

**Cultus Lake Park Board**  
**Bylaw No. 2008-02**  
**FIRE DEPARTMENT BYLAW**

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

Whereas Section 12 of the Cultus Lake Park Act (1932 and Amendments) enables the Cultus Lake Park Board to make Bylaws;

Now, therefore, the Cultus Lake Park Board in open meeting assembled enacts as follows:

1. This Bylaw may be cited for all purposes as Cultus Lake Park Bylaw 2008-02 Fire Department Bylaw.
2. In this Bylaw, unless the context otherwise requires:

**ADMINISTRATOR** means the person appointed by the Cultus Lake Park Board as the Chief Administrative Officer of the Cultus Lake Park Board;

**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;

**BOARD** means the Cultus Lake Park Board;

**DEPARTMENT** means the Cultus Lake 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 Cultus Lake 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 Deputy Chief, Assistant Chief/Training Officer, Captain or Lieutenant.

## GENERAL PROVISIONS

3. The Fire Chief shall be appointed by Board resolution. The Administrator shall forward the results from the yearly Fire Chief election, which shall take place at the first fire practice of January, and shall be brought forward as a recommendation to the Board for its consideration.

4. The Deputy Chief shall be appointed by Board resolution. The Administrator shall forward the results from the yearly Deputy Fire Chief election, which shall take place at the first fire practice of January, and shall be brought forward as a recommendation to the Board for its consideration. The Fire Chief may assign to the Deputy Chief such duties as he/she may deem appropriate.

5. 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.

6. When required, the Fire Chief may appoint an officer of the Department as Acting Fire Chief for such periods as he/she considers necessary when the Fire Chief and the Deputy Fire Chief are absent, and may assign to that officer such duties and responsibilities as the Fire Chief considers appropriate.

7. Subject to the direction and control of the Board, the Fire Chief shall have complete responsibility for, and authority over, the Fire Department and report directly to the Administrator and in particular he shall be required to carry out all fire protection and assistance response activities as the Board 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.

8. The responsibility of the Fire Chief and the Department, and its officers and members, shall be restricted to the area and boundaries of the Cultus Lake Park Board, and the Department shall have no responsibility for, and shall not respond to, any fire or other incident outside the Cultus Lake Park Board jurisdiction except as specifically authorized:

- a) by a written contract or agreement to provide fire protection outside the Park;
- b) under a mutual aid agreement with one or more other jurisdictions;

9. Subject to Board policy, Provincial Acts and Regulations, Board Bylaws, and agreements entered into by the Board, 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.

10. 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.

11. The Fire Chief shall take responsibility for all fire protection matters, including enforcement of the Fire Services Act and regulations there under, and shall serve as a Local Assistant to the Fire Commissioner as provided in that Act.

12. Officers and members shall assist the Fire Chief in carrying out the duties and responsibilities assigned to the Department by the Board, or by this or any other bylaw, statute, or regulation.

13. 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.

14. 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.

15. 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/she 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/she 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/she considers necessary to deal with an incident. Remuneration for commandeered apparatus and equipment shall be based on the applicable Standard Industry Rates.

16. 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.

17. 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.

19. 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 \$500.00 or to both fine and imprisonment.

20. This Bylaw shall come into full force and effect upon final adoption.

**ADOPTION**

This bylaw may be cited for all purposes as "Fire Department Bylaw No. 2008-02".

READ A FIRST TIME THIS 24th DAY OF SEPTEMBER, 2008.

READ A SECOND TIME THIS. 22<sup>nd</sup> DAY OF OCTOBER, 2008

READ A THIRD TIME THIS 22<sup>ND</sup> DAY OF OCTOBER, 2008

ADOPTED THIS 22<sup>ND</sup> DAY OF OCTOBER, 2008

  
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CLPB Chair

  
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CLPB CAO/Park Manager