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Bylaw No. LSL13
FD-1-2016

Skwlax Volunteer Fire Department Bylaw

A bylaw to provide for the establishment and operation of a Fire Department

Interpretation

1 (a) In this Bylaw, words and phrases hereunder will be construed as:

Apparatus – refers to any vehicle provided with machinery, devices, equipment or materials for fire fighting or assistance purposes or responses as well as vehicles used to transport fire fighters or supplies.

Band – means the Little Shuswap Lake Indian Band.

Council – means Chief and Council of the Band .

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

Fire Chief – means the member appointed by Council to be the head of the Fire Department.

Fire Department – means the fire department established by the Council under this Bylaw.

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/information, training or other types of staff development.

Fire Protection District – means all lands within the Quaaout IR #1 and Chum Creek IR #2.

Incident – means a fire or situation where a fire or explosion is imminent and includes assistance response circumstances as described in Sections 11 and 12 of this Bylaw 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 who is a current volunteer or salaried member of the Fire Department.

Officer – means a Member who has been appointed by the Fire Chief to fulfil a specific or general supervisory role.

Person -- means natural persons of either sex, associations, corporations or co-partnerships, whether acting by themselves or by a servant, agent or employee, and the heirs, executors and administrators or assigns or other legal representatives of such persons to whom the context will apply according to law.

(b) Unless the context otherwise requires, the wording of the singular will include the plural and the words referring masculine gender will include the feminine and the converse will apply.

Establishment of the Fire Department

2 There is hereby established a Fire Department known as Skwlax Volunteer Fire Department. Subject to section 6, the Fire Department is to provide Fire Protection for the Fire Protection District.

The Fire Chief and the Operation of the Fire Department

3 The Fire Chief is to be appointed by Council, and may be removed or replaced by Council at any time.

4 The Fire Chief may appoint Members and Officers, subject to the approval of Council.

5 The Fire Chief may designate Officers to act as a deputy Fire Chief on his/her behalf, until such time as the Fire Chief revokes such designation.

6 All members of the Fire Department shall be physically fit residents of the Quaoout Indian Reserve No. 1 or Chum Creek Indian Reserve No, 2, or physically fit persons who reside within 5 kilometres of said Reserves, and shall be of good reputation, eighteen years or older and not more than 65 years for a Member.

7 The Fire Chief shall appoint a Training Officer, who shall be responsible for all phases of fire training and shall establish a scheduled training program in accordance with normal fire fighting practices, he/she will report to the Fire Chief of

any training concerns or needs.

8 Officers and Members will carry out the instructions of the Fire Chief or designate.

9 Members and Officers shall respond promptly to all fire calls and attend a minimum of two practices per calendar month. Absence from fire calls or training nights without justifiable reasons may result in suspension or dismissal.

10 The Fire Chief may suspend or discharge any Member of the Fire Department at any time the Fire Chief deems such action is necessary. A Member suspended or discharged by the Fire Chief may, within seven days of the Fire Chief's decision, appeal in writing to Council, who must, within two weeks of receiving the appeal, hold a hearing and either confirm, vary or discharge the Member's suspension or order that the Member be reinstated.

11 In addition to any agreement to provide Fire Protection services beyond the Fire Protection District, at the discretion of the Fire Chief, the Fire Department may respond to requests for assistance beyond such Fire Protection District.

12 Authority given in Section 11 may only be exercised in relation to the following:

- fire suppression
- search and rescue
- medical first responder response
- hazardous material response, risk of immediate harm to persons or property.
- motor vehicle incidents

13 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction of Council.

14 The Fire Chief, subject to ratification by Council, will establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department, including, but not limited to:

- use, care and protection of Fire Department property.
- conduct and discipline of Members and Officers of Fire Department.
- efficient operation of Fire Department.
- day to day management of the Fire Department's budget and finances
- record keeping

15 The Fire Chief will take responsibility for all Fire Protection matters within the Fire Protection District including the enforcement of the **Fire Services Act** as that may be applicable to the Fire Protection District. For greater clarity, to the extent that the **Fire Services Act** is found not to extend to the Fire Protection District, by this Bylaw, the same powers and responsibilities imposed by sections 9, 10, 11, 13, 14, 18, 20, 21, 22, 23, 25, 26, 30, 31, 32, 33, 34, 35 and 36 of the **Fire Services**

Act are hereby conferred and bestowed on the Fire Chief or, in his absence, his designated deputy Fire Chief, *mutatis mutandi*.

