

GILLIES BAY IMPROVEMENT DISTRICT BYLAW NO. 218

A bylaw to provide for the establishment and operation of a fire department

The Trustees of the Gillies Bay Improvement 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, or equipment and used or intended to be used by the Department for firefighting or in response to any other Incident, and includes a Department vehicle used to transport Officers, Members or equipment;

"Board" - means the Trustees for the Gillies Bay Improvement District;

"Department" - means the Gillies Bay Fire Department;

"District" - means the Fire Protection District established by the Gillies Bay Improvement District;

"Equipment" - means all tools, contrivances, devices or materials used or intended to be used by the Department to combat an Incident or other emergency;

"Fire Chief" - means the Member appointed as head of the Department;

"Fire Protection" - means all aspects of fire safety including but not limited to fire prevention, firefighting 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 any other emergency situation that may cause harm to persons or property and to which the Department has a responsibility to respond;

"Member" - means a person appointed to the Department other than the Fire Chief or an Officer;

"Officer" - means a person in the Department who has been appointed as a Deputy Chief, Training Officer, Safety Officer, Captain or Lieutenant;

"Service Level Policy" - means a policy adopted by the Board in a special resolution that sets the firefighting service level, as defined in *British Columbia Fire Service Minimum Training Standards: Structure Firefighters - Competency and Training Playbook - Second Edition* (May 2015).

2. There is hereby established a fire department to be known as the Gillies Bay Fire Department.
3. The Fire Chief must be appointed by the Board.
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 his behalf.
6. Subject to the direction and control of the Board, the Fire Chief shall have complete responsibility for, and authority over, the fire department and in particular he shall develop training as outlined in the British Columbia Fire Service Minimum Training Standards for Structure Firefighters Competency and Training Playbook, directed towards the Operational Service level of "Entry Level Service". In particular he shall be required to carry out all Fire Protection activities and assistance response activities as the Board directs, including, but not limited to:
 - a) fire suppression;
 - b) fire prevention;
 - c) hazardous material response;
 - d) pre-fire planning;
 - e) disaster planning; and
 - f) response to other Incidents.
7. The responsibility of the Fire Chief and the Department, and its Officers and Members, shall be restricted to the area and boundaries of the Improvement District, and the Department shall have no responsibility for, and shall not respond to, any fire or other Incident outside the Improvement District except as specifically authorized:
 - a) by a written contract or agreement to provide Fire Protection outside the District;
 - b) under a mutual aid agreement with one or more jurisdictions; or
 - c) a Provincial Emergency Plan adopted by the District.
8. 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, Apparatus and Equipment;
 - b) the conduct and discipline of Officers and Members while engaged in the activities of the Department;
 - c) efficient operations of the Department; and
 - d) report to the Board on the operations of the fire department or on any other matter in the manner designated by the Board.
9. The Fire Chief, or in his 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 will continue to act until relieved by an Officer authorized to do so.
10. The Board must determine the remuneration of all Members of the fire department.

11. 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.
12. The Fire Chief, and any Officer or Member authorized by him, may at any reasonable time enter any premises for the purpose of fire prevention inspections or fire investigation.
13. The Fire Chief, or any Officer or Member in charge at an Incident, may 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 or to otherwise protect any person or property.
14. The Fire Chief or any other Member in charge at an Incident:
 - a) may enter premises or property where the Incident occurred, and may cause such Officers, Member, Apparatus or Equipment to enter, that premise or property as he deems necessary, to combat, control or otherwise deal with the Incident;
 - b) may enter, or pass through or over, buildings or property adjacent to an Incident, and may cause Officers, Members, Apparatus and Equipment to enter or pass through or over such adjacent buildings or property where he deems it necessary to gain access to the Incident or to protect any person or property;
 - c) may at his discretion, establish boundaries or limits and keep persons from entering the area within the established boundaries or limits authorized by him to do so;
 - d) may request peace Officers to enforce restrictions on persons entering within the boundaries or limits established under clause (c) of this section;
 - e) may request persons who are not Officers or Members to assist in extinguishing a fire, removing furniture, goods, merchandise and personal effects from any building on fire or in danger thereof; in guarding or securing the same and in demolishing a building or structure at or near the fire or other Incident;
 - f) may commandeer privately-owned Apparatus or Equipment which he considers necessary to deal with the Incident. Remuneration for commandeered Apparatus and Equipment shall be based on rates set out by the Board; and
 - g) may obtain assistance from other officials of the District as he deems necessary in order to discharge his or her duties and responsibilities under this bylaw.
15. No person at an Incident shall:
 - a) impede, obstruct, or hinder the Fire Chief or an Officer, or other person assisting or acting under the direction of the Fire Chief or Officer or Member in charge; or
 - b) drive a vehicle over any Equipment without permission of the Fire Chief or Officer or the Member in charge.

16. No person shall:

- a) damage or destroy any Apparatus or Equipment;
- b) falsely represent themselves as an Officer or Member of the fire department; or
- c) obstruct or otherwise interfere with access roads, streets or other approaches to any Incident, or with any fire hydrant, cistern or other source of water required for firefighting purposes.

17. Any person who violates any provisions of this bylaw will be liable, upon conviction, to a maximum penalty as authorized under the *Offense Act*. Where any violation continues, each day in which it continues will be a separate violation for the purpose of prosecution under this bylaw.


18. This bylaw repeals bylaw no. 116 cited as "A Bylaw to provide for the Establishment and operation of a fire department" and bylaw no. 119 cited as "Bylaw No. 116 Amending Bylaw", and bylaw no. 147 cited as "Bylaw #147 to amend Bylaw NO. 116".

19. This bylaw may be cited as the "Fire Department Establishment and Operations Bylaw."

INTRODUCED and given first reading by the Trustees on the 31st day of May, 2016.

RECONSIDERED and finally passed by the Trustees on the 31st day of May, 2016.

I hereby certify that this is a true copy of Bylaw No. 218.




Chair of the Trustees



Officer

A true copy of By-Law No. 218
registered in the office of the Inspector
of Municipalities this 10 day of

NOVEMBER 2016



Deputy Inspector of Municipalities