

BY-LAW #2007-02

**A BY-LAW OF THE MUNICIPALITY OF DOAKTOWN
RESPECTING THE FIRE DEPARTMENT**

The Council of the Municipality of Doaktown duly assembled enacts as follows:

1. INTERPRETATION

In this By-Law,

- (a) "Department" means the Doaktown Fire Department
- (b) "Member" includes all personnel of the Doaktown Fire Department
- (c) "Fire Fighter" volunteer firefighters of the Doaktown Fire Department
- (d) "Fire Chief" means the Fire Chief appointed by the Council under the Municipalities Act of New Brunswick
- (e) "Officers" means all ranks above firefighter.

2. ORGANIZATION

- 2.1 The Fire Department shall be a "volunteer" component. Component function under and are subject to the direct supervision of the Fire Chief or the Deputy Chief or his/her designates.
- 2.2 The Department shall be subject to the provisions of this By-Law and to the control and supervision of the Municipal Council of the Village of Doaktown.
- 2.3 In addition to the Chief of the Department, the Department shall consist of a Deputy Chief, Captains, Lieutenants, and other uniform personnel as from time to time may be deemed necessary.
- 2.4 All members of the Doaktown Fire Department shall respond promptly, as required, to protect life, property and the environment.
- 2.5 The Fire Chief shall have direct charge at all Fire Response Calls. He shall direct Operations with assistance of the Deputy Chief. He shall, subject to the approval of the Council, have administrative and operational jurisdiction over all matters pertaining to the Doaktown Fire Department.
- 2.6 The Deputy Chief is subordinate to the Fire Chief. In the absence of the Chief, he shall have all power of and perform the duties of the Fire Chief.

- 2.7 The Village of Doaktown shall supply all protective equipment and clothing for the Fire Department, provided that the Department may purchase such equipment as seems desirable from time to time.
- 2.8 An equipment ledger shall be kept of all equipment of the Department. This ledger shall contain a detailed inventory of all equipment.
- 2.9 The Fire Department shall respond to all fires within the Village limits and the LSD of Blissfield as per signed agreement. The Fire Department shall attend calls outside of the area as requested by our mutual aid partners (ex. Upper Miramichi and Blackville).
- 2.10 The Fire Department shall see to it that the Village NEVER be left without proper Fire Protection.

3. RESPONSIBILITIES OF FIRE CHIEF

- 3.1 The Fire Chief is responsible to Council, through the Councillor-in-Charge of the Department, for the administration and operation of the Department. Additionally, he:
 - (a) shall make General Orders and Rules as may be necessary for the care of the property of the Department, the conduct of Members of the Department and, generally, the efficient operation of the Department, provided that such General Orders and Rules shall not conflict with the provisions of any By-Law of the Village;
 - (b) shall review, periodically, Policy, and Procedures of the Department. He may establish an Advisory or Study Committee consisting of such officers as he may determine from time to time to assist in his duty;
 - (c) shall take proper measures for prevention, control and extinguishments of fires and for the protection of life and property. He shall ensure enforcement of all Municipal By-Laws respecting Fire Prevention. The Fire Chief shall exercise the powers and duties imposed by the Fire Prevention Act of the Province of New Brunswick Chapter F-13;
 - (d) is responsible for the enforcement of this By-Law;
 - (e) shall report all Fires to the Fire Marshal as required by Provincial Law;

(f) shall have authority to suspend any member of the Volunteer Force for violation of the Rules and Regulations of Policies of the Doaktown Fire Department. The Procedure outline in S.4 will be applicable;

(g) shall submit to Council, an annual Report of the Department.

3.2 The Deputy Chief shall report to the Chief and carry out the orders of the Chief. In the absence of the Fire Chief, he possesses all the powers and duties of the Fire Chief and shall perform all duties of the Fire Chief.

4. VOLUNTEER FIREFIGHTERS – RULES AND REGULATIONS

4.1 The following articles reflect the rules and regulations governing volunteer fire fighters with the department.

4.2 RECRUITING AND RETIREMENT

4.2.1 A person is qualified to be appointed a member of the volunteer Doaktown Fire Department who:

(a) is of good character, criminal record check completed.

