court proceeding arising out of the claim.

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- 2.21 Council shall determine the remuneration of the Fire Chief and the members of the Fire Department, by resolution, which shall be set out at Schedule "B" hereto.
- 2.22 The Fire Chief or the member in charge of an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident. Remuneration rates shall be normal rental rates for such equipment.

PART 3 FIRE PREVENTION AND INSPECTIONS

- 3.1 Subject to the British Columbia Fire Services Act, and the British Columbia Fire Code Regulations, the National Fire Code of Canada and all amendments thereto are hereby adopted and are applicable within the District of Chetwynd and become part of this bylaw.
- 3.2 The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Services Act and regulations thereunder and shall assume the responsibilities of a Local Assistant to the Fire Commissioner.
- 3.3 The Fire Chief or any member of the Fire Department authorized by Council, may at any reasonable time enter any premise for the purpose of fire prevention inspections.
- 3.4 Open Air Burning and Open Flames
 - 3.4.1 Except as permitted in sections 3.4.1(a) and 3.4.1 (b), it shall be unlawful for any person to ignite or allow or cause to be ignited, any garbage, rubbish, waste or grass fire in the open air.
 - (a) a permit may be issued by the Fire Chief or his designate for burning in an approved incinerator equipped with a spark arresting screen.
 - (b) special permission may be issued by the Fire Chief for the open burning of garden waste, grass etc. These special permissions are required in writing and may be obtained by contacting the Fire Department and providing all pertinent information.
 - 3.4.2 Every person who has been issued a burning permit under sections 3.4.1(a) or 3.4.1(b) shall place and keep a competent person in charge of the fire and shall be responsible for it until it is totally burned out or extinguished.
 - 3.4.3 Exhibitions or acts which use open flames whose quantity and method create a fire hazard shall not be permitted in buildings used for public assembly.
- 3.5 Accumulation of Waste
 - 3.5.1 Accumulation of waste materials such as paper, dry vegetation or rubbish deemed to be a fire hazard shall not be permitted to remain in any yard, building or open space within the District.

3.6 Transportation of Dangerous Goods

- 3.6.1 Vehicles used for the transportation of regulated dangerous goods such as flammable or combustible liquids, anhydrous ammonia etc. shall not be parked in residential areas or within 23 meters (75 ft.) of any public or institutional building which shall include but is not limited to any hotel, theatre, dance hall, restaurant or school.

3.7 Access to Exits

- 3.7.1 No garage serving the general public shall have an office located in such a manner which does not allow direct exit to the outside.

3.8 Security of Buildings

- 3.8.1 Whenever an unoccupied building is not safe or secured, the Fire Chief has the authority to have the owner properly secure or make safe such building.

3.9 Fireworks

- 3.9.1 No person shall sell, give, fire or set off fireworks within the District of Chetwynd except as permitted in section 3.9.5.
- 3.9.2 The manufacture, storage, transportation and sale of fireworks shall conform to the Federal Explosives Act and Explosives Regulations as amended from time to time.
- 3.9.3 The handling and discharge of fireworks, Class 7-2-2 as defined by the Federal Explosives Act shall conform to the "Manual of Display Fireworks", as published by the Department of Energy Mines and Resources.
- 3.9.4 (a) Except as hereinafter provided, Class 7-2-1 low hazard fireworks, as defined by the Federal Explosives Act shall not be sold to or discharged by residents of the municipality except between the dates of October 16th and November 1st of each year.
- (b) Class 7-2-1, low hazard fireworks as defined by the Federal Explosives Act may be sold and discharged other than on dates specified in clause (a) with the written approval of the Fire Chief.
- (c) Class 7-2-1, low hazard fireworks, as defined by the Federal Explosives Act shall not be directly or indirectly, given or furnished to a person under the apparent age of (eighteen) 18 years.
- 3.9.5 (a) Fireworks may be sold to and discharged by a properly licensed person or organization at a public display providing a permit has been obtained from the Fire Chief.
- (b) Permits required pursuant to subsections 3.9.2 and 3.9.4 (b) will be issued under the written authority of the Fire Chief.

PART 4 - LICENSES AND PERMITS

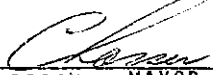
- 4.1 A permit shall be obtained from the Fire Chief or his designate for any of the following:
- (a) the operation or modification of service stations or bulk plants.
 - (b) the installation of underground fuel tanks.
 - (c) the transportation or storage of flammable or combustible liquids exceeding 22.5 L, expressly excepting however, fuel when properly capped in the fuel tanks of motor vehicles, boats or aeroplanes.
- 4.2 Application for a permit shall be made in a form prescribed by the Fire Chief and shall include all information required by the British Columbia Fire Code.


PART 5 - MISCELLANEOUS AND PENALTIES

- 5.1 No person shall destroy Fire Department apparatus or equipment.
- 5.2 No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or member in charge.
- 5.3 No person shall falsely represent themselves as a Fire Department member.
- 5.4 No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern or body of water designated for firefighting purposes.
- 5.5 Every person who violates any of the provisions of this bylaw, whether by act or omission, commits an offence, and upon summary conviction is liable to imprisonment for a term of not more than six months or to a fine of not more than \$2,500.00 or to both fine and imprisonment.
6. This bylaw comes into force and takes effect on the date of its adoption by Council.
7. Bylaw No. 18 of the District of Chetwynd is hereby repealed.
8. Bylaw No. 311 of the Corporation of the District of Chetwynd is hereby repealed.