16 Officers and Members of the Fire Department will carry out duties and responsibilities assigned to the Fire Department by Council and the Fire Chief will report to Council on the operations of the Fire Department.

17 Council will determine the remuneration of the Fire Chief and all members of the Fire Department.

18 Budget concerns are to be addressed on a regular basis with the Council and capital budget issues for the forthcoming year are to be addressed each September.

19 Members of the Fire Department may organize for social or other purposes events that increase the awareness of the Fire Department, and may provide additional revenue for Fire Department related needs. Subject to the direction and approval of Council, the Fire Department may use the fire hall for such social events.

Powers of the Fire Chief at an Incident

20 The Fire Chief or in his absence, his designated deputy Fire Chief, will have control, direction and management of all Fire Department Apparatus, Equipment, Members or other human resources assigned to an Incident and where a designate is in charge, he will continue to act until relieved by the Fire Chief.

21 The Fire Chief or Member in charge at a fire scene may cause a building, structure or other object to be pulled down, demolished or moved if he deems necessary to prevent spread of fire to another building, structure or object.

22 The Fire Chief, or any other Member in charge at an Incident, may enter premises or property where the Incident is occurring and may permit any Member, Apparatus or Equipment of the Fire Department to enter as deemed necessary in order to control or deal with the Incident.

23 The Fire Chief, or any other Member in charge at an Incident, may enter and pass through or over buildings or properties adjacent to an Incident and may permit Members of the Fire Department and the Apparatus and Equipment of the Fire Department to enter or pass through or over buildings or properties, where the Fire Chief deems it necessary to gain access to the Incident or to protect any persons or property.

24 The Fire Chief, or any other Member in charge at an Incident, may at his discretion establish boundaries or limits and keep Persons from entering that area, unless requested to do so by the Fire Chief or Member in charge.

25 The Fire Chief, or any other Member in charge at an Incident, may request of a peace officer to enforce restriction as described in Section 24.

26 The Fire Chief, or any other Member in charge at an incident, may request assistance from other Persons as he deems necessary to carry out their duties as per this Bylaw.

27 The Fire Chief, or any other 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 that is on fire or in danger thereof, securing or guarding of such goods, demolishing a building or structure at or near the fire or Incident.

28 The Fire Chief, or any other Member in charge at an Incident, is empowered to commandeer privately owned equipment which he deems necessary to deal with the Incident. Compensation for equipment commandeered in this manner will be determined by Council.

Prohibitions

29 No Person at an Incident will impede, obstruct or hinder a Member of the Fire Department or other person assisting the Fire Department.

30 No Person will destroy or intentionally damage Fire Department Apparatus, Equipment or property.

31 No Person at an Incident will drive a vehicle over any Equipment without permission from the Fire Chief or Member in charge.

32 No Person will falsely represent himself as a Fire Department Member.

33 No Person will obstruct or otherwise interfere with access roads or streets or pathways or other approaches to any fire incident, fire hydrant, body of water, fire hall or other such requirements for fire fighting purposes.

34 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 of the provisions of this Bylaw, or who does any act or thing or omits an act or thing thus violating any of the provisions in this Bylaw will be deemed to have committed an offence, and upon a summary conviction is liable to a penalty in accordance with the **Offence Act**.

