

THE CORPORATION OF THE VILLAGE OF ASHCROFT
in the Province of British Columbia
BYLAW NO. 486

Being a by-law of The Corporation of the Village of Ashcroft hereafter referred to as "The Corporation of the Village of Ashcroft Fire By-law", to provide for the establishment and operation of a fire department.

NOW THEREFORE the Council of The Corporation of the Village of Ashcroft in open meeting assembly, enacts as follows:

1. The Municipal Fire Department is hereby established and will be known as the Village of Ashcroft Fire Department.

2. In this by-law, unless the context otherwise requires,

Apparatus - means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.

Council - means the Council/Board of The Corporation of the Village of Ashcroft.

Equipment - means any tools, contrivances, devices or material used by the Fire Department to combat an incident or other emergency.

Fire Chief - means the member appointed by Council, as head of the Fire Department, and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act.

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, training or other staff development and advising.

Incident - means a fire or situation where a fire or explosion is imminent.

Member - means any person or officer that is duly appointed by Council as a member of the Fire Department and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act.

3. The Fire Chief shall be appointed by resolution of Council.

4. Other officers and members, as the Fire Chief deems necessary, may be appointed by Council.

5. The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his behalf.

6. All those persons whose names appear on Schedule "A" attached hereto are hereby appointed members of the Village of Ashcroft Fire Department.

7. The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the area and boundaries of the Corporation of the Village of Ashcroft 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.
8. The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the Council to which he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities as Council directs including but not limited to:
 - (a) rescue,
 - (b) other incidents,
 - (c) pre-fire planning,
 - (d) disaster planning,
 - (e) preventive patrols.
9. The Fire Chief, subject to ratification by the Council, shall 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,
 - (b) the conduct and discipline of officers and members of the Fire Department, and
 - (c) efficient operations of the Fire Department.
10. The Fire Chief, or in his absence, the senior ranking member present, shall 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 shall continue to act until relieved by a senior officer.
11. The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Services Act and regulations thereunder and shall assume the responsibilities of the Local Assistant to the Fire Commissioner.
12. Officers and members of the Fire Department shall carry out the duties and responsibilities assigned to the Fire Department by the Council, and the Fire Chief shall report to the Council on the operations of the Fire Department including budgetary matters or any other matter in the manner designated by Council.
13. The Fire Chief, or any member of the Fire Department authorized by Council, may at any reasonable time enter any premise for the purpose of fire prevention inspections.
14. The Fire Chief, or any other member in charge, at a fire is empowered to 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.

15. The Fire Chief, or any other member in charge, at an incident is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment of the Fire Department to enter, as he deems necessary, in order to combat, control or deal with the incident.
16. The Fire Chief, or the member in charge, at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter or pass through or over buildings or property, where he deems it necessary to gain access to the incident or to protect any person or property.
17. The Fire Chief, or the member in charge, at an incident may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
18. No person shall enter the boundaries or limits of an area prescribed in accordance with Section 17 unless he has been authorized to enter by the Fire Chief or the member in charge.
19. The Fire Chief, or the member in charge, at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 17.
20. The Fire Chief may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this bylaw.
21. No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
22. No person shall damage or destroy Fire Department apparatus or equipment.
23. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
24. No person shall falsely represent themselves as a Fire Department member.
25. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern or body of water designated for fire fighting purposes.
26. No person shall light or start a fire within the Municipality without having a burning permit. A burning permit shall restrict burning to the following manner:
 - a. Incinerator only - except where a special permit is obtained for outside burning;
 - b. Or until such time, where in the opinion of the Fire Chief and upon approval by Council resolution, a total fire ban is implemented.

- 27. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.
- 28. The Fire Chief or the member in charge of an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident. Remuneration rates shall be set out annually by the Council.
- 29. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing or omits any act or thing thus violating any of the provisions 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 \$2,500 or to both fine and imprisonment.
- 30. The Council shall determine the remuneration of all members of the Fire Department.
- 31. This bylaw comes into force and takes effect on the date of its adoption by Council.
- 32. Upon adoption of this bylaw the following bylaw is hereby repealed:
 - (a) The Corporation of the Village of Ashcroft Fire Regulations Bylaw No. 317, 1978.

Introduced and Read a First Time this 24th day of October 1988.
 Read a Second Time this 24th day of October 1988.
 Read a Third Time this 21st day of November 1988.
 Reconsidered and Adopted this 19th day of December 1988.

*A true copy of By-Law No. 486
 registered in the office of the Inspector
 of Municipalities this 13th day of
 January, 1989.*

[Signature]
 Deputy Inspector of Municipalities

[Signature]
 Mayor Mervin A. Pears

[Signature]
 Administrator Gordon D. Berdan

Certified to be a true and correct copy of Bylaw 486 as adopted by Council.

[Signature]
 Administrator Gordon D. Berdan