

TOWN OF THE PAS

BY-LAW NO. 4578

BEING A BY-LAW OF THE TOWN OF THE PAS TO PROVIDE FOR FIRE FIGHTING, FIRE PREVENTION, THE RELATED REGULATIONS OF FIRE AND OTHER HAZARDS, THE ADOPTION OF THE MANITOBA FIRE CODE, AND FOR ESTABLISHING, CONTINUING, AND OPERATING AN EMERGENCY FIRE SERVICE AND TO REPEAL BY-LAW NO. 4561.

WHEREAS Section 232(1) of The Municipal Act provides authority for the municipality to pass by-laws for municipal purposes respecting the following matter;

- (a) The safety, health, protection and well-being of people and the safety and protection of property;
- (i) Preventing and fighting fires;
- (o) the enforcement of by-laws;
- (j) the sale and use of firecrackers and other fireworks, the use of rifles, guns and other firearms and the use of bows and arrows and other devices;

AND WHEREAS Section 264 of The Municipal Act provides that every municipality must provide fire protection services within its boundaries to reduce the danger of fire, which may include education programs, inspections of property, the installation of alarms, instructions on fighting fires, the provision of fire fighting equipment and a fire protection force.

AND WHEREAS it is deemed expedient and in the public interest to establish, continue, and maintain fire prevention and emergency service standards in The Town of The Pas;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

PART I: INTERPRETATION AND DEFINITIONS

1. Interpretation

This by-law shall be referred to as the Fire Prevention and Emergency Services By-Law of the Town of The Pas.

It is the purpose of this by-law to establish the standards for: fire prevention; firefighting and life safety in buildings; the prevention, containment and fighting of fires originating outside buildings which may present a hazard to all or any part of the municipality; the operation of emergency services; and the transportation and storage of flammable and combustible substances.

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2. Definitions

Unless otherwise provided, or unless the context otherwise requires, words and expressions in this by-law have the same meaning as the same words and expressions in The Municipal Act, and in the Manitoba Fire Code.

In this by-law:

- (a) **"Authority Having Jurisdiction"** means the Fire Chief, Acting Fire Chief, or the responsible Municipal, Provincial, or Federal Official with legal authority for controlling the subject referred to including, without restricting the generality thereof, municipal Fire Prevention Officers and Fire Inspectors
- (b) **"Chief Inspector Of Explosives"** means the person designated as the Chief Inspector of Explosives under The Explosives Act (Canada).
- (c) **"Town"** means The Town of The Pas or the area contained within the boundaries thereof.
- (d) **"Code"** means the Manitoba Fire Code being Regulation No. 212/92 of The Fire Preventions Act, RSM 1987, c.F80, as amended from time to time, or any subsequent Manitoba Fire Code which may be enacted.
- (e) **"Council"** means the council of The Town of The Pas.
- (f) **"False Alarm"** also called a nuisance alarm, means the deceptive or erroneous report of an emergency, causing unnecessary panic and/or bringing resources (such as emergency services) to a place where they are not needed.
- (g) **"Fire Chief"** means the Fire Chief for the municipality and anyone acting or authorized to act on his behalf
- (h) **"Fire Department"** means the Fire Department for The Town of The Pas, and includes all members of the fire department.
- (i) **"Firefighter"** means any member, of the Fire Department or other emergency service team while their services are actually engaged by the municipality for the purpose of enforcing the provisions of this by-law.
- (j) **"Fireworks"** means any article defined as fireworks pursuant to The Explosives Act (Canada) or regulations thereto and without limiting the generality of the foregoing, shall also include High Hazard Fireworks and Low Hazard Fireworks as defined hereafter.
- (k) **"High Hazard Fireworks"** means any fireworks such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains" mines and fire crackers as defined in Class 7.2.2 of The Explosives Act (Canada) as High Hazard Fireworks for Recreation.
- (l) **"Inspector"** means Fire Inspector or any other person or agency employed by or acting for the municipality and partially or wholly responsible for fire safety within the municipality.
- (m) **"Low Hazard Fireworks"** means any fireworks such as fireworks showers, fountains, golden rain, lawn light, pin wheel, Roman

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Candles, volcanoes, sparklers, Christmas crackers and caps for toy guns as defined in Class 7.2.1 of The Explosives Act (Canada) as Low Hazard Fireworks for Recreation.

- (n) **“Static Display”** means a display for sale of what appears to be fireworks which contain no explosive materials and have been prepared by a fireworks manufacturer for use as a display.

PART II: ADMINISTRATION

3. **Application**

The provisions of this by-law shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this by-law shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

4. **Adoption of Fire Code**

The municipality hereby adopts the Code as part of this by-law, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, is hereby incorporated as if fully set out at length herein. Any reference to this by-law shall be construed as a reference to the whole by-law, including the Code.

PART III: CREATION OF FIRE DEPARTMENT

5. **Creation and Membership**

- (a) There is hereby created a Fire Department for The Town of The Pas, which is to be comprised of a Fire Chief and up to a maximum of 30 firefighters. No change in the maximum complement of the Fire Department shall be made without approval of the Council, who may authorize an increase or decrease or vary the above stated complement.

