



Village of Burns Lake

Bylaw No. 1083, 2025

Fire Department Establishment and Operation

THE CORPORATION OF THE VILLAGE OF BURNS LAKE

BYLAW NAME AND BYLAW NO. XXXX, YEAR

A Bylaw to provide for the establishment and operation of a fire department within the limits of the Corporation of the Village of Burns Lake

The Council of the Village of Burns Lake in an open meeting assembled, hereby enacts as follows:

**1. Citation:**

This Bylaw may be cited for all purposes as the *“Corporation of the Village of Burns Lake Fire Department Establishment and Operation Bylaw No. 1083, 2025.”*

**2. Bylaw Repealed:**

The “Corporation of the Village of Burns Lake Bylaw No. 909, 2011, entitled “Establishment and Operation of a Fire Department within Limits of Village Bylaw is hereby repealed.

**3. Purpose:**

- (a) Whereas it is deemed the Section 8 of the Community Charter authorizes a Council by bylaw to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community; and whereas the Village of Burns Lake Council deems it desirable and necessary to provide for the establishment and operation of a fire department.
- (b) The Village hereby imposes that the fire department is hereby established and will be known as the **Burns Lake Fire and Rescue Department**.

**4. The following definitions are hereby applied for the year 2025:**

- (a) **“Apparatus”** means any vehicle provided with machinery, devices, equipment or materials for Fire Protection and assistance response as well as vehicles used to transport fire fighters or supplies.
- (b) **“Council”** means the Council for the Corporation of the Village of Burns Lake.
- (c) **“Department”** means the Burns Lake Fire and Rescue Department.
- (d) **“Deputy Fire Chief”** means a person appointed by Council as second in command to the Fire Chief.
- (e) **“Equipment”** means any tools, contrivances, devices or materials used by the Department to combat an Incident or other emergency.
- (f) **“Fire Chief”** means the person appointed by Council, as head of the Department, and shall be deemed to be a Municipal Public Officer as defined in the Community Charter.
- (g) **“Fire Protection”** means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

- (h) **“Incident”** means a fire or situation where a fire or explosion is imminent and includes assistance response circumstances described in Section 4 of this bylaw.
- (i) **“Local Authority”** means the Mayor, Council or the Fire Chief.
- (j) **“Member”** means any person appointed by the Fire Chief as a Member of the Department and includes without limitation the Officers, Firefighters, and administrative staff of the Fire department.
- (k) **“Mutual Aid”** means the provision of the Department’s services to another local government pursuant to a Mutual Aid agreement between the Village and the local government or person.
- (l) **“Officer”** means a Member appointed by the Fire Chief as an Officer or captain of the Department, but nothing in this Bylaw makes such a person Officers for the purpose of Section 146 of the Community Charter.
- (m) **“Officer in Charge”** means the Fire Chief or, in his absence, the senior ranking Officer or Member of the Department who is present at the location of the Incident.
- (n) **“Public Service”** means public information, education and prevention programs, as they relate to fire and life safety, public safety, and emergency preparedness.

All other words and phrases shall be construed in accordance with the meaning assigned to them by the British Columbia Building Code, the British Columbia Fire Code or the Fire Safety Act of British Columbia as amended or re-enacted from time to time. In the event of a conflict between the Bylaw and the Fire Services Act and any regulations there under, the provisions of the Act and its regulations shall prevail.

**5. General Provisions:**

**(a) Adoption of the fire code and other standards**

- i. The substantive regulations (but not the procedural or remedial provisions) of the British Columbia Fire Code are hereby adopted and made part of this Bylaw such that every provision of the British Columbia Fire Code shall be considered a provision of this Bylaw.
- ii. Standards of the National Fire Protection Association as issued from time to time are made part of this Bylaw such that every provision shall be considered a provision of this Bylaw.

**(b) Scope of the department**

- i. The Department is empowered to provide:
  - ii. Fire Protection.
  - iii. Assistance