



DISTRICT OF CLEARWATER

BYLAW NO. 79, 2011

A bylaw to amend regulation Bylaw for the Volunteer Fire Department of the District of Clearwater

WHEREAS the Community Charter allows Council, by bylaw, to establish and make regulations for a fire department.

NOW THEREFORE the Council of the District of Clearwater, in open meeting assembled enacts as follows:

1. CITATION

- 1.1 This bylaw may be cited as "District of Clearwater Volunteer Fire Department Regulations Amendment Bylaw No. 79, 2011."
- 1.2 The following bylaws and their amendments are repealed:
 - a) "District of Clearwater Volunteer Fire Department Regulations Bylaw No. 29, 2009".
 - b) "Clearwater Improvement District Fire Protection Establishment and Operation and Regulation Bylaw No. 272, 2005."
- 1.3 The British Columbia Fire Code Regulations, Fire Services Act, applicable National Fire Protection Association Codes, the Open Burning Smoke Control Regulation (Environmental Management Act), and all amendments thereto are deemed to be in full force and effect within the District of Clearwater, in conjunction with this bylaw.
- 1.4 This bylaw is divided into the following parts:
 - Part I Definitions
 - Part II Fire Department
 - Part III Fire Protection and Life Safety
 - Part IV Inspection of Premises
 - Part V Enforcement
 - Part VI Penalties
 - Part VII Court Fees
 - Part VIII Severability
 - Schedules
- 1.5 This bylaw shall come into full force and effect upon adoption.

PART I - DEFINITIONS

- "Approval" means acceptance as satisfactory to the Fire Chief or his/her designate.
- "Chief Administrative" means the Chief Administrative Officer of the District of Clearwater Officer".
- "Council" means the Council of the District of Clearwater.
- "Department" means the Clearwater Volunteer Fire Department.
- "District" means the District of Clearwater.
- "Fire Chief" means the person appointed from time to time as the Chief of the Volunteer Fire Department of the District of Clearwater, and any officer, member or inspector authorized in writing by the Fire Chief to act on his/her behalf.
- "Inspector" means any Fire Department member authorized in writing by the Fire Chief to act in such capacity.
- "Member" means a member of the Clearwater Volunteer Fire Department and includes an officer.
- "Nuisance" means use of property or course of conduct that interferes with the legal rights of others by causing damage, annoyance, or inconvenience.

Clearwater Volunteer Fire Department Regulations

- "Occupant or Occupier" means any tenant, lessee, agent, and any other person who has access to and control of any building or premises to which this bylaw applies.
- "Public Fire Hydrant" means any fire hydrant or stand pipe located on:
(a) a public roadway or right-of-way;
(b) District owned property;
(c) an easement held in favour of the District of Clearwater for the purpose of installing and maintaining a water distribution system.
- "Required Training" means training of a fire fighter to meet the standard training required to attain the rank of Fire Chief, Deputy Fire Chief, Captain, Lieutenants, or Safety Officer.
- "Ventilation Index" means the index published by the Ministry of Environment. British Columbia's weather conditions, mountainous landscape and settlement patterns often combine to trap smoke in populated areas. Open burning can only take place when local air flow will not cause the smoke to build up when the ventilation index is "good" for the day the open burn is started, and "good" or "fair" for the second planned day of the burn.

PART II - FIRE DEPARTMENT

- 2.1 There is hereby constituted a fire department for the District of Clearwater to be known as the "Clearwater Volunteer Fire Department", and the head of the department shall be known as the "Fire Chief".
- 2.2 Reporting to the Chief Administrative Officer, the Fire Chief is accountable for overseeing the provision of services for the protection of lives and property of the citizens of the District of Clearwater from fire hazards and for the operation of the Fire Department, including training and fire prevention.
- 2.3 The Fire Chief shall take all proper measures for the prevention, control, and extinguishment of fire and for the protection of life and property and may enforce all codes and bylaws respecting fire prevention, life safety and investigations.
- 2.4 The Fire Chief from time to time may make rules and regulations for the proper and efficient administration and operation of the Fire Department and for the discipline of its members, and may vary, alter, or repeal such rule or regulations as he/she may from time to time deem fit or necessary.
- 2.5 The Fire Chief shall be appointed by Resolution of Council.
- 2.6 In addition to the Fire Chief, the department personnel shall consist of a Deputy Fire Chief and such number of other officers and members as from time to time may be deemed necessary by the Fire Chief and approved by Council.
- 2.7 (a) The Fire Chief may recommend any person who is qualified, as a member of the Department.
(b) A person is qualified to be recommended as a member of the department who:
i) is 19 years of age or over;
ii) is of good character;
iii) passes such aptitude, physical and other valid tests as may be required by the Fire Chief;
iv) preferably resides within the District of Clearwater;
v) undergoes a criminal record check, which results in approval of the Fire Chief.
(c) A person recommended as member shall be on probation for a minimum of 15 training sessions during which period they shall take such training and examinations as required by the by the Clearwater Fire Department New Recruit Training Requirement No. 1-10. If a probationary member fails any such examination, the Fire Chief may dismiss such a member or extend their probation period.

