



HAMLET OF ENTERPRISE

BYLAW #2011-24
"FIRE PROTECTION BYLAW"

Approved: February 6, 2012
Motion: 2012-01-019

HAMLET OF ENTERPRISE, NT

FIRE PROTECTION BYLAW

NUMBER #2011 - 24

A Bylaw of the Municipal Corporation of the Hamlet of Enterprise in the Northwest Territories to provide for the establishment and operation of a fire protection service pursuant to section 97 of the *Hamlets Act*, S.N.W.T., 2003, C.22, s.3.

AS the Council of the Hamlet of Enterprise deems it necessary to prevent and suppress fires and to regulate the duties and responsibilities of the fire department.

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF ENTERPRISE at a duly convened meeting enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as the "**Fire Protection Bylaw**".

INTERPRETATION

2. In this Bylaw,
 - (a) "Hamlet" means the Hamlet of Enterprise in the Northwest Territories;
 - (b) "Council" means the Council of the Hamlet;
 - (c) "SAO" means the Senior Administrative Officer employed by the Hamlet;
 - (d) "Department" means the volunteer fire department of the Hamlet of Enterprise;
 - (e) "Chief" means the person appointed by the Council as the Fire Chief of the Hamlet of Enterprise Volunteer Fire Department;
 - (f) "Fire Protection" means all aspects of fire prevention Protection" including fire alarms, fire suppression, rescue, first aid and salvage;
 - (g) "Fire System" Protection includes all piped water lines, hydrants, pump houses and any sprinkler systems in public buildings under the control and maintenance of the Hamlet and fire trucks;

- (h) "Fire Marshal" means the Fire Marshal appointed by the Commissioner of the Northwest Territories under the Fire Prevention Act being Chapter F-6 of the Revised Statutes of the Northwest Territories, 1988.
- (i) "permit" means the written authority of the Chief, issued pursuant to this Bylaw;
- (j) "SAO" means the person appointed as the Senior Administrative Officer by Council;
- (k) "Schedule" means a schedule attached to and forming part of this Bylaw.
- (l) "smoke" shall mean the airborne solid and liquid particulates and gases evolved when a material undergoes pyrolysis in combustion;
- (m) "non-combustible" means a material which, in the form in which it is used and under the conditions anticipated, will not aid combustion or add appreciable heat to an ambient fire;
- (n) "noxious material" means a material that is physically harmful or destructive to living beings.

DEPARTMENT MEMBERSHIP AND AUTHORITY

2. The Council shall appoint a Fire Chief for the purposes of implementation of fire protective and preventive services.
3. The Department shall comprise of the Chief and any person who shall be appointed by the Chief to serve under the terms of this Bylaw.
4. Any person appointed to the Department must be
 - (a) 18 years of age or older and;
 - (b) must have or will be required to successfully complete after appointment, the Level 1 Standard Certificate Course offered by the Fire Marshal's office.
 - (c) must have a valid driver's licence
5. The Chief's appointment shall be confirmed by a resolution of Council and shall be for a two (2) year term and shall be reviewed annually by the Council on the anniversary of the date of the appointment.
6. The Chief shall report to Council through the office of the SAO.

DUTIES AND POWERS OF THE CHIEF

7. The organization and direction of the Department for fire protection shall be under the sole authority of the Chief, and all members of the Department shall obey the commands and the standing orders issued by or through him or her.
8. The Chief shall be responsible for the efficiency and morale of the Department.
9. The Chief shall appoint a Deputy Chief and other officers and assign their duties and may revoke such appointments for just cause.
10. The Chief may take disciplinary action, including the suspension or dismissal of any member of the Department for:
 - (a) being absent, without good or proper reason, from three consecutive practice fire drills; or
 - (b) any other action which may be deemed by the Chief as being detrimental to the morale or to the general operation of the Department.
11. The Chief shall report all disciplinary measures to the SAO within twenty-four hours of the action being taken.
12. Any member of the Department dismissed by the Chief may appeal the Chief's decision to the SAO. Appeals made under this section must be in written form and must be delivered to the SAO within fourteen days of the dismissal. The decision of the SAO shall be binding on both parties.
13. The Chief may furnish the facts relative to any fire to persons not connected with the Department. However, the Chief shall assume responsibility for all facts released.
14. The Chief shall not furnish information relative to the business affairs of the Department to any person not directly involved with the Department.
15. All members of the Department are hereby given the powers to act on behalf of the Chief when so ordered by him.
16. The Chief, or senior Department member in charge may, in an emergency, order any physically fit person to assist at the scene of a fire in the extinguishment of the fire, including pulling down or razing of any buildings, structure or other thing in the vicinity of a fire for the purpose of preventing the spread of the fire.