Citation

35. This Bylaw may be cited as the "Fire Department Establishment and Operations Bylaw".


Introduced and approved by Chief and Council this 04 day of May 2016



Oliver Arnouse



Dale Tomma

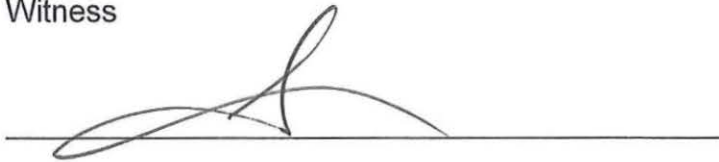


Wesley Francois

I hereby certify that this is a true copy of Bylaw No. L5L13

FD-1-2016

Witness



STEWART ADANSON



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Bylaw No. LSL13
FD-2-2016

A bylaw to indemnify the Fire Chief and Members of Skwlax Volunteer Fire Department against claims for damages arising out of the performance of their duties and to pay legal costs incurred in court proceedings arising out of those claims.

The Chief and Council of Little Shuswap Lake Indian Band enact as follows:

Interpretation

1

- a. The definitions adopted in the Fire Department Establishment and Operations Bylaw are adopted and used unless otherwise specified;
- b. In this Bylaw, the term "Member" means:
 - A volunteer fire fighter of the Fire Department
 - A salaried employee of the Fire Department
 - Any individual recruited to assist the Fire Department at an Incident, who is under the supervision of an Officer of the Fire Department.

Indemnification

2 a) The Band will indemnify its Members against a claim for damages against them arising out of the performance of their duties and in addition pay the actual costs incurred by the Member in a court proceeding arising out of the claim.

b) Section 2 (a) applies in respect to a person who was a Member at the time he or she performed the duties out of which the claim arose, whether or not he or she is a Member at the time the claim for damages arises or the court proceeding

arising out of the claim is commenced, prosecuted or concluded.


c) Where any action of an officer results in a claim for damages against the Little Shuswap Lake Indian Band, Chief and Council will seek indemnity or reimbursement from the Member only where:

- the claim arises out of the deliberate actions of the Member to cause the damages or the Member's wilful blindness as to whether he or she caused such damages or not; or
- the Member acted contrary to the terms of his or her employment or volunteer position.

Citation

3 This Bylaw may be cited as the "Fire Department Indemnification Bylaw".

Introduced and approved by Chief and Council this 04 day of May 2016


Oliver Arouse

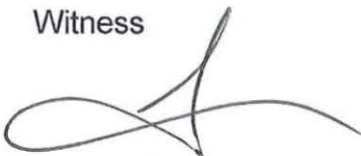

Dale Tomma


Wesley Francois

I hereby certify that this is a true copy of Bylaw No. LSLIB

FD-2-2016

Witness


STEWART ADAMSON



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Bylaw No. LSL13
FD-3-2016

A Bylaw for preventing and suppressing fires and for regulating the conduct of people at such fires.

The Chief and Council of the Little Shuswap Lake Indian Band enact as follows:

Interpretation

1. In this Bylaw, unless the context otherwise requires, words, terms and phrases hereunder will be construed as:
 - a) "Authorization" means an authorization by the Fire Chief of the Fire Department under this Bylaw
 - b) "Authorized" means authorized by the Fire Chief of the Fire Department under this Bylaw.
 - c) "Council" means Chief and Council;
 - d) "Building" means any structure or building used or intended to be used for the support, shelter or enclosure of persons, animals or possessions.
 - e) "Fire Protection District" means all lands within Quaaout IR #1 and Chum Creek IR #2
 - f) "Dwelling" means any Building or part of a Building occupied or intended to be occupied as the residence of not more than one family.
 - g) "Fire Chief" means the Fire Chief of the Fire Protection District or any individual member of the Fire Department designated by the Fire Chief to act as a deputy Fire Chief on his behalf.
 - h) "Fire Department" will include the fire department of the Fire Protection District and the fire department of any other district attending the fires.
 - i) "Fire Hazard" means any condition that, in the opinion of the Fire Chief, is or may be conducive to the destruction of life or property by fire, or will, or is likely to increase the extent or severity of the fire.
 - j) "Gasoline" means any product of petroleum or any liquid that will flash or emit a flammable vapour below the temperature of 44 Celsius.
 - k) "Occupant" means owner, agent, lessee, licensee, tenant or any other occupant of any Building or premises to which any of the provisions of this Bylaw will apply.
 - l) "Person" where used in this Bylaw means natural persons of either sex, associations, corporations or co-partnerships, whether acting by themselves or by a servant, agent or employee, and the heirs, executors and

Unauthorized Fires

20 No Person will light, ignite or maintain any open fire in any form of container on any street, road, lane, pathway, parking area or allowance, without proper Authorization.