READ a first time this 18 day of april, 1989.
READ a second time this 18 day of april, 1989.
READ a third time this 18 day of april, 1989.
RECONSIDERED AND ADOPTED this 2 day of may, 1989.

The Corporate Seal of THE CORPORATION
OF THE DISTRICT OF CHETWYND was herto
affixed in the presence of:


C. Lasser - MAYOR


J.A. Teslyk, CLERK ADMINISTRATOR

DISTRICT OF CHETWYND

FIRE PROTECTION AND EMERGENCY BY-LAW NO. 468

SCHEDULE "A"

The members of the District of Chetwynd Fire Department are as follows:

<u>MEMBERS</u>	<u>WORK #</u>	<u>HOME #</u>	<u>BOX #</u>	<u>ENTRY</u>
Sabulsky, Leo - Chief	788-2267	788-9427	1325	09/77
Taylor, Vern - Deputy	788-2231	788-2714	416	08/86
Jezersek, Tom - T/O	788-2415	788-3060	2076	03/89
Carlton, George - Capt.	788-2255	788-2446	2	11/87
Walker, Dennis - Capt.	788-2686	788-2080	1074	12/80
Norris, Laverne - Capt., S/O	788-9733	788-3958	281	01/82
Amundson, Gary - Lad. Lieut.	788-2586	788-3957	1605	09/86
Amundson, Bud - Hose Lieut.	788-2586	788-2130	1589	09/86
Pfanner, Ernest - Hose Lieut.	788-4600	788-3967	1702	06/89
Tricker, Kelly - Pumper Lieut., S/O	788-9739	788-9739	443	03/89
Embury, Blair - Pumper Lieut., S/O	788-7857	788-3782	2217	07/92
Wilfur, Dana - Lad. Lieut.	788-2231	788-2269	2024	10/92
Chmelyk, Dan - FF	788-2267	788-2931	992	08/86
Mallia, George - FF, S/O	788-2657	788-9659	533	10/94
Buckley, Arnold - FF	788-7857	788-8198	1462	03/91
Walker, Ole - FF	788-2686	788-3100	1127	09/91
Anderson, Mark - FF	788-2236	788-8172	2302	04/92
Walker, Randy - FF	788-2686	788-2080	1074	12/91
King, Bryan - FF	788-2231	788-9348	907	10/74
King, Doug - FF	788-2231	788-9348	907	02/95
Campbell, Shane - FF, S/O	788-7857	788-7889	1383	10/93
Saxby, Elliot - FF	788-7857	788-2885	697	09/92
Richardson, Trent - FF	788-2686	788-2106	1197	07/94
McLean, Marty - FF	788-3883	788-9708	756	07/94
Tricker, Al - FF	788-3883	788-3759	1915	07/94
McQueen, Rocky - FF	788-9733	788-2495	571	02/95
Folster, Mark - FF	788-2686	788-2631	1583	

AUXILIARY MEMBERS

Allen, Bruce - FF, Aux	788-2165	788-9723	1605	12/88
Dufresne, Doug - FF, Aux	788-2686	788-3087	2124	11/87
Strachen, Don - FF, Aux	788-9152	788-9152	1295	08/86

LIFE MEMBERS

Barrette, Maurice
 Embree, Joe
 Foster, Ross
 Howes, Vern
 Kelly, Ned
 King, Bryan
 Lazorko, Rick
 Lekavy, John
 McNabb, Bob
 Neagele, George
 Norris, Laverne
 Rand, Bill
 Sabulsky, Leo
 St. Dennis, Roger
 Walker, Dennis

*updated
 July 11/95*

DISTRICT OF CHETWYND

FIRE PROTECTION AND EMERGENCY BY-LAW NO. 468

APPENDIX "A"

CORPORATION OF THE DISTRICT OF
CHETWYND FIRE GUARD AGREEMENT

WHEREAS: A. The Chetwynd Volunteer Fire Department of the Corporation of the District of Chetwynd attended at a fire on the premises located at

_____ (Address)
Chetwynd, B.C. at or about _____ (Time)
on the _____ day of _____, 19__.

B. The fire was extinguished at or about _____;
(Time)

however, in the opinion of the Fire Chief, it would be advisable to post a Fire Guard to ensure that the fire does not rekindle and cause further damage to the premises and the owner of the premises has been so advised.

I, _____ of _____
(Owner) (Address)

being the owner of the above described premises, hereby acknowledge that I have been advised of the possibility of the rekindling of the fire thereon which has been extinguished and:

(a) I hereby authorize the Volunteer Fire Department of the Corporation of the District of Chetwynd to post a Fire Guard on the said premises at my expense for a period of at least _____ hours and I hereby covenant and agree to pay to the Corporation of the District of Chetwynd the cost of posting such Fire Guard, at the rate of \$ _____ per hour, within 30 days of receipt of the invoice therefore.

OR

(b) I have elected not to post a Fire Guard on the said premises and I hereby covenant and agree to indemnify and save harmless the Corporation of the District of Chetwynd its Volunteer Fire Department and any and all members thereof from and against any actions, proceedings, costs, damages, expenses, claims and demands whatsoever and by whomsoever brought by reason of any rekindling of the said fire for any reason and, without limiting the generality of the foregoing, by reason of the failure to post a Fire Guard on the said premises.

(delete whichever is not applicable)

_____ (Date) _____ (Time)

_____ (Witness) _____ (Owner's signature)