17. The fire truck shall not be taken outside the boundaries of the municipality except in such cases where a request from another emergency authority has been made to the Fire Chief and in his/her opinion the action will not cause significant risk to the community. The fire truck may also leave the community if repairs are required that cannot be completed on site.
18. The Chief shall submit a report, on the activities of the Department, to the Council on a quarterly basis.
19. (a) The Chief shall submit to the SAO a monthly written report on each activity of the Department. Each report shall include the names of the Department members or others in attendance at the activity.

(b) Reports on the following activities will be submitted as they occur:
 - (i) Fire Loss on the form designated by the Fire Marshal.
 - (ii) Fire Call - where no damage occurred
 - (iii) False Alarm
 - (iv) Department Fire Drill
 - (v) Practice Evacuation of a School
 - (vi) Practice Evacuation of a Public Building
 - (vii) Special Training Course
 - (viii) School Fire Lecture or Demonstration
 - (ix) Public Fire Lecture or Demonstration
 - (x) Inspection of Buildings or Installation
 - (xi) Abatement of Hazard, that is work done by the Department to burn out dry grass dry grass areas or to remove any other existing fire hazards.
 - (xii) Test of equipment and;
 - (xiii) Any matters relating to Department Personnel.
20. Each report referred to in section 18 shall include the date, time, duration of the activity and place.
21. The Chief shall inspect all fire protection equipment monthly and submit a report to the SAO outlining the condition of all such equipment, an inventory of supplies and any requests for supplies or equipment.
22. The Chief shall report immediately to the SAO any injuries sustained by a member, or delegated member, of the Department, while on duty or en route to a fire call.
23. The Chief shall submit to the SAO, no later than March 1 of each year an annual report including a summary of all fire protection activities for the preceding year, a complete inventory of equipment, an estimate of all maintenance and capital expenditures which will be required during the year for fire protection and his

recommendations for any improvement in the fire protection system.

24. The Chief shall submit to the SAO copies of any correspondence with the Fire Marshal relating to financial matters, the proposed purchase of equipment or the abatement of an existing fire hazard.
25. The Chief shall make standing arrangements and issue standing orders for alerting all Department members and for the assembling of people and equipment in answer to fire calls or other emergencies.
26. The Chief shall
 - (a) conduct a program of instruction and training for Department members in all aspects of fire protection and shall assign duties of each member and
 - (b) conduct not less than twenty practice drills in each fiscal year.
27. The Chief shall conduct an educational campaign in fire protection for school children and adults and shall arrange regular fire drills and tests of fire alarm systems in public buildings.
28. In conjunction with his duties under the *Fire Prevention Act* as a local assistant to the Fire Marshal, the Chief shall arrange for the inspection of all public buildings and all places requiring special surveillance, together with any fire extinguishers, sprinkler systems and alarm systems therein on a regular basis.
29. The Chief shall issue standing orders governing the procedure for the fuelling and ordinary or mechanical servicing of all fire protection equipment.
30. The Chief shall ensure that all materials, supplies and equipment are in sufficient quantity and maintained, by requisitions submitted with the monthly reports required under section of this Bylaw.
31. Notwithstanding section 30, if by action taken thereunder, an item or service urgently needed for the maintenance of fire protection equipment cannot be obtained immediately, the Chief may take any reasonable action for immediate procurement. Such action shall be reported immediately to the SAO.
32. The Chief shall report to the SAO any hazard to life or property, including fire hazards, which come to his or her knowledge.

OBLIGATIONS OF THE HAMLET

33. The Hamlet shall obtain fire protection equipment and supplies, and such buildings and other facilities as are required for safety and housing said equipment and supplies.

