

A BY-LAW OF THE MUNICIPALITY OF BELLEDUNE RESPECTING
THE BELLEDUNE VOLUNTEER FIRE DEPARTMENT

The Council of the Municipality of Belledune, under the authority vested in it by Section 109 of the Municipalities Act, being Chapter M.22 Revised Statutes of New Brunswick 1973 and amendments thereto duly assembled hereby enacts as follows:

INTERPRETATION

1. (a) "Council" means the Council of the Municipality of Belledune
- (b) "Department" means the Belledune Volunteer Fire Department
- (c) "Member" includes volunteer fire fighters and officers.
- (d) "Fire Chief or Chief of the Department" means the Fire Chief appointed by Council under Section 74, Subsection 3, of the Municipalities Act.

BELLEDUNE FIRE DEPARTMENT

2. A Department for the Municipality of Belledune to be known as the Belledune Volunteer Fire Department shall consist of the Chief of the Department and other officers and fire fighters as, from time to time, may be deemed necessary by Council.

RESPONSIBILITIES OF FIRE CHIEF AND IN THE ABSENCE OF THE FIRE CHIEF
THE DEPUTY FIRE CHIEF

3. The Fire Chief is responsible to Council, through the Clerk/Treasurer, for the proper administration and operation of the Department, for discipline of it's members and:
 - (a) Shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall enforce all Municipal By-Laws respecting fire prevention and exercise the powers and duties imposed upon him by the Fire Prevention Act.
 - (b) 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 of the Department and generally for the efficient operation of the Department, provided that such orders and rules do not conflict with the provisions of any by-law of the Municipality.
 - (c) Is responsible for the enforcement of this by-law and the general orders and rules of the Department.
 - (d) Shall investigate or cause to be investigated all fires and report to the Fire Marshall as required by the Fire Prevention Act.
 - (e) Shall make an annual and other reports to Council, as may be required, of the activities of the Fire Department and recommendations to promote the efficiency of the Department.
 - (f) Shall review periodically the policies and procedures of the Department.
 - (g) Shall have sole command at fires over all members of the Department and all other persons who may be present and shall direct the proper means for extinguishing of fire and the protection of life and property.

DEPUTY FIRE CHIEF

4. In the absence of the Fire Chief, the Deputy Fire Chief has all the powers and shall perform all the duties of the Fire Chief.

REMUNERATION-VOLUNTEER MEMBERS

5. The remuneration of all volunteer members of the Department shall be as determined by Council.

FIRE APPARATUS AND EQUIPMENT

6. (a) The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain it's efficiency and properly protect life and property from fire.
- (b) No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in any way by the Department.
- (c) No person shall handle any apparatus or equipment of the Department, unless accompanied by or having special permission of an officer or authorized member of the Department.
- (d) All fire equipment, no matter how it is obtained, becomes part of the Belledune Fire Department and is owned by the Municipality of Belledune.

AUTHORITY OF THE DEPARTMENT AT FIRES OR EMERGENCIES

7. (a) Upon the request of the Fire Chief or Deputy Fire Chief, every person attending a fire shall assist any firefighter in the performance of his duties at the fire and shall obey all orders and directions given to him by the Fire Chief or Deputy Fire Chief.
- (b) Whenever the Fire Chief, Deputy Fire Chief, or other person in charge of a fire deems it advisable to guard the locality of the fire from crowding of person or vehicles, he may place or cause to be placed a rope or other barrier across any street or public place to indicate the area from which persons or vehicles are prohibited.
- (c) The Fire Chief or Deputy Fire Chief or other person in charge of a fire or emergency may order the evacuation of all persons, who are at risk of injury or death, from the vicinity of the fire or emergency.

NO PERSON SHALL

8. (a) Interfere or obstruct a Fire Chief or member of the Department in the performance of their duties at a fire or emergency.
- (b) Drive any vehicle over fire hose except upon specific orders from the Chief or other authorized member of the Department.
- (c) Follow within 150 metres of any fire apparatus or park any vehicle within 100 metres of any fire or fire apparatus.

DEMOLITION OF BUILDING

9. (a) 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.
- (b) When a building or structure is pulled down, demolished, removed, or destroyed under subsection (a), the Municipality shall pay the owner of that building or structure reasonable compensation therefor.

- (c) When agreement for settlement cannot be reached between the Municipality and the owner under subsection (b), the matter shall be settled under the Arbitration Act, provided however, that no compensation shall be paid if the building or structure takes fire before an order is made or executed under subsection (a).

CALLS OUTSIDE OF MUNICIPALITY LIMITS

- 10. The Department shall not respond to a call with respect to a fire or an emergency outside the limits of the Municipality except:
 - (a) That, if in the opinion of the Chief of the Department, it threatens property in the Municipality or property situated outside the Municipality that is owned or occupied by the Municipality.
 - (b) In a Municipality with which an agreement has been entered into to provide fire protection, or mutual aid, or
 - (c) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefor.

FIREMAN-PEACE OFFICERS

- 11. Every member of the Fire Department shall at the time of any fire and while attending the same, be deemed to be a peace officer and at such time shall have all the powers, privileges and immunities of a peace officer while engaged in the discharge of his duties.

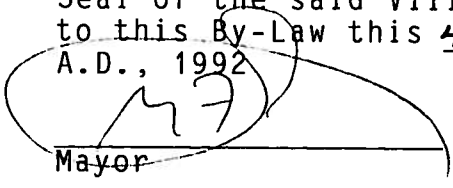
VOLUNTEER FIRE FIGHTERS ASSOCIATION

- 12. Volunteer members of the Department may establish a VOLUNTEER FIRE FIGHTERS ASSOCIATION and elect officers.

ENFORCEMENT

- 13. Any person violating the provisions of this by-law shall be liable upon summary conviction, to pay a fine not exceeding two hundred dollars (\$200.) for each breach of the by-law. This By-Law comes into effect upon approval of the Lieutenant Governor in Council.
- 14. The Village Council of the Municipality of Belledune has the right to appoint or discharge a Fire Chief, Deputy Fire Chief, and Fire Fighters.

IN WITNESS WHEREOF THE VILLAGE OF BELLEDUNE has caused the Corporate Seal of the said Village to be affixed to this By-Law this 4TH day of MAY A.D., 1992


Mayor


Clerk/Treasurer

First Reading: APRIL 13, 1992
 Second Reading: APRIL 13, 1992
 Third Reading & Enactment: MAY 4, 1992