- (d) Following the probationary period, the firefighters will hold a vote to appoint the person as a member of the Fire Department. Two-thirds of the fire fighters present for the vote must vote in favour to appoint the person as a member of the Department.
 - (e) A person recommended or appointed as a member shall adhere to the Code of Conduct presented to them, as shown in Schedule "B" attached to and forming part of this bylaw.
 - (f) Every member is subject to a medical examination at such time as the Fire Chief may require, such medical examination to be paid for by the Fire Department.
- 2.8 The remuneration of all members shall be as set out in Schedule "A" attached hereto and forming part of this bylaw.
- 2.9 The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the area and boundaries of the District of Clearwater, and no part of the fire apparatus shall be used beyond the limits of the municipality without:
- (a) a mutual aid agreement in place such as the one with the Vavenby Volunteer Fire Department and the Blackpool Volunteer Fire Department;
 - (b) the approval of the Mayor, Acting Mayor and/or Council or the discretion of the Fire Chief.
- The Letters Patent establishing the District of Clearwater includes an industrial plant at Vavenby. Section 11.0 of the Letters Patent indicates that this industrial plant will not receive the services of fire protection from the Clearwater Volunteer Fire Department. However, if there is a fire at the industrial plant and the Vavenby Fire Chief requests the Clearwater Volunteer Fire Department to assist, the decision to respond will be at the discretion of the Clearwater Fire Chief.
- 2.10 The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the Council to which he/she shall be responsible and in particular he/she shall be required to carry out all fire protection activities and may carry out such other activities as per Council policy, including but not limited to:
- (a) fire rescue
 - (b) pre-fire planning
 - (c) disaster planning
 - (d) preventative activities
 - (e) other incidents
- 2.11 The Fire Chief shall establish rules, regulations and policies in the form of Standard Operating Guidelines (SOG'S), and committees necessary for the proper organization and administration of the Fire Department including but not limited to the:
- (a) use, care and protection of Fire Department property;
 - (b) conduct and discipline of officers and members of the Fire Department;
 - (c) efficient operation of the Fire Department;
 - (d) compliance of lawful statutes and regulations.
- 2.12 The Fire Chief, or in his/her absence, the senior ranking member present, shall have control, direction and management of all Fire Department apparatus, equipment or personnel assigned to an incident and, where a member is in charge, he/she shall continue to act until relieved by a senior officer.
- 2.13 The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the *Fire Services Act and Regulations* and the *British Columbia Fire Code* there under and shall assume the responsibilities of the Local Assistant to the Fire Commissioner.
- 2.14 The Fire Chief shall report to Council on the operation of the Fire Department or any other matters in a manner designated by Council.
- 2.15 The Fire Chief, or any member of the Fire Department authorized by this bylaw, may at any reasonable time enter any premises for the purposes of fire prevention inspections.

