

*CONSOLIDATED FOR
CONVENIENCE PURPOSED ONLY*

This administrative consolidation of Bylaw No. 2170 has been prepared for convenience purposes only. It is a consolidation of Bylaw No. 2170 and all amendments hereto as of November 24, 2011. The following amendment bylaws are included:

Bylaw No.	Adopted	Amendments
2215	March 24, 2011	▪ Delete and substitute Schedule C
2222	April 21, 2011	▪ Delete and Substitute Schedules B, C, and D
2257	November 24, 2011	▪ Delete and replace clauses & delete and substitute Schedule C

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 2170

A Bylaw to provide for the operation and regulation of Volunteer Fire Departments for Regional District of Central Kootenay Fire Protection Services.

WHEREAS the Board of the Regional District of Central Kootenay, by Supplementary Letters Patent, and by separate bylaw, has established fire protection service areas to provide fire suppression and other approved services;

AND WHEREAS the Board of the Regional District of Central Kootenay deems it expedient to operate and regulate Volunteer Fire Departments for fire protection service areas within the Regional District of Central Kootenay;

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

1. Citation

This Bylaw may be cited as the "Regional District of Central Kootenay Fire Services No. 2170, 2010".

2. Definitions

In this bylaw, unless the context otherwise requires,

- (a) Apparatus – means any vehicle provided with machinery, devices, equipment, or materials for fire fighting or other incidents as well as vehicles used to transport fire department personnel or supplies.

- (b) Auto Extrication Service – means a road rescue service using various methods and equipment to disentangle a victim from a vehicle as a result of a motor vehicle incident.
- (c) Board – means the Board of the Regional District of Central Kootenay.
- (d) Equipment – means any tools, contrivances, devices, or materials used by the Fire Department to combat, control, or otherwise deal with a fire or other emergency incident.
- (e) Regional Fire Chief – means the officer in charge of the RDCK Fire Service.
- (f) Fire Chief – means the officer in charge of a fire department.
- (g) Deputy Fire Chief – means the officer who assists the Fire Chief in charge of a fire department.
- (h) Fire Service – means all of the established Volunteer Fire Departments that are services of the Regional District of Central Kootenay
- (i) Fire Department – means the established Volunteer Fire Department for a given Fire Protection Service Area as defined under section 3 of this bylaw.
- (j) Fire Protection – means all aspects of fire suppression, including, but not limited to, structural and wildland interface incidents, and the associated protection of persons and property including: fire-related rescues, pre-fire planning, training, and public education. Does not include special fire protection powers pursuant to section 522 of the Local Government Act.
- (k) First Responder Program – means pre ambulatory care trained by a recognized accredited agency and Licensed by the Emergency Medical Assistant Licensing Board.
- (l) Fire Protection Service Area – means the service area as established by the relevant Fire Protection Service Establishment Bylaw of the Regional District of Central Kootenay as may be amended by separate bylaw.
- (m) Incident – means a fire or a situation where a fire or explosion has the potential of being imminent, including but not limited to motor vehicle incident, and includes, where specifically authorized by this bylaw, other classes of emergencies as designated herein.
- (n) Member – means any person appointed by the Fire Chief as a Member of the Department and includes without limitations the Officers, Firefighters, and administrative staff of the department;

- (o) Officer – means a Member appointed by the Fire Chief as an Officer of the Fire Department, but nothing in this Bylaw makes such persons officers for the purpose of section 146 of the Community Charter.
- (p) Officer-in-Charge - means the Regional Fire Chief, Fire Chief, or in his absence, the Deputy Fire Chief, or in his absence, the next ranking officer or senior member present at the location of an incident.
- (q) Rescue Service – means any type of rescue other than auto extrication, ie: technical rope, slope evacuation, swiftwater or still water rescue.

3. Volunteer Fire and Rescue Department

(a) Regional District of Central Kootenay Fire Service

The Volunteer Fire Departments listed in Schedule A shall be known by the name listed, and be responsible for the Fire Protection Service Area established by separate bylaw.

