



## **FIRE PROTECTION BYLAW**

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A Bylaw of the Hamlet of Fort Liard in the Northwest Territories to provide for the establishment and operation of a fire protection service pursuant to provisions of the Hamlets Act, R.S.N.W.T. 1988, c. H-1, s. 97, Fire Prevention Act, R.S.N.W.T. 1988, c. F-6, s. 5(1) and Summary Convictions Procedures Act, R.S.N.W.T., 1988s, c. S-15, s. 11.

WHEREAS, the Hamlet of Fort Liard deems it necessary to prevent and suppress fires and to regulate the duties and responsibilities of the fire department,

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF FORT LIARD, at a duly assembled meeting, enacts as follows:

### **SHORT TITLE**

1. This By-law may be cited as the "**Fire Protection Bylaw**".

### **INTERPRETATION**

2. In this by-law:

"Apparatus" means any vehicles provided with machinery, devices, equipment or

"Bylaw Officer" means the person appointed by the Council to enforce Hamlet Bylaws;

"Chief" means the person appointed by the Council as the Fire Chief of the

"Council" means the Council of the Hamlet;

"Department" means the volunteer fire department of the Hamlet of Fort Liard;

"Equipment" means any tools, contrivances, devices or materials used by the

"Fire Marshall" means the Fire Marshall appointed by the Commissioner of the

"Fire Protection" means all aspects of the fire prevention including fire alarms, fire

"Fire Protection System" means water trucks, fire trucks, pump houses, and any

"Hamlet" means the Hamlet of Fort Liard in the Northwest Territories;

"Incident" means a fire or a situation where a fire or explosion is imminent and included

“Member in charge” means the senior Member of the Department at an incident who is

“Municipality” means the geographic area of jurisdiction of the Hamlet as defined by a

“Officer” means a member appointed by council and given specific authority to assist

“Member” means a member of the Hamlet of Fort Liard Volunteer Fire Department other

“Probationary Member” means a volunteer member who has not successfully completed three training sessions; and,

“SAO” means the Senior Administrative Officer of the Hamlet.

### **DEPARTMENT MEMBERSHIP**

3. The Department shall comprise of the Chief and any person who shall be appointed by the council to serve under the terms of this Bylaw.
4. The Chief’s appointment shall be by Bylaw.
5. The Chief shall report to council through the SAO.
6. Any person appointed to the department must be:
  - (a) nineteen years of age or older;
  - (b) be a resident of the Hamlet;
  - (c) be in good physical health and have successfully completed a medical;
  - (d) have successfully completed three training sessions; and,
  - (e) must have or will be required to have or willing to successfully completed the Fire Fighter Standard Certificate Course offered by the Fire Marshall’s office.
7. Council, on the recommendation of the Chief, may appoint a Member as an Officer to assist the
8. Members as recommended by the Chief and meeting the criteria established under this Bylaw shall be ratified by the Senior Administrative Officer and any exceptions shall be approved by a motion of Council.

### **DUTIES AND POWERS OF THE CHIEF**

9. The Chief has complete responsibility and authority over the Department subject to the direction of other such activities as Council directs including and not limited to:
  - (a) fire response;

- (b) rescue operations;
  - (c) emergency operations;
  - (d) mutual aid fire services as per written agreements; and,
  - (e) public services
10. The Chief, subject to ratification by council, established rules, regulations, and policies necessary
- (a) use, care, and protection of Department property;
  - (b) the conduct and discipline of the Department; and,
  - (c) efficient operations of the Department.
11. The Chief shall take responsibility for all fire protection matters including the enforcement of the *Fire Prevention Act* and regulations thereunder and shall assume the responsibilities of the Local
12. The Chief, or the Member authorized by Council, may at any reasonable time enter any premise for the purpose of fire protection matters.
13. The Chief, or the Member in charge at an incident shall have control, direction and management
14. The Chief, or the Member in charge at an incident is empowered to cause a building, structure
15. The Chief, or the Member in charge at an incident is empowered to enter at any time, premises or property where the incident occurred and to cause any member, apparatus or equipment of the Department to enter, as he deems necessary, in order to combat, control or deal with the incident.
16. The Chief, or the Member in charge at an incident is empowered during the incident to enter, pass through or over buildings or property adjacent to an incident and to cause Members of the Department and the apparatus and equipment of the Department to enter
17. The Chief, or the Member in charge at an incident may at his discretion establish boundaries
18. The Chief, or Member in charge, of an incident may request persons who are not Members thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.
19. The Chief, or the Member in charge of an incident is empowered to commandeer privately
20. The Chief shall not permit
- (a) the use of drugs or alcohol in the fire hall or while operating emergency

