

**THE CORPORATION OF THE VILLAGE OF LYTTON**  
**BYLAW NO. 555, 2002**

**A Bylaw to Provide for the Maintenance & Regulation of the Lytton Fire/Rescue**

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The Council of the Corporation of the Village of Lytton in open meeting assembled, **ENACTS AS FOLLOWS:**

**1.0 INTRODUCTION**

The Municipal Fire Department will be known as Lytton Fire/Rescue.

**2.0 DEFINITIONS**

*"Apparatus"* – means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport firefighters or supplies.

*"Council"* – means the Council of the Village of Lytton.

*"Equipment"* – means any tools, contrivances, devices or materials used by Lytton Fire/Rescue to combat an incident or other emergency.

*"Fire Chief"* – means the member appointed by Council, as head of Lytton Fire/Rescue, and shall be deemed to be a Municipal Public Officer as defined in the Local Government Act.

*"Fire Protection"* – means all aspects of fire safety including but not limited to fire prevention, firefighting or suppression, pre-fire planning, fire investigation, public education and information, training, or other staff development and advising.

*"Incident"* – includes a fire or situation where a fire or explosion is imminent.

*"Member"* – means any person or officer that is duly appointed by Council as a member of Lytton Fire/Rescue and shall be deemed to be a Municipal Public Officer as defined in the Local Government Act.

**3.0 FIRE DEPARTMENT ADMINISTRATION**

3.1 The Fire Chief shall be appointed by resolution of Council.

3.2 The Council shall determine the remuneration of all members of Lytton Fire/Rescue on an annual basis at budget time.

3.3 The Fire Chief may appoint other officers of Lytton Fire/Rescue to act as Fire Chief on his behalf.

3.4 No person shall falsely represent themselves as a Lytton Fire/Rescue member.

3.5 The Fire Chief, subject to ratification by the Council, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of Lytton Fire/Rescue including but not limited to:

- a) Use, care and protection of Fire/Rescue property
- b) The conduct and discipline of officers and members of Lytton Fire/Rescue
- c) Efficient operations of Lytton Fire/Rescue.
- d) Training

3.6 The Fire Chief has complete responsibility and authority over Lytton Fire/Rescue subject to the direction and control of the Village of Lytton Council to which he will be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities as the Council directs including but not limited to:

- a) Rescue

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- b) Other incidents
  - c) Pre-fire planning
  - d) Fire investigations
  - e) Preventive patrols
- 3.7 Officers and members of Lytton Fire/Rescue shall carry out duties and responsibilities assigned to Lytton Fire/Rescue by the Council, and the Fire Chief shall report to the Council on the operations of Lytton Fire/Rescue including budgetary matters or any other matters designated by Council.
- 3.8 The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Services Act and regulations and shall assume the responsibilities of the Local Assistant to the Fire Commissioner.

**4.0 BOUNDARIES**

The limits of the jurisdiction of the Fire Chief, and the officers and members of Lytton Fire/Rescue will extend to the area and boundaries of the Village of Lytton and no part of the fire apparatus shall be used beyond the limits of the municipality without:

- a) The express authorization of a written contract or agreement providing for the supply of firefighting services outside the municipal boundaries, or the
- b) Approval of Council
- c) Any exceptions to 4.0 must allow adequate equipment and personal for municipal coverage.
- d) Any exceptions to 4.0 must be approved by the Administrator and/or Mayor and only in serious emergency situations.

**5.0 INSPECTIONS**

- 5.1 The Fire Chief, or any member of Lytton Fire/Rescue authorized by Council, may at any reasonable time enter any premise for the purpose of fire prevention inspections.
- 5.2 The owner of any vacant building in the municipality shall at all times keep the building free from debris and inflammable material and shall keep all openings in the building securely fastened and closed so as to prevent the entry of unauthorized persons.
- 5.3 When the Fire Chief or an inspector determines that:
- a) A provision of this bylaw or the Fire Code has been either wholly or in part contravened, or
  - b) There exists a condition in a building or a property which constitutes a fire hazard or a hazard to life or property,
- He may order the owner occupier to take steps to comply with the bylaw or remove or remedy the condition which constitutes a hazard.

**6.0 FIRE PROTECTION AND LIFE SAFETY**

- 6.1 The Fire Chief, or any 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 deems it necessary to prevent the spread of fire to other buildings, structure or things.