(b) Administration

- i. The Regional Fire Chief is authorized to administer this Bylaw and implement the authorities contained herein. All Fire Chiefs of the Volunteer Fire Department listed in Schedule A shall report to the Regional Fire Chief
- ii. All Fire Departments of the RDCK shall operate pursuant to RDCK policies and procedures of the Board.
- iii. The Regional Fire Chief may establish rules, regulations, policies and committees, consistent with the rules, regulations and policies of the Board, necessary for the proper organization and administration of the Volunteer Fire Department, including but not limited to:
 - Efficient and effective operations of the Volunteer Fire Department;
 - Use, care and protection of the Volunteer Fire Department property;
 - The conduct and discipline of Fire Chief, Deputy Fire Chief, officers and members of the Volunteer Fire Department; and
 - Workers' Compensation Board operational health & safety requirements.

(c) Limits of Jurisdiction

The jurisdiction of the Fire Department is restricted to the boundaries of the Fire Protection Service Area. The Fire Department shall not respond to any calls for Fire Protection under this Bylaw outside of the boundaries of the Fire Protection Service Area except as follows:

- i. When, in the opinion of the Officer-in-Charge, an incident that occurred in the fire protection area or outside the fire protection area is considered to be a threat to persons or property within the fire protection service area; or,
- ii. When a Mutual Aid Agreement is in place for the area requiring assistance, in which case, the response would be restricted to the area covered by the Mutual Aid agreement; or,
- iii. When there is a conscription of apparatus and manpower during declaration of a Provincial Emergency under the Emergency Programs Act.

(d) Limits of Service

Services provided by RDCK Fire Departments depends on the availability of volunteer employees who are members of the community and have completed appropriate training. The volunteer members are on call to provide response capability twenty-four hours a day, seven days a week. The number of personnel and equipment available for delivery of Fire Protection Services at emergency events will determine the level of service the Department can provide.

(e) Scope of the Departments

Fire Departments are hereby authorized to provide fire protection and other emergency services as follows:

- i. Those Fire Departments listed in Schedule "A", attached to and forming part of this bylaw, are authorized to provide fire protection services in accordance with this bylaw. The Regional Fire Chief is authorized to inspect and audit the Fire Departments to ensure the Department maintains the appropriate qualifications to do this work.
- ii. Those Fire Departments listed in Schedule "B", attached to and forming part of this bylaw, are authorized to provide vehicle extrication services in accordance with this bylaw. The Regional Fire Chief is authorized to inspect and audit the Fire Departments to ensure the Department maintains the appropriate qualifications to do this work.
- iii. Those Fire Departments listed in Schedule "C", attached to and forming part of this bylaw, are authorized to provide First Responder Program services in accordance with this bylaw. The Regional Fire Chief is authorized to inspect and audit the Fire Departments to ensure the Department maintains the appropriate qualifications to do this work.

- iv. Those Fire Departments listed in Schedule "D", attached to and forming part of this bylaw, are authorized to provide rescue services in accordance with this bylaw. The Regional Fire Chief is authorized to inspect and audit the Fire Departments to ensure the Department maintains the appropriate qualifications to do this work.

Notwithstanding section 3 (c) and 3 (d) of this bylaw, Fire Departments' Officers and Members may only provide those services they are duly qualified to provide.

(f) Response, Control and Enforcement

- i. The Officer-in-Charge at an incident 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 the senior officer.
- ii. The Officer-in-Charge at an incident shall take responsibility for all fire protection matters, including the enforcement of applicable sections of the Fire Services Act and regulations thereunder.
- iii. The Officer-in-Charge at an incident 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.
- iv. The Officer-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.
- v. The Officer-in-Charge at an incident is empowered during the incident 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.
- vi. The Officer-in-Charge at an incident may, at his discretion, establish boundaries or limits to keep unauthorized persons from entering the area within the prescribed boundaries or limits. In order to enforce said restrictions on persons entering the area within the prescribed boundaries or limits, the Officer-in-Charge at an incident may request the assistance of peace officers.
- vii. The Officer-in-Charge at an incident may direct or caused to be directed vehicular and pedestrian traffic as necessary for the control of the incident.

4. Offences

- (a) No person shall enter the boundaries or limits of an area prescribed in accordance with section 4(f) of this bylaw unless he has been authorized to enter by the Officer-in-Charge at the incident.
- (b) No person at an incident, except other duly authorized officials, shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Officer-in-Charge at an incident.
- (c) No person shall damage, destroy, or hinder or impede the operation of, any Fire Department apparatus, equipment, or property.
- (d) No person at an incident shall drive a vehicle over any equipment without permission of the Officer-in-Charge at an incident or his designate.
- (e) No person shall falsely represent himself as a Fire Department Officer or Member.
- (f) No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any incident, fire hydrant, cistern or body of water designated for fire fighting purposes.

