

TOWN OF ECKVILLE
in the Province of Alberta
BY-LAW 482/83

Being a by-law of the Town of Eckville hereafter referred to as the "Town of Eckville Fire By-law", to provide for the establishment and operation of a fire department.

WHEREAS Section 158 of the Municipal Government Act, R.S.A. 1980, provides that the Council of a municipality may pass a by-law for the prevention or extinguishing of fires, the preservation of life and property and the protection of persons from injury or destruction by fire; and

WHEREAS Section 159 of the Municipal Government Act, R.S.A. 1980, provides that the Council may pass by-laws for any other matter or thing for the protection of life or property as may be considered proper.

NOW THEREFORE, the Council of the Town of Eckville in the Province of Alberta, duly assembled, does hereby authorize the establishment of a municipal fire department and the carrying out of its operations in the following manner:

1. In this by-law words and phrases shall be construed as specified hereunder:

"Apparatus" - means any vehicle provided with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport firefighters or supplies.

"Council" - means the Council of the Town of Eckville.

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

2. "Fire Chief" - means the member appointed as head of the Fire Department.

3. "Fire Protection" - means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

"Incident" - means a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.

"Member" - means any person that is a duly appointed member of the Fire Department.

4. The Fire Chief shall be appointed by the Council.
5. Other officers and members as the Fire Chief deems necessary may be appointed to the Fire Department with the approval of the Council.
6. The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his behalf.
7. 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 Town of Eckville, and no part of the fire apparatus shall be used beyond the limits of the municipality without the express authorization of the Fire Chief or senior officer present providing for the supply of fire fighting services outside the municipal boundaries.


6. The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Council to which he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities such as Council directs including but not limited to:
 - a) rescue
 - b) emergency medical services
 - c) other incidents
 - d) pre-fire planning
 - e) disaster planning
 - f) preventive patrols
7. The Fire Chief, subject to the ratification by the Council, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including:
 - 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.
8. The Fire Chief, or in his absence, the senior member present, shall have control, direction and management of any 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 an officer authorized to do so.
9. The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Prevention Act and regulations thereunder.
10. Officers and members of the Fire Department shall carry out duties and responsibilities assigned to the Fire Department by the Council, and the Fire Chief shall report to the Council on the operations of the Fire Department or on any other matter in the manner designated by Council.
11. 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.
12. 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.
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 13.
16. 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 the building or property, where he deems it necessary to gain access to the incident or to protect any persons or property.

17. The Fire Chief may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this by-law.
18. 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.
19. No person shall damage or destroy Fire Department apparatus or equipment.
20. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
21. No person shall obstruct a member from carrying out duties imposed by this by-law.
22. No person shall falsely represent themselves as a Fire Department member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.
23. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes.
24. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in extinguishing a fire, 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.
25. 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.
26. Every person who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who does any act or thing or omits any act or thing thus violating any of the provisions of this by-law, shall be deemed to be guilty of an infraction of this by-law, 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.
27. The Fire Chief or a member of the Fire Department charged with the enforcement of this by-law, acting in good faith and without malice for the municipality in the discharge of his duties, shall not hereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties.
28. Any suit brought against the Fire Chief or a member of the Fire Department, because of an act or omission performed by him in the enforcement of any provision of this by-law, shall be defended by the Town of Eckville until final determination of the proceedings.

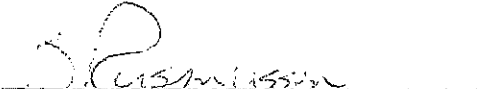
Read a first time this 24th day of November, A.D. 1983.

Read a second time this 24th day of November, A.D., 1983.

Read a third and final time this 8th day of December, A.D. 1983
and passed with the unanimous consent of Council.



Mayor



Administrator