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- 6.2 The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of all Lytton Fire/Rescue apparatus, equipment or manpower assigned to an incident and where a member is in charge, he shall continue to act until relieved by a senior officer.
- 6.3 The Fire Chief, or any member in charge at an incident, is empowered to enter the premises or property where the incident occurred, and to cause any member, apparatus, or equipment of Lytton Fire/Rescue to enter, as he deems necessary, in order to combat, control or deal with the incident.
- 6.4 The Fire Chief, or any 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 Lytton Fire/Rescue and the apparatus and equipment of Lytton Fire/Rescue to enter, 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.
- 6.5 The Fire Chief, or any member in charge at an incident, may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
- 6.6 No person at an incident shall impede, obstruct or hinder a member of the Lytton Fire/Rescue or other person assisting or acting under the direction of the Fire Chief or the member in charge.
- 6.7 The Fire Chief, or any member in charge of an incident, may remove any obstruction, such as vehicles, if it interferes with fire operations at an incident.
- 6.8 No person shall damage or destroy Lytton Fire/Rescue apparatus or equipment.
- 6.9 No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
- 6.10 No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern or body of water designated for fire fighting purposes.
- 6.11 The Fire Chief, or any member in charge of an incident, may request persons who are not members to assist in removing furniture, goods and merchandise from any building on fire or in danger thereof, in guarding or securing same, and in demolishing a building or structure near the fire or other incident.
- 6.12 When in the opinion of the Fire Chief, the supply and flow of water is considered inadequate, or in danger of becoming inadequate for purposes of fire fighting protection, the Village of Lytton Council by resolution, can introduce and enforce such regulations as may be considered necessary to conserve the supply, pressure and flow of water for such purposes. The council may appoint inspectors to enforce such regulations and such inspectors will be granted the same authority to enter premises within the Village of Lytton as the Fire Chief under Section 11 of this bylaw.
- 6.13 The Fire Chief, or any member in charge of an incident, is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident. Remuneration rates shall be set out annually by the Council.
- 6.14 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 fire.

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**7.0 WOOD BURNING APPLIANCES**

- 7.1 No person shall install within a building, a wood burning appliance that does not conform to Building Code and the Fire Code and that is not approved by a Laboratory or Testing Agency acceptable to the Fire Chief, and shall obtain a permit from the Building Inspector.
- 7.2 The owner, occupier, agent or trustee of real property is required to clean chimneys and flues or other apparatus or anything which in the opinion of the Fire Chief may cause a fire or increase the danger of fire to persons.

**8.0 FIRE WORKS**

- 8.1 No person shall sell or give Class 7.2 fireworks as classified by the Federal Explosives Act, except with a permit in writing issued by the Fire Chief.
- 8.2 No person shall sell or give fireworks of any classification under the Federal Explosives Act to anyone under the age of 18.
- 8.3 No person shall fire or set off fireworks i.e. Display:
  - a) Except with a permit in writing issued by the Fire Chief, or in compliance with the Federal Explosives Act.
  - b) Except in case of flares for emergency purposes.

**9.0 BURNING PERMITS**

No person shall light or start a fire within the Village of Lytton except as in compliance with Bylaw No.556, a Bylaw to Regulate Burning within the Village of Lytton.

**10.0 ENFORCEMENT & PENALTIES**

- 10.1 Service of an order under this bylaw shall be affected by delivering it or sending it by registered mail to the last known address of the person to whom it is directed.
- 10.2 Any such charge levied under Section 36 of this bylaw remaining unpaid on the 31<sup>st</sup> Day of December of the year in which the charge was levied or imposed is in arrears and shall forthwith be entered on the real property tax roll in respect of the property on which the incident happened as taxes in arrears.
- 10.3 Every person who violates any of the provisions of this bylaw, or who 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 refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing or omits any act or thing thus violating any of the provisions of this bylaw, shall be deemed to have committed an offence, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months or to a fine not more than \$2500.00 or to both fine and imprisonment.

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**10.0 SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

**11.0 TITLE**

This bylaw may be cited as "Bylaw #555, 2002 - to Provide for the Maintenance and Regulation of the Lytton Fire Rescue"

**12.0 REPEAL**

Lytton Fire Regulations Bylaw No. 315, 1985 is hereby repealed.

**READ A FIRST TIME** this

12<sup>th</sup> day of November 2002.

**READ A SECOND TIME** this

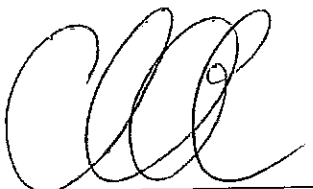
12<sup>th</sup> day of November 2002.


**READ A THIRD TIME** this

12<sup>th</sup> day of November 2002.

**RECONSIDERED AND ADOPTED** this

13<sup>th</sup> day of January 2003.

  
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Mayor

  
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Administrator