

HAMLET OF KUGLUKTUK

BY-LAW NUMBER 236

A by-law of the Municipal Corporation of the Hamlet of KUGLUKTUK in the Territory of Nunavut to provide for the establishment and operation of a fire protection service pursuant to the provisions of the Hamlets Act, S.Nu. 2003, c.3, s. 97.

AS the Council of THE HAMLET OF KUGLUKTUK deems it necessary to prevent and suppress fires and to regulate the duties and responsibilities of the fire department;

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF KUGLUKTUK, at a duly assembled meeting enacts as follows:

SHORT TITLE

1. This by-law may be cited as the **"FIRE PROTECTION SERVICE BY-LAW"**.

INTERPRETATION

2. In this By-law:

- a) "apparatus" means any vehicle equipped with machinery and materials for the purpose of fire fighting as well as any vehicle used to transport fire fighters or fire fighting supplies;
- b) "carrier" means an individual, corporation, partnership or any other commercial enterprise which uses large vehicles for the transportation of fuel and other dangerous goods;
- c) "Council" means the Council of the Hamlet of KUGLUKTUK;
- d) "dangerous goods" means any material presenting an actual or potential danger to human health and safety or to other living organisms in the environment, including but not limited to any materials requiring placards or labels as defined by Transport Canada;
- e) "Department" means the fire department of the Hamlet of KUGLUKTUK;

- f) "false alarm" means an occurrence in which the department is called to a site and finds that no emergency exists or has existed;
- g) "Fire Chief" means the person appointed by Council to the position, pursuant to this by-law;
- h) "Fire Marshal" means the Fire Marshal appointed by the Minister of Community and Government Services;
- i) "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, training and development;
- j) "Hamlet" means the Hamlet of KUGLUKTUK in the Territory of Nunavut;
- k) "incident" means a fire or situation where a fire or explosion is imminent or any other situation presenting a danger to life or property to which the division has responded;
- l) "Officer" means any person or officer that is duly appointed by the Council or Fire Chief as a member of the department and shall be deemed to be a municipal public officer;
- m) "permit" means a burning permit issued pursuant to this by-law;
- n) "property" means real and personal property whether movable or immovably;
- o) "SAO" means the Senior Administrative Officer employed by the Hamlet;
- p) "schedule" means a schedule to and forming part of this by-law;
- q) "structure" means any building, plant, machinery, equipment, storage tank, storage place or fixture of any kind whatsoever erected or placed on, in, over or under any area of land or water;

DEPARTMENT STRUCTURE, MEMBERSHIP AND AUTHORITY

The Department shall be comprised of the following structure:

Fire Chief/Local Assistant
Deputy Fire Chief
Captains
Safety Officer
Firefighters

APPOINTMENT OF THE FIRE CHIEF

The Fire Chief shall be appointed by a resolution of Council for an indeterminate period of time, and his/her term of office shall depend upon his/her good conduct and efficiency. The Fire Chief will be responsible for the proper administration and operation of the department. The appointment may be reviewed on an annual basis. The Fire Chief may be removed for just cause by a resolution of Council.

APPOINTMENT OF FIRE DEPARTMENT MEMBERS

Deputy Fire Chief – appointed by the Fire Chief with Council approval

Captains – appointed by the Fire Chief

Firefighters – appointed by the Fire Chief

All appointments to the fire department and officer positions shall be presented to Council. These appointments will be made official by resolutions of Council.

DUTIES & POWERS OF THE FIRE CHIEF

- The Fire Chief shall be directly responsible to the SAO.
- The organization and direction of the Department shall be under the authority of the Fire Chief with direction from the Council.
- By the provisions of the current Fire Prevention Act Section 5. (1) the Fire Chief by virtue of his or her office becomes a Local Assistant to the Fire Marshal and is subject to the direction of the Fire Marshal in carrying out the provisions of this Act within the limits of the municipality.
- The Fire Chief shall advise the SAO when he/she will be absent from their duties and who will be in charge.
- Received adequate training to execute the duties as director of the department.
- Additional duties of the Fire Chief are set out in Schedule "A".

DEPUTY FIRE CHIEF

- In the absence of the Fire Chief shall have all the powers and shall perform all the duties of the Fire Chief
- Reports directly to the Fire Chief
- Received adequate training to capably perform the duties of the Deputy Fire Chief
- Additional duties of the Deputy Chief are set out in Schedule "B".

