



## DISTRICT OF LAKE COUNTRY

### BYLAW 757

#### A BYLAW FOR THE ESTABLISHMENT AND OPERATION OF THE FIRE DEPARTMENT

WHEREAS the Council may, by bylaw pursuant to the *Community Charter*, establish and regulate the activities of a Fire Department;

AND WHEREAS the Council may, by bylaw pursuant to the *Community Charter*, and subject to the *Fire Services Act* and the *Fire Code Regulations* made under it, establish regulations for the protection of persons and properties from fire;

NOW THEREFORE the Council of the District of Lake Country, in open meeting assembled, enacts as follows:

#### Establishment of Fire Department

1. There is hereby established a fire department for the District of Lake Country which shall be known as the Lake Country Fire Department.

#### Interpretation

2. In this bylaw, unless the context otherwise requires:

“Chief Administrative Officer” means the Chief Administrative Officer of the District of Lake Country;

“Council” means the municipal council of the District;

“Department” means the Lake Country Fire Department established by this Bylaw;

“District” means the municipality of the District of Lake Country;

“Equipment” means all tools, contrivance, 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 by Chief Administrative Officer as Director of Fire/Emergency Services and head of the Fire Department, and shall include any other person authorized by the Fire Chief to exercise some or all of the Fire Chief’s powers under this Bylaw;

“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, and training;

“Full Service Level” means the Full Service Level as defined by the Play book.

“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;

Added by Bylaw  
970, 2016

Deleted &  
replaced by  
Bylaw 970, 2016

“Officer” means a member appointed as a Deputy Chief, Assistant Chief, District Chief, Captain, Lieutenant, Training Officer or Medical officer and given specific duties to assist the Fire Chief in his/her duties.

Added by Bylaw  
970, 2016

“Playbook” means the document prepared by the Office of the Fire Commissioner pursuant to section 3(3)(b) of the Fire Service Act entitled British Columbia Fire Service Minimum Training Standards: Structure Firefighters Competency and Training Playbook, as amended revised or replaced from time to time.

“Vehicle” 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.

### Administration

3. The appointment of the Fire Chief, officers and members will be as follows:
  - a. The Fire Chief shall be appointed by the Chief Administrative Officer.
  - b. Members shall be appointed by the Fire Chief. The Fire Chief shall appoint Officers from among the members.
4. The jurisdiction of the Fire Chief and members of the Department shall be limited to the area and boundaries of the District, and no vehicles, equipment, or members of the Department shall be used beyond the limits of this jurisdiction except:
  - a. when specifically authorized in a written contract or other agreement (mutual aid) for the provision of fire protection or other services;
  - b. where an incident exists which, in the opinion of the Fire Chief, poses an immediate threat to any property within the District; and
  - c. where a request for assistance is made in accordance with the Emergency Program Act (British Columbia) as amended or re-enacted from time to time.
5. Where an incident exists outside the District’s boundaries not covered by 4):
  - a. The Fire Chief must provide approval to respond prior to any vehicle, equipment, or members of the Department leaving the District’s boundaries;
  - b. The jurisdiction having authority will be notified of the incident and asked to respond; and
  - c. Once the jurisdiction having authority has arrived to the incident, indicated they will not be attending the incident, or the incident is resolved, members will monitor the incident until it is deemed safe and will then release the scene and return to the boundaries of the District.
6. The Council shall, by resolution or bylaw, determine the level of fire protection to be provided within the District or any area or areas of the District, and the authority and jurisdiction of the Department under this bylaw shall be subject to, and consistent with, the level of fire protection determined by Council.

7. The Fire Department is authorized to provide the following services:
- a. All aspects of fire protection, prevention and related activities under the direction of the Fire Chief;
  - b. the rescue of persons and response to hazardous or dangerous situations and disasters; and
  - c. the response to a medical emergency.
  - d. for fire suppression activities, a Full Service Level in accordance with the Playbook.

Added by Bylaw  
970, 2016

8. The Fire Chief shall report to the Chief Administrative Officer on the operations of the Department and on any related matter which may be referred to him by the Chief Administrative Officer.
9. 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.
10. Officers and other 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.
11. Subject to Council policy, Provincial Acts and regulations, this and other bylaws of the District, 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, vehicle and equipment;
  - b. the conduct and discipline of officers and other members while engaged in the activities of the Department; and
  - c. the efficient operation of the Department.
12. No rule or regulation of any social organization of the membership shall in any way hinder or impede the operation of the Department.
13. The Fire Chief, and any officer or other member authorized by him or her, may at any reasonable time enter any premises for the purpose of fire investigations.