(b) passes aptitude, physical, and other recruitment tests as may be required by Policy and the Fire Department;

(c) is medically fit so verifies by certification from a Physician.

(d) resides in the service district and continues to do so while serving as a Volunteer Firefighter within the Department.

4.2.2 Appointments as a volunteer Firefighter shall also be made by the Officers of the Fire Department Committee from fire department and in making such appointments the Council shall consider recommendations from the Fire Chief.

4.2.3 Applications for position of Volunteer Firefighter shall be made on a form provided by the Fire Chief.

4.2.4 Volunteer Firefighters shall retire from active duty at the age of sixty-five (65) years; however, volunteer firefighters may make application to the Fire Chief for an extension, which would allow them to assist in fund raising and other activities of the department. After the age of sixty-five (65) a firefighter is required to have a medical examination.

4.2.5 A person appointed as a volunteer Firefighter of the Fire Department shall be on probation for a period of twelve (12) months during which period the probationary member shall take such special training and examinations as may be required.

4.2.6 If the probationary volunteer Firefighter fails any such examination or tests, the Fire Chief of the Department may immediately recommend to the Council the dismissal of the probationary member for cause.

4.3 LEAVE OF ABSENCE AND SICK LEAVE

4.3.1 Leave of Absence shall be granted to any volunteer Firefighter for a six (6) month period, during which time no replacement shall be required. No further leave of absence shall be granted until three (3) years have elapsed. However, individual cases may be decided upon by the Fire Chief and the Officers of the Fire Committee.

4.4 PAY AND ALLOWANCES

4.4.1 All volunteer Firefighters of the Doaktown Fire Department shall receive an honorarium for service.

4.4.2 Volunteer Firefighters may be paid allowances for travel, courses, and similar activities as may be determined by the Councillor-in-Charge.

4.5 PROMOTIONS

4.5.1 All promotions within the volunteer Department shall be made by the Officers of the Fire Department Committee, taking into consideration, ability and experience and any recommendations by the Fire Chief of the Department.

4.6 GRIEVANCE PROCEDURE

4.6.1 A grievance from any volunteer Firefighter with respect to a matter of discipline shall be made in writing to the Chief or the Officer in Charge of. If the grievance cannot be settled between the Chief and the volunteer Firefighter, the volunteer Firefighter may bring the matter before the Council.

ATTENDANCE AT FIRES AND MEETINGS

4.6.2 Unless excused by the Fire Chief, volunteer Fire Personnel shall attend all emergency incidents when paged. This sub-section does not apply to a Firefighter who is on sick leave or leave of absence or can justify his/her absence when asked to do so.

- 4.6.3 The Fire Chief and Officers will have the right to deduct from the volunteer Firefighters semi-annual allowance for not attending fires and/or other activities authorized by the Fire Chief.
- 4.6.4 Volunteer Firefighters shall attend all training exercises or training courses designated by the Fire Chief or justify his/her absence when asked to do so.
- 4.6.5 All volunteer Firefighters shall attend a regular meeting once a month or justify his/her absence when asked to do so.
- 4.6.6 The Volunteer Force shall submit a report to the Fire Chief on all fires attended, giving full details of their attendance, work performed at such fires, etc. As well, volunteer members shall return to the Fire Station following fires for clean-up, making necessary hose beds and other duties as deemed necessary by the Chief or designates.
- 4.6.7 Once a year the Fire Chief shall have a general meeting with volunteer Firefighters.

5 ENACTMENT


This By-Law shall come into effect on the date of the enactment thereof.

READ THE FIRST TIME IN ITS ENTIRETY: April 11, 2007

READ THE SECOND TIME BY TITLE: April 11, 2007

READ THE THIRD TIME AND ENACTED: May 9, 2007


MAYOR, CHARLES E. STEWART


CLERK, MARLYN E. PRICE