

**BY-LAW NO. 12-05**  
**A BY-LAW RESPECTING THE FIRE DEPARTMENT**

**THE COUNCIL OF THE TOWN OF SAINT ANDREWS UNDER THE AUTHORITY VESTED IN IT BY SECTION 109 OF THE MUNICIPALITIES ACT RSNB 1973, CH. M-22, HEREBY ENACTS AS FOLLOWS:**

1. In this By-law

“Chief” means the Fire Chief of the Town of Saint Andrews,

“Council” means the Mayor and Councilors of the Town of Saint Andrews,

“Department” means the Saint Andrews Fire Department

“Firefighter” means volunteer, temporary, and/or permanent firefighters of the Town of Saint Andrews,

“Fire Prevention Officer” means any person duly appointed as a fire prevention officer by resolution of Council, including the Fire Chief, to enforce provisions under the Saint Andrews Fire Department By-law, and its amendments, and to enforce the *Fire Prevention Act* and the regulations made there under,

“Member” means a member of the Saint Andrews Fire Department and includes an officer,

“Officer in Charge” means the senior member at an incident where no officer is present.

“Off Road Rescue” means a rescue taking place on water, un-surfaced roads, trails or tracks, made of such materials as sand, gravel, riverbeds, peat moss, mud, snow, rocks and such other natural terrain.

2. The Saint Andrews Fire Department is hereby established (and continued) and it shall consist of the Fire Chief and as many Assistant Fire Chief’s, Captains, Lieutenants, other Officers, Firefighters and Driver-Caretakers as the Council may from time to time determine by resolution.

3. **FIRE CHIEF**

3.1. The Fire Chief is responsible to Council through the Chief Administrative Officer for the proper administration and operation of the Fire Department. The Fire Chief shall:

(a) supervise and take charge of the fire station and the firefighting equipment and ensure the same is in good order and repair,

(b) be responsible for and certify the correctness of all accounts against the Fire Department of which he or she has personal knowledge and file the same with the Chief Administrative Officer,

(c) make an annual report to Council of the activities of the Fire Department during the preceding year, including all calls answered by the Fire Department, all fires, an inventory of the firefighting apparatus, the names of all members of the Fire Department, and recommendations as he or she may deem desirable to promote the efficiency of the Fire Department,

(d) attend all fires and supervise the firefighting thereof,

(e) have full charge and sole command at fires over all persons whether members of the Fire Department or not, and take all proper measures for the extinguishment of fires and the protection of property, the preservation of order and the observance of the laws and regulations respecting fires within the Town,

(f) assign to firefighters their regular duties and such other work as he or she may deem proper from time to time, and make or cause to be made a record of the attendance at each fire of all firefighters.

3.2 The Fire Chief may suspend any member of the Fire Department for neglect of duty, misconduct or breach of any by-law or regulation, and shall forthwith report such suspension to the Council through the Chief Administrative Officer.

4. **ASSISTANT FIRE CHIEF**

4.1 the Assistant Fire Chief shall, while on duty, respond to all fire incidents and shall obey all lawful orders of the Fire Chief,

4.2 in the absence of the Fire Chief, the Assistant Fire Chief shall have all the powers and perform all the duties of the Fire Chief at the fire scene, and may perform such other duties as assigned by the Fire Chief from time to time .

5. **CAPTAIN**

5.1 a Captain shall, while on duty, respond to all fire incidents and obey all lawful orders of the Fire Chief and the Assistant Fire Chief,

5.2. in the absence of the Fire Chief and the Assistant Fire Chief, a Captain shall have all the powers and perform all the duties of the Fire Chief at the fire scene, and may perform such other duties as assigned by the Fire Chief from time to time .

6. **LIEUTENANT**

6.1 a Lieutenant shall, while on duty, respond to all fire incidents and obey all lawful orders of the Fire Chief, the Assistant Fire Chief, and the Captain,

6.2 in the absence of any senior officer mentioned in this section, a Lieutenant shall assume command of the fire ground operations until such a time as a senior officer arrives to assume command.

7. **VOLUNTEER FIREFIGHTERS**

7.1 the Fire Chief shall appoint as many volunteer firefighters as may be determined by the Council by resolution and may dismiss a volunteer firefighter for just cause,

7.2. the Fire Chief may appoint as many senior officers from among the volunteer firefighters as he or she deems necessary.

