

VILLAGE OF ASHCROFT

BYLAW NO. 848

A BYLAW FOR THE ESTABLISHMENT AND REGULATION OF A FIRE DEPARTMENT

WHEREAS pursuant to the *Local Government Act* and *Community Charter* of the Province of British Columbia, a Municipal Council may by bylaw, establish and make regulations for a fire and rescue department;

NOW THEREFORE the Council of the Village of Ashcroft, acting as the authority having jurisdiction, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "VILLAGE OF ASHCROFT FIRE DEPARTMENT REGULATION BYLAW NO. 848, 2022".
2. That the Corporation of the Village of Ashcroft Fire Bylaw No. 486 and all amendments thereto, are hereby repealed.
3. The British Columbia Fire Code Regulations, Fire Services Act and the National Fire Protection Association, and all pertinent amendments thereto are applicable within the Village of Ashcroft, in conjunction with this bylaw.
4. This bylaw is divided into the following parts:

Part I Definitions

Part II Fire Department
 201 Establishment
 202 Fire Chief
 203 Officers
 204 Membership
 205 Remuneration
 206 Administration

Part III Fire Protection Agreements and Mutual Aid
 301 Agreements

Schedules attached and forming part of this bylaw.

Schedule A Code of Conduct
Schedule B Remuneration
Schedule C PEP Highway Rescue Boundaries

PART I - DEFINITIONS

"Administrator"	means the Chief Administrative Officer of the Village of Ashcroft.
"Approval"	means acceptance as satisfactory to the Fire Chief or his designate.
"Council"	means the Council of the Village of Ashcroft.
"Department"	means the Ashcroft Fire Rescue.
"Deputy Fire Chief(s)"	means the person appointed from time to time as the Deputy Fire Chief(s) of the Ashcroft Fire Rescue
"Duty"	means time while being paid as a member of the Fire Department.
"Executive Committee"	means a Committee consisting of the Fire Chief, Deputy Fire Chief(s), the FD Association Secretary/Treasurer, Officers and three Members at large as appointed by Council.
"Fire Chief"	means the person appointed from time to time as the Fire Chief of the Ashcroft Fire Rescue, and any Officer, Member or Inspector authorized by the Fire Chief, to act on behalf of the Fire Chief.
"Member"	means any Member of the Ashcroft Fire Rescue and includes an Officer.
"Junior Members"	means any member of the Ashcroft Fire Rescue that is between the ages of 16 and 19.
"Officer"	means any Member appointed to a position of Fire Chief, Deputy Fire Chief(s), Captain, Lieutenant, Training/Prevention Officer or Safety Officer.
"Premise"	means any structure used or intended for supporting or sheltering any use or occupancy.

PART II - FIRE AND RESCUE DEPARTMENT

201 **ESTABLISHMENT**

1. There is hereby constituted a fire department for the Village of Ashcroft to be known as the "Ashcroft Fire Rescue" (AFR), and the head of the department shall be known as the "Fire Chief".
2. In addition to the Fire Chief, the Ashcroft Fire Rescue personnel shall consist of other Officers and Members as from time to time may be determined by Council.

202 **FIRE CHIEF**

1. The Fire Chief shall be appointed by resolution of Council upon completion of the process determined in the Ashcroft Fire Rescue Constitution.
2. Reporting to the Administrator or designate, the Fire Chief is accountable for overseeing the provision of services for the protection of lives and property of the citizens of the Village of Ashcroft from fire hazards, and for the operation of the Ashcroft Fire Rescue, including training and fire prevention.
3. The Fire Chief shall take all proper measures for the prevention, control, and extinguishment of fire, for the protection of life and property, and shall enforce all codes and bylaws respecting fire prevention, life safety, inspections and investigations.
 - a) the Fire Chief may appoint an appropriately trained member to carry out fire inspections
4. The Fire Chief has complete responsibility for the Ashcroft Fire Rescue, subject to the direction of the Administrator and direction/control of the Council, to which the Fire Chief shall be responsible, and in particular shall be required to carry out all fire protection activities and such other activities as Council directs, including but not limited to:
 - a) training and related operational planning as per the Village of Ashcroft Declared Fire Operations Service Level Policy #5.1
 - b) preventative patrols.
 - c) pre-fire planning;
 - d) disaster planning;

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- e) other incidents.
5. The Fire Chief, or any member of the Ashcroft Fire Rescue with Local Assistant to the Fire Commissioner (LAFD) designation authorized by Council, may at any reasonable time enter any premise for the purpose of fire prevention inspections as per the Fire Services Act.
 6. The Fire Chief shall establish rules, regulations, policies, operational guidelines and committees necessary for the proper organization and administration of the Ashcroft Fire Rescue including, but not limited to the:
 - a) use, care and protection of property;
 - b) conduct and discipline of Officers and Members of the department; and
 - c) efficient operation of the department.

