

THE RURAL MUNICIPALITY OF REYNOLDS

BY-LAW NO. 03/2024

Being a By-Law of The Rural Municipality of Reynolds to establish and regulate The Rural Municipality of Reynolds Fire Department;

WHEREAS Section 232(1) of The Municipal Act provides that a council may pass by-laws for municipal purposes respecting the following matters:

- a.) The safety, health, protection and well being of people and the safety and protection of property; and
- i.) Preventing and fighting fires.

AND WHEREAS Section 264 of The Municipal Act provides in part as follows:

264 Every municipality must provide fire protection services within boundaries to reduce the danger of fire, which may include education programs, inspections of property, the installation of alarms, instructions on fighting fires, the provisions of fire fighting equipment and a fire protection force;

AND WHEREAS The Rural Municipality of Reynolds deems it necessary and advisable to establish a fire department known as The Rural Municipality of Reynolds Fire Department and to make such rules and regulations as are hereinafter set forth;

NOW THEREFORE BE IT RESOLVED that the Council of The Rural Municipality of Reynolds in open meeting duly assembled, enacts as follows:

TITLE

- 1.0 This By-Law be referred as "The Rural Municipality of Reynolds Fire Department By-Law:"

DEFINITIONS

- 2.0 In this By-Law:
 - a) "Department" means the Reynolds Fire Department at Prawda, as owned and operated by The Rural Municipality of Reynolds.
 - b) "Duty" means when a member is engaged in an emergency response for the department; includes the time from when a member is paged to attend, until the member returns back to the Department fire hall to complete clean-up and debriefing.
 - c) "Fire Chief" means the Chief of the Department.
 - d) "Fire/Protection Committee" means the four (4) members of Council so designated by Council.
 - e) "Member" means a person appointed to the Department as a Fire Fighter, Fire Chief, Deputy Fire Chief, or Training Instructor.
 - f) "Reynolds" means the Rural Municipality of Reynolds.

DEPARTMENT

- 3.0 Reynolds may by resolution of Council appoint members to or remove members from the Department.
- 3.1 The Department shall have a maximum of twenty (20) members. Council may approve a change to the twenty-member maximum upon

the recommendation of the Fire Chief/Fire Protection Committee/Council.

- 3.2 Reynolds shall provide insurance coverage for members and will indemnify and save harmless a member for any loss, damage or expenses caused or suffered by the member as a result of the performance of a duty as a member as long as the member is not in contravention of any requirements of this by-law.
- 3.3 No member shall carry out any duty, action or responsibility under this by-law if impaired by reason of alcohol or drug consumption. If a member is impaired when carrying out any duty, action or responsibility under this by-law, the insurance coverage described in 3.2 shall be forfeited and the member shall indemnify and save harmless Reynolds from and against all claims, losses, damages and expenses of any kind arising out of the member's actions while impaired.
- 3.4 Remuneration of all members shall be determined by resolution of Council from time to time.
- 3.5 Remuneration shall begin after member appointment by Council.
- 3.6 Reynolds shall pay for the cost of members medical exams that are performed at the request of Council or the Fire Chief.
- 3.7 Reynolds shall reimburse members for the cost of obtaining class IV (four) drivers license (written and practical), on the condition that the member has completed one year of service.
- 3.8 Reynolds shall pay for the cost of members CPR and Emergency First Aid Certificates.
- 3.9 The Fire/Protection Committee shall be the liaison between Council and the Department. The Fire/Protection Committee shall meet with the Fire Chief on a regular quarterly basis, the third Tuesday of March, June, September and December, or more frequently if required. The Fire/Protection Committee shall participate in discussions with the Fire Chief on any and all matters of the Department and report, recommend, and refer decisions to Council.

MEMBER REQUIREMENTS

- 4.0 In order to be qualified members shall at all times be:
 - a) at least eighteen (18) years of age;
 - b) able to obtain a Class 4 License with air brake endorsement
 - c) physically capable of performing the duties and, if requested, produce a medical certificate to that effect, on a form prescribed by Council;
 - d) a resident and/or ratepayer of Reynolds or as approved by resolution of Council.
- 4.1 All members shall submit their driver's license to the Fire Chief by January 31st each year, to be photocopied and kept on file.
- 4.2 All members shall submit driver's abstract upon initial application, to be placed on file at R.M. of Reynolds office.
- 4.3 Any member who loses his/her driving privileges, must immediately report this information to the Fire Chief.
- 4.4 All members shall be required to obtain a Level 1 fire fighters certificate.
- 4.5 All members operating Department vehicles shall be responsible to sign

fuel, oil, and emergency expense bills and shall mark the license plate number on the bill to be charged to Reynolds.

