

INCORPORATED HAMLET OF GJOA HAVEN

BY-LAW #106

.....
A BY-LAW OF THE MUNICIPAL CORPORATION OF THE HAMLET OF GJOA HAVEN TO
PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF A FIRE PROTECTION
SERVICE PURSUANT TO SECTION 97 OF THE HAMLET ACT, R.S.N.W.T., 1988 CHAP. H-1.
.....

WHEREAS, the Hamlet of Gjoa Haven deems it necessary to prevent and suppress fires and to regulate the duties and responsibilities of the fire department,

NOW, THEREFORE THE HAMLET COUNCIL OF GJOA HAVEN, in a duly assembled meeting enacts as follows:

1. **SHORT TITLE:**

This by-law may cite as the "Fire Protection By-Law."

2. **INTERPRETATION**

In this by-law:

- a) "Hamlet" means the Hamlet of Gjoa Haven
- b) "Council" means the Hamlet council of Gjoa Haven
- c) "SAO" means the Senior Administrative Officer of the Hamlet of Gjoa Haven
- d) "Department" means the volunteer fire department of Gjoa Haven
- e) "Chief" means the person appointed by the Council as the Fire Chief of the Hamlet of Gjoa Haven Volunteer Fire Department.
- f) "Fire Protection" means all aspects of fire prevention including fire alarms, fire suppression, rescues, first aid and salvage
- g) "Fire Protection System" includes all piped water lines, hydrants, pumphouses and any sprinkler systems in public buildings under the control and maintenance of the Hamlet of Gjoa Haven and fire trucks
- h) "Fire Marshall" means the Fire Marshall appointed by the Commissioner of the Nunavut Territory under the Fire Prevention Act being Chapter F-6 Of the Revised Statutes of the Northwest Territories.1988.
- i) "Permit," means the written authority of the Chief, issued pursuant to this by-law
- j) "schedule" means a schedule attached to and forming part of this by-law
- k) "schedule" means a schedule attached to and forming part of this by-law
- l) "smoke" shall mean the airborne solid and liquid particulate and gases evolved when a material undergoes pyrolysis in combustion
- m) "Non-combustible" means a material which, in the form in which it is used and under the conditions anticipated, will not aid combustion or add appreciable Heat to an ambient fire
- m) "noxious material" means a material that is physically harmful or destructive to living beings.

3. DEPARTMENT MEMBERSHIP AUTHORITY

The Department shall comprise of the Chief and any person who shall be appointed by the Chief to serve under the terms of this by-law.

- a) 19 years of age or older and;
- b) must have or will be required to successfully complete after appointment, the level 1 Standard Certificate Course offered by the Fire Marshall's office.

The Chief's appointment shall be confirmed by a resolution of Council and shall be for a two (2) year term and shall be reviewed annually by the Council on the anniversary of the date of the appointment

The Chief shall report to Council through the office of the Senior Administrative Officer.

4. DUTIES AND POWERS OF THE CHIEF

The organization and direction of the Department for fire protection shall be under the sole authority of the Chief and all members of the Department shall obey the commands and the standing orders issued by or through him or her.

The chief shall be responsible for the efficiency and morale of the department.

The chief shall appoint a Deputy Chief and other officers and assign their duties and may revoke such appointments for just cause.

The Chief may take disciplinary action, including the suspension or dismissal of any member of the Department for:

- a) being absent, without good or proper reason, from three consecutive practice fire drills;
- or
- b) any other action which may be deemed by the Chief as being detrimental to the moral or to the general operation for the Department.

The Chief shall report all disciplinary measures to the S.A.O. within twenty-four hours of the action being taken.

Any member of the Department dismissed by the Chief may appeal the Chief's decision to the Executive Committee of the Council. Appeals made under this section must be in written form and must be delivered to the S.A.O. within fourteen days of the dismissal. The decision of the Executive Committee shall be binding on both parties.

The chief may furnish the facts relative to any fire to persons not connected with the Department. However, the Chief shall assume responsibility for facts released.

The Chief shall not furnish information relative to the business affairs of the Department to any person not directly involved with the Department.

All members of the Department are hereby given the powers to act on behalf of the Chief when so ordered by him.