- (b) Rules and regulations for the operation of the Fire Department shall be as per attached Schedule “A”.

6. **Responsibility of Fire Chief**

It shall be the responsibility of the Fire Chief to administer and enforce the provisions of this by-law; subject always to such direction as may from time to time be given by the Chief Administrative Officer.

PART IV: EMERGENCY SERVICES

7. **Emergency Services**

Emergency services are hereby established for the purpose of:

- (a) preventing and extinguishing fires;
- (b) investigating the causes of fire;

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- (c) preserving life and property and protecting persons and property from injury or destruction by fire;
- (d) providing rescue services,
- (e) performing salvage operations;
- (f) entering into agreements with other municipalities or persons for the joint use, control, and management of fire extinguishing apparatus and equipment;
- (g) purchasing & operating apparatus and equipment for extinguishing fires or preserving life and property.

8. Agreement for Emergency Service

The municipality may elect to enter into an agreement with another municipality to provide or have provided emergency services. Such agreement requires prior authorization of the Council.

9. Response Outside Municipality

The Fire Department will not respond to any call with respect to a fire or an emergency outside the municipal boundaries except with respect to a fire or emergency:

- (a) that in the opinion of the Fire Chief threatens property in the municipality or property situated outside the municipality that is owned or occupied by the municipality; or
- (b) in a municipality with which an agreement has been entered into to provide fire protection; or
- (c) in a municipality which forms part of a mutual aid agreement for which the municipality is a member; or
- (d) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefor; or
- (e) for which the head of council has first authorized such attendance.

PART V: GENERAL REQUIREMENTS

10. Interference an Offence

It shall be an offence for any person, other than the authority having jurisdiction or a firefighter in the course of duty, to turn on or interfere with any fire hydrant, in any manner whatsoever.

11. Tampering an Offence

It shall be an offence for any person to tamper with, damage, or discharge any fire prevention, fire suppression, or rescue apparatus, or move any such apparatus from its allocated location, without the permission of the Fire Chief or his designate.

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12. **Use of Personal Vehicles**

Personal vehicles of firefighters may be used to respond to a fire or emergency call from the point where the call was received to the fire hall provided that the vehicle is equipped with an approved beacon and operated in accordance with the provisions of The Highway Traffic Act.

13. **Requiring Additional Assistance**

The Fire Chief, or in his absence, the senior officer of the Fire Department present at any fire, shall have the right and authority to require any able-bodied adult person to assist in extinguishing fires and to assist in the control of spread of fire and any such person, while acting under the direction of the Fire Chief, shall be deemed an employee of the municipality.

14. **Commandeering Equipment**

The Fire Chief, or in his absence, the senior officer of the Fire Department present at any fire, shall have the right and authority to commandeer and authorize payment for the possession or use of any equipment for the immediate purpose of fighting a fire.

PART VI: FIRE PREVENTION STANDARDS

15. **Access for Inspection**

The authority having jurisdiction may, at all reasonable times, enter any premises for the purpose of making an inspection, and any person in charge of the premises shall allow the authority having jurisdiction free access thereto.

Inspection Fees

If a member is required to attend a property more than once for the purpose of conducting an inspection of the property, either because:

- a) the owner or occupier of the property did not provide the member with access to the property in accordance with the Notice of Inspection;
- b) the property was not in compliance with this by-law, the Fire Code or the Building Code;
- c) the member was requested by the owner or the owner's authorized agent to conduct an additional inspection

The Owner or Occupier shall immediately pay to the Fire Department a fee set out in the Fees and Fines by-law for each time a member attended at the Property for the purpose of conducting an inspection, whether or not an inspection was conducted.

16. **Prevention of Fire Spread**

The Fire Chief, or in his absence, the senior officer of the Fire Department present at any fire shall have the right and authority to enter, pull down or demolish any house or building or structure, directly or indirectly affected,

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where deemed reasonably necessary for the purpose of extinguishing a fire or to control or prevent the spread of fires or in conjunction with dangerous goods or rescue.

17. **Starting Fire in Open Air** (excluding regulated fire pits)

- (a) It shall be an offence for any person to light, ignite or start or allow or cause to be lighted, ignited or started a fire of any kind whatsoever in the open air without first having obtained written permission to do so from the Fire Chief or his designate.

Burning Without a Burning Permit

If the Fire Department provides Incident Response at a property for which no burning permit has been issued and the incident is a result of Open Burning at the Property, the Owner of the Property shall pay to the Fire Department within thirty (30) days of demand of same, the actual costs and expenses incurred by or on behalf of the Fire Department to provide Incident Response at the Property.

- (b) A person to whom a permit has been so issued hereunder shall not leave the permitted fire unattended at any time while it is burning or smouldering and shall ensure that sufficient appliances and equipment to prevent the fire from getting beyond control or causing damage or becoming dangerous are at the fire site.