- 4.6 All members shall comply with the rules of the road and drive with care and caution while on duty.
- 4.7 All members shall, upon the request of the Fire Chief or Council, have a medical examination to concur that they can perform their duties.
- 4.8 All members shall exercise safety procedures at all Department activities in accordance with the Workplace Safety and Health Act.
- 4.9 All members shall report to the Fire Chief/Council if they are knowingly unfit or not capable of performing their duties. Such members may be granted a leave of absence until such time as they are able to return to perform the duties, and provide medical approval on a form prescribed by Council, to satisfy the Fire Chief and Council that they are fit and able to perform the duties.
- 4.10 All members shall acquire a CPR and Emergency First Aid Certificate within three (3) months of being accepted as a member.
- 4.11 All members shall participate in the training and educational programs provided by the Fire Chief or Training Instructor .
- 4.12 All members shall acquire certified vehicle extrication training within two years of appointment as a member.
- 4.13 All members shall acquire certified hazardous (hazmat) awareness training within two years of appointment as a member.
- 4.14 All members shall attend at least seventy-five percent (75%) of the training or fire practices per calendar year and not miss more than two sessions in a row without a valid reason and shall notify the Chief, if not able to attend.
- 4.15 All members shall keep facial hair controlled such that it does not interfere with the effective operations of the breathing apparatus.
- 4.16 All members shall follow the requirements of the Personal Health Information Act (PHIA). Personal health information of any person or member, and incident information shall not be discussed outside of Council and the Department.
- 4.17 No member, while on duty, shall enter any premises where alcoholic beverages are consumed, except in the performance of his duties, or during training courses where meals are consumed in a licensed premise.
- 4.18 No member shall be permitted to report for, or remain on duty, if ability is impaired by the use of any intoxicating beverage or drug.
- 4.19 No member, while on duty, shall consume any intoxicating beverage or drug.
- 4.20 All members shall comply with all provisions of this by-law along with any policies, general orders or departmental rules that are issued by the Fire Chief/ Fire Protection Committee/Council.

MEMBER RECRUITS

- 5.0 The Fire Chief shall recruit qualified persons to become members.

- 5.1 There shall be no remuneration for recruits for the first four training or fire practices attended.
- 5.2 After four training or fire practices the Fire Chief may recommend in writing to Council for member appointment.
- 5.3 A person approved as a member shall be on probation for a period of six months at which time a written appraisal shall be prepared by the Fire Chief and a recommendation made to Council whether the member continue or be dismissed.
- 5.4 During the probationary period the member shall take such training and examination as recommended by the Fire Chief. If a probationary member fails any such examinations, the Fire Chief may recommend to Council that the member be dismissed.
- 5.5 All fire fighters shall receive Fire Department By-laws, General Operating Guidelines; Code of Conduct, Respectful Workplace Policy and any other policies adopted by Council. Fire fighters must acknowledge receipt of and review said documents.

FIRE CHIEF

- 6.0 The Fire Chief shall be appointed to the Department by resolution of Council.
- 6.1 The Fire Chief shall be a designated officer of Reynolds with the powers identified under The Municipal Act, for the purpose of carrying out the duties and responsibilities of the Fire Chief under this by-law.
- 6.2 The Fire Chief shall have the authority to incur expenses as per schedule: up to a maximum of \$5,000.00 per calendar, provided that such expenditures have been budgeted for in the current years operating budget; for the purchase of Department supplies, minor equipment, equipment maintenance and emergency repairs, and other operational expenditures related to the day to day operation of the Department.
- 6.3 The term of office shall be four years from appointment. At the end of said term Council shall review the Fire Chief's performance and may appoint for another term. If the Fire Chief is unable to complete the term and/or resigns, then the Deputy Fire Chief shall serve as Acting Fire Chief until Council appoints a new Fire Chief.
- 6.4 The Fire Chief's performance shall be reviewed annually by the Fire/Protection Committee who shall make recommendations to Council.
- 6.5 The Fire Chief shall take such training and examination as requested by Council.
- 6.6 The Fire Chief is responsible to the Council for the proper administration and operation of the Department.
- 6.7 The Fire Chief shall make and enforce general orders and rules as may be necessary for; the care and protection of Department property, conduct of members, and the efficient operation of the Department. Such general orders and rules shall not conflict with the provisions of any by-laws of the municipality. All general orders and departmental rules shall be made available to Council which reserves the right to amend or repeal any such order or rule.
- 6.8 The Fire Chief shall review periodically (minimum of a yearly review) the procedures of the Department. The Fire Chief may establish an

Advisory Committee to assist with the review, consisting of members or persons he/she may determine from time to time.

