

Town of Souris By-laws

BY-LAW No. 94-2

FIRE DEPARTMENT

This bylaw is made under the authority of the Municipalities Act, Stats. PEI, 1983, Cap. M-15.1

The Council of the Corporation of the Town of Souris enacts as follows:

Definitions

1. In this bylaw:

- a) “Administrator” means the Administrator of the Town of Souris;
- b) “Council” means the Council of the Town of Souris;
- c) “Mayor” means the Mayor of Souris; and
- d) “Member” means a member in good standing of the Souris Volunteer Fire Department and includes the Fire Chief and the Deputy Fire Chief.

Name

2. The Fire Department of the Town of Souris is hereby continued and it shall consist of one company which shall be known as the Souris Volunteer Fire Department (herein called the “Department”).

Membership

3. a) The Department of the Town of Souris shall consist of a Fire Chief, Deputy Fire Chief, and not less than twenty and not more than thirty other members, one of whom will be Fire Captain and four of whom will be Lieutenants, all of whom will be appointed by Council.

b) Every member of the Department shall be physically fit, a resident of the area serviced by the Souris Fire Department, and at least 18 years of age.

c) A Fire Department member shall not act as Chair of the Fire Committee, Souris Town Council.

Application

4 a) All applications for membership in the Department shall be in the form attached as Appendix A and shall be submitted to the Administrator accompanied by a medical report from a qualified practitioner certifying that the applicant is physically fit.

b) The administrator shall deliver all applications for a vacancy to the Fire Chief, who shall, within fourteen days of receipt, cause a vote to be taken on the applications by the then current membership of the Department. The vote shall be conducted by secret ballot and shall take place at a regular meeting of the Department or at a special meeting called for such purpose.

c) The results of the vote conducted by the membership of the Department shall be delivered by the Fire Chief to the Administrator who shall then present the results to Council.

d) Council shall not be bound in any manner, by the vote of the membership of the Department, but the results of such vote may be taken into consideration when choosing a member. Council's decision on any applications shall be final.

Age Limited

5. The maximum age for members shall be 55 years, and the maximum age of all officers (Fire Chief, Deputy Chief, Captain, Lieutenants) shall be 60 years. All members of the Fire Department, including officers, are required to obtain a medical examination as per Section 12 of the Bylaw.

Appointments of Fire Chief and Deputy Fire Chief

6. The Fire Chief shall be appointed by Council and hold office during good health and good behaviour and during Council's pleasure. The position of Fire Chief shall run concurrent with Council terms and will be reappointed each three year term. The position of Fire Chief will be an open competition each term, and will be advertised in the local media. The Deputy Fire Chief will be appointed by Council for the same term as the Fire Chief and the Deputy Fire Chief shall also hold office during good health and good behaviour and during Council's pleasure.

Appointment of Fire Chief

7. The Member shall be appointed by the Council to hold office during good health and good behaviour and during Council's pleasure.

Budget

8. The annual cost of operating the Department shall be included in the annual Town budget.

Emergency Assistance

9. Every able-bodied person, resident in the area serviced by the Souris Fire Department, shall render all possible assistance when called upon to do so by the Fire Chief, Deputy Fire Chief or officer in charge of fire fighting equipment.

Discipline

10. a) All members of the Fire Department are subject to and must be aware of the rules and regulations regarding discipline and related matters as are contained in the National Volunteer Fire Code.

b) The Fire Chief shall consult with Council in all disciplinary matters over the Department.

c) All disciplinary matters with the Fire Chief or Deputy Fire Chief shall be dealt with directly by Council.

Dismissals

11. Council may dismiss any member of the Department for failure to satisfactorily perform his or her duties, or for any misconduct in the handling of Department affairs or duties or for any other reason, including failure to remain physically fit, as Council in its discretion may decide.

Medicals

12. Each member of the Fire Department is required to receive a medical examination and a written report of such medical examination shall, within one month of such examination, be submitted to the Fire Chief and passed on to Council.