Failure to Comply With Burning Permit

If the Fire Department provides Incident Response at a property for which a burning permit has been issued and the incident is a result of non-compliance with the burning permit, the Owner of the Property shall pay to the Fire Department within thirty (30) days of demand of same, the actual costs and expenses incurred by or on behalf of the Fire Department to provide Incident Response at the Property.

- (c) Notwithstanding subsection (a), no permit shall be required to light, ignite, or start or allow or cause to be lighted, ignited, or started a small contained fire in a barbeque, grill or similar device used to cook food.

18. **Storage of Containers**

All boxes, crates, petroleum barrels and other containers, empty or otherwise, packing materials or other materials used or kept in any building or on any lot, shall be:

- (a) so stacked or piled as to keep them clear of windows and doors to provide for clear ingress and egress to and from any part of the premises or building,
- (b) kept away from any source of ignition;
- (c) removed forthwith if determined to constitute a fire hazard by the authority having jurisdiction from the vicinity of the windows or doors in question to such location as authorized by the authority having jurisdiction.

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19. **Portable Fire Extinguishers**

Portable fire extinguishers shall be:

- (a) provided in conformance with the requirements of the Code and located as indicated in further requirements; and
- (b) maintained and/or hydrostatically tested in accordance with the requirements of the Code.

20. **Chimney Pipes**

All chimneys and pipes for fireplaces or woodstoves must be cleaned regularly to prevent a build-up of creosote. Where the Fire Chief deems it necessary he may give notice to any owner requiring the cleaning of any chimney or pipe and where such order is not complied with within ten (10) days the Fire Chief may cause the work to be done and the cost therefor shall be the responsibility of the owner.

21. **Property Maintenance**

All buildings and properties shall be adequately maintained in order to guard against fire or the risk of fire.

22. **Lock Boxes**

All Public Buildings and Hotels that have a Fire Alarm System or an Automatic Fire Sprinkler System are required to have an approved, flush mounted, lock box permanently mounted in a location acceptable to the Fire Chief. Unless otherwise stated, the acceptable location will be at the principal entrance to the Building used by the Fire Department during an Incident Response.

For confirmation and installation instructions of an approved type of lock box, an owner or occupier should contact the Fire Department. The Fire Chief may waive the requirement for a flush-mounted lock box if the Building design does not enable the installation due to physical limitations.

- (a) Only a member shall open lock boxes.
- (b) Keys placed inside the Fire Department lock box will be individually identified in a method acceptable to the Fire Chief.
- (c) Owners will supply keys to provide access to the following areas:
 - (i) Keys for all entry doors, service rooms and roof areas;
 - (ii) Keys for all doors that are locked from the exit stairs to floor areas;
 - (iii) Keys required to recall elevators and to permit independent operation of each elevator, and;
 - (iv) Keys for the fire safety plan box and the Fire Alarm System control panel, and the Fire Department Operations Box if present.

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23. **Contact Persons**

Responsibility of Contact Persons:

A Contact Person must be able to attend the Property within 30 minutes when requested by the Fire Department. Once the Contact Person has arrived at the Property, the Contact Person shall:

- (a) contact the Officer in Command at the scene;
- (b) be able to provide access to, or contact the person who has access to, the area of the property involved in the Incident Response;
- (c) be able to secure, or to have the area of the property involved in the Incident Response, secured;
- (d) perform a Fire Watch where required or assign persons to perform a Fire Watch;
- (e) be authorized to contact a Fire Protection Technician to test, reset, or repair the Fire Alarm System as necessary.

Responsibility of Owner Or Occupant:

The owner or occupier of a property with a Fire Alarm System or an Automatic Fire Sprinkler System either monitored or unmonitored shall provide a list of at least two (2) contact persons who are able to attend, enter and secure the property. The owner or occupier shall ensure that this list is current and that the Fire Department is provided with an updated list as changes are made.

Failure of Contact Persons to Attend:

Where a contact person fails to respond to a Fire Alarm and attend the property within 30 minutes of the Fire Department's initial attempt to contact them, the Fire Department may use whatever means are necessary to gain entry to the property to investigate the Fire Alarm without payment to the owner or occupier of any compensation whatsoever for damage caused to the property caused by such forced entry.

24. **Fire Watch Costs**

If the Designated Officer contacts a security company or maintains a Fire Department presence to perform a Fire Watch the owner of the property shall pay to the Fire Department within thirty (30) days of demand of same, the actual costs and expenses incurred by or on behalf of the Fire Department to perform the Fire Watch.

25. **Fire Alarm Systems**

- (a) Every fire alarm system shall be maintained at all times in operating condition and tested by a qualified person in accordance with the requirements of the Code.

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- (b) Where the Fire Department attends in response to a fire alarm call which is an apparent false alarm the Fire Chief, or in his absence the senior officer of the Fire Department present at the scene, will attempt to contact the property owner or other designated person to attend and secure the premises. Where unable to contact the property owner or designated person then a security guard may be called in to perform fire duty at the expense of the owner.