- 6.9 The Fire Chief shall take all proper measures for the prevention, control and extinguishments of fires; for the protection of life and property; and exercise the powers and duties imposed on him/her by the Council and The Fires Prevention and Emergency Response Act.
- 6.10 The Fire Chief shall keep an accurate record of all emergencies the Department responded to, and shall complete a written report to Reynolds municipal office the next working day following the emergency.
- 6.11 The Fire Chief shall meet with Council bi-annually in January and July as a Delegation to the Regular Meeting of Council, or more often as required by Council or the Fire Chief to report the following:
 - a) The number of emergencies responded to, their location and cause, the date and loss occurred, and the number of members responded;
 - b) The nature and occasion of all accidents resulting from fires or happening to the members; and
 - c) The condition, sufficiency, and efficiency of the Department apparatus and equipment.
- 6.12 The Fire Chief shall prepare an estimate of Department expenditures for the year and submit to Council for their consideration by February 1st of each year.
- 6.13 The Fire Chief shall ensure all equipment is picked up after an emergency. The Fire Chief shall report to the municipal office any missing equipment by the following working day.
- 6.14 The Fire Chief shall have control and responsibility for the care and maintenance of the Department apparatus and property, subject to such instructions received from time to time from Council.
- 6.15 The Fire Chief shall be responsible for Department drills or instructions with members, at least once a month, on any of the following topics; the operation and handling of equipment, fire prevention, water supplies first-aid, and all other matters generally considered essential for the safety of members and the prevention of life and property from fire.

DEPUTY FIRE CHIEF

- 7.0 The Fire Chief shall recommend a Deputy Fire Chief to Council. The Deputy Fire Chief shall be appointed to the Department by resolution of Council.
- 7.1 The term of office for Deputy Fire Chief shall be three years from appointment to the Department. At the end of said term the Fire Chief shall review the Deputy Fire Chief's performance and make recommendation to Council. If the Deputy Fire Chief is unable to complete the term and/or resigns, then the Fire Chief shall appoint an Acting Deputy Fire Chief until Council appoints a new Deputy Fire Chief.
- 7.2 The Deputy Fire Chief shall be the second senior officer of the Department; he shall assist the Fire Chief in the performance of his duties.
- 7.3 During the absence or inability of the Fire Chief, for any reason, the Deputy Fire Chief shall have all the powers and perform all the duties of

the Fire Chief. The Deputy Fire Chief, when acting as the Fire Chief under this by-law, shall be considered a designated officer.

- 7.4 The Deputy Fire Chief shall ensure that every vehicle owned by the Department is inspected by a valid inspection mechanic as per the requirements of Regulation 76/94 of The Highway Traffic Act and any amendments thereto.

TRAINING INSTRUCTOR

- 8.0 The Training Instructor shall be appointed by Council as; either a member or non-member hired by Reynolds from another agency, fire department or municipality.
- 8.1 Under the direction of the Fire Chief, the Training Instructor shall be responsible for the training of all members.
- 8.2 If the Training Instructor appointed is a member, then as a member is to comply with the requirements of this bylaw.
- 8.3 Remuneration for the Training Instructor shall be determined by resolution of Council from time to time.
- 8.4 The Training Instructor shall provide a minimum of one training meeting per month.
- 8.5 The Training Instructor shall keep or cause to be kept an accurate record of all training activities of the Department.

