

DISTRICT OF MISSION



VOLUNTEER FIRE DEPARTMENT BYLAW

2457-1992

THE FOLLOWING DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY and is a consolidation of "District of Mission Volunteer Fire Department Bylaw 2457-1992" with the following amending bylaws:

Individual copies of any of the above bylaws are available from the Administration Department of the District of Mission. For legal purposes, copies of the original bylaws should be obtained.

DISTRICT OF MISSION

BYLAW 2457-1992

A bylaw to provide for the establishment
and operation of the Mission Volunteer Fire Department

WHEREAS Section 699 of the Municipal Act provides that Council may by bylaw establish a Fire Department with responsibility for fire suppression and prevention, and for providing assistance in response to other classes of circumstances that may cause harm to persons or property;

NOW THEREFORE the Council of the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "District of Mission Volunteer Fire Department Bylaw No. 2457-1992".
2. A Municipal Fire Department is hereby established for the District of Mission, and the Department shall be known as the "Mission Volunteer Fire Department".
3. In this bylaw, unless the context otherwise requires:

"Administrator" means the person appointed by Council as Administrator of the District of Mission;

"Apparatus" means any vehicle provided with machinery, devices, or equipment and used or intended to be used by the Department for fire fighting or in response to any other incident, and includes a Department vehicle used to transport officers, members or equipment;

"Council" means the municipal council of the District of Mission;

"Department" means the Mission Volunteer Fire Department;

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

"Fire Chief" means the person appointed as head of the Mission Volunteer 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, and training and other staff development;

"Incident" means a fire, a 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 Fire Prevention Officer, Fire Inspector, Deputy Chief, Assistant Chief/Training Officer, District Chief, Captain or Lieutenant.

4. The Fire Chief shall be appointed by Council resolution. The Administrator shall forward a recommendation to Council for its consideration.
5. Full time Career Staff shall be appointed in accordance with the policies of the District and the provisions of any applicable collective agreement.
6. The Deputy Chief shall be appointed by Council resolution. The Administrator shall forward a recommendation from the Fire Chief and Administrator to Council for its consideration. The newly appointed Deputy Chief shall serve a probationary period of one (1) year. The Fire Chief may assign to the Deputy Chief such duties as he may deem appropriate.
7. Officers shall be appointed by the Fire Chief on the recommendation of one or more selection committees established by the Fire Chief for that purpose.
8. Members of the Department shall be appointed by the Fire Chief on the recommendation of the Deputy Chief in consultation with a selection committee established by the Deputy Chief for that purpose.
9. When required, the Fire Chief may appoint an officer of the Department as Acting Fire Chief for such periods as he considers necessary, and may assign to that officer such duties and responsibilities as the Fire Chief considers appropriate.
10. Subject to the direction and control of Council, the Fire Chief shall have complete responsibility for, and authority over, the Fire Department and in particular he shall be required to carry out all fire protection and assistance response activities as Council directs, including but not limited to:
 - a) fire suppression,
 - b) fire prevention
 - c) hazardous materials response,
 - d) rescue,
 - e) pre-fire planning
 - f) disaster planning
 - g) medical assistance, and

- h) response to other incidents.
11. The responsibility of the Fire Chief and the Department, and its officers and members, shall be restricted to the area and boundaries of the District of Mission, and the Department shall have no responsibility for, and shall not respond to, any fire or other incident outside the District of Mission except as specifically authorized:
 - a) by a written contract or agreement to provide fire protection outside the municipality;
 - b) under a mutual aid agreement with one or more other jurisdictions; or
 - c) under a Municipal or Provincial Emergency Plan adopted by Council.
 12. Subject to Council policy, Provincial Acts and Regulations, Municipal Bylaws, and agreements entered into by the District, the Fire Chief shall establish such rules, regulations, and procedures as are necessary for the proper and effective organization and administration of the department, including but not limited to:
 - a) the use, care and protection of Department property, apparatus and equipment;
 - b) the conduct and discipline of officers and members while engaged in the activities of the Department; and
 - c) the efficient operation of the Department.
 13. The Fire Chief, or in his absence the senior ranking officer or member present, shall have control, direction and management of all apparatus, equipment and personnel assigned to an incident.
 14. The Fire Chief shall take responsibility for all fire protection matters, including enforcement of the Fire Services Act and regulations thereunder, and shall serve as a Local Assistant to the Fire Commissioner as provided in that Act.
 15. Officers and members shall assist the Fire Chief in carrying out the duties and responsibilities assigned to the Department by Council, or by this or any other bylaw, statute, or regulation.
 16. 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 investigations.
 17. The Fire Chief, and any officer or member in charge at any incident, may cause a building, structure or thing to be pulled down, demolished or otherwise

removed, if deemed necessary to prevent the spread of fire to other buildings, structures or things, or to otherwise protect any person or property.

18. The Fire Chief, and any officer or member in charge at an incident:

a) may enter the premises or property where the incident occurred, and may cause such officers, members, apparatus and equipment to enter that premises 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 the site of 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 unless 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 removing furniture, goods, merchandise and personal effects from any building on fire or in danger thereof; in guarding and securing the same; and in demolishing a building or structure at or near a fire or other incident; and

f) may commandeer privately owned apparatus or equipment which he considers necessary to deal with an incident. Remuneration for commandeered apparatus and equipment shall be based on the applicable Standard Industry Rates.

19. No person at an incident shall:

a) impede, obstruct or hinder the Fire Chief or an officer, member 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 the permission of the Fire Chief or the officer or member in charge.

20. No person shall:

a) damage or destroy any apparatus or equipment;

b) falsely represent himself as an officer or member of the Department; or

- c) obstruct or otherwise interfere with access roads, streets, or other approaches to any incident, or with any fire hydrant or other source of water required for fire fighting purposes.
21. Every person who violates any provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence and on summary conviction thereof shall be liable to imprisonment for a term of not more than 6 months, or to a fine of not more than \$2,500.00 or to both fine and imprisonment.
22. Mission Volunteer Fire Department Bylaw No. 1659-1987 is repealed.
23. This Bylaw shall come into full force and effect upon final adoption.

READ A FIRST TIME this 16th day of March, 1992.

READ A SECOND TIME this 16th day of March, 1992

READ A THIRD TIME this 16th day of March, 1992.

RECONSIDERED AND FINALLY ADOPTED this 6th day of April, 1992.

MAYOR

CLERK

I HEREBY CERTIFY the foregoing to be a true and correct copy of "District of Mission Volunteer Fire Department Bylaw 2457-1992".

CLERK