

# **VILLAGE OF MCADAM**

## **BY – LAW NO.7**

### **A BY – LAW RELATING TO THE FIRE DEPARTMENT**

PASSED AUGUST 18, 1967  
BE IT ENACTED by the Mayor and  
Councilors of the Village of  
McAdam as follows:

Original signed by the mayor  
H.S. Dixon

1. The department shall be known as the “Village of McAdam Volunteer Fire Department.
2. The territorial jurisdiction of the department shall embrace the Village of McAdam.
3. The department shall consist of:
  - (a) A Fire Chief, a Deputy Fire Chief and such other officers as the Council may from time to time determine by resolution; and
  - (b) Not less than eighteen firemen of which one or more may be officers.
4. Every member of the department shall be a male resident of the Village and not less than eighteen (18) years of age.
5. The Fire Chief shall be appointed by the Council and shall hold office during the pleasure of the council.
6. The appointment of a Deputy Fire Chief and firemen shall be recommended by the Fire Chief to the council.
7. The council may appoint a sufficient number of auxiliary fire fighters in each area of the Village to assist the department when they are called upon to fight fire in that particular area.

#### **FIRE CHIEF**

8. The fire chief shall:
  - (a) Supervise and take charge of the fire station and fire equipment and keep the same in good order and repair;
  - (b) Have full charge and sole command at fires over all persons whether members of the fire department or not and take all proper measures for the extinguishment of

- fires and the protection of property , preservation of order, prevention of looting and the observance of the laws and regulations respecting fires in the Village.
- (c) Maintain a record of the attendance of members of the department at fires and particulars of every fire call, and every fire reported to the department; and the apparatus, equipment , and supplies and any other information that may be required from time to time by the council;
  - (d) Submit a report to the council immediately of any breakages, shortages or deficiencies in the apparatus, equipment and supplies;
  - (e) Submit to the council an annual estimate to the expenditures necessary during the forthcoming year for the operation and maintenance of the department including:
    - (i) The amount required for the payment of salaries or allowances to the officers and firemen;
    - (ii) The general cost of the operation of the department and the care and maintenance of apparatus, equipment and supplies and of any building or portion thereof used by the department.
    - (iii) The purchase, if any, of apparatus or equipment needed for the efficient operation of the department;
  - (f) Make an annual report to the 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 the insurance coverage in each instance; and inventory of the fire-fighting equipment; the names of all member of the fire department; and such recommendations as he may deem desirable to promote the efficiency of the fire department.
9. The fire Chief may reduce in rank any officer, or suspend or dismiss any officer or firemen for insubordination, inefficiency, gross misconduct or repeated failure to attend practice, provided that the Fire Chief shall not dismiss any officer without the approval of the Council.

#### DEPUTY FIRE CHRIF

10. The Deputy Fire Chief shall carry out the instructions of the Fire Chief and in the absence of the Fire Chief shall have all powers and perform all the duties of the Fire Chief.

#### FIREMEN

11. The firemen shall respond promptly to all fire alarms and attend all practices as far as possible and carry out the instructions of the officers.
12. The firemen shall meet at least once a month for practice and instruction in the use of all apparatus, equipment and supplies of the department and in the principles of fire prevention and fire protection.

#### REMUNERTION

13. (1) The officers and firemen shall receive such salaries and allowances as the Council may from time to time determine by resolution.
- (2) Payment of salaries and allowances as provided for in subsection (1) shall be made at such times as the council may from time to time determine by resolution.

#### FIRES OUTSIDE VILLAGE

14. (1) The department shall not respond to any fire calls outside the limits of the Village, except:
  - (a) Such fires as in the option of the Fire chief threaten any property within the Village, or
  - (b) With the permission of the council where a request for assistance has been made by the fire department of a nearby community, or
  - (c) Where a community or organization with which an agreement has been entered into to provide fire protection on a mutual aid basis makes a request for assistance.
- (2) No agreement under Clause (c) shall require the department to leave the Village while answering a fire call within the Village, nor to remove all the apparatus within the Village at any one time so as to leave the Village without any protection.

#### DEMOLITION OF BUILDINGS

15. (1) The fire chief or the Council may, in order to stay the spread of a fire, issue and order to demolish, remove or otherwise destroy any building.
- (2) When a building is demolished, removed or destroyed to stay the spread of a fire, the owner thereof shall be paid by the Village reasonable compensation therefore which be determined under the provisions of the Arbitration Act, Chapter 9, R.S.N.B., 1952 as amended. Provided, however, that no compensation shall be paid to the owner of building demolished if such building takes fire before an order is made or executed for the demolition, removal or destruction thereof.

#### GENERAL

16. (1) The Council may, by insurance or otherwise, provide for compensation to the Fire Prevention officer, fire chief, Deputy Fire chief, and members of the departments for injuries received by them while performing their duties.
  - (2) Any member of the department receiving an injury as a result of the discharge of his duties at a fire or practice or in responding or returning from a fire alarm immediately report such injury to the fire chief.
17. 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.
18. (1) No person shall disobey the orders and directions of the Fire Chief or a Deputy Fire Chief while in the performance of their duties at a fire, nor shall any person interfere with or obstruct such officers, or any of them, or any fireman while in the performance of any duty at a fire.

- (2) Without limiting the generality of the foregoing, the owner or occupier of a burning shall not prevent firemen from entering the building.
19. Every person attending a fire shall upon the request of the Fire Chief or the Deputy Chief assist any fireman 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.
20. (1) Whenever the Fire Chief, the 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 place to indicate the area from which persons or vehicles are prohibited.
- (2) No person except a member of the Fire Department, the police, the owner of a property endangered 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 and vehicles are prohibited.
21. Any person convicted of a breach of this by - law shall be liable to a penalty not exceeding Fifty Dollars (\$50.00).

Original signed by Village Clerk  
**Marjorie O'Keefe**

Approved by the Lieutenant Governor-in-council  
October 4, 1967  
Order in Council Number 67-913