FEEES FOR RESPONDING TO FALSE ALARMS

- (1) The Fire Department may charge a fee for responding to a False Alarm, as set out in Schedule "B" to this by-law, where the Fire Department responds to:
- (a) more than one False Alarm at the same Building within the same Calendar Year;
 - (b) more than one False Alarm from the same fire alarm system within the same Calendar Year; or
 - (c) more than one False Alarm from the same parcel of land within the same Calendar Year where there is more than one Building on that parcel of land.
- (2) Where the Fire Department responds to any alarm that is as a result of a Security Alarm being routed to the Fire Department, the Fire Department may charge a fee for responding as set out in the Fee Schedule "B" to this Bylaw.
- (3) Where the Fire Department responds to an alarm and the Business Owner, Property Owner or Property Manager does not provide access to the interior of the Building within 30 minutes of the arrival of the Fire Department at the Building, the Fire Department may charge, in addition to the False Alarm fee set out in Schedule "B", an additional standby fee also set out in Schedule "B", until access is provided to the interior of the Building.

If a business owner, property owner or property manager has installed a lock-box in an accessible location at the building and if that lock-box contains current keys or codes to provide access to the building, a person or key-holder does not have to be present to satisfy the access requirements as set out in section 3.

- (4) If the Fire Department is dispatched to respond to an alarm but is notified that the alarm is a False Alarm before a vehicle leaves the fire station, and if as a consequence only the command vehicle responds to the False Alarm, the fee set out in Schedule "B" for that response shall be reduced by 50%.

Note: For greater clarity, the 50% fee reduction referred to in section 4 shall apply only to fire alarms, and not to security alarms routed to the Fire Department.

- (5) The fees provided for by this section may be charged to a property owner, business owner, alarm company, property manager or person responsible for the False Alarm. Any amount unpaid

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together with interest thereon on 90 days past due may be referred to small claims court, a collection agency or shall be added to and form part of the property taxes payable in respect of the hotel, public building or residence.

- (6) The Fire Department may recover the costs and expenses of providing an Incident Response as outlined in this Bylaw and the Fees and Fines by-law, jointly and severally from any person, Owner or Occupier.

26. **Flammable and/or Combustible Liquid Storage and Storage of Hazardous Materials**

Prior written permission from the Fire Chief shall be required for the storage of flammable and/or combustible liquids or hazardous materials in excess of the amounts specified in the Code (being Regulation 189/82 of The Fires Prevention Act as amended).

PART VII: FIREWORKS

27. **SALE OF FIREWORKS**

Fireworks may be sold within the municipality by persons who possess a business licence issued by the Town of The Pas Licencing Department and after inspection by the Fire Chief or his/her designate, have been determined to meet all applicable provisions of the Fire Code, Building Code and The Explosives Act (Canada) and filled out "Form A".

28. **STORAGE AND DISPOSAL**

The storage of fireworks and the disposal of unused fireworks shall be in compliance with The Explosives Act (Canada).

29. **DISCHARGE OF FIREWORKS**

No person shall fire, set off, or otherwise ignite any fireworks in or above the municipality prior to receiving written approval (Form B) by the Fire Chief or his/her designate.

30. **PERMISSION REQUIREMENTS**

The Fire Chief, at his absolute discretion, may grant permission for the firing or setting off of fireworks in conjunction with a proposed fireworks display with conditions as set out on Schedule "C" attached to this by-law.

- (a) No person shall utilize the property of any other person for a fireworks display without the written permission of the owner.
- (b) The Fire Chief shall require any applicant to comply with the High Hazard Fireworks standards.

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31. CONDITIONS UNDER PERMIT

The firing or setting off of fireworks or holding of a fireworks display shall be allowed only under conditions as set out in Schedule "C" to this by-law.

32. FIREWORKS SALES PERMIT

- (a) A person may have possession of fireworks for the purpose of sale if such person has previously obtained a Fireworks Sales Permit from the Fire Chief.
- (b) Fireworks Sales Permits shall only be issued to those persons who possess a business licence issued by the Town of The Pas Licencing Department or pay a Town of The Pas Business Tax;
- (c) Fireworks Sales Permits shall only be issued to those persons who, after inspection by the Fire Chief, have been determined to meet all applicable provisions of the Fire Code, Building Code, and The Explosives Act (Canada)."

33. RIGHT OF APPEAL

An applicant denied a permit pursuant to this Part by the Fire Chief may appeal the refusal to Council so long as such appeal is made in writing and directed to the municipal office within seven (7) days of a refusal by the Fire Chief.

PART VIII: PENALTY PROVISION

34. Penalty

- (a) Any person who contravenes or disobeys, or refuses or neglects to obey:
 - (1) any provision of this by-law, or any provision of any other by-law that by this by-law is made applicable to proceedings taken or things done under this by-law; or
 - (2) any provision of any by-law, Regulation or Order enacted or made by Council, or
 - (3) any Order made by this by-law or any condition attached to a permit or to which the permit is subject;

Any person violating any of the provisions of this by-law shall be liable to a fine not exceeding one thousand dollars (\$1000.00), refer to the Town of The Pas Provincial Offences Act By-Law No. 4572.