(b) anybody believed to be under the influence of drugs or alcohol to be in the

21. The Chief shall report to the Council on the operations of the Department or on any other matter

### **DUTIES AND RESPONSIBILITIES OF OFFICERS AND MEMBERS**

22. Officers and Members of the Department shall carry out the duties and responsibilities assigned to

23. When a Member has a direct interest in a fire that the Department has responded to, the Member

### **REMUNERATION**

24. Council will establish by resolution remuneration of all members attendance at meetings, a

25. The Hamlet shall pay, on recommendation of the Chief, what council considers reasonable compensation to any member whose wearing apparel has been damaged in the course of responding to an incident.

26. The Hamlet shall pay for the cost of any medical examinations required pursuant to this Bylaw.

27. The Hamlet shall pay, on recommendation of the chief, what council considers reasonable compensation for privately owned equipment commandeered to deal with an incident.

### **JURISDICTION**

28. The limits of the jurisdiction of Chief, Officers, and Members, will extend to all areas within the Municipality.

29. No part of the fire apparatus shall be used beyond the limits of the Municipality without;

(a) the express authorization of a written contract or agreement providing for the supply of fire fighting assistance response services outside the established boundaries; or,

(b) the approval of Council.

### **VIOLATIONS**

30. No person shall falsely represent himself as a Fire Department Member.

31. No person shall maliciously or intentionally turn in or cause to be turned in a false alarm.

32. No person shall enter the boundaries or limits of an area prescribed in accordance with this Bylaw unless he has been authorized to enter by the Chief or the Member in charge.

33. No person at an incident shall impede, obstruct or hinder a Member of the Department or other person

34. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any incident, system or body of water designated for fire fighting purposes.
35. No person shall damage or destroy, or obstruct, impede or hinder the operation of, any Department apparatus or equipment.
36. No person at an incident shall drive a vehicle over any equipment without permission of the Chief
37. The Chief, or the member in charge of an incident may request a Member, Bylaw Officer or memb

### **BURNING**

38. No person shall light a fire outdoor within the Municipality
  - (a) that is not contained in a stove, furnace, or other device suitably designed and
  - (b) that is not supervised by a person who can ensure that the fire does not get out
39. No burning will be permitted within the Municipality
  - (a) on a day when wind speed exceeds ten (10) kilometers per hour;
  - (b) unless the clearance to any combustible material or buildings on all sides
  - (c) when the Fire Chief considers conditions such as to threaten persons and/or
  - (d) at the Hamlet liquid and solid waste dump location as defined in the *Sewage*
40. No burning of waste oil, tires, shingles, noxious, or materials or products the release large quantities of smoke is permitted.
41. Any person must immediately extinguish any fire when requested to do so by the Fire Chief or

### **OFFENCES AND PENALTIES**

42. Any person who contravenes Bylaw, for which no specific punishment is provided, is guilty of an offence against this Bylaw and is liable; upon summary conviction, to a penalty of not less than one hundred and twenty-five dollars (\$125.00) and not more than five hundred dollars (\$500.00) or, in default of payment of the fine to imprisonment for a term not exceeding six (6) months.
43. A Bylaw Officer may issue a ticket in the form prescribed by the *Summary Convictions Procedures Act* and regulations to any person who violates and provision of this Bylaw and such person may; in lieu of prosecution, pay to the Hamlet a voluntary penalty set out in the issued ticket prior to the court date specified on the ticket.

### **EFFECTIVE DATE**

44. This Bylaw is effective April 1, 2003

**REPEAL**

45. Bylaws 88 and 112 and are repealed.  
Policy PS01 is repealed.

READ a First Time this day of 13th day of February 2003.

READ a Second Time this day of 13th day of February 2003.

READ a Third Time and finally passed this day of 27th day of February 2003.