

BY-LAW 220 (CONSOLIDATED WITH AMENDMENTS)

A BY-LAW RELATING TO THE FIRE DEPARTMENT

Incorporating By-law Nos.:

220 (May 25, 1978)

220-A (March 17, 1983)

BE IT ENACTED by the Mayor and the Councillors of the Town of Oromocto as follows:

1. The Town of Oromocto Fire Department shall consist of a Fire Chief, and such Deputy Fire Chiefs, Platoon Captains, Permanent Firemen and Volunteer Call Firemen as the Town Council of the Town of Oromocto may from time to time by resolution determine.

DUTIES

2. FIRE CHIEF

The Fire Chief shall:

- (a) Supervise and take charge of the Fire Station and fire fighting equipment and keep the same in good order and repair.
- (b) Make an annual report to the Town council of the activities of the Fire Department during the preceding year, including all calls answered by the Fire Department, and all fires, and an estimate of the loss sustained and insurance coverage in each instance; an inventory of the fire fighting equipment, the names of all members of the Fire department; and such recommendations as he may deem desirable to promote the efficiency of the Fire Department.
- (c) While on duty attend all fires and supervise the fighting thereof.
- (d) Have full charge and sole command over all persons attending at a fire, whether members of the Fire Department or not, and take all proper measures for the extinguishment of fires and the protection of property, the preservation of order and the observance of the laws and regulations respecting fires in the Town.
- (e) Examine and certify the correctness of all accounts against the Fire Department, of which he has personal knowledge, and file the same with the Town Treasurer upon certification.
- (f) Assign to permanent firemen their regular duties and such other work as he may deem proper from time to time.
- (g) Make or cause to be made a record of the attendance of each fire of all permanent and call firemen.

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- (h) Prepare and hand to the Town Clerk, prior to December 31st in any year, a carefully prepared budget covering operating costs of the Department for the following year.

SUSPENSIONS

- 3. The Fire Chief may suspend any member of the Fire Department for neglect of duty, misconduct or breach of any by-law or regulation and shall forthwith report such suspension to the Town Council of the Town of Oromocto, which shall adjudicate the case.

PLATOON CAPTAINS

- 4.
 - (a) A Platoon Captain shall be responsible for the conduct of the permanent firemen in his platoon while acting a Platoon Captain and shall report in writing to the Fire Chief the absence of any permanent firemen and any neglect, misconduct or breach of any By-Law or regulations by such firemen.
 - (b) Platoon Captains shall, while on duty, have charge and care of all fire fighting equipment and shall cause the same to be kept in proper order and ready at all times for efficient service and shall report any defect therein to the Fire Chief.
 - (c) A Platoon Captain shall preserve order and discipline of the permanent firemen at all times when on duty.

DEPUTY FIRE CHIEFS

- 5. The Deputy Fire Chiefs shall, while on duty, respond promptly to all fire alarms and obey all lawful orders of the Fire Chief, and in the absence of the Fire Chief have all the powers and perform all the duties of the Fire Chief.

CALL FIREMEN

- 6.
 - (a) The Fire Chief shall appoint such number of call firemen, who reside within the Town limits, as may be determined by the Town Council, by resolution, and may dismiss any call firemen for just cause.
 - (b) The Fire Chief shall appoint such captains and other officers from among the call firemen as he deems necessary.
 - (c) The call firemen shall be divided into companies by the Fire Chief, subject to the direction of the Safety Committee.

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(d) when ordered so to do by the Fire Chief, all call firemen shall assemble at the same time and place specified for drill and the use of fire fighting equipment.

REGULATIONS

7. (a) When any fire fighting equipment is taken beyond the Town limits to any fire, the Fire chief shall appoint a competent member of the Fire Department to take charge of such fire fighting equipment.
- (b) When any fire fighting equipment is taken beyond the Town limits no firemen on duty shall leave unless he is required to operate such fire fighting equipment.
- (c) Permanent firemen shall, when on duty and not attending a fire, remain at the Fire Station and respond promptly to fire alarm calls.
- (d) Fire Department vehicles and fire fighting equipment shall not be used for any other work other than work of the Fire Department.
- (e) Members of the Fire Department while on duty shall address the officers thereof by their respective titles.
- (f) Members of the Fire department shall comply with the provisions of this by-law and any rules and regulations of the department.

COMPENSATION FOR DEMOLITION OF BUILDINGS

8. (a) The Fire Chief, the Chairman of the Safety Committee or any two members of the Town Council may, in order to stay the spread of a fire, issue an order to demolish, remove or otherwise destroy any building.
- (b) when a building is demolished, removed or destroyed to stay the spread of a fire, the owner thereof shall be paid by the Town reasonable compensation therefore and should an agreement for settlement not be reached by the Town and the owner, the case shall be determined under the provisions of the Arbitration Act of the Province of New Brunswick, provided, however, that no compensation shall be paid to the owner of a building demolished, if such building takes fire before the order is made or executed for the demolition, or removal, or destruction thereof.

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GENERAL PROVISIONS

9. (a) No person other than a permanent fireman on duty shall remain in the Fire Station between 2400 h and 1700 h, except when the attendance is required on account of an alarm of fire. (By-law No. 220-A/Enacted March 17, 1983)
- (b) No person shall engage in gambling in the Fire Station.
- (c) No person shall bring or have intoxicating liquor in the Fire Station, or be or remain in the Fire Station while under the influence of intoxicating liquor.
- (d) No person shall drive a vehicle over or across an unprotected hose or other fire fighting equipment unless he is given permission to do so by a fireman or peace officer.
- (e) No person shall disobey the orders and directions of the Fire Chief, Deputy Fire Chief, or Platoon captain while in performance of their duties at a fire, nor shall any person interfere with or obstruct such officers, or any of them, or any permanent fireman or call fireman while in the performance of any duty at fire.
- (f) Every person attending a fire shall upon the request of the Fire Chief, or Deputy Fire Chief, assist any firemen engaged at such fire, and shall obey all orders and directions given to him by the Fire Chief or a Deputy Fire Chief in connection with such fire.
- (g) Whenever the Fire Chief, a Deputy Fire Chief or other person in charge of any fire deems it advisable to guard the locality of such fire from the crowding of persons or vehicles, he may place or cause to be placed a rope or other barrier across any street or public area to indicate the area from which persons or vehicles are prohibited.
- (h) No person except a member of the Fire Department, the Police, the owner of a property endangered by the fire, members of the Town Council and accredited members of the press shall enter or be within an area enclosed or marked off by ropes or barriers to indicate an area from which persons or vehicles are prohibited.

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PENALTIES

10. Any person who does any act forbidden by this by-law, or fails to do any act required by this by-law, is guilty of an offence, and is liable on summary conviction to a fine not exceeding Fifty Dollars for each offence and in default of payment is subject to imprisonment in accordance with Section 31. (3) and amendments thereto of the Summary Convictions Act.

READ FIRST TIME: January 19, 1978

READ SECOND TIME: February 16, 1978

READ THIRD TIME

AND ENACTED: May 25, 1978

(Sgd) Tom Winter

Tom Winter

TOWN CLERK

(Sgd) Lloyd Watling

Lloyd Winter

MAYOR