The Chief, or Senior Department member in charge may, in an emergency, order any physically fit person to assist at the scene of a fire in the extinguishing of the fire, including pulling down or razing of any buildings, structures, or other thing in the vicinity of a fire for the purpose of preventing the spread of the fire.

The fire truck may not be taken outside the boundaries of the municipality except for the suppressions of a fire which is in progress and then only with the consent of the Chief.

The Chief shall submit a report, on the activities of the Department, to the Council on a quarterly basis.

The Chief shall submit to the SAO a monthly written report on each activity of the Department. Each report shall include the names of the Department members or others in attendance at the activity.

- a) Reports on the following activities will be submitted as they occur:
- (i) Fire Loss on the form designed by the Fire Marshall
 - (ii) Fire Call-where no damage occurred
 - (iii) False Alarm
 - (iv) Department Fire Drill
 - (v) Practice Evacuation of a School
 - (vi) Practice Evacuation of a Public Building
 - (vii) Special Training Course
 - (viii) School Fire Lecture or Demonstration
 - (ix) Public Fire Lecture or Demonstration
 - (x) Inspection of Buildings or Installation
 - (xi) Abatement of Hazard, that is work done by the Department to burn out dry grass areas or to remove any other existing fire hazards
 - (xii) Test of equipment
 - (xiii) Any matters relating to Department Personnel

Each report referred to in section 18 shall include the date, time, and duration of the activity and place.

The Chief shall inspect all fire protection equipment monthly and submit a report to the SAO outlining the condition of all such equipment, an inventory of supplies and any requests for supplies or equipment.

The Chief shall report immediately to the SAO any injuries sustained by a member, or delegated member, of the Department, while on duty or en route to a fire call.

The Chief shall submit to the SAO, no later than March 1 of each year an annual report including a summary of all fire protection activities for the preceding year a complete inventory of equipment, an estimate of all maintenance and capital expenditures which will be required during the year for fire protection and his recommendations for any improvement in the fire protection system.

The Chief shall submit to the SAO copies of any correspondence with the Fire Marshall relating to financial matters, the proposed purchase of equipment or the abatement of an existing fire hazard.

The Chief shall make standing arrangements and issue standing orders for alerting all Department members and for the assembling of people and equipment in answer to fire calls or other emergencies.

The Chief shall

- a) conduct a program of instruction and training for Department members in all aspects of fire protection and shall assign duties of each member and
- b) conduct not less than twenty practice drills in each year.

The Chief shall conduct an educational campaign in fire protection for school children and adults and shall arrange regular fire drills and tests of fire alarm systems in schools and public buildings.

In conjunction with his duties under the Fire Prevention Act as a local assistant to the Fire Marshall, the Chief shall arrange for the inspection of all public buildings and all places requiring special surveillance, together with any fire extinguishers, sprinkles systems and alarm systems therein on a regular basis.

The Chief shall issue standing orders governing the procedures for the fuelling and ordinary or mechanical servicing of all fire protection equipment.

The Chief shall ensure that all materials; supplies and equipment are in sufficient quantity and maintained by requisitions submitted with the monthly reports required under section of this by-law.

Notwithstanding section 30, if by action taken thereunder, an item or service urgently needed for the maintenance of fire protection equipment cannot be obtained immediately, the Chief may take any reasonable action of immediate procurement. Such action shall be reported immediately to the SAO.

The Chief shall report to the SAO any hazard to life or property, including fire hazards, which come to his or her knowledge.

OBLIGATIONS OF THE HAMLET

The Hamlet shall obtain fire protection equipment and supplies, and such buildings and other facilities as are required for safety and housing said equipment and supplies.

Payment for attendance at training courses shall be at the per diem rate comparable to that paid to members of Council, plus expenses, pro-rated for each part for each part thereof, provided that the employer of the member has refused payment for the time away from work. Where the employer of the member concerned has given him or her time off with pay, the per diem payment herein specified shall not apply. The Hamlet shall pay, on recommendation of the Chief, what the Council considers to be reasonable compensation to any member of the Department whose wearing apparel has been damaged in the course of answering a fire call.

The Hamlet shall provide for such liability, life and accident insurance for Department or any persons lawfully assisting at a fire or enroute to assisting at a fire.

The Hamlet shall pay the cost of medical examinations for all officers and member of the Department on an annual basis.

FIRE PERMITS

No person shall light a fire outdoors within the Hamlet without a Burning Permit in the form set out in Schedule A.

