

VILLAGE OF HARRISON HOT SPRINGS
FIRE DEPARTMENT REGULATION
BYLAW NO. 1031
(CONSOLIDATED)



THIS CONSOLIDATION IS FOR CONVENIENCE

AND REFERENCE PURPOSES ONLY. If there is any discrepancy between this consolidation and the original Bylaw and any amending Bylaws, the original Fire Department Regulation Bylaw No. 1031 and any amending Bylaws are correct. For confirmation of the exact terms of the Bylaw, you must consult the original Bylaw and the amending Bylaws.

October 2, 2017



**VILLAGE OF HARRISON HOT SPRINGS
BYLAW NO. 1031**

A bylaw to establish Fire Department Regulations

WHEREAS the Mayor and Council has deemed it advisable to establish a bylaw to regulate and establish provision of firefighting services;

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Fire Department Regulation Bylaw No. 1031, 2013.

2. INTERPRETATION

2.1 In this Bylaw:

"ADMINISTRATOR" means the Chief Administrative Officer of the Village of Harrison Hot Springs;

"APPARATUS" means any vehicle provided with machinery, devices, equipment or materials for fire protection and assistance response as well as vehicles used to transport fire fighters or supplies;

"AUXILIARY" means a firefighter who receives some form of remuneration for training, firefighting or related activities common to Fire Department operations;

"COUNCIL" means the Council of the Village of Harrison Hot Springs;

"EQUIPMENT" means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency;

"EXECUTIVE" means the Fire Chief, Deputy Fire Chief and up to two Captains.

“FIRE CHIEF” means the person appointed by Council, from time to time, as the Fire Chief of the Village of Harrison Hot Springs;

“FIRE DEPARTMENT” means the Harrison Hot Springs 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 and other staff development and advising;

“INCIDENT” means a fire or a situation where a fire or explosion is imminent and includes assistance response circumstances described in section 10 of this bylaw;

“MEMBER” means a person who recruited and trained by the Fire Chief and having received appropriate training, becomes either a paid on call (POC) firefighter or a volunteer firefighter of the Village of Harrison Hot Springs Fire Department. A “member” is deemed to be a Municipal Officer as defined in the *Local Government Act*.

“OFFICER” means a member who is specifically authorized to assist the Fire Chief in his duties, specifically Deputy Fire Chief, Captains and Lieutenant;

“POC” means a member who is a paid-on-call firefighter.

“VILLAGE” means the Village of Harrison Hot Springs.

“VOLUNTEER” means a firefighter who has elected to serve on a purely volunteer basis, without receiving any remuneration.

- 2.2 Except as otherwise defined herein, words and phrases in this Bylaw are to be construed in accordance with their meanings under the *Community Charter, Local Government Act, Fire Code, Fire Services Act* or the *Interpretation Act*, as the context and circumstances may require. A reference to a statute refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any statute, regulation, bylaw or code refers to that enactment as it may be amended or replaced from time to time. Words in the singular include the plural and gender specific terms include both genders. Headings are for convenience only and must not be construed as defining or limiting the scope or intent of this Bylaw. If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, then that invalid part is severed and the remainder of this Bylaw continues to be valid and applicable.

3. ADOPTION OF FIRE CODE AND OTHER STANDARDS

- (a) The substantive regulations (but not the procedural or remedial provisions) of the British Columbia Fire Code are hereby adopted and made part of this Bylaw such that every provision of the British Columbia Fire Code shall be considered a provision of this Bylaw.
- (b) Standards of the National Fire Protection Association as issued from time to time are hereby adopted as applying to the Fire Department.
- (c) Water supply requirements for public fire protection as issued by the Fire Underwriters Survey and updated from time to time, are made part of this Bylaw such that every requirement shall be considered a provision of this Bylaw.
- (d) *The authorized level of service for the Fire Department shall be that of Exterior Operations for firefighting as identified in the Structure Firefighters Competency and Training Playbook 2015 (SFCTP). If, in the opinion of the Fire Chief, there are sufficient resources and trained personnel to undertake Interior Operations as described by the SFCTP, then the Department may undertake Interior Operations at any incident where the sufficient personnel and equipment is available.” (AB#1093)*