Such medical examination will be by a qualified practitioner, at least once a year, between January 1st and May 1st. This examination will indicate the fitness of the member, Fire Chief and Deputy Fire Chief. Any cost incurred by a Fire Department member will be reimbursed by Council.

Training

13. The Department shall meet at the call of the Fire Chief or Deputy Fire Chief, which call shall be not less than once a month, for practice and instruction in the use of all apparatus and in the principles fire protection and fire prevention. The Department shall limit meetings for training and practices to twelve per year unless otherwise authorized by Council.

Continuing Education

14. Every member of the Department shall be required to be part of a continuing education system, for firepersons as follows:

Level I – must be obtained within a 12-month period following acceptance for membership in the Department; and

Level II – must be obtained within a 12-month period of receiving Level I.

All existing firepersons shall have completed all levels of training, as above, within a three-year period from the date of the passing of this by-law. Continuing education requirements are subject to availability of courses within the prescribed time.

Practices and Fire Calls

15. A Member who misses three consecutive regular meetings of the Department shall be automatically dismissed from the Department.

Strength

16. a) The Fire Chief shall be responsible to keep the Department up to strength at all times. Any member wishing to be absent for a vacation or other legitimate reason for longer than 24 hours must notice the Fire Chief in advance so that a proper substitute may be named to relieve him, and that such relief to be in effect only during absence.

b) The Chief shall have power to fill vacancies in strength of force temporarily. Applications for a permanent appointment will be posted and confirmed by Council.

c) The Fire Chief shall be responsible to compile a list of auxiliary fire department members.

Social

17. The members of the Department may organize for social purposes and other purposes intended to further the interest and welfare of the Department and members thereof.

Interference

18. a) No person shall impede, interfere with or hinder any officer or fireperson in the discharge of his duties at a fire, in responding to a fire alarm or at a practice.

b) No person shall damage apparatus, equipment and supplies and no person shall put to any use, unauthorized by the Chief, any apparatus, equipment or supplies.

c) Any person who contravenes this provision is guilty of an offence and is liable upon summary conviction to a fine of not less than fifty dollars (\$50) and not more than five hundred dollars (\$500).

Insurance

19. The Town shall carry adequate compensation insurance with an insurance company on all fire fighting apparatus.

Liability

20. Neither the Town of Souris nor the Department shall be liable for any claim made by persons injured in carrying out their duties as a member of the Department.

Temporary Chief

21. In the event of the absence of the Fire Chief, for any reason, the Deputy Fire Chief shall act as a temporary Fire Chief.

Equipment Inventory

22. The Fire Chief shall keep an inventory of all equipment on hand.

Record of Activities

23. The Fire Chief shall be required to keep a book to record the attendance of members of time Department at fires and practices, the particulars of every fire call reported to the Department, and time apparatus, equipment and supplies used for each fire call, and any breakage, shortage and deficiencies in the apparatus, equipment and supplies and any other information that may be required at any lime by Council. Copy of minutes of each meeting are to be given to the Administrator, to be kept on file and all books and records shall be open to inspection by the Administrator or any member of Council.

Fire Reports

24. The Fire Chief must report within twenty-four hours, all fires to the Fire Marshall of Prince Edward Island and to the Town Administrator on the printed forms supplied for such purpose and otherwise comply with the provisions of the Fire Prevention Act and Regulations, and with all other provincial laws for which the Fire Chief is an enforcing officer.

Removal of Burning Buildings

25. The Officer or member in charge of the Department at any fire may cause any building, fence or other structure to be removed or torn down, if such removing or tearing down appears necessary to the said officer or member in charge to prevent spreading of fire.

Assistant to the Fire Marshal

26. The Fire Chief when duly appointed, automatically becomes assistant to the Fire Marshal and carries out the duties of that office in relations to Fire Prevention in the area covered by the Department.