34. Payment for attendance at training courses shall be at the per diem rate comparable to that paid to members of Council, plus expenses, pro-rated for each part thereof, provided that the employer of the member concerned has refused payment for the time away from work. Where the employer of the member concerned has given him or her time off with pay, then the per diem payment herein specified shall not apply.
35. The Hamlet shall pay, on recommendation of the Chief, what the Council considers to be reasonable compensation to any member of the Department whose wearing apparel has been damaged in the course of answering a fire call.
36. The Hamlet shall provide for such liability, life and accident insurance for Department members or any persons lawfully assisting at a fire or enroute to assisting at a fire.
37. The Hamlet shall pay the cost of medical examinations for all officers and members of the Department on an annual basis.

FIRE PERMITS

38. No person shall light a fire outdoors within the Hamlet without a Burning Permit in the form set out in Schedule A.
39. Any person who has been issued a Burning Permit under this Bylaw and who allows the burning to get out of control shall be considered to be in violation of this Bylaw.
40. Any burning shall be supervised by the permit holder or his or her agent at all times, until the burning is completed, to ensure the fire does not get out of control.
41. All fire pits must be approved by the Fire Chief. Approved fire pits will not require a burn permit unless fire bans have been initiated by the Fire Chief or other regulatory agencies.
42. No burning of materials other than dry, combustible material is permitted. Any burning shall be at least 100 feet away from any fuel or propane tanks.
43. No burning of waste oil or tires is permitted. Tires, no longer in use or not needed, shall be disposed of at the municipal dump. Waste oil shall be burnt in an incinerator or pit, under the supervision of the Chief.
44. No person shall burn down a building without a fire permit in the form set out in Schedule A.

- (a) Shingles, rags and other non-combustible or noxious materials shall be removed before a building before burning is permitted and
 - (b) the site shall be cleaned up and all hazards removed within seventy-two (72) hours of the burning.
45. No person shall burn brush unless a fire permit in the form set out in Schedule A has first been obtained.
46. No burning of materials or products that release large quantities of smoke is permitted. If burning causes a smoke hazard or complaints are received from the surrounding residents, the permit holder shall stop the burning if instructed to do so by the Chief or the Department will be contacted to extinguish the fire and the permit holder shall assume all costs.
47. The Hamlet and the Department reserve the right to cancel or reject any fire permit application.

VIOLATIONS

48. Except as authorized under this Bylaw, no person who is not a member of the Department shall enter into any premises where fire protection apparatus or supplies are housed, or shall touch or use any equipment or supplies.
49. Except in the event of a fire alarm or practice drill, no apparatus or supplies shall be removed from the fire hall without the knowledge and permission of the Chief.
50. Except as authorized under section 16 of this Bylaw, no person other than a member of the Department, Royal Canadian Mounted Police, public utilities personnel or emergency service personnel may go nearer than three hundred (300) feet to a fire in progress, fire apparatus or the scene of a practice drill.
51. No person shall in any way hinder the progress of a member of the Department enroute to a fire or his or her lawful action at a fire.
52. No person shall maliciously turn in or cause to be turned in a false alarm.
53. No person shall use or store a flammable liquid or substance within the confines of a building under conditions which might cause a fire.

ENFORCEMENT

54. Every person who contravenes any of the provisions of this Bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars (\$500.00) or to imprisonment not exceeding one month, in default of payment of the fine.

HAMLET OF ENTERPRISE, NT

BYLAW NUMBER

#2010 - 24

**SCHEDULE A
BURNING AND FIRE PERMIT**

Authority is hereby given to

_____ of _____

(Name of applicant)

(Address)

for the purpose of burning _____
(Name of material to be burned)

on his or her property at _____ between the hours of
(Lot & Block)

_____ on _____ subject to the following conditions:
(Times) (Date)

1. The permit holder shall be liable for all damage caused by him his or her servants or agents, while acting under this permit.
2. There must be a clearance of at least 30 feet to any combustible material of buildings on all sides of the fire and that the permit holder shall be suitable water protection such as coupled up hoses that will reach the area where the burning is being done.
3. A person over the age of eighteen years must be in attendance to monitor the fire.
4. Burning shall not be conducted on a day when the wind exceeds ten kilometres per hour.
5. The site shall be cleaned up and all hazards removed within seventy-two hours of the burning.
6. This permit is subject to cancellation at any time by a forest officer, a member of the Royal Canadian Mounted Police or any member of the Fire Department if it is felt the conditions are not safe for burning.

Fire Chief

Applicant