Fire Escapes

21 Each storey above the ground floor of any Building within the Fire Protection District used as a school, hotel, boarding house, apartment building or commercial use must be equipped with an adequate fire escape or escapes, and the Occupant will maintain the same in good repair and condition.

Exit Doors to Open Readily

22 No door to any exit leading to a fire escape in any Building will be closed or fastened except with a standard panic or exit bolt, which may be readily opened without the aid of a key or other device.

Gasoline Storage

23 Except as Authorized by permit issued by the Fire Chief, no Person will store or keep Gasoline, other than:

- a) Gasoline, not exceeding 45 litres, stored outdoors in a container designed for outdoor storage of Gasoline.
- b) Gasoline in the gasoline tank of an automobile, gasoline engine, motorboat, helicopter or airplane whose tank is permanently connected to and supplies its engine.

Storage of Explosive or Flammable Compound or Liquids in a Public Building

24 Except in a place especially provided for the purpose and approved by the Fire Chief, it will be unlawful for any Person to keep, store or use any flammable compound or liquid in any part of a Building used or maintained as a hotel, school or place of public assembly.

Enforcement

25. The Fire Chief may enter any Building and upon any premises in order to ascertain that the provisions of this Bylaw are being complied with. No Person will obstruct the Fire Chief in the discharge of his duty under this Bylaw.

Penalty

26. Any Person who violates any provisions of this Bylaw will be liable, upon conviction, to a maximum penalty as authorized under the *Offence Act*. Where any

violation continues, each day in which it continues will be a separate violation for the purpose of prosecution under this Bylaw.

Citation

27. This Bylaw may be cited as the "Fire Prevention Bylaw".

Introduced and approved by Chief and Council this 04 day of May 2016


Oliver Arnouse



Dale Tomma

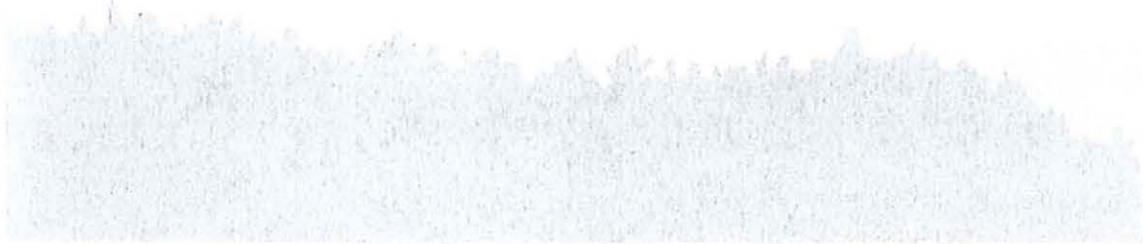

Wesley Francois

I hereby certify that this is a true copy of Bylaw No. L5L13

FD-3-2016

Witness


STEWART ADAMS





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BAND COUNCIL RESOLUTION

The Council of the: LITTLE SHUSWAP LAKE INDIAN BAND	BCR Number 3346
Agency: CENTRAL Province: BRITISH COLUMBIA	A quorum for this Band is: TWO
Dated at: SQUILAX this 4th day of May AD 2016	

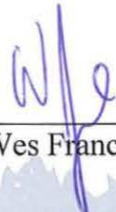
DO HEREBY RESOLVE AND ADOPT THE FOLLOWING:

Skwlax Volunteer Fire Department Bylaw #LSLIB FD-1-2016;

A bylaw to indemnify the Fire Chief and Members of the Skwlax Volunteer Fire Department against claims for damage arising out of the performance of their duties and to pay legal costs incurred in court proceedings arising out of those claims, Bylaw #LSLIB FD-2-2016;

A bylaw for preventing and suppressing fires and for regulating the conduct of people at such fires #LSLIB FD-3-2016.


Chief Oliver Arnouse


Councilor Wes Francois


Councilor Dale Marie Tomma

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