- (b) Any person who hinders or obstructs the authority having jurisdiction in the exercise of his duty is guilty of an offence and liable to a fine not exceeding one thousand dollars (\$1000.00)

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PART IX: REPEAL AND ENACTMENT

35. Repeal

- (a) That By-Law No. 4561 hereby be repealed.
- (b) The repeal of the By-Law(s) in the last preceding subsection mentioned shall not revive any by-law or any provision of any by-law repealed by them, nor shall the said repeal prevent the effect of any saving clause in the said by-law or the application of the said by-law or any other by-law or provision of law formerly in force to any transaction, matter or thing anterior to the said repeal to which they would otherwise apply.
- (c) The repeal of the said by-laws should not affect:
 - (1) any penalty, forfeiture or liability incurred before the time of such repeal, or any proceedings for enforcing the same had, done, completed or pending at the time of such repeal; or
 - (2) any action, suit, judgement, decree, certificate, execution, process, order, rule or any proceeding, matter or thing whatever, respecting the same had, done, made, entered, granted, completed, pending, existing or in force at the time of such repeal; or
 - (3) any act, deed, right, title, interest, grant, assurance, registry, rule, regulation, contract, lien, charge, matter, or thing had, done, made, acquired, established, or existing at the time of such repeal; or
 - (4) any office, appointment, commission, salary, allowance, security, duty, or any matter or thing appertaining thereto at the time of such repeal; or
 - (5) any bond, note, debenture, debt, or other obligation made, executed, or entered into by the Town at the time of such repeal.
- (d) The repeal of the said by-laws shall also not defeat disturb, invalidate, or prejudicially affect any matter or thing whatsoever had, done, completed, existing or pending at the time of such repeal.

36. Enactment

This by-law shall come into full force and take effect upon the passage thereof.

37. Validity of By-Law

Should any provision of this by-law or the Code hereby adopted be declared to be invalid by a court of competent jurisdiction, it is the intent of Council that it would have passed all other provisions of this by-law and the Code independent of the elimination of any such portion as may be declared invalid.


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DONE AND PASSED IN COUNCIL ASSEMBLED THIS 23 DAY OF April A.D. 2018.



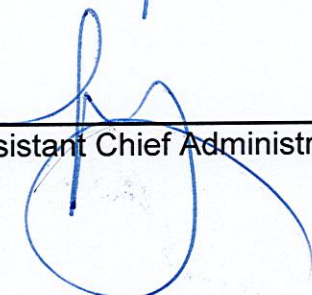
Mayor



Assistant Chief Administrative Officer

CERTIFIED THAT BY-LAW NO. 4578 WAS:

READ A FIRST TIME THIS 9th DAY OF April A.D. 2018.
READ A SECOND TIME THIS 23rd DAY OF April A.D. 2018.
READ A THIRD TIME THIS 23rd DAY OF April A.D. 2018.



Assistant Chief Administrative Officer

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SCHEDULE "A"

**RULES AND REGULATIONS
OF
THE TOWN OF THE PAS FIRE DEPARTMENT**

1. (a) To respond to every alarm without delay.
 - (b) To implicitly and immediately obey the order of a superior officer of the Department.
 - (c) To adhere to the rules and regulations pertaining to the firefighters as set out.
2. Members shall be entitled to monetary compensation from the time of the alarm of fire or emergency until dismissed by the Senior Officer on duty. Such time will include the overhaul and re-servicing of apparatus, equipment and Fire Station. After the first hour, personnel shall be compensated on an hourly basis.

Captains	\$20.00/hr
Firefighters	\$18.00/hr

For activities such as training, vehicle maintenance (except re-servicing of apparatus) and/or other Fire Department duties as ordered by the Fire Chief members shall be entitled to monetary compensation on a basis of \$13.00 per hour and \$15.00 per hour for captains.

3. Members of the Fire Department may join the Firemen's Association if they wish. The Association will not interfere with the operation or policy of the office of the Fire Chief.
4. Any member of the Department who fails to respond to any alarm of fire or refuses or neglects to respond to any alarm without reason or cause (the onus of which shall be on him to prove) shall be guilty of an infraction.
5. Members shall show courtesy and respect at all times when dealing with the public.
6. Members shall act with respect and courtesy and address superior officers by their departmental rank.
7. When a member is being addressed by a superior officer, he shall remain until dismissed.
8. When a member alleges unfair treatment, he may make a written complaint to the Fire Chief of the Department.
9. Members, unless previously assigned to duty, shall, in the case of fire, remain with their unit until assigned to duty by a Senior Officer.
10. Telephones of the Department shall not be used for long distance calls.
11. No member, directly or indirectly, shall solicit or accept from anyone gifts, money or other articles as a reward for services rendered in the carrying out of his duties, provided, however, that the foregoing does not exclude donations made directly to the Firemen's Association in appreciation for services rendered. Every member shall notify the Fire Chief Officer of any change of address within forty-eight (48) hours of such change.