DISCIPLINE

- 9.0 The Fire Chief may reprimand, suspend, or dismiss any member other than the Deputy Fire Chief.
- 9.1 Council, subject to consultation with the Fire/Protection Committee, is responsible for the discipline, suspension, or termination of the Fire Chief or Deputy Fire Chief.
- 9.2 In the absence of just cause for dismissal, Council may terminate the employment of the Fire Chief or Deputy Fire Chief upon thirty (30) days written notice or immediately upon payment of one (1) month salary in lieu of notice.
- 9.3 The reasons for disciplinary action taken shall be stated in writing, and a copy given to the member against whom action is being taken.
- 9.4 A member can not be dismissed without being afforded an opportunity for an "in camera" hearing before Council if he/she makes a written request for such hearing within seven days after receiving notice of his/her proposed dismissal.
- 9.5 Council shall cause the member and the Fire Chief to be informed in writing of its decision within 48 hours of the making.
- 9.6 Breach of conduct of any member of the Fire Department shall be dealt with by the Fire Committee.

AREA OF RESPONSIBILITY

- 10.0 The Department shall respond to all fire and emergency calls and ensure all fires, within the 'area of responsibility' as per Schedule "A"

(map) attached are extinguished with the least possible injury to persons and property.

- 10.1 At the discretion of the Fire Chief and emergency personnel, the Department may respond to an emergency in Reynolds outside the area of responsibility if required, or assist another fire department responding as per the Reynolds fire protection agreements.
- 10.2 When the Department responds to a fire call that is a grass or forest fire on Crown land, the Fire Chief shall contact Manitoba Conservation for their response.
- 10.3 The Fire Chief shall have the right and authority to enter, pull down, demolish or take whatever action is necessary to any house, building structure, vehicle, or equipment directly or indirectly affected, where deemed reasonably necessary for extinguishing a fire or to control or prevent the spread of fires or in conjunction with dangerous goods or rescue.
- 10.4 The Fire Chief, Deputy Fire Chief and Captains will be considered Municipal Fire Guardians under The Wildfires Act C.C.S.M. c. W128. They can carry out duties as outlined under Part 3 - Powers, Wildfire Protection Operations - Section 7 of The Wildfires Act.

RESPONSE OUTSIDE MUNICIPALITY

- 11.0 The Department shall not respond to any emergency outside the Reynolds' municipal boundaries except:
 - 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 emergency services; or
 - c) in a Municipality which forms a mutual aid agreement for which Reynolds Municipality is a part of; or
 - d) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection or emergency services thereof; or
 - e) for which Council has first authorized such attendance; or
 - f) upon request for assistance from the Office of the Fire Commissioner or some other properly designated office of the Province of Manitoba.

EMERGENCY RESPONSE STANDARDS

- 12.0 The level of response, based on the training and equipment of the Department, is defined in Schedule "B" attached.