Clearwater Volunteer Fire Department Regulations

- 2.16 The Fire Chief or the member in charge at a fire, is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he/she deems it necessary to prevent the spread of fire to other buildings, structures or things.
- 2.17 The Fire Chief, or the member in charge, at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter or pass through or over buildings or property, where he deems it necessary to gain access to the incident or to protect any person or property.
- 2.18 The Fire Chief or the member in charge, at an incident may request peace officers to enforce restrictions or persons entering within the boundaries of the incident.
- 2.19 No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
- 2.20 No person shall damage or destroy Fire Department apparatus or equipment.
- 2.21 No person at an incident shall drive a vehicle over any equipment or fire hose without the permission of the Fire Chief or member in charge.
- 2.22 The Fire Chief shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall enforce all municipal bylaws respective of fire prevention and exercise the powers and duties imposed on him/her by this bylaw and any provincial act or regulation.
- 2.23 The Fire Chief or his/her designate shall provide comment to the Planning Department on fire related issues on the development of properties. This includes comment on emergency vehicle access to the property, placement of fire hydrants, and other fire/water related issues on the property.
- 2.24 The Fire Chief shall submit to the Director of Finance for inclusion with the overall District budget submitted to Council for approval, the annual budget for the Fire Department, no later than October 31st of each year for the next budget year.
- 2.25 When in the opinion of the Fire Chief or Council the supply, pressure and flow of water is considered inadequate or in danger of becoming inadequate for the purpose of fire fighting protection, Council may by resolution introduce and enforce such regulations as may be considered necessary to conserve the supply, pressure and flow of water for such purposes. Such regulations may control and designate the purposes and hours for and the methods and appliances permitted for such use, including hoses, sprays, nozzles and sprinklers, and Council may also appoint an inspector or inspectors to enforce such regulations and such inspector or inspectors shall during the term of his/her or their office or appointment be granted the same authority to enter premises within the District for purposes of inspection under the regulations as are possessed by the Fire Chief.
- 2.26 The owner, occupier, agent or trustee of real property is prohibited from allowing any person to stand, loiter or sit in the isles, passages and stairways or any other means of egress of churches, theaters, halls, skating rinks and other places of amusement or public resort.
- 2.27 The owner, occupier, agent or trustee of real property is required to remove anything and everything from a building or yard which in the opinion of the Fire Chief is a fire hazard or increases the danger of fires.
- 2.28 If, in the opinion of the Fire Chief, a chimney, flue or any other exhaust apparatus may constitute an increased risk of fire, the Fire Chief, or designate, shall have the authority to order that the owner have the apparatus inspected by a qualified licensed professional and that the owner act on the recommendations of the professional. The order shall state the apparatus shall not be used until it passes the inspection of the professional.
- 2.29 The Fire Chief or other designate officers and members of the department are hereby authorized to enter any premises at reasonable times to inspect said premises for conditions which may cause a

fire or increase the danger of fire to persons and property.

2.30 Outdoor Fires – General Provisions

- (a) The Fire Chief may prohibit any or all types of outdoor fires when, in his opinion, atmospheric conditions or local circumstances may make such fires a hazard or a nuisance.
- (b) Any person who causes or through inadvertence, allows a fire to get beyond control and so necessitates the assistance of the District of Clearwater Volunteer Fire Department personnel and/or equipment, may be liable to a charge at a cost for such assistance, as specified in Schedule “C”. If such charge remains unpaid on December 31st of the year in which the charge was levied, the amount so unpaid shall be entered on the real property tax roll in respect of the property receiving the assistance and shall be collected as taxes in arrears for said property.
- (c) The Fire Chief or designate can require, where the safety of any forest, woodland, timber, or other property is endangered by debris caused by any lumbering, land clearing, or industrial operation, the person carrying on, or who has carried on, such operation, or the owner/tenant of the land on which the debris exists, to dispose of the debris in a manner acceptable to the Fire Chief. This may include cutting down all dead standing trees and stubs within the area affected and to provide such labour and to take such precautions to prevent the escape of fire or damage to property as the municipality or Officer acting for the municipality may direct.
- (d) The Fire Chief, or designate, may require a property owner to clear his property of natural accumulated debris to meet the minimum recommended guideline for fuel reduction to prevent the spread of fire in forested areas or heavy fuel load areas.

2.31 Outdoor Fires - Residential

- (a) Open burning of dry garden and yard refuse is allowed during Spring and Fall each year, however, open burning is banned within the District of Clearwater effective noon June 15, each year until October 1, each year.
Permits for this type of residential burning are not required.
- (b) Open burning is only permitted on private property. No fires are to be located on District property, public roads, or road allowances, or unpaved roads or lanes.
- (c) Open burning under Section 2.31 is to be carried out by the property owner/tenant or an agent acting on behalf of the property owner. The property owner will accept all responsibility of any liability as a result of the fire.
- (d) Regulations for open burning, pursuant to Section 2.31 are as shown in Schedule “D” attached to and forming part of this bylaw.