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SCHEDULE "A"

**RULES AND REGULATIONS
OF
THE TOWN OF THE PAS FIRE DEPARTMENT**

12. Members may not hold social events in the Fire Hall without previously obtaining permission from the Fire Chief.

13. All members of the Department must be in possession of a valid drivers' licence.

All new members to the Department, within 1 year, must possess a valid Class 4 driver's licence with air brake endorsement.

14. When responding to any emergency at any time of the day or night, siren and flashers will be used unless instructions have been given by the Fire Chief of the Department.

Take special care when approaching intersections and railway crossings and.....

Obey all traffic laws.

15. No member shall supply information relative to the Department or operations at any time.

16. When valuables (money, jewellery, etc.) are found during a fire, members shall hand them over to the officer in charge of operations, who shall submit a detailed report to the Fire Chief.

17. No member shall use profane, immoral or indecent language or be guilty of conduct which may be prejudicial to the good order and discipline of the Department.

18. Every member is responsible for the maintenance or preventable loss of any equipment issued to him.

19. Every member who ceases to be a member shall return, to the officer in charge, all property of the Department in his possession.

20. Every member injured on duty shall immediately report the injury to the officer in charge who shall forthwith make a report of such injury on forms supplied by the Workers Compensation Board of Manitoba and hand such report to the Chief of the Department.

21. When an apparatus is involved in an accident, the driver/operator or officer in charge of the vehicle shall immediately report such accident to the Base Station by radio if possible and detail injuries and damage if possible and await instruction from the Fire Chief.

The Base Station operator will notify the R.C.M.P. and where there are injuries, order the ambulance to the scene of the accident.

22. Every member who is exposed to radioactive material shall have this fact entered on his medical record by the attending physician, including the name of the radioactive material and the nature of duration of his possible exposure to radiation.

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SCHEDULE "A"

**RULES AND REGULATIONS
OF
THE TOWN OF THE PAS FIRE DEPARTMENT**

23. There shall be at least 48 regular training meetings of at least two hours duration each year, to be held on the 1st, 2nd, 3rd and 4th Wednesday of each month.
24. A member who fails to attend three consecutive meetings or 40% of training without just cause shall cease to be a member when notified by the Fire Chief.

Members who miss lessons due to just cause, i.e., work, holidays, out-of-town, other public meetings, etc., will be excused from that lesson but will be required to gather the necessary information and complete the lesson plan.

25. Times, methods, types of training shall be at the discretion of the Chief of the Department.
26. Every member shall be issued with an approved helmet, firefighters' rubber boots and firefighters' turn-out clothing which shall be worn at all times when attending a fire or alarm thereof. Turn-out gear is to be marked on the inside with the firefighter's number.
27. All protective clothing shall be located at the Fire Hall and members shall respond to the Fire Hall on receipt of an alarm except for those detailed for specific duties by the Fire Chief.
28. It shall be the responsibility of the officers to ensure that Fire Hall and/or lounge is left neat and clean at the completion of training sessions.

TRAINING GROUND REGULATIONS

1. The training ground operation will be under the direction of the Fire Chief.
2. When any Fire Department or other group are using the training ground, full protective clothing is to be worn at all times, along with any other safety equipment that may be necessary.
3. As flammable liquids will be stored on site, there will be "No Smoking" allowed beyond the entry gate at any time.
4. During training operations, no civilian personnel whatsoever will be allowed on the site or beyond the main entry gate unless permission has been given by the Fire Chief. Such permission will make the Town of The Pas completely blameless and will be clearly signed by those wanting attendance.
5. Any unnecessary damage to buildings or equipment in this area will be charged against the Fire Department budget or personnel. The following instructions must, therefore, apply while using the smoke house;
 - Usage of axes, chain saws and forcible entry tools will not be allowed inside the house and they will be allowed outside only in those areas that have been clearly marked for their use.
 - No open fires will be allowed inside the house.

TOWN OF THE PAS

BY-LAW NO. 4578

SCHEDULE "A"

**RULES AND REGULATIONS
OF
THE TOWN OF THE PAS FIRE DEPARTMENT**

RESPONSIBILITIES

1. The Pas Fire Department shall have as its primary responsibility the suppression or prevention of fire within the boundaries of the Town of The Pas.

A secondary responsibility will be to acquire reasonable expertise in such other matters as extrication of motor vehicle accident victims and response to other community disasters or emergencies to the extent that is practicable.

2. The Town of The Pas Fire Department will have a Fire Chief.
3. The number of officers and other members of The Pas Fire Department shall be selected as per the need by the Fire Chief and should be maintained at a total strength of not less than twenty (20) including the officer rank and not more than thirty (30) including the officer rank.
4. The Fire Chief may develop procedures pertaining to recruitment, probation, tenure; training, promotion, discipline, suspension, dismissal and other such matters as may apply to the membership of the Fire Department and to its efficient operation.
5. The Fire Chief shall be held accountable to Chief Administrative Officer and shall make written and verbal reports thereto as the Chief Administrative Officer may require. All other department and company officers shall be accountable to the Fire Chief only.
6. The Fire Chief shall be appointed by Council. The Fire Chief shall be technically qualified by training and experience and shall have the ability to command men and hold their respect and confidence.
7. The Fire Chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and such other information about the work of the Department as he or the Council deems necessary.
8. The Fire Chief shall, from time to time, formulate a set of rules and regulations to govern the Department which, upon approval by the Town Council, shall form and become part of this by-law. The Fire Chief shall be responsible to the Chief Administrative Officer for the personnel, morale and general efficiency of the Department.
9. The Fire Chief shall determine the number and kind of companies of which the Department is to be composed and shall determine the response of such companies to alarms.
10. The Fire Chief is hereby required to assist the proper authorities in suppressing the crime of arson by investigation or causing to be investigated the cause, origin and circumstances of all fires.

