

**VILLAGE OF CHASE
BYLAW NO. 650-2004**

Being a Bylaw to provide for the establishment and regulation of the Chase Volunteer Fire Department.

WHEREAS the Council of the Village of Chase desires to establish and regulate a Volunteer Fire Department for the Village of Chase;

NOW THEREFORE, the Council of the Village of Chase, in open meeting assembled, enacts as follows:

Definitions

1. In the bylaw, unless the context otherwise requires:

“VILLAGE” refers to the Village of Chase.

“COUNCIL” means the Council of the Village of Chase.

“FIRE DEPARTMENT” means the Chase Volunteer Fire Department.

“MEMBER” means a member of the Chase Volunteer Fire Department, and includes an officer of the Department.

“FIRE CHIEF” means the duly appointed Fire Chief of the Chase Volunteer Fire Department or his designate.

“FIRE PROTECTION AREA” means the lands within the boundaries of the Village of Chase and any other lands for which the Village formally agrees to provide fire suppression and prevention services to.

“INCIDENT” means a fire or response to any other class of circumstance that may cause harm to persons or property.

PART 1 – ADMINISTRATION

2. The Chase Volunteer Fire Department as established is hereby confirmed and has responsibility for fire suppression and prevention within the Fire Protection Area and to provide such other assistance as herein specified. The Department is authorized to take all proper measures for the prevention, control and extinguishment of fire and for the protection of life and property and may enforce all codes and by-laws respecting fire prevention, life safety and investigations.

3. The Department should have a minimum membership of ten (10) members.
4.
 - a) The Village Council, by Resolution, will appoint a Fire Chief.
 - b) The Department at an annual meeting in December each year shall elect from its members a Deputy Fire Chief and may provide for a term of office of up to two years.
 - c) The Fire Chief may appoint other officers from members of the Department as he considers necessary. In doing so he shall establish the relative rank of each officer position so established beginning immediately beneath the rank of Deputy Fire Chief.
5. The Department is hereby authorized to enroll new members to meet the needs established from time to time by the Fire Chief.
6. A person is qualified to be accepted as a members of the Department for fire-fighting duties who:
 - a) is not less than 18 years of age nor more than 65 years of age;
 - b) passes such aptitude and other tests as may be required by the Fire Chief; and
 - c) passes a medical examination determining adequate physical fitness to serve as a member and submits to the Fire chief as evidence a certificate of health prepared by the examining medical doctor, cost of which will be borne by the Village of Chase.
7. A person accepted as a member of the Department for fire-fighting duties shall be on probation for a period of three months, during which period he shall take such training and examinations as may be required by the Fire Chief.
8. If a probationary member, accepted for fire-fighting duties, fails any such examination, the Fire Chief of the Department may in his sole discretion dismiss the member.
9. The remuneration of all members of the Department shall be as determined by Council.
10. The Fire Chief shall report to the Administrator and is responsible for the proper administration and operation of the Department and for the discipline of its members.

11. The Fire Chief in the performance of his duties:
 - a) may make such general orders and departmental rules as may be necessary for the care and protection of the property of the Department, for the conduct of the Members and generally for the efficient operation of the Department, provided that such general orders and rules do not conflict with the provisions of any Bylaw or policy of the Village;
 - b) shall review periodically the policies and procedures of the Department and may establish an Advisory Committee consisting of such officers as he may determine from time to time to assist him in this duty;
 - c) shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property;
 - d) may enforce all Village Bylaws respecting Fire Services Act;
 - e) may exercise all powers given him by the Fire Services Act;
 - f) is responsible for the enforcement of this Bylaw and the General Orders and Departmental rules;
 - g) shall report all fires to the Fire Commissioner as required by the Fire Services Act; and
 - h) shall submit the annual budget estimates of the Department at the required time each year for approval of Council.
12. Every member of the Department accepted for fire-fighting duties may be subject to a medical examination at least once annually and at such other times as the Fire Chief may require, with the cost of same to be borne by the Village of Chase.
13.
 - a) Every member of the department shall report for duty at the time prescribed by the Department rules and shall remain on duty until relieved.
 - b) In the case of a member failing to report for duty, the officer in charge shall report this in writing, through his superior officer to the Fire Chief.
 - c) No member shall, if his ability is impaired by the use of intoxicating beverage or drug, be permitted to remain on duty.
 - d) No member shall while on duty consume any intoxicating beverage or drug.

PART 2 - FIRE SUPPRESSION

14. The Department shall not respond to a call with respect to a fire or emergency outside the boundaries of the Fire Protection Area except for the following:
 - a) where an agreement for mutual aid exists with another local government or other organization.
 - b) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefore;
 - c) when ordered to do so by a senior level of government.
 - d) in any other circumstances when authorized to do so by the Mayor or Acting Mayor of the Village.
15. The Fire Chief or an Officer in Command at an incident, shall have control, direction and management of all Fire Department apparatus, equipment, and manpower assigned to an incident and, where an Officer in Command is in charge, he shall continue to act until relieved by a senior officer.
16. The Fire Chief, or an Officer in Command at an incident, is empowered to enter premises or property where the incident has 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.
17. The Fire Chief, or Officer in Command 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 necessary to gain access to the incident or to protect any person or property .
18. No person shall impede, obstruct, abuse or in any way hinder the Fire Chief, or any Officer in Command, or any member of the Fire Department in attendance at an incident under the direction of the Fire Chief or Officer in Command.
19. Anyone who fails to comply with an order or direction of the Fire Chief or any Officer in Command, or any officer or member of the Fire Department engaged at any incident, may be forcibly removed from the scene of any such incident by a Peace Officer or Officer or member of the Fire Department.

20. The Officer in Command is empowered to order the evacuation of any building or structure that is directly involved with fire or other risk to life. The Fire Chief or his designate, is empowered to order the evacuation of a building, structure or area which in his opinion is endangered by fire or other risk to life. In such cases no person other than the Fire Chief, Officer in Command, officer or member of the Fire Department, Peace Officer, or other person authorized by the Fire Chief or Officer in Command shall remain in or shall enter those buildings, structures or areas.
21. The Fire Chief or Officer in Command is hereby empowered to cause to be pulled down or demolished, any adjacent buildings or structures when he considers necessary to do so in order to prevent the spread of any fire.
22. The Fire Chief or Officer in Command at any incident is hereby empowered to commandeer privately owned equipment which he considers necessary to deal with such incident.

PENALTIES AND ENFORCEMENT

23. No person shall falsely represent themselves as a member of the Fire Department.
24. Every person guilty of an offense under the provisions of this Bylaw shall be liable upon summary conviction to fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).
25. That "Village of Chase Volunteer Fire Department Regulations Bylaw No. 498, 1993" is hereby repealed.
26. This Bylaw may be cited as "Village of Chase Volunteer Fire Department Regulations Bylaw No. 650-2004".

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READ A FIRST time this 22nd day of June, 2004.


READ A SECOND time this 22nd day of June, 2004.

READ A THIRD time this 22nd day of June, 2004.

RECONSIDERED AND ADOPTED this 13th day of July, 2004.



Mayor



Clerk

Certified a true and correct copy of
Bylaw No. 650-2004



Clerk