CAPTAIN

- In the absence of the Fire Chief and Deputy Fire Chief shall all the powers And shall perform all the duties of the Fire Chief
- Reports to the Deputy Fire Chief
- Received adequate training to proficiently perform the duties of a Captain.
- Additional duties of the Captain are set out in Schedule "B".

DEPARTMENT MEMBERSHIP

- Department membership can range from 12 to 20 members
- Member must be 18 years of age or older unless, approved by Council.
- Member must reside in the Hamlet
- Member must be physically fit to perform the duties of their position
- Member shall not be permitted to attend an incident or remain on duty if his/her ability is impaired by the use of alcohol or drugs.
- Additional duties of firefighters are set out in Schedule "C".

GENERAL REQUIREMENTS

- The Fire Chief may in an emergency, order any physically fit person to assist at the scene of an incident.
- Fire apparatus may not be taken outside the boundaries of the Hamlet except for the suppression of a fire and then only with the authority of the SAO.
- The Fire Chief and the Council shall develop a Recommend Operating Guidelines (ROG) for operations and procedures for the fire department.
- Additional requirements are set out in Schedule "D".

HAMLET OBLIGATIONS

- Notify the Office of the Fire Marshal in regards to the appointment of the Fire Chief within 14 days of said appointment.
- The Hamlet shall provide or ensure adequate liability, life and accident insurance is provided for all department members.
- The Hamlet shall ensure that the appropriate personal protective clothing and equipment be provided for every firefighter.
- The Hamlet shall ensure that adequate equipment be supplied to the department to provide the service that they are designated to supply
- The Hamlet shall ensure that all equipment and vehicles are maintained and repaired when required.
- The Hamlet shall provide an adequate and safe facility to accommodate all department vehicles and equipment.
- Hamlet shall direct all Hamlet employees and department members that no department apparatus or equipment shall be used for any other occasion than department incidents and activities.
- The Hamlet shall on the recommendation of the Fire Chief reimburse reasonable compensation to any member of the department whose personal apparel has been damaged in the course of their duties as a firefighter.
- Advise the department when any portion of the fire protection system under the jurisdiction of the department is inoperable or under construction.
- Physically and clearly identify immediately any unserviceable or interrupted areas in the fire protection system and notify the department.
- To advise the department prior to the closure of any streets.

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REPEAL

By-law No. 39 is hereby repealed.

EFFECT

This By-law shall come into effect upon receiving third reading.

READ a First Time this 8th Day of June 2010 A.D.

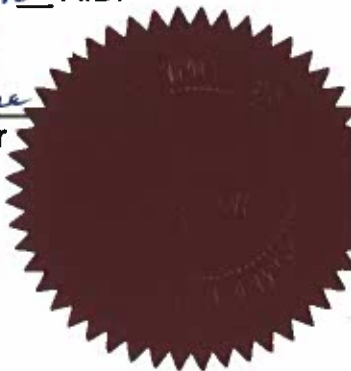
READ a Second Time this 8th Day of June 2010 A.D.

Mayor [Signature] Deputy Mayor [Signature] Senior Administrative Officer Donald LeBlanc

Read a Third and Final Time this 29th Day of June 2010 A.D.

Mayor [Signature] Deputy Mayor [Signature] Senior Administrative Officer Donald LeBlanc

(seal)



SCHEDULE "A"

DUTIES OF THE FIRE CHIEF

- Responsible for the appointment of all executive officers.
- Director of all operations on the fire ground and other fire service activities, when present.
- Regulates the conduct of all persons at/or assisting in the suppression of fires and other fire service activities, when present.
- Ensures the safety of all fire fighters at incidents and local training sessions.
- Responsible to ensure the ethical behaviour of all fire department members at incidents, local training sessions and other activities that the fire department may be involved in.
- Chairs all fire department meetings and other activities.
- Makes available appropriate training for the members of the fire department.
- Makes sure all firefighters have appropriate protective clothing and equipment.
- Makes sure all fire department members are familiar with all fire/rescue apparatus and equipment and their use.
- Ensure all apparatus and equipment is in good working condition and direct to have them repaired or replaced as needed.
- Maintains a current list of the status of all apparatus and equipment in conjunction with OFM staff representative.
- Promotes fire prevention, arranges and participates in public education seminars.
- Investigates or cause to be investigated all fires in order to ascertain the causes, origin, and other circumstances as per the current Fire Prevention Act.
- Submit all appropriate forms within the scheduled time frames, which include Fire Chief Monthly reports, Training reports, and all Fire Incident reports on the appropriate OFM report forms.
- Provide the SAO yearly reports on department activities, responses and the condition and readiness of all fire protection equipment.
- Reports to the SAO any firefighter injuries or damage to any equipment assigned to the department.
- Reports to the SAO any hazard to life or property which has arisen.
- May take disciplinary action, including suspension or dismissal of any member of the department for:
 - being continuously absent, without good or proper reason from meetings, training sessions and other activities.
 - any other action which may be deemed by the Fire Chief as being detrimental to the morale or general operation of the department.
- Report all disciplinary measures to the SAO/Council for verification.

