

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 414

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Being a bylaw to provide for the operation of fire departments in local service areas.

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WHEREAS the Regional Board of the Regional District of Central Okanagan by bylaw established the following local service areas for the purpose of providing fire protection and suppression:

Joe Rich Fire Protection Local Service Area

North Westside Road Fire Protection Local Service Area

Wilson's Landing Fire Protection Local Service Area

Ellison Fire Protection Local Service Area

Carr's Landing, Coral Beach, Juniper Cove Fire Protection Local Service Area

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled, enacts as follows:

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

**APPARATUS** - means any vehicle provided with machinery, devices, equipment or materials for fire fighting and rescue service as well as vehicles used to transport fire fighters or supplies.

**REGIONAL BOARD** - means the Board of the Regional District of Central Okanagan.

**EQUIPMENT** - means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

**FIRE CHIEF** - means the member appointed by resolution by the Regional Board, as head of the Fire Department and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act.

**FIRE PROTECTION** - means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, rescue service, public education and information, training or other staff development and advising.

**INCIDENT** - means a fire or a situation where a fire or explosion is imminent or accident requiring rescue service.

**MEMBER** - means any person who is a member of the Fire Department.

**MUTUAL AID** - means service and response provided beyond the boundaries of the local service area, pursuant to a mutual aid agreement.

2. Other officers and members, as the Fire Chief deems necessary, may be appointed or elected by the members.
3. The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his behalf.

4. The limits of the jurisdiction of the Fire Chief and the officers and members of the Fire Department will extend to the area and boundaries of the local service area which they service and no part of the fire apparatus shall be used beyond the limits without:
  - (a) the express authorization of a written contract or mutual aid agreement providing for the supply of fire fighting services outside the fire protection local service area.
  - (b) the approval of the Regional Board, or
  - (c) if the Fire Department is responding to provide rescue response under the Regional District Rescue Service or mutual aid pursuant to a mutual aid agreement.
5. The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the Regional Board to which he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities as the Regional Board directs including but not limited to:
  - (a) rescue,
  - (b) other incidents,
  - (c) pre-fire planning,
  - (d) disaster planning,
6. The Fire Chief and the Board of Trustees in the case of the Carr's Landing, Coral Beach, Juniper Cove Fire Protection Local Service Area, , subject to ratification by the Regional Board, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including but not limited to:
  - (a) use, care and protection of Fire Department property,
  - (b) the conduct and discipline of officers and members of the Fire Department, and
  - (c) efficient operations of the Fire Department.
7. The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of all Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, he shall continue to act until relieved by a senior officer.
8. Officers and members of the Fire Department shall carry out the duties and responsibilities assigned to the Fire Department by the Regional Board, and the Fire Chief shall report to the Regional Board on the operations of the Fire Department or on any other matter in the manner designated by the Regional Board.
9. The Fire Chief, or any member of the Fire Department authorized by the Regional Board, may at any reasonable time enter any premise for the purpose of fire prevention inspections.
10. The Fire Chief, or any other member in charge, at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.

11. The Fire Chief, or any other member in charge, at an incident is empowered to enter premises or property where the incident 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.
12. The Fire Chief, or the member in charge, 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 it necessary to gain access to the incident or to protect any person or property.
13. The Fire Chief, or the member in charge, at an incident may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
14. No person shall enter the boundaries or limits of an area prescribed in accordance with Section 13 unless he has been authorized to enter by the Fire Chief or the member in charge.
15. The Fire Chief, or the member in charge, at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 14.
16. The Fire Chief may obtain assistance from other officials of the Regional District as he deems necessary in order to discharge his duties and responsibilities under this bylaw.
17. No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
18. No person shall damage or destroy Fire Department apparatus or equipment.
19. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
20. No person shall falsely represent themselves as a Fire Department member.
21. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern or body of water designated for fire fighting purposes.
22. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.
23. The Fire Chief or the member in charge of an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident. Remuneration may be paid by the Regional Board.
24. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of the bylaw, or who does any act or thing

or omits any act or thing thus violating any of the provisions of this bylaw, shall be deemed to have committed an offence, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months or to a fine of not more than \$2,500 or to both fine and imprisonment.

- 25. The Regional District of Central Okanagan Officers and Employees Indemnification Bylaw No. 227, 1982 shall and hereby applies to the Fire Chief and or members as defined herein.
- 26. This bylaw comes into force and takes effect on the date of its adoption by the Regional Board.
- 27. This bylaw may be cited as the "Regional District of Central Okanagan Fire Department Operative Bylaw No. 414, 1990."

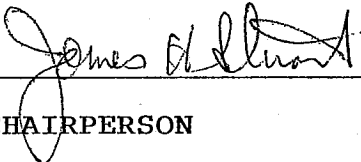
READ A FIRST TIME THIS 5th DAY OF February, 1990

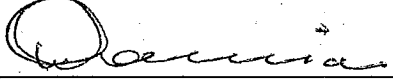
READ A SECOND TIME THIS 5th DAY OF February, 1990.

READ A THIRD TIME THIS 5th DAY OF February, 1990.

Approved by the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

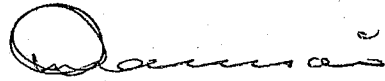
RECONSIDERED AND ADOPTED THIS 7th DAY OF July, 1990.

  
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CHAIRPERSON

  
\_\_\_\_\_  
SECRETARY

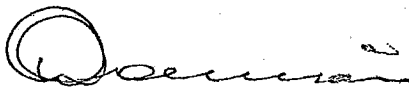
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 414, cited as the "Regional District of Central Okanagan Fire Department Operative Bylaw No. 414, 1990" as read a third time by the Regional Board on the 5th day of February, 1990.

Dated at Kelowna, B.C. this  
8th day of February  
1990.

  
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Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 414, cited as the "Regional District of Central Okanagan Fire Department Operative Bylaw No. 414, 1990" as adopted by the Regional Board on the 7th day of July, 1990.

Dated at Kelowna, B.C. this  
9th day of July  
1990.

  
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Secretary