REQUESTING ADDITIONAL ASSISTANCE

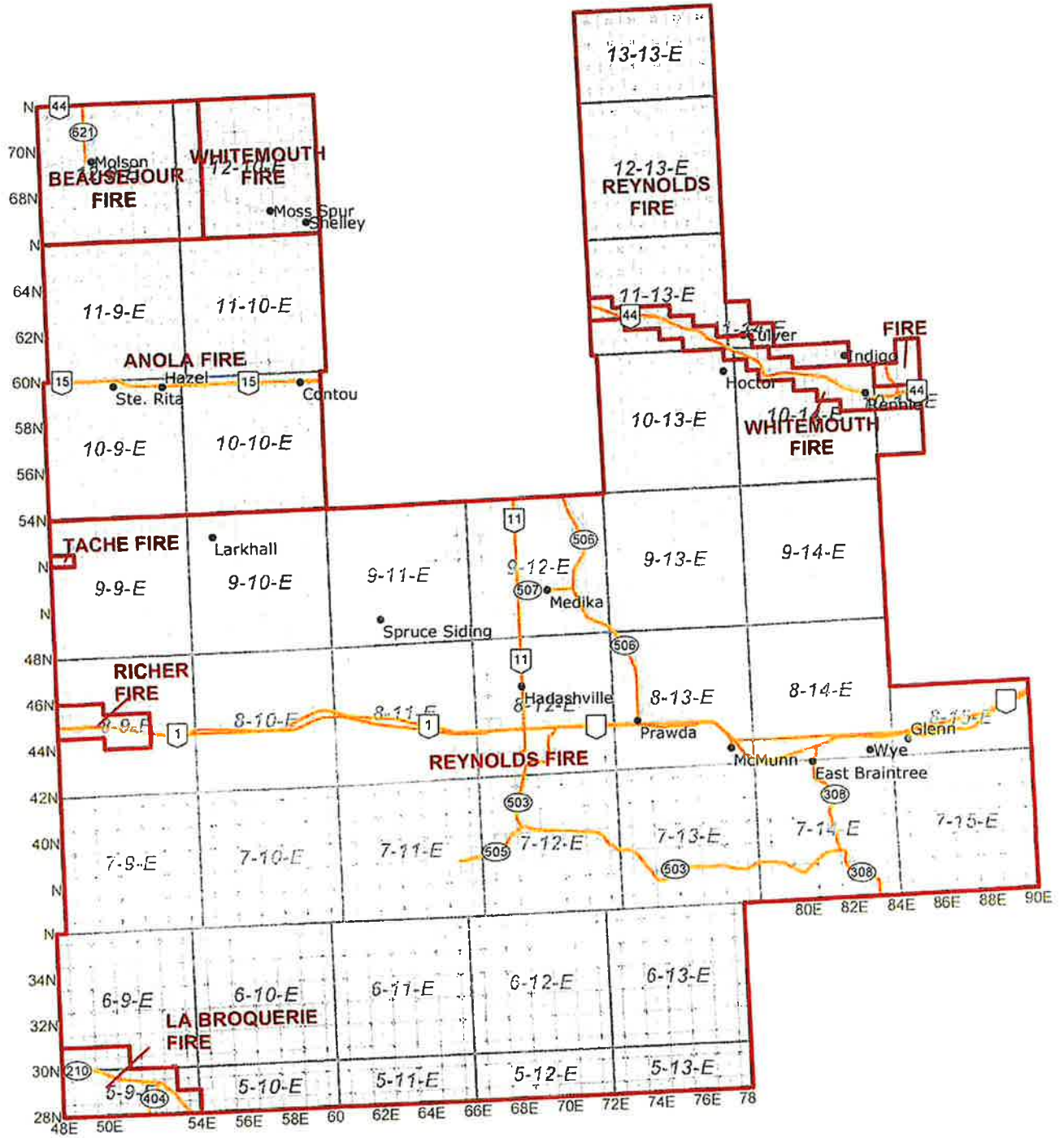
- 13.0 The Fire Chief shall have the right and authority to request from any able-bodied adult person, not exempted by law, provided it does not put said person in harms way or where specialized training and equipment is required, to assist in fire fighting or any other emergency service. Any such person, while acting under the direction of the Fire Chief, shall be deemed a volunteer of the Department and be paid by the Municipality for these volunteer services.

REQUESTING ADDITIONAL EQUIPMENT

- 14.0 The Fire Chief shall have the right and authority to commandeer and authorize payment for the possession or use of any equipment and/or operator for the immediate purpose of fighting a fire or providing any other emergency service.

Schedule "A"

Map Outlining Service Area



Schedule "B"

Emergency Services Provided by the Department

- a.) structural fire fighting which includes rescue, fire control and property conservation;
- b.) investigation of the causes of fire and origin determination;
- c.) preservation of life and property and protection of persons and property from injury or destruction by fire;
- d.) operation of apparatus and equipment for extinguishing fires or preserving life and property;
- e.) hazardous materials responses;
- f.) vehicle extrication;
- g.) farm accident rescue;
- h.) fire prevention inspections (public buildings & businesses)
- i.) pre-fire planning
- j.) precautionary standby for emergency call out;
- k.) extinguishing and prevention of grass fires
- l.) response to any request that the Fire Department deems an emergency, including but not limited to, CO alarms, and gas odors.

APPARATUS

- 15.0 The apparatus of the Department shall consist of pumper(s), rescue van, and any necessary special apparatus and equipment used to support emergency response. All equipment added to the apparatus shall be done by resolution of Council.
- 15.1 No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in any way by the Department.
- 15.2 No person shall wantonly or maliciously injure any apparatus or property of the Department.
- 15.3 (1) No persons shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless they are:
- a.) a member of the Department;
 - b.) a member of the Local Emergency Response Control Group;
 - c.) accompanied by, or have special permission of, a member;
 - d.) elected members of council; or
 - e.) the CAO or ACAO.

and said persons must sign in on a current registry with: dates, times and purpose of visit.

16.0 **THAT** By-law No. 8/2022 be rescinded.

DONE AND PASSED as a By-Law of The Rural Municipality of Reynolds in the Province of Manitoba this 14th day of May 2024.



Russ Gawluk, Reeve



Kim Furgala
Chief Administrative Officer

Read a first time this 23rd day of April, 2024

Read a second time this 14th day of May, 2024

Read a third time this 14th day of May, 2024