

PIERS ISLAND IMPROVEMENT DISTRICT

BYLAW NO. 56

A bylaw to provide for the Establishment and Operation of a Fire Department.

The Trustees of Piers Island Improvement District
ENACT AS FOLLOWS:

1. In this Bylaw words and phrases shall be construed as specified hereunder:
 - (a) "Apparatus" - means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.
 - (b) "Board" - means the Trustees of the Piers Island Improvement District.
 - (c) "Equipment" - means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.
 - (d) "Fire Chief" - means the member appointed as head of the Fire Department.
 - (e) "Fire Hazard" - means the presence of any of the following conditions:
 - (i) any accumulation, unsafe storage, or disposal of combustible, explosive, noxious or flammable material or rubbish such as, but not limited to, hot ashes, paper, brush, grass cuttings, rubber, plastics and paint etc. occurring on lands within the Improvement District or in any building(s) situated thereon.
 - (ii) Any and all obstructions anywhere within the Improvement District likely to interfere with the operations of the Fire Department or with the ingress or egress of occupants in the case of fire and includes the lack of adequate paths or roads allowing easy access from McKenzie Crescent on Piers Island to any property or building within the District.
 - (iii) Any unoccupied building unsecured against unlawful entry.
 - (iv) The unsafe physical condition, placement or misuse of heat producing tools, machinery or appliances such as but not limited to welders, portable heaters, authorized incinerators and barbecues.
 - (f) "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.
 - (g) "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 to which the Fire Department has responded.
 - (h) "Member" - means any person that is a duly appointed member of the Fire Department.
2. There is hereby established a fire department to be known as the Piers Island Volunteer Fire Department.

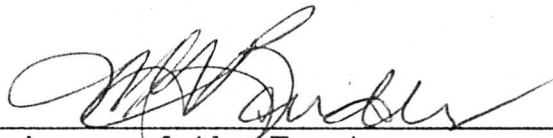
3. The Fire Chief shall be appointed by the Board.
4. Other officers and members, as the Fire Chief deems necessary, may be appointed to the Fire Department with the approval of the Board.
5. The Fire Chief may appoint another officer of the Fire Department to act as Fire Chief on his behalf.
6. The limits of jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the area and boundary of the Piers Island Improvement District, and no part of the fire apparatus shall be used beyond the limits of the District without the express authorization of; a written contract or agreement providing for the supply of fire fighting services outside the district boundary, or with approval of the Board.
7. The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the 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 Board directs but not limited to:
 - (a) first response to medical emergencies
 - (b) rescue operations
 - (c) mutual aid to other fire services
 - (d) response to hazardous materials incidents
 - (e) public service.
8. The Fire Chief, subject to ratification by the Board, is responsible for the establishment of 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 members of the fire department
 - (c) efficient operations of the fire department.
9. 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/she shall continue to act until relieved by an officer authorized to do so.
10. The Fire Chief shall prepare plans, where possible, to deal with all fire protection matters and items contained in section 7 (a) through (e). The Fire Chief, while preparing these plans, may consult, as he deems necessary, with the Local Assistant to the Fire Commissioner.
11. Officer and members of the Fire Department shall carry out duties and responsibilities assigned to the Fire Department by the Board, and the Fire Chief shall report to the Board on the operations of the Fire Department or on any other matters designated by the Board.
12. The Board may determine the remuneration of all members of the Fire Department.
13. Any member of the Fire Department may be suspended or discharged by the Fire Chief at any time he may deem such action to be necessary for the good of the Fire Department, provided however, that the member so discharged or suspended by the Fire Chief may within seven days appeal in writing to the Board who shall within two weeks hold a hearing and either order that the member so suspended or discharged be reinstated, or order the action of the Fire Chief be confirmed.

14. 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.
15. 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.
16. The Fire Chief, or 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 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.
17. The Fire Chief, or 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.
18. No person shall enter the boundaries or limits of an area prescribed in accordance with Section 17 unless he has been authorized to enter by the Fire Chief or member in charge.
19. The Fire Chief, or member in charge, at an incident may request peace officers to enforce the restrictions on persons entering within the boundaries or limits outlined in Section 17.
20. The Fire Chief may obtain assistance from other officials of the District as he deems necessary in order to discharge his duties and responsibilities under this Bylaw.
21. No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other persons assisting or acting under the direction of the Fire Chief or member in charge.
22. No person shall damage or destroy Fire Department apparatus or equipment.
23. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or member in charge.
24. No person shall falsely represent themselves as a Fire Department member.
25. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any designated fire hall, fire incident, fire standpipe, cistern or body of water designated for firefighting purposes.
26. The Fire Chief, or member in charge, at 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.
27. The Fire Chief, or member in charge, at an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with the incident. Remuneration rates may be set out annually by the Board.
28. The Fire Chief may, upon finding on any land or in or upon any building within the District a fire hazard, contact the Local Assistant to the Fire Commissioner to arrange for an inspection in accordance with section 21 of the Fire Services Act.

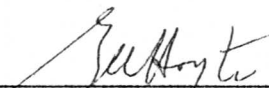
29. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provisions of this bylaw, or who does any act or thing or omits any act or thing thus violating any provision of this bylaw, shall be deemed to have committed an offense, and upon summary conviction is liable to imprisonment for a term of not more than six months or to a fine of not more than \$2,500.00 or to both the fine and imprisonment.
30. Bylaw No. 11 "A Bylaw to provide for fire prevention and protection" is hereby repealed.
31. This Bylaw may be cited as the "Fire Department Establishment and Operations Bylaw".

INTRODUCED and given first reading by the Trustees
on the 4th day of September, 1990

RECONSIDERED and finally passed by the Trustees
on the 14th day of December, 1990

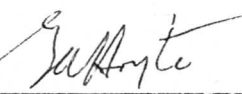


Chairman of the Trustees



Secretary of the Trustees

I hereby certify under the seal of Piers Island Improvement District that this is a true copy of Bylaw No. 56 of the Piers Island Improvement District passed by the Trustees on the 14th day of December, 1990



Secretary of the Trustees