SCHEDULE "B"

DUTIES OF OFFICERS

DEPUTY FIRE CHIEF:

- Perform Fire Chief duties (IC) at incidents when Fire Chief is absent.
- Reports directly to the Fire Chief at all fire service incidents.
- Assists Fire Chief to coordinate and assign duties at all incidents.
- Assists in checking vehicles and equipment for good working condition.
- Assists in preparing fire service incident reports.
- Assists in public education seminars and promote fire safety.
- Directs Fire Fighters in the proper manner to control all incidents.
- Reports any defective equipment or apparatus to the Fire Chief.
- Performs appropriately and abides by firefighter guidelines.
- Encourages Fire Fighters to conduct themselves in a professional manner at all incidents and training sessions.

CAPTAINS:

- Performs command duties (IC) when the Fire Chief and Deputy Fire Chief are absent.
- Reports to Fire Chief (IC) at all fire service incidents.
- Directs Fire Fighters in the proper manner to control the incidents.
- Assists in decision making at all incidents.
- Reports any defective apparatus or equipment to the Fire Chief.
- Performs appropriately and abides by firefighter guidelines.
- Encourages Fire Fighters to conduct themselves in a professional manner at all incidents and training sessions.

SAFETY OFFICER:

- Reports directly to Fire Chief (IC).
- Primary concern is the safety of Fire Fighters actions and inactions which may endanger human life.
- Make recommendations to assure adequate safety levels are met in regards to all fire service incidents and training sessions.
- Shall be entrusted with the authority to shut down any operation which he may believe imminent danger to human life is unavoidable.
- Performs appropriately and abides by firefighter guidelines.

SCHEDULE "C"

FIRE FIGHTERS:

- Attends all department general meetings.
- Attends all department training sessions as scheduled.
- Attends all emergency incidents and performs appropriate duties.
- Obtains knowledge of fire department organization, all operations and procedures.
- Becomes familiar with all communications procedures.
- Maintains personal protective equipment (cleaning), appropriate changes for seasons, and reporting any defects to the Fire Chief.
- Shall obey all traffic regulations when responding to and returning from the fire hall in their personal vehicles.
- Familiarize themselves with all emergency equipment and apparatus.
- Be concerned and protective of each other's welfare.
- Be courteous to the general public and try to answer any questions appropriately if possible or direct them to the suitable persons.
- Always follow the chain of command.
- No profane language at emergency calls or other department related activities.
- Members must assume confidentiality of information gained through departmental activities (all information concerning an incident should be reported to the IC).
- Any problems with incidents, training, personnel or working conditions should be reported to the Fire Chief or IC.
- Full turnout gear must be worn while attending to all incidents. SCBA and PASS devices if involved directly in structural fires, vehicle fires, dangerous goods incidents and all incidents that may cause a health hazard to Fire Fighters.
- Uphold the policies and procedures of the department and assist in upholding the integrity of the department.
- Responsible to report any change in their medical or physical condition which may impair their functions to perform their tasks.
- All items that were given to fire fighters upon joining the fire department shall be returned when leaving the department.
- Equipment issued to Fire Fighters:
 - 1 – pager or radio c/w batteries and charger
 - 1 – Helmet c/w face shield and liner,
 - 1 – Set of bunker gear (coat and pants)
 - 1 – Set of firefighter boots
 - 1 – Set of boot liners
 - 1 – Set of firefighter mitts
 - 1 - bella clava

SCHEDULE "D"

GENERAL REQUIREMENTS

- No person shall in any way maliciously turn in or cause to be turned in a false alarm. In doing so he/she is guilty of an offense punishable on summary conviction to \$1,000.00 or imprisonment not exceeding two (2) months in default of payment of a fine.