10. **DUTIES OF FIREFIGHTERS**

10.1. every firefighter must make a reasonable effort to care for any electronic communications equipment or any other equipment entrusted to him or her and report any defects in such equipment to the officer on duty at the time a deficiency is noted,

10.2. when so ordered by the Fire Chief, Assistant Fire Chief, or department training officer, all firefighters shall assemble for drill and instruction in the use of fire fighting equipment at the time and place specified by the Fire Chief,

10.3. if a member is absent for one-third, or more, of the alarms or practice drills during the year, without just cause, such absence shall be considered good cause for the member's dismissal.

10.4. members shall comply with this by-law and the rules and regulations of the Saint Andrews Fire Department.

11. **EQUIPMENT USE REGULATIONS**

11.1. no firefighting equipment shall be taken beyond the Town limits without permission of the Fire Chief, or if the Fire Chief is absent or otherwise unavailable, the officer in charge, as per mutual aid agreements,

11.2. when any firefighting equipment is taken beyond the limits of the Town to any fire, the Fire Chief, or the officer in charge, shall take charge of the firefighting equipment. The Fire Chief, or officer in charge, shall ensure that a sufficient number of firefighters remain in the Town for emergency protection,

11.3. the Council may authorize firefighting equipment to be taken beyond the limits of the Town for parades and other special functions provided sufficient notice is given to the Fire Chief and assurance is given by the Fire Chief that emergency protection for the Town is maintained,

11.4. no department vehicle shall be used for emergency transportation of a person or persons other than a member of the Fire Department,

11.5. no firefighting equipment shall be released or loaned to another fire department or agency without written authorization of the Fire Chief and in no circumstances shall property of the Town Fire Department be released or loaned to an individual or commercial body,

11.6. without written authorization of the Fire Chief, Fire Department vehicles and fire firefighting equipment shall not be used for any work other than work of the Saint Andrews Fire Department.

## **12. DEMOLITION OF BUILDINGS**

The Fire Chief may, in order to prevent the spread of a fire, issue an order for the pulling down, demolition, or removal of any building or structure.

## **13. GENERAL PROVISIONS**

13.1. no person shall disobey the orders and directions of the Fire Chief or Assistant Fire Chief, or other senior officer in charge, while in the performance of their duties at a fire, nor shall any person interfere with or obstruct any such officer or any firefighter while in the performance of any duty at a fire,

13.2. every person attending a fire shall, upon request of the Fire Chief or Assistant Fire Chief, or officer in charge, assist any firefighter engaged at such fire and shall obey all orders and directions given to him or her by the Fire Chief or Assistant Fire Chief or officer in charge in connection with such fire,

13.3. whenever the Fire Chief, or Assistant Fire Chief, or officer in charge of any fire deems it advisable to guard the locality of such fire from the crowding of persons or vehicles, they may place or cause to be placed a rope or other barrier across and street or public place to indicate the area from which persons or vehicles are prohibited,

13.4. no person except a member of the Fire Department, the Fire Marshal, the RCMP, or persons authorized by the Fire Department, shall enter or be within an area marked off by ropes or barriers to indicate an area from which persons and vehicles are prohibited,

13.5. no person shall remain in the fire station between 2330hrs and 0700hrs of the following day, except a member on duty, or as approved by the Fire Chief or Assistant Fire Chief,

13.6. no person shall be in the fire station or report to any alarms while under the influence of intoxicating liquor or a drug, nor shall a person bring or have intoxicating liquor or a drug in the fire station. Any firefighter in contravention of this subsection shall be immediately relieved of his or her duties according to section 3.2,

## **14. PENALTY PROVISION**

A person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00).

## **15. REPEAL PROVISION**

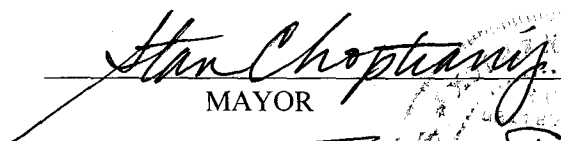
15.1. By-law No. 92-5, A By-law Respecting the Town of Saint Andrews Fire Department, passed by Town Council on April 27, 1992, and amendments thereto, is hereby repealed,

15.2. By-law No. 92-5, a By-law Respecting the Town of Saint Andrews Fire Department, and amendments thereto, shall not effect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

Read a first time this 1<sup>st</sup> day of October, 2012

Read a second time this 1<sup>st</sup> day of October, 2012

Read a third time in its entirety and passed this 5<sup>th</sup> day of November, 2012

  
MAYOR

  
TOWN CLERK