5. Penalties

- (a) A person who contravenes any of the provisions of Sections 4(a) through 4(f) of this bylaw commits an offence and is liable on conviction to the penalties prescribed in the *Offence Act*.
- (b) Nothing in this Bylaw shall restrict the Regional District from utilizing any other remedy that would otherwise be available to the District at law.
- (c) Penalties are subject to the conditions of the RDCK Municipal Ticket Information Utilization Bylaw.
- (d) Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

6. Severability

If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

7. Repeal

The "Volunteer Fire Department Bylaw No. 1427, 2000", and all amendments thereto, are hereby repealed.

READ A FIRST TIME this 9th day of September , 2010.

READ A SECOND TIME this 25th day of November , 2010.

READ A THIRD TIME this 25th day of November , 2010.

ADOPTED by an affirmative vote of at least two-thirds of the votes cast this 25th day of November, 2010.

"G Wright"
Chair

"Dawn Attorp"
Secretary

Regional District of Central Kootenay

Bylaw No. 2170

Schedule "A"

Fire Protection Services

The following Fire Departments are authorized to provide all aspects of fire protection in accordance with this bylaw:

Balfour / Harrop Volunteer Fire Department
Beasley Volunteer Fire Department
Blewett Volunteer Fire Department Volunteer Fire Department
Canyon / Lister Volunteer Fire Department
Crescent Valley Volunteer Fire Department
North Shore Volunteer Fire Department
Ootischenia Volunteer Fire Department
Pass Creek Volunteer Fire Department
Passmore Volunteer Fire Department
Riondel Volunteer Fire Department
Robson / Raspberry Volunteer Fire Department
Tarrys Volunteer Fire Department
Slocan Volunteer Fire Department
Winlaw Volunteer Fire Department
Wynndel / Lakeview Volunteer Fire Department
Yahk Volunteer Fire Department
Ymir Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Regional District of Central Kootenay

Schedule "B"
Bylaw No. 2170
(As amended by Bylaw 2222)

Auto Extrication Services

The following Fire Departments are authorized to provide auto extrication services in accordance with this bylaw:

Balfour / Harrop Volunteer Fire Department
North Shore Volunteer Fire Department
Riondel Volunteer Fire Department
Tarrys Volunteer Fire Department
Winlaw Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Regional District of Central Kootenay

Schedule "C"

Bylaw No. 2170

(As amended by Bylaw No. 2257)

First Responder Program Services

The following Fire Departments are authorized to provide First Responder Program Services in accordance with this bylaw:

Balfour/Harrop Volunteer Fire Department
Beasley Volunteer Fire Department
Blewett Volunteer Fire Department Volunteer Fire Department
Crescent Valley Volunteer Fire Department
North Shore Volunteer Fire Department
Pass Creek Volunteer Fire Department
Passmore Volunteer Fire Department
Riondel Volunteer Fire Department
Robson Volunteer Fire Department
Slocan Volunteer Fire Department
Yahk/Kingsgate Volunteer Fire Department

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.

Regional District of Central Kootenay

Schedule "D"
Bylaw No. 2170
(as amended by Bylaw No. 2222)

Rescue Services

The following Fire Departments are authorized to provide the following specialized rescue services in accordance with this bylaw:

Still Water Rescue

Beasley Volunteer Fire Department
Pass Creek Volunteer Fire Department
Passmore Volunteer Fire Department

Swiftwater Rescue

Beasley Volunteer Fire Department
Pass Creek Volunteer Fire Department
Passmore Volunteer Fire Department

Slope Evacuation

Balfour / Harrop Volunteer Fire Department
Beasley Volunteer Fire Department
North Shore Volunteer Fire Department
Passmore Volunteer Fire Department
Riondel Volunteer Fire Department
Ymir Volunteer Fire Department

Technical Rope Rescue

Balfour/Harrop Volunteer Fire Department
Beasley Volunteer Fire Department
Pass Creek Volunteer Fire Department
Ymir Volunteer Fire Department

Confined Space Rescue

None

The assistance to be provided by the Fire Department is restricted to the level of service for which each Fire Department and individual firefighter is certified to provide.