TOWN OF THE PAS

BY-LAW NO. 4578

SCHEDULE "A"

**RULES AND REGULATIONS
OF
THE TOWN OF THE PAS FIRE DEPARTMENT**

11. The Fire Chief or his delegates are authorized to act upon any provisions of any Town of The Pas by-laws pertaining to fire prevention and suppression and to any Provincial or Federal statutes that are applicable to the prevention or suppression of fire in the Town of The Pas.
12. The members of The Pas Fire Department shall be eligible for the same protection in regard to liability that is accorded to the employees of the Town of The Pas. No Fire Department member will be held personally liable for any proper actions taken to suppress fire or to prevent its spread.
13. The Fire Chief shall submit to the Chief Administrative Officer monthly and annual reports of the Fire Department's operation.
14. The Fire Chief or his delegate shall have full authority to have removed any material or item in his opinion that he may deem removed to prevent the start of or spreading of a fire.
15. The Town and the Fire Department shall cooperate in enforcing safe working conditions as set out in the Town of The Pas Workplace Loss Prevention and Control Program being Policy P - 202 and the Workplace Health and Safety Act of the Province of Manitoba. The Fire Department will be required to have one designate sit on the Town of The Pas Health and Safety Committee to collaborate and assist in the wellbeing and safety of all members.

HIRING AND DISCIPLINE

Hiring

1. Applications for the Volunteer Fire Department are to be obtained from and submitted to the Fire Chief.
2. Submitted applications will be placed in a pending file and reviewed when there is a need for additional volunteer members.
3. Application review will be conducted by the Fire Chief and Fire Captains. If a consensus cannot be reached, the Fire Chief's decision will be final.
4. Successful applicants will be placed on a six (6) month probationary training program.

TOWN OF THE PAS

BY-LAW NO. 4578

SCHEDULE "A"

**RULES AND REGULATIONS
OF
THE TOWN OF THE PAS FIRE DEPARTMENT**

Discipline

1. Disobeying or failure to follow orders, endangering one's person or other persons, causing discord among other members, reporting under the influence of alcohol or drugs, or theft are some examples of when disciplinary action will be warranted. Progressive discipline will be administered by the Fire Chief as follows:
 1. Verbal warning
 2. Written warning
 3. Written with notice of Suspension
 4. Written suspension with notice of intent to dismiss.

Although the types of disciplinary action will be normally administered in the order shown, it does not necessarily mean that this is a required sequence in each case. For instance, an offence may be so flagrant or serious that suspension, pending dismissal, may be justified without attempting corrective measures such as written warnings.

The length of any suspension shall be subject to the severity of the infraction and at the discretion of the Fire Chief.

The Fire Chief may also terminate employment without cause.

TOWN OF THE PAS

BY-LAW NO. 4578

SCHEDULE "B"

FEES

False Alarms:

1st Alarm – No Charge

2nd Alarm - \$250.00

3rd Alarm - \$500.00

4th and all subsequent Alarms - \$20.00 per hour per member that responded to the page, and \$450.00 per hour for each responding apparatus

Fee's For Security Alarm Response:

1st Alarm - \$250.00

2nd Alarm - \$500.00

3rd and all subsequent Alarms - \$20.00 per hour per member that responded to the page, and \$450.00 per hour for each responding apparatus

Stand-by Fee's:

Stand – by \$500.00 per hr.

TOWN OF THE PAS

BY-LAW NO. 4578

SCHEDULE "B"

FEES AND FINES

Fines shall include but are not limited to:

administration fee for any additional filing out of forms
outside of the inspection report
turn on or interfere with any fire hydrant
tamper with / discharge any fire apparatus
failure to provide access to inspect
burning without permit
failure to comply with burning permit
improper storage of containers, packing materials etc.
failure to maintain property / buildings to prevent risk of fire
permission to store flammable / combustible liquids etc.
failure to carry out requirements of remedial orders
occupant load exceeded
fire safety system, altered/removed/service discontinued
without authorization
exit lighting/exit signs/emergency lighting not maintained
portable extinguishers not installed
portable extinguishers not maintained
housekeeping practices not implemented
exit not provided
improper storage of hazardous materials
lockbox not installed
lockbox keys not provided
fire department connections obstructed
address not posted
address not visible
failure to maintain fire watch
failure to maintain fire department access
failure to maintain exits
selling fireworks without a permit
failure to store fireworks properly
exploding or lighting fireworks on private/public property
without owner's consent
exploding or lighting fireworks on unapproved dates
without permit
lighting, exploding or activating display fireworks without
permit

TOWN OF THE PAS

BY-LAW NO. 4578

SCHEDULE "C"

FIREWORKS

SALE OF FIREWORKS

The sale of fireworks within the municipality is permitted subject to the following conditions:

1. The person(s) must possess a business license issued by the Town of The Pas Licensing Department or pay a Town of The Pas Business Tax;
2. The person(s), after inspection by the Fire Chief or his/her designate, have been determined to meet all applicable provisions of the Fire Code, Building Code and The Explosives Act (Canada), and must fill out attached Form A.