4. ESTABLISHMENT

- 4.1 The Village of Harrison Hot Springs Fire Department as previously established is hereby continued to provide fire suppression and prevention services and other related services within the Village and, for any area outside the boundaries of the Village, only in accordance with section 10 of this bylaw.
- 4.2 The Fire Department consists of the following positions, ranked in descending order:
 - (a) The Fire Chief;
 - (b) The Deputy Fire Chief;
 - (c) Up to 2 (two) Captains;
 - (d) Up to 3 (three) Lieutenants; and
 - (e) Up to 16 (sixteen) Firefighters,

With the total number of Officers and members not to exceed 23 (twenty-three).

- 4.3 The Fire Chief:
 - (a) shall be appointed by resolution of Council and the appointment is subject to annual review by the Administrator.

- (b) reports to the Administrator in respect of the management of the Fire Department and the condition of buildings, apparatus and equipment under the control of the Fire Department and Fire Department budget.
- (c) in consultation with the Administrator, recommend to Council the appointment of the Deputy Fire Chief. The members may elect up to two members as Captains and up to three members as Lieutenants. Members who have been elected as Captains shall serve in that capacity as part of the Executive.

5. APPOINTMENT AND ELECTION OF OFFICERS

- 5.1 Captains and Lieutenants of the Fire Department shall be elected by its members through an election held every two years, at the first meeting of the membership at large in each calendar year. For the purposes of this election, the quorum for voting shall be seven (7) members.
- 5.2 Each duly elected Captain and Lieutenant shall continue in office until new officers are elected.
- 5.3 A vacancy occurring on the Executive during any term of office may be filled by an appointment by the Fire Chief, in consultation with the Administrator, until a by-election for the position can be held.
- 5.4 Notwithstanding subsections 5.1 through 5.3 above, all elections and appointments of officers shall be subject to the ratification by the Administrator.

6. MEMBERSHIP

- 6.1 A person is qualified to be appointed a member of the Department for fire fighting duties who:
 - (a) Is at least 18 years of age;
 - (b) Is of good character;
 - (c) Passes such, training aptitude and other tests as may be required by the Fire Chief.
- 6.2 A person appointed as a member of the Department for fire fighting duties shall be on probation for a period of one year during which period he shall take such training and examinations as may be required by the Fire Chief.
- 6.3 If a probationary member appointed for fire fighting duties fails any such examination:

- (a) He may be dismissed; or
- (b) His probationary period may be extended for a further six months by the Fire Chief or, in his absence, by the Deputy Fire Chief.

7. REMUNERATION

- 7.1 The remuneration and expenses of all members others than volunteers may be approved by resolution of Council from time to time.

8. POWERS OF FIRE CHIEF

8.1 A Fire Chief may

- (a) Make reasonable rules and regulations for the proper and efficient administration and operation of the Fire Department and may change, replace or withdraw the rules as he or she considers necessary;
- (b) Make reasonable rules and regulations or take measures respecting the discipline of members of the Fire Department;
- (c) Enter on property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire;
- (d) Take measures to prevent and suppress fires, including, in relation to an incident, cause or direct the demolition of buildings and other structures, which the Fire Chief believes should be demolished in order to prevent the spread of fire or to prevent damage to property, injury to persons, or loss of life;
- (e) Order an owner or Occupier of real property to undertake any actions directed by the Fire Chief or other authorized person authorized by the Administrator for the purpose of removing or reducing any thing or condition that person considers is a fire hazard or increases the danger of fire;
- (f) Provide assistance in response to an incident;
- (g) exercise the following powers under section 25 of the *Fire Services Act*:
 - i. if an emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to be apprehensive of an imminent and serious danger to life or property, or of a panic, may immediately take steps the Fire Chief considers advisable to remove the hazard or risk;

