

**DEEP BAY WATERWORKS DISTRICT
BYLAW NO. 206**

A bylaw to provide for the establishment and operation of a fire department
The Trustees of the Deep Bay Waterworks District ENACT AS FOLLOWS:

1. In this bylaw, words and phrases will be construed as specified hereunder;
 - “Apparatus” - means any vehicle provided with machinery, devices, equipment or materials for fire fighting and assistance response as well as vehicles used to transport fire-fighters or supplies.
 - “Board” - means the Trustees for the Deep Bay Waterworks District.
 - “Equipment” - means any tools, contrivances, devices or materials used by the fire department to combat an incident or other emergency.
 - “Fire Chief” - means the member appointed as head of the Fire Department
 - “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.
 - “Incident” - means a fire or situation where a fire or explosion is imminent and includes assistance response circumstances described in Section 7 or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.
 - “Member” - means any person that is a duly appointed member of the Fire Department.
2. There is hereby established a fire department to be known as the Deep Bay Volunteer Fire Department.
3. The Fire Department shall hold an Annual Meeting on a specified (advertised) date. Elections of officers shall take place at the annual meeting. The board of trustees to approve the elected person to have the duties and be known as “Fire Chief”, who shall hold that office until a successor is appointed. In the event the position of Fire Chief becomes vacant, the Deputy Chief shall take over until such time a new chief is appointed.
4. Other officers and members as the Fire Chief deems necessary, may be appointed to the fire department with the approval of the Board.
5. The Fire Chief may appoint other officers of the fire department to act as Fire Chief on their behalf.
6. In addition to any agreement to provide services beyond the boundary of the improvement district, at the direction of the Fire Chief, the fire department may respond to requests for assistance beyond the boundary of the improvement district.
7. The authority in Section 6 may only be exercised in relation to the following services:
 - a) fire suppression;
 - b) search and rescue;
 - c) assistance where there is a risk of immediate harm to persons or property, including medical emergencies; hazardous material incidents; and traffic accidents.

8. The authority in Section 6 may only be exercised if a local government does not provide the same service in that area.
9. The Fire Chief has complete responsibility and authority over the fire department subject to the direction and control of the Board to which they will be responsible and in particular, is required to carry out all fire protection activities, assistance response and such other activities as the Board directs including, but not limited to:
 - a) first response to medical emergencies
 - b) rescue operations
 - c) mutual aid to other fire services
 - d) response to hazardous material incidents
 - e) public service
10. The Fire Chief, subject to the ratification by the Board, must establish rules, regulations, policies and committees necessary for the proper organization and administration 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
11. The Fire Chief, or in their absence, the senior ranking member present, will 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/she will continue to act until relieved by an officer authorized to do so
12. The Fire Chief will take responsibility for all fire protection matters including the enforcement of the *Fire Services Act* and regulations thereunder and will assume the responsibilities of the Local Assistant to the Fire Commissioner.
13. Officers and members of the fire department will carry out duties and responsibilities assigned to the fire department by the Board, and the Fire Chief must report to the Board on the operations of the fire department or on any other matter in the manner designated by the Board.
14. The Board of Trustees shall have the power to pay members of the "Deep Bay Volunteer Fire Department" a lump sum remuneration annually, to be disbursed at the discretion of the Fire Chief, and accounted for to the Board of Trustees.
15. Any member of the fire department may be suspended or discharged by the Fire Chief at any time he may deem such action necessary for the good of the fire department, provided however, that the member so discharged or suspended by the Fire Chief, may within seven days, appeal in writing to the Board who must within two weeks hold a hearing and either order that the member so suspended or discharged be reinstated, or that the action of the Fire Chief be confirmed.
16. 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.

17. The Fire Chief, or any other 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.
18. The Fire Chief, or any other 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 and the apparatus and equipment of the fire department to enter or pass through or over building or property, where he deems it necessary to gain access to the incident or to protect any person or property.
19. 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 by the Chief
20. No person will enter the boundaries or limits of an area prescribed in accordance with section 19 unless he has been authorized to enter by the Fire Chief or the member in charge.
21. 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 19.
22. The Fire Chief may obtain assistance from other officials of the improvement district as he deems necessary in order to discharge their duties and responsibilities under this bylaw.
23. No person at an incident will 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.
24. No person will damage or destroy fire department apparatus or equipment
25. No person at an incident will drive a vehicle over any equipment without permission of the Fire Chief or member in charge.
26. No person will falsely represent themselves as a Fire Department member.
27. No person will 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 fire fighting purposes.
28. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in extinguishing a fire, removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding or securing same and in demolishing a building or structure at or near the fire or other incident.
29. The Fire Chief or member in charge of an incident is empowered to commandeer privately-owned equipment which the Chief considers necessary to deal with an incident.

30. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing or omits an act or thing thus violating any of the provisions in this bylaw will be deemed to have committed an offence, and upon a summary conviction is liable to a penalty in accordance with the *Offence Act*
31. This Bylaw repeals Bylaw No. 151 passed by the Trustees on the 29th day of May, 2001 and Bylaw No. 182 passed by the Trustees on the 14th day of December, 2005
32. This bylaw may be cited as the “Fire Department Establishment and Operations Bylaw.”

INTRODUCED and given first reading by the Trustees on the 17th day of June, 2009.

RECONSIDERED and finally passed by the Trustees on the 17th day of June, 2009.

Chair of the Trustees

I hereby certify that this is a true copy of Bylaw No. 206

Officer