2.32 Outdoor Fires – Industrial / Commercial and Lot Clearing

- (a) Burning for lot clearing for development, and burning for the purpose of yard clean up in a commercial or industrial area, will be by permit only, as per Schedule “E”, attached to and forming part of this bylaw.
- (b) Burning of debris, refuse and slash by the District of Clearwater, Government Ministries, Departments or Agencies, which cannot be conveniently and economically disposed of by any other means shall be by permit only, as per Schedule “E” attached to and forming part of this bylaw.
- (c) All permitted burning pursuant to Section 2.32 (a) and 2.32 (b) shall conform to the Open Burning Smoke Control Regulation of the *Environment Management Act* (BC Reg. 145/93) as amended from time to time. Each permit issued will be for a 72-hour period only. There shall be a smoke free period of at least 15 days between burns on the same property. The person receiving the permit must check and comply with the Ministry of Environment regulations including the ventilation index. Open burning under Section 2.32 is banned within the District of Clearwater if the Ministry of Forests and Range have a burning ban imposed.

2.33 Outdoor Fires – Exemptions

The following outdoor fires are permitted without permit but will be subject to Section 2.30 and other

parts of this bylaw where applicable.

- (a) outdoor cooking devices using propane, natural gas or charcoal for the grilling or barbequing of food.
- (b) small fire pits used for warmth or the preparation of food using seasoned wood fuel and described in Schedule "F" attached to and forming part of this Bylaw.
- (c) controlled burning for a fire training exercise by the District of Clearwater Volunteer Fire Department
- (d) burning barrels must be covered with ½" screen mesh secured over the opening of the burning barrel. Burning barrels are to be located a minimum of 10 meters from any structure, building, trees, vegetation, or other flammable object.

Open burning under Section 2.33 is banned within the District of Clearwater if the Ministry of Forests and Range have a complete burning ban imposed.

PART III – FIRE PROTECTION AND LIFE SAFETY

3.1 Evacuation

If an emergency arising from a fire, fire hazard, toxic chemical spill or from a risk of explosion causes the Fire Officer in command to believe there is an imminent and serious danger to life or property or of a panic, he may immediately cause the removal of the hazard or risk or he may cause the people to be removed. He may order the evacuation of a building or area and may request assistance from the police to provide security to the evacuated area.

3.2 Fire Damaged Buildings

- (a) The owner of any fire damaged building shall ensure that the premises are guarded, or that all openings in the building are kept securely closed and fastened so as to prevent the entry of an unauthorized person(s). This is to be done in a timely manner in the opinion of the Fire Chief.
- (b) If the owner fails to provide the necessary security to the fire damaged building within a reasonable time, then the Fire Chief may have the work performed and the owner shall be liable to a charge at cost for such work payable to the District. If such charge remains unpaid on December 31st of the year in which the charge was levied, the amount so unpaid shall be entered on the real property tax roll in respect of the property receiving the assistance and shall be collected as taxes in arrears for said property by the Fire Department or Public Works crew at the expense of the owner.
- (c) If the owner fails to pay to the District of Clearwater the aforesaid expenses, then the District may recover the expenses in the same manner as municipal taxes.

3.3 Address Identification

All buildings or structures situated on any lot or parcel of land within the municipal boundaries shall be properly identified with numbers facing the District road which accesses the property, indicating their address as designated by the District of Clearwater. All address numbers shall be in contrasting colours to the base colour of the building or structure and visible from the street. Address numbers shall not be obstructed by shrubs, trees, beams or any other material that would impair quick and easy identification.

PART IV - INSPECTIONS OF PREMISES

4.1 Right to Inspect and Test

The Fire Chief, Inspector, and any member of the Fire Department may at all reasonable hours enter into and upon any lands, premises, yards or buildings, other than single family dwellings, for the purpose of testing or inspecting:

- (a) buildings, as required by the *Fire Service Act*;
- (b) to determine if Fire Department access and an adequate water supply is available for fire suppression purposes;
- (c) to determine if the requirements of this bylaw are being carried out.

4.2 Re-Inspection Fees

- (a) If more than one re-inspection of a property is performed by the Fire Chief to ensure fire safety violations discovered during a previous regular inspection have been rectified, a fee of Fifty Dollars (\$50.00) will be charged to the owner or occupant.
- (b) If the owner or occupant fails to pay to the District of Clearwater the aforesaid expenses, then the District may recover the expenses in the same manner as municipal taxes.

4.3 Accumulation of Combustible Materials

- (a) If the owner or occupier of property fails to take such precautions to prevent the accumulation of combustible growth or material of any kind as directed by the Fire Chief, within a reasonable period of time, then the Fire Chief may have the work performed by the District of Clearwater by its employees or others at the expense of the owner.
- (b) If the owner fails to pay to the District of Clearwater the aforesaid expenses, then the District may recover the expenses in the same manner as municipal taxes.