- ii. if the Fire Chief believes that conditions exist in or near a hotel or public building that, in the event of a fire, might seriously endanger life or property, may immediately take action the Fire Chief considers advisable to remedy the conditions to eliminate the danger and may evacuate and close the hotel or public building; and

without limiting the foregoing, for these purposes the Fire Chief may evacuate a building or area, and may call of police and other fire prevention authorities who have jurisdiction to provide assistance;

- (h) enforce this Bylaw and other municipal bylaws, rules, orders and regulations respecting fire prevention and suppression and the protection of life and property;
- (i) inquire into, investigate and record the causes of fires in the Village or have a member designated to do so;
- (j) collect and disseminate information in regard to fires in the Village;
- (k) investigate and hold inquiries into such fires;
- (l) study methods of fire prevention; and
- (m) provide advice and make recommendations to the Chief Administrative Officer, other officers and employees of the Village and the public in relation to:
 - (i) the establishment and administration of fire brigades and departments;
 - (ii) the provision for adequate water supply and pressure;
 - (iii) the installation or maintenance of automatic or other fire alarms systems and fire extinguishment equipment;
 - (iv) the enforcement of measures for the prevention or suppression of fire and the protection of life and property; and
 - (v) fire prevention generally.

9. FALSE REPRESENTATION

- 9.1 A person must not falsely represent himself as the Fire Chief or a member, or wear or display any Fire Department badge, cap, button, insignia or other part of a uniform or piece of equipment that would tend to mislead as to his identity, role or position.

10. TERRITORIAL JURISDICTION

- 10.1 The services provided by the Fire Department are limited to the boundaries of the Village, and no part of its equipment may be used or members employed or retained outside the Village except as follows:
- (a) as expressly authorized by written agreement with the municipality, regional district or government agency having jurisdiction over the area to be served;
 - (b) in response to a specific incident, by resolution of Council and with the consent of the municipality or regional district of the area to be served; or
 - (c) in response to a request for assistance in accordance with the *Emergency Program Act*.
- 10.2 The Mayor and Corporate Officer, after consultation with the Fire Chief and on the recommendation of the Administrator, are hereby authorized to enter and execute such agreements or other instruments as may be required to give full force and effect to this section.

11. FIRE PROTECTION AND AID AGREEMENTS

- 11.1 The Council of the Village of Harrison Hot Springs may enter into fire protection and aid agreements for the provision of fire protection by, for, or on behalf of the owners or occupiers of property situated within or outside of the municipality, with any person, firm, corporation, municipality, Crown Provincial or Crown Federal or other properly constituted authority and for the paying or collecting, as the case may be, of such charges therefore as may be agreed upon.

12. OFFENCE AND PENALTY

- 12.1 Every person who violates section 9 of this Bylaw, or who suffers or permits any act or thing to be done in violation of section 9 of this Bylaw, or who neglects to or refrains from doing anything required to be done by section 9 of this Bylaw, commits an offence against this Bylaw and each day that a violation continues to exist is deemed to be a separate offence.
- 12.2 On being convicted of an offence under this Bylaw, a person is liable to pay a fine of up to ten thousand (\$10,000) dollars.

14. REPEAL

“The Fire Department Regulation Bylaw No. 923” is hereby repealed in its entirety.

READINGS AND ADOPTION

“Fire Department Regulation Bylaw No. 1031” adopted on the 12th day of August, 2013

Amendment Bylaw No. 1093 adopted on the 21st day of November, 2016

Amendment Bylaw No. 1101 adopted on the 20th day of March, 2017

Amendment Bylaw No. 1112 adopted on the 2nd day of October, 2017

“Leo Facio”

Mayor

“Debra Key”

Corporate Officer