### Operations

14. The Fire Chief shall have control, direction and management of all vehicle, equipment and personnel assigned to an incident and, where a member is in charge, that member shall continue to act until relieved by a senior officer.
15. The Fire Chief at an 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.

16. The Fire Chief at an incident is authorized 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/she deems necessary, in order to combat, control or deal with the incident.
17. The Fire Chief at an incident is authorized during the incident to enter and pass through or over buildings or property adjacent to an incident, and to cause members of the Department and the vehicle and equipment of the Department to enter or pass through or over buildings or property, where the Fire Chief deems it necessary to gain access to the incident or to protect any person or property.
18. The Fire Chief at an incident may at his/her discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized by him.
19. The Fire Chief at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits established under Section 17.
20. The Fire Chief may obtain assistance from other officers and employees of the District as he/she deems necessary in order to discharge his/her duties and responsibilities under this bylaw.
21. The Fire Chief at an incident may require persons who are not members to assist in the fighting of fires and in preserving property threatened by fires. Such assistance may include removing and securing furniture, goods and merchandise from any building on fire or in danger thereof, and demolishing a building or structure at or near the fire or other incident.
22. The Fire Chief of an incident may require that privately owned equipment considered necessary to deal with an incident be made available for use by the Department for that purpose.

#### Prohibitions

23. No person shall refuse to allow the Fire Chief to:
  - a. enter premises, at any reasonable time, for the purpose of fire protection matters;
  - b. enter at any time, premises or property where an incident has occurred or is occurring, or to allow the entry of any member, vehicle, or equipment of the Department deemed necessary in order to deal with the incident; or
  - c. enter or pass through or over buildings or property adjacent to an incident or to allow apparatus and equipment of the Department to enter or pass through or over buildings or property where deemed necessary to gain access to the incident or to protect any person or property.
24. No person shall enter the boundaries or limits of an area established under Section 18 unless that person has been authorized to enter by the Fire Chief or member in charge at an incident.
25. No person shall refuse, without lawful excuse, a request for assistance made by the Fire Chief or member in charge of an incident under Section 21.

26. No person shall refuse, without lawful excuse, a request for the use of privately owned equipment required to deal with an incident made by the Fire Chief under Section 22.
27. No person at an incident shall impede, obstruct or hinder a member of the Department or other person assisting or acting under the direction of the Fire Chief.
28. No person shall damage or destroy, or obstruct, impede or hinder the operation of, any Department vehicle or equipment.
29. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
30. No person shall falsely represent him/herself as a member of the Department.
31. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any incident, fire hydrant, cistern or body of water designated or at the time required for firefighting purposes.
32. No person shall cause an alarm to be transmitted to the Department, either by telephone, building fire alarm system, in person, or by any other means, knowing that an emergency or incident does not exist.
33. No person shall interfere with, tamper with, or destroy any equipment, including fire hydrants, meant for fire protection purposes without authorization from the Fire Chief.
34. Privately owned fire equipment for use by private owner or Fire Department should not be used for other purposes.
35. In the case of public fire hydrants, authorization for use for other purposes may be granted by the Director of Engineering of the District.

#### Offences and Penalties

36. Every person who violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation 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, or who does any act or thing thus violating any provision of this Bylaw, shall be deemed to have committed an offence, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months, or to a fine of not more than \$2,000, or to both fine and imprisonment.

#### Severability

37. If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, it shall be severed and such decision shall not affect the validity of the remaining portions of this bylaw.

#### Repeal

38. Fire Department Bylaw 95-16 and all amendments thereto are hereby repealed.

#### Citation

39. This bylaw may be cited as "Fire Department Bylaw 757, 2010".

READ A FIRST TIME this 4<sup>th</sup> day of May, 2010.

READ A SECOND TIME this 4<sup>th</sup> day of May, 2010.

READ A THIRD TIME this 4<sup>th</sup> day of May, 2010.

ADOPTED this 11<sup>th</sup> day of May, 2010.

Original signed by James Baker

Mayor

Original signed by Hazel Christy

Clerk

I hereby certify the foregoing to be a true and correct copy of the Bylaw cited as "Fire Department Bylaw 757, 2010" as adopted by the Municipal Council on the 11th day of May, 2010.

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Dated at Lake Country, B.C.

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Clerk