Remuneration

27. The Town of Souris shall pay the members of the Department for services rendered, such amount as Council in its discretion sees fit, but members shall not be considered as town employees. Any monies derived from the use of Fire Vehicles or Fire Equipment, and monies derived from the annual agreement with the Forestry Truck, shall automatically become part of the Membership Fund.

Operation of Fire Department Vehicles

28. No person shall operate a motor vehicle of the Department unless that person has a valid driver's license for the operation of such vehicle, and operates such vehicle in accordance with the laws governing time Province of Prince Edward Island.

Duties of Fire Chief

29. The Fire Chief:

- a) shall be responsible for ensuring the Fire Department has established adequate fire protection and related services;
- b) shall be responsible for ensuring the Fire Department is supplied with equipment and facilities necessary to fulfill the Fire Department's responsibilities;
- c) shall ensure that the Fire Department is organized and run in an efficient manner;
- d) will recommend to Council any changes or improvements to the Fire Department that require Council's approval;
- e) will direct and control all Fire Department equipment and personnel at the scene of any fire or other emergency;
- f) will detail duty crews;
- g) will arrange for mutual aid with other fire departments;
- h) will establish and direct proper procedure, for extinguishing fires and responding to other emergencies;
- i) shall have care and control of all equipment of the Fire Department, and maintain the Fire Hall and Fire Department equipment in a proper state of repair and efficiency;
- j) shall keep record of all fire calls;

- k) will ensure the Fire Hall is not left open and unattended;
- l) will supervise the work of firepersons at the Fire Hall;
- m) shall keep a record of attendance of members of the Fire Department at fires and practices; and
- n) will report the particulars of every fire to the Council.

Duties of the Deputy Fire Chief

30. The Deputy Fire Chief shall assist the Fire Chief in all the Fire Chiefs duties and shall in the absence of the Fire Chief perform such duties and exercise his authority.

Repeal of Old By-Laws

By-law No. 80-3 which came in force 1980 is hereby released;
By-law No. 23, By-law relating to the Souris Fire Department ;
By-law No. 24, By-law relating to fire wardens and measures for prevention and suppression of fires; and
By-law No. 25, By-law establishing the Emergency Measures Committee.

Souris Fire Dept. Bylaw No. 94-2 read a first time this 11th day of July, 1994
Souris Fire Dept. Bylaw No. 94-2 read a second time this 8th day, 1994

TOWN OF SOURIS

Mayor Jimmy Hughes
Town Clerk Mildred Ehler

Fire Department By-law No. 94-2, as amended:

Read a first time the 11th day of December 2006
Read a second time the 11th day of December 2006
Read a third and final time the 14th day of December 2006

TOWN OF SOURIS

Joe O'Keefe, Mayor
Dianne La Chapelle, Administrator

APPENDIX A

SOURIS FIRE DEPARTMENT
APPLICATION FOR MEMBERSHIP

NAME _____

ADDRESS _____

HOME PHONE _____ WORK PHONE _____

NOTIFY IN CASE OF ACCIDENT _____

RELATION _____ PHONE _____

PRESENT EMPLOYER _____

WORK HOURS _____

WILL YOUR EMPLOYER ALLOW YOU TO ANSWER FIRE CALLS DURING
WORK HOURS _____

ARE YOU WILLING TO SPEND TIME IN TRAINING AND PRACTICE _____

WHAT SPECIAL TRAINING OR SKILLS DO YOU HAVE WHICH WOULD BE
HELPFUL AS A VOLUNTEER FIREMAN _____

DO YOU HAVE ANY FIRST AID COURSES _____

DID YOU EVER BELONG TO A FIRE DEPARTMENT BEFORE _____

DO YOU HAVE ANY MEDICAL PROBLEMS _____

DRIVER'S LICENSE NUMBER _____

COMPLETED MEDICAL CERTIFICATE ATTACHED: YES ____ NO _____

SIGNATURE DATE