203 OFFICERS

1. The Deputy Fire Chief(s), shall be appointed by resolution of Council in consultation with the Fire Chief upon completion of the process determined in the Ashcroft Fire Rescue Constitution.
 - a) In the absence of the Fire Chief, the Deputy Fire Chief(s) shall have full charge and control of all matters coming within the jurisdiction of the Fire Chief.
2. Captains and Lieutenants, shall be appointed by the Fire Chief through the process determined in the Ashcroft Fire Rescue Constitution.
 - a) Qualified prospective Captains and Lieutenants are appointed or demoted by the Chief in consultation and with recommendation of all Officers. Final responsibility for appointing and demoting Captains and Lieutenants, rests solely with the Fire Chief.
 - b) Members will have the right to recommend to the Fire Chief to have any Captain or Lieutenant removed from rank for just cause as determined in the Code of Conduct. Upon recommendation being given to the Fire Chief, the Fire Chief may decide to place the Captain or Lieutenant on probation for a period of not more than six (6) months to correct the cause. Either, at the end of the probation period or at an earlier date, the Officer may be removed or have their position reconfirmed by the Fire Chief.

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204 MEMBERSHIP

1. A person is qualified to be appointed as an Active Member of the Department who:
 - a) is 19 years of age or older;
 - b) is of good character;
 - c) passes such aptitude and other tests as may be required by Council; and,
 - d) resides within the municipal boundaries of the Village of Ashcroft.
2. Subject to clause 205(1) (d), a person may reside outside of the municipal boundaries of the Village of Ashcroft provided:
 - a) the person lives within 12 kilometres radius of the Fire Hall;
 - b) no more than 25% of the entire membership of the Department reside outside the municipal boundaries of the Village of Ashcroft; and,
3. Every Member and Officer shall be required to comply with the Code of Conduct as per Schedule "A", attached to and forming part of this bylaw as well as the operating rules and regulations established by the Department.
4. The Fire Chief may terminate a probationary Member, or extend probation, at any time, without cause.
5. The Fire Chief may discipline or discharge any Officer or Member for cause.
 - a) If the Members or a Member is unable to agree with a disciplinary decision of the Fire Chief, the Member may appeal to the Executive Committee. The Executive Committee shall either uphold the Fire Chief's decision or appeal the decision of the Fire Chief. If the Executive Committee and the Fire Chief are unable to reach agreement on the issue; both sides shall submit a report to the Administrator for consideration. If the Administrator is unable to bring about a consensus, the two reports shall be submitted to Council for a final resolution of the issue.
6. Every Member is subject to a medical examination at such time as the Fire Chief may require.

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7. Every Member will be subject to an annual criminal record check and drivers abstract.
8. Every new Member will be subject to a criminal background check and must provide a driver's profile and obtain an air brake endorsement before completing the earliest opportunity provided by the Ashcroft Fire Rescue. Existence of a criminal record or a poor driver's profile will be grounds for discharge.
9. An individual who has been with the department less than six (6) months shall be deemed a probationary Member.
10. Every Member of the Ashcroft Fire Rescue will receive training as required by the Fire Commissioners Play Book.
11. Junior members shall have the same privileges and requirements as an active member, with the additional restrictions determined in the Ashcroft Fire Rescue Constitution, and or by the Fire Chief.

205 REMUNERATION

1. The remuneration of all Members shall be as specified in Schedule "B", attached to and forming part of this bylaw.
2. Payments for fire calls are paid as per Schedule "B" of this bylaw. Rescue calls inside municipal boundaries will be deemed Ashcroft Fire Rescue call outs and will be paid according to Schedule "B". Rescue calls outside municipal boundaries will be paid according to Schedule "B" to a maximum of five (5) members attending the call, unless the Fire Chief has received approval for additional members to attend the call from the Administrator or designate.

206 ADMINISTRATION

1. The limits of the jurisdiction of the Fire Chief, and the Officers and Members of the department will extend to the area and boundaries of the Village of Ashcroft, and fire protection agreement areas as determined by Council, and no part of the fire apparatus shall be used beyond the limits of the municipality without:
 - a) the express authorization of a written contract or agreement providing for the supply of fire fighting services outside the municipal boundaries or;
 - b) the approval of Council, or at the discretion of the combination of the Fire Chief and Mayor, Acting Mayor or Administrator.

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2. The Rescue "responses and areas of jurisdiction" of the department are shown on Schedule 'C' attached and forming part of this Bylaw.
3. The Fire Chief shall submit to the Administrator and the Chief Financial Officer, for inclusion with the overall Village budget submitted to Council for approval, the annual budget for the Ashcroft Fire Rescue.
4. Honorary Members are entitled to attend social functions only.