4.4 Smoke Alarm Installation and Maintenance

- (a) The owner of every residential building shall ensure that smoke alarms are installed and maintained in every dwelling unit or suite and in each sleeping room not within a dwelling unit except for institutional occupancies required to have a fire alarm system.
- (b) The occupant shall test the smoke alarms in compliance with the manufacturers' recommendation within the dwelling unit, suite or sleeping room to ensure that the smoke alarms are functioning correctly. If a smoke alarm is not functioning correctly, the occupant, if he/she is not the owner, shall inform the owner immediately.

4.5 Fire Safety Systems and Life Safety Processes

All installed fire alarm systems, and life safety processes or devices shall be maintained according to the *British Columbia Fire Code*.

4.6 Entry for Inspection

No person shall obstruct or interfere with the Fire Chief or their designate while they are carrying out any inspection pursuant to this Bylaw, the *British Columbia Fire Code*, or the *British Columbia Fire Services Act*.

4.7 Assistance in Inspection

The owner, occupier, or lessee of a building or property or any other person having knowledge of a building or property shall, upon request, give to a fire inspector, who is carrying out an inspection of the building or property, such assistance as he may require in carrying out the inspection.

4.8 Fee for Inspections by Special Request

A fee of one hundred and fifty dollars (\$150.00) shall be paid to the District of Clearwater with the request to conduct a fire safety inspection for the pending sale or purchase of a property.

PART V - ENFORCEMENT

5.1 Issuance of Order

- (a) If an Inspector finds that any provision of this bylaw has been contravened or has not been complied with, or has been complied with improperly or only in part, or that conditions exist in or upon a building or property to which the bylaw applies and which, in his/her opinion, constitutes a fire hazard or otherwise constitutes a hazard to life and/or property, he/she may make such order to ensure full and proper compliance with this bylaw and in particular, but without limiting the generality of the foregoing, he may:
- i) make to the owner, occupier or lessee of the building or property such recommendations as he deems necessary to correct the contravention or to ensure compliance with this bylaw or to remove the hazards referred to in the bylaw or,
 - ii) make such orders as he deems necessary with respect to any of the matters referred to in this bylaw.
- (b) An order made under this bylaw shall be in writing and shall be directed to either the owner, occupier or lessee of the building or property in respect of which the order is made or to both.

5.2 Service of Order

An order made under this bylaw shall be served by:

- (a) delivering it or causing it to be delivered to the person to whom it is directed, or
- (b) sending the order by return registered mail to the last known property owner.

PART VI - PENALTIES

- 6.1 Every person who violates any of the provisions of this bylaw or suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or who refrains from doing anything required by the bylaw shall be deemed to be guilty of an infraction thereof and liable to the penalties imposed.
- 6.2 Any person or persons on summary conviction shall be liable to a penalty of not less than twenty-five (\$25.00) dollars and not more than two thousand (\$2,000.00) dollars for each infraction or offense and shall be enforced and recoverable in a manner provided by the "Summary Conviction Act".

PART VII - COURT FEES

7.1 Court Fees

1. If an Officer or Member of the Fire Department is required to attend any civil or criminal proceedings, court hearing or examination for discovery as a result of his/her attendance at a fire, fees shall be paid as follows:
 - ½ day (or part thereof) \$50.00
 - Full day \$80.00
 - plus the mileage rate, if applicable, established by resolution of Council for attendance by Council and staff at events or conferences outside Municipal boundaries.
2. In special circumstances, actual replacement of lost wages will be considered for reimbursement by Council when accompanied by a report with a recommendation from the Fire Chief and the Administrator.

PART VIII- SEVERABILITY

8.1 If any portion of this Bylaw is held invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.


This bylaw shall repeal Bylaw No. 29

READ A FIRST TIME this 16th day of August, 2011.

READ A SECOND TIME this 16th, day of August, 2011.

READ A THIRD TIME this 16th, day of August, 2011.

RECONSIDERED AND FINALLY ADOPTED this 6th day of September, 2011.