PERMISSION TO FIRE OR SET OFF FIREWORKS

Any person desiring to fire, set off, or otherwise ignite any fireworks, or conduct a fire-works display shall make application (Form B) to the Fire Chief for a Fireworks Permit, and such permit application shall state the following:

- (a) the name, address and proof of age and identity of the person to whom the permit is to be issued;
- (b) where applicable, the name and address of an executive officer or other person responsible for the person receiving the permit;
- (c) the place and date upon which the display is to be held;
- (d) where applicable, the name and address of the owner of the property upon which the display is to be held;
- (e) the name and address of each person under whose conduct and supervision the display shall be held;
- (f) the name and address of the Supervisor approved by the Chief Inspector of Explosives, for high hazard fireworks only, who shall supervise the fireworks display;
- (g) the location and manner in which the fireworks will be stored;
- (h) the manner in which unused fireworks, if any, are to be disposed of; and
- (i) the means which will be utilized in order to restrain unauthorized persons from coming into close proximity to the location where the fireworks are to be set off.

NOTE:

Any applicant for a permit as referred to above may prove his/her identity and age by presenting his/her driver's licence, birth certificate, or other identification satisfactory to the Fire Chief.

TOWN OF THE PAS

BY-LAW NO. 4578

SCHEDULE "C"

FIREWORKS

CONDITIONS UNDER PERMIT

The following conditions shall apply to the firing or setting off of fireworks or holding of a fireworks display under a permit issued:

- (a) (1) The display of Low Hazard Fireworks shall be carried out under the direct conduct and supervision of at least one responsible person, who shall be designated in the permit, and shall be at least eighteen years of age.
- (2) Notwithstanding paragraph (1) above and subsection (d) below, a permit shall not be required for the use of sparklers which may be used in a display so long as such display is conducted by or under the supervision of a person eighteen years of age or older and the use and sale of Christmas crackers and caps for toy guns shall not be regulated by this by-law.
- (b) The display of High Hazard Fireworks shall be carried out under the direct conduct and supervision of a person approved by the Chief Inspector of Explosives.
- (c) A display under either subsection (a) or (b) above shall be conducted in a manner consistent with all safety procedures specified in regulations issued pursuant to The Explosives Act (Canada), and continue only while:
 - (1) all proper precautions are being observed in order to keep spectators at a safe distance from the location where the fireworks are being set off; and
 - (2) all proper precautions are being observed in order to protect public and private property; and
 - (3) proper fire extinguishing equipment is available.
- (d) No display shall be held without compliance with the distance restrictions as set out in The Explosives Act (Canada).
- (e) All unused fireworks and all debris shall be removed and disposed of in accordance with provisions of The Explosives Act (Canada).
- (f) Where the display is to be held on or above municipal owned property, or on or above property over which the municipality has possession or control, the person to whom the permit is issued shall, prior to holding the display, deposit the following with the Fire Chief:
 - (1) a written undertaking by the person to indemnify the municipality for any liability that the municipality may incur as a result of damages arising out of the fireworks display;
 - (2) an insurance policy containing provisions including the amount of liability coverage acceptable to the Council, which provides for the protection and indemnification of the municipality in respect of any liability that the municipality may incur as a result of damages arising out of the fireworks display.

TOWN OF THE PAS

BY-LAW NO. 4578



PERMIT

SALE OF FIREWORKS

“Form A”

APPLICANT: (please print)

NAME: _____

STREET ADDRESS: _____

MAILING ADDRESS: _____

PHONE NUMBER: _____

LOCATION WHERE FIREWORKS WILL BE SOLD: _____

TOWN OF THE PAS BUSINESS LICENCE NO: _____

PERMIT APPROVED: _____
Fire Chief or designate for the Town of The Pas

DATE: _____

TOWN OF THE PAS

BY-LAW NO. 4578



PERMIT

DISCHARGE OF FIREWORKS

“Form B”

APPLICANT: (please print)

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

LOCATION OF FIREWORKS DISPLAY: _____

PROPERTY OWNER: _____

PHONE NUMBER: _____

SUPERVISOR(S) OF FIREWORKS DISPLAY: (if different from above)

NAME: _____

PHONE NUMBER: _____

NAME: _____

PHONE NUMBER: _____

NAME: _____

PHONE NUMBER: _____

APPLICANT'S SIGNATURE: _____

DATE: _____

PERMIT APPROVED: _____

Fire Chief or designate for the Town of The Pas

DATE: _____