PART III - FIRE PROTECTION AGREEMENTS AND MUTUAL AID

301 **AGREEMENTS AND MUTUAL AID**

1. The Council for the Village of Ashcroft, after consultation with the Fire Chief, may enter into agreements and mutual aid for the provision of fire protection by, for, or on behalf of the owners or occupiers of property situated within or out of the municipality, with any person, firm or corporation, or municipality, or improvement district or other properly constituted authority, and for the paying or collecting, as the case may be, of such charges therefor as may be agreed upon.

READ A FIRST TIME this	13 th	day of	December, 2021.
READ A SECOND TIME this	13 th	day of	December, 2021.
READ A THIRD TIME this	10 th	day of	January, 2022.
RESCIND THIRD READING this	14 th	day of	February, 2022.
RE-READ A THIRD TIME this as AMENDED	14 th	day of	February, 2022.
ADOPTED this	28 th	day of	February, 2022.

SCHEDULE "A"
CODE OF CONDUCT

All Officers and Members of the Ashcroft Fire Rescue shall:

1. At all times be governed by the ordinary and responsible rules of behaviour observed by law-abiding and self-respecting citizens, and no member shall commit any act tending to bring discredit upon the department or its members. Furthermore, when representing the department, all members shall be expected to be courteous and respectful in their contacts with the public;
2. Operate through the Fire Chief in the transactions of the department business;
3. Attend all fires or emergencies to which they may be dispatched and to perform to the best of their ability. Neglect, inefficiency or indifference of members in the performance of their duties is not acceptable;
4. Exercise precaution and good judgement in order to avoid injury to themselves and to other members;
5. Familiarize themselves with, and be obedient to the regulations, practices and procedures of the department;
6. Accord obedience, proper respect and courtesy to Officers and acting Officers;
7. Make truthful and accurate reports, and not make statements with intent to deceive;
8. Not wilfully mutilate any useful department record, book, paper or document;
9. Promptly notify the Fire Chief of all matters coming to their attention affecting the interest of the department;
10. Notify the Fire Chief of any inability to report for duty and the reason for such inability;
11. Exercise caution to avoid unnecessary damage or loss of department property, and be responsible for the safekeeping and proper care of all department property;
12. Not remain on duty if their ability is impaired by the use of a mind altering substance(s) including but not limited to: alcohol, cannabis, recreational and/or prescription drugs;
13. Not use or take in any form of a mind altering substance(s) as noted in item 12 while on

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duty;

14. Not indulge in obscene or uncivil language, altercations or conduct while on duty which might cause adverse public reaction or injury to any person;
15. Abstain from promoting their names, in the context as a member of the department, for any commercial or business purposes, or for countenancing the use of the name and/or prestige of the department for such purposes; and
16. Accept no reward, fee or gift from any person for services incidental to the performance of duty, except with permission of the Fire Chief.

SCHEDULE "B"
Remuneration

1. The Ashcroft Fire Rescue shall receive remuneration based on the following rates effective at bylaw adoption for practices and call outs:
 - Practices with Play Book Certification: \$15.00;
 - Practices without Play Book Certification: \$12.50;
 - Callouts up to 2.5 hours: \$25.00;
 - Callouts up to 4.5 hours: \$45.00;
 - Callouts greater than 4.5 hours becomes a flat rate of \$80.00/day
 - Team Leader training incentive will be \$2.50 more for practices (\$17.50 practices);
- * Years refers to years of service with the Ashcroft Fire Rescue (Years of Service is determined on the anniversary of the start date)
2. Rescue calls will only be paid when the response is inside municipal boundaries.
3. All remuneration is paid on a monthly basis to the Ashcroft Fire Rescue.
4. The Village of Ashcroft is the primary fire protection responsibility of the Ashcroft Fire Rescue, an appropriate number of members must be available for fire protection services in the village at all times regardless of other call outs.
5. Rescue calls outside of the Village of Ashcroft Fire Protection area will be remunerated by Emergency Management BC through the Village of Ashcroft. PEP number is required at time of dispatch.

SCHEDULE "C"

PEP Highway Rescue Boundaries

Note: Kilometers are calculated from the Firehall.

<u>Location</u>	<u>Hwy./ Road</u>	<u>GPS</u>	<u>Distance</u>
Spences Bridge	Hwy. 1 West	50 degrees 24' 49.76" N 121 degrees 21' 31.19" W	44 km
North Rd. Junction Towards Logan Lake	Hwy. 97C	50 degrees 34' 33.41" N 121 degrees 13' 04.73" W	22 km towards Logan Lake
Wahlachin turnoff	Hwy. 1 East	50 degrees 46' 13.50" N 121 degrees 01' 41.62" W	34 km
Bridge before Loon Lake turnoff	Hwy. 97 North	50 degrees 57' 50.84" N 121 degrees 26' 59.91" W	32 km
Hwy 99/Upper Hat Creek Junction	Hwy. 99 West	50 degrees 47' 45.60" N 121 degrees 36' 35.66" W	42 km