Any person who has been issued a Burning Permit under this by-law and who allows the burning to get out of control shall be considered to be in violation of this by-law.

Any burning shall be supervised by the permit holder or his or her agent at all times, until the burning is completed, to ensure the fire does not get out of control.

No burning of materials other than dry, combustible material is permitted. Any burning shall be at least 33 meters (100 feet) away from any fuel or propane tanks.

No burning of waste oil or tires is permitted. Tires, no longer in use or not needed, shall be disposed of at the municipal dump. Waste oil shall be burnt in an incinerator or pit, under the supervision of the Chief.

No person shall burn down a building without a fire permit in the form set out in Schedule A.

- a) Shingles, rags and other non-combustible or noxious materials shall be removed from a building before burning is permitted and
- b) The site shall be cleaned up and all hazards removed within seventy-two (72) hours of the burning.

No Person shall him burn brush unless a fire print in the form set out in Schedule A has first been obtained.

No burning of materials or products that release large quantities of smoke is permitted. If burning causes a smoke hazard or complaints are received from the surrounding residents, the permits holder shall stop the burning if instructed to do so by the Chief or the Department will be contacted to extinguish the fire and the permit holder shall assume all costs.

The Hamlet and the Department reserve the right to cancel or reject any fire application.

VIOLATIONS

Except as authorise under this by-law, no person who is not a member of the Department shall enter into any premises where fire protection apparatus or supplies are housed, or shall touch or use any equipment or supplies.

Except in the event of a fire alarm or practice drill, no apparatus or supplies shall be removed from the fire hall without the knowledge and permission of the Chief.

Except as authorized under section 16 of this by-law, no person other than a member of the Department, Royal Canadian Mounted Police, public utilities personnel or emergency service personnel may go nearer than 300 feet (99 meters) to a fire in progress, fire apparatus or the scene of a practice drill.

No person shall in any way hinder the progress of a member of the Department enroute to a fire or his or her lawful action at a fire.

No person shall maliciously turn in or cause to be turned in a false alarm.

No person shall use or store a flammable liquid or substance within the confines of a building under conditions, which might cause a fire.

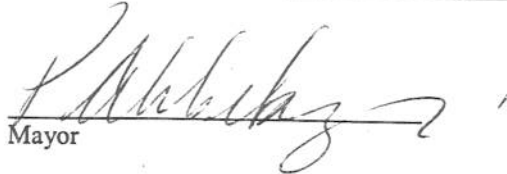
ENFORCEMENT

Every person who contravenes any of the provisions of this by-law is guilty of an offence and liable on summary conviction to a fine exceeding five hundred dollars (\$500.00) or to imprisonment not exceeding one month, in default of payment of the fine.

Schedule "A" attached shall form part of this by-law.

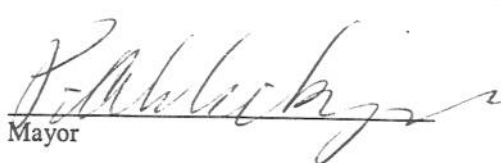
READ a first time this 25th day of March, 2003

READ a second time this 25th day of March, 2003


Mayor


Senior Administrative Officer

READ a third and finally passed this 25th day of MARCH, 2003


Mayor


Senior Administrative Officer

HAMLET OF GJOA HAVEN
BY-LAW # 106
SCHEDULE A
BURNING AND FIRE PERMIT

Authority is hereby given to:

For the purpose of burning:

On his or her property between the hours of _____ on _____ subject to the following conditions:

1. The permit holder shall be liable for all damage caused by his or her servants or agents, while acting under this permit.
2. There must be a clearance of at least 30 feet (10 meters) to any combustible material of buildings on all sides of the fire and that the permit holder shall have suitable water protection such as coupled up hoses that will reach the area where the burning is being done.
3. A person over the age of nineteen years must be in attendance to monitor the fire.
4. Burning shall not be conducted on a day when the wind exceeds ten (10) kilometres per hour.
5. The site shall be cleaned up and all hazards removed within seventy-two (72) hours of the burning.
6. This permit is subject to cancellation at any time by a forest officer, a member of the Royal Canadian Mountain Police or any number of the Fire Department if it is felt the conditions are not safe for burning.

Fire Chief

Applicant