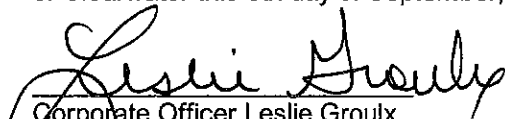


Mayor John Harwood



Corporate Officer Leslie Groulx

Certified to be a true and correct copy
of Bylaw No. 79, 2011 cited as "District
of Clearwater Fire Department
Regulations Bylaw No. 79, 2011" as
adopted by the Council of the District
of Clearwater this 6th day of September, 2011



Corporate Officer Leslie Groulx

Schedule "A"**Fire Department Remuneration**

Fire Chief (Administration Officer)	\$26.00 per hour to a maximum of 1000 hours per year plus vacation pay plus \$40.00 per fire call and per practice
Deputy Fire Chief(s)	\$2,500.00 per year (honorarium) plus \$30.00 per fire call and per practice (prior to completing "required" training) \$5,000.00 per year (honorarium) plus \$30.00 per fire call and per practice (after completing "required" training)
Captains	\$1,000.00 per year (honorarium) plus \$25.00 per fire call and per practice (prior to completing "required" training) \$2,000.00 per year (honorarium) plus \$25.00 per fire call and per practice (after completing "required" training)
Lieutenants/Safety Officers	\$500.00 per year (honorarium) plus \$20.00 per fire call and per practice (prior to completing "required" training) \$1,000.00 per year (honorarium) plus \$20.00 per fire call and per practice (after completing "required" training)
Maintenance Officer	Regardless of rank, the Maintenance Officer receives \$25.00 per hour to a maximum of 400 hours plus vacation pay per year in addition to remuneration for rank
Firefighters	\$15.00 per fire call and per practice (prior to completing "required" training) \$20.00 per fire call and per practice (after completing "required" training)

NOTE: Any member of the Fire Department remaining at a fire scene after 4 hours gets an additional \$50.00

Schedule "B"**Volunteer Fire Fighters Code of Conduct**

All Officers and Members of the District of Clearwater Volunteer Fire Department shall:

1. At all times be governed by the ordinary and responsible rules of behavior observed by law-abiding and self-respecting citizens and no Member shall commit any act to bring discredit upon the Department, its Members or the District of Clearwater. Furthermore, when representing the Department, all Members shall be expected to be courteous and respectful in their contacts with the public;
2. Operate through the Fire Chief in transacting the business of the Department;
3. Attend fires or emergencies to which they may be dispatched and to perform to the best of their ability. Neglect, inefficiency or indifference of Members in the performance of their duties constitutes unacceptable behavior, and may result in discharge from the Department;
4. Exercise precaution and good judgment in order to avoid injury to themselves and to other Members;
5. Adhere to the policies set out in the District of Clearwater Volunteer Fire Department Standard Operating Guidelines.
6. Accord obedience, proper respect and courtesy to Officers and Acting Officers;
7. Make truthful and accurate reports and not make statements with intent to deceive;
8. Not willfully mutilate any useful Department record, book, paper or document;
9. Promptly notify the Fire Chief of all matters coming to their attention affecting the interest of the Department;
10. Exercise caution to avoid unnecessary damage or loss of Department property and be responsible for the safekeeping and proper care of all Department property;
11. Not remain on duty if their ability is impaired by the use of a mind-altering substance(s);
12. Not use or take in any form a mind altering substance(s) while on duty;
13. Not indulge in obscene or uncivil language, altercations or conduct while on duty, which might cause adverse public reaction or injury to any person;
14. Refrain from engaging in any activity which reduces the Member's effectiveness;
15. Refrain from promoting their names, in the context as a Member of the Department, for any commercial or business purposes, or for countenancing the use of the name and/or prestige of the Department for such purposes;
16. Accept no reward, fee, or gift from any person for services incidental to the performance of duty, except with the permission of the Fire Chief.
17. Treat all other members with respect and without discrimination or prejudice;
18. Driving behavior shall conform to Motor Vehicle Act regulations at all times.

Schedule "C"

Charge Out Fees for Manpower and Equipment

The following rates for the use of manpower, vehicles and equipment shall be recoverable by the District pursuant to this Bylaw.

Personnel

For the first (4) hours each firefighter will get paid their call out rate of pay as assigned to him/her. A firefighter attending the scene more than four (4) hours will receive an additional \$50.00. The above rates would be subject to a 30% administration fee payable to the District of Clearwater.

Vehicles Per Hour Rate

1 – Major Pumper/Tender	\$400.00
1 – Bush Truck	\$300.00

Miscellaneous Equipment

At replacement costs.

Schedule "D"**Residential and Open Air Burning Regulations**

In accordance with the *Environmental Management Act* Open Burning Smoke Control Regulation, open burning of backyard or garden waste is permitted under certain conditions, although it is not encouraged. Homeowners are asked to reuse or recycle as much organic and wood waste as possible, instead of burning it. Care should be taken at all times to ensure that open burning does not occur during periods of atmospheric inversion, or when local weather conditions would be adversely impacted by smoke and air-borne particulates from open burning.

Open burning in close proximity to schools, care facilities, and adult and child care facilities is discouraged and other options for disposing of burnable waste should be considered. Refer to the *Environmental Management Act* Open Burning Smoke Control Regulations.

The following conditions for the burning of backyard and garden waste in residential areas of the District shall apply:

1. Residents may burn in the open air, dry garden refuse (small prunings, vegetable garden refuse) without a permit between dawn and dusk during the period established by the Fire Chief in the spring and fall of each year. Open burning is banned within the District of Clearwater if the Ministry of Forests and Range have a burning ban imposed.

Open burning of dry garden and yard refuse is allowed during Spring and Fall each year, however, open burning is banned within the District of Clearwater effective noon June 15, each year until October 1, each year.

Permits for this type of residential burning are not required.

2. Any person who lights a fire to dispose of dry garden refuse shall observe the following conditions:
 - (a) the piles of materials to be burned must not be larger than 1 meter by 1 meter and shall not be more than 1.5 meters high;
 - (b) the fire shall be not less than 4 meters from any log, stumps, snag or standing tree;
 - (c) the fire shall be at least 15 meters from any slash, other flammable debris or from any structure;
 - (d) a round point shovel and a fully charged garden hose or other source of water and not less than 18 liters in capacity shall be kept near the fire at all times;
 - (e) all flammable material shall be removed down to mineral soil for not less than 1 meter in every direction from the perimeter of the fire;
 - (f) the fire shall be attended by at least one competent adult person until completely extinguished;
 - g) The following material must not be included with debris that is open burned:

tires	treated lumber	plastics	railway ties
drywall	manure	demolition waste	rubber
domestic waste	asphalt	asphalt products	paint
hazardous waste	fuel and lube containers	tar paper	biomedical waste
 - h) the lighting or fueling of a fire during any period of winds strong enough to cause sparks or other burning material to land in any combustible material in the vicinity is prohibited.

Any person who contravenes these regulations is subject to the penalty provisions of this bylaw.

Schedule "E"**Outdoor Fires – Industrial/Commercial and Lot Clearing**

In accordance with the *Environmental Management Act Open Burning Smoke Control Regulation* and *Ministry of Forests and Range Wildfire Regulation*, open fires are permitted under certain conditions, although it is not encouraged. Those intending to clear lots or undertake industrial/commercial burns are asked to reuse or recycle as much organic and wood waste as possible, instead of burning it. Care is to be taken at all times to ensure that open burning does not occur during periods of atmospheric inversion, or when local weather conditions would be adversely impacted by smoke and air-borne particulates from open burning.

Open burning in close proximity to schools, care facilities, and adult and child care facilities is discouraged and other options for disposing of burnable waste should be considered. Refer to the *Environmental Management Act* at www.env.gov.bc.ca Open Burning Smoke Control Regulations.

1. Residents may burn between dawn and dusk during the period established by the Fire Chief. Open burning is banned within the District of Clearwater if the Ministry of Forests and Range have a burning ban imposed.
Open burning of dry garden and yard refuse is allowed during Spring and Fall each year, however, open burning is banned within the District of Clearwater effective noon June 15, each year until October 1, each year.
Permits for this type of residential burning are not required.
2. Any person who lights a fire to clear a lot for development, or for the purpose of yard clean up in a commercial or industrial area needs to obtain a permit, and will observe the following conditions:
 - a) the piles of materials to be burned shall not be larger than 5 meters by 5 meters and shall not be more than 5 meters high;
 - b) the fire shall be not less than 5 meters from any log, stumps, snag, standing tree or other vegetation;
 - c) the fire shall be at least 15 meters from any slash, other flammable debris or any structure;
 - d) a fuel break shall be constructed around the burn area, or each debris pile;
 - e) the person responsible for the burn shall take all necessary precautions to ensure the fire is contained within the burn area;
 - f) while the fire is burning and there is a risk of the fire escaping, the person responsible for the fire shall ensure that the fuel break is maintained, a fire suppression system is available at the burn area (of a type and with a capacity adequate for fire control if the fire escapes), the fire is watched and patrolled by a person to prevent the escape of fire and the person is equipped with at least one fire fighting hand tool, and the fire does not exceed the capacity of the persons, fire fighting tools and heavy equipment on site for timely action to prevent any fire from escaping;
 - g) If a fire spreads beyond the burn area or otherwise becomes out of control, the person responsible for the fire must carry out fire control immediately, extinguish the fire if practicable, and as soon as practicable, report the fire to the Fire Department;
 - h) The following material must not be included with debris that is burned:

tires	treated lumber	plastics	railway ties
drywall	manure	demolition waste	rubber
domestic waste	asphalt	asphalt products	paint
hazardous waste	fuel and lube containers	tar paper	biomedical waste
 - i) the lighting or fueling of a fire during any period of winds strong enough to cause sparks or other burning material to land in any combustible material in the vicinity is prohibited;
 - j) A person carrying out a burn as a result of an industrial activity or land clearing must make available to fight the fire sufficient heavy equipment, fire suppression systems, workers and fire fighting hand tools to control the fire.
 - k) the person responsible for the fire shall ensure the fire is extinguished by the date specified by the Fire Chief or person who issued the burning permit (see Section 2.32(c) of Bylaw 79, 2009)

Any person who contravenes these regulations is subject to the penalties provided in this bylaw.

Schedule "E" Cont'd.

Burning Permit

Please address all correspondence to:
Fire Chief
District of Clearwater
PO Box 157
Clearwater, BC V0E 1N0
(250) 674-2257

_____, 20____

Permission is hereby granted to:

Address: _____

Telephone Number: _____ (Home) _____ (Business)

To burn for _____ (# of days) commencing on _____, 20____ at the following street address:

I hereby declare that I have read and fully understand the regulations contained in Section 2.32 and Schedule "E" of the "District of Clearwater Volunteer Fire Department Regulations Bylaw No. 79, 2009", and agree to comply with such regulations.

Signature of Person Receiving Permit:

(Signature)

(Date)

Approval of the Fire Chief:

(Signature)

(Date)

A copy of Section 2.32 and Schedule "E" of Bylaw 79, 2009 is to be provided to the applicant along with this permit. The applicant is also directed to the "Open Burning Smoke Control Regulation" of the Environmental Management Act (BC Reg 145/93) as amended from time to time. A visit to the burn site will be requested at the discretion of the Fire Chief.

Schedule "F"

Campfires

1. Campfire Regulations and Prohibitions

No person will light, ignite or start, or allow, or cause to be lighted, ignited, or started, a campfire except in accordance with the following regulations:

- (a) Fire pit size not to exceed 0.5 meter by 0.5 meter;
- (b) Only permitted burning materials, including seasoned untreated lumber, dry and seasoned firewood will be used in campfires;
- (c) Campfires will be continuously controlled and supervised by a competent person equipped with extinguishing equipment and material, and must be completely extinguished before the person leaves the area;
- (d) Campfires will be maintained so as not to cause a nuisance;
- (e) Campfires will be contained within a fire pit;
- (f) Campfires must be located a minimum of 5 meters from adjoining property lines, buildings and any other combustible material;
- (g) Campfires must be intended for and used solely for the preparation of food and/or warmth;

2. Restrictions

- (a) No person will burn prohibited burning materials, compostable materials or garbage in the open air, campfire, fireplace or woodstove.
Open burning of dry garden and yard refuse is allowed during Spring and Fall each year, however, open burning is banned within the District of Clearwater effective noon June 15, each year until October 1, each year.
Permits for this type of residential burning are not required.
- (b) All fires are subject to local fire hazard restrictions and Ministry of Forests and Range Camp Fire Bans and are subject to cancellation at any time by an authority having jurisdiction.
- (c) At a complaint of discomfort, or reduced quality of life, the Fire Chief or designate shall have the authority to order that any fire be extinguished, or that all outdoor burning may be prohibited.

Schedule "G"

District of Clearwater Boundaries

The boundaries for fire protection are as outlined in Section 2.0 of the District of Clearwater *Letters Patent*, Order of the Lieutenant Governor in Council No. 652, approved and ordered October 4, 2007. An exception for an industrial plant is outlined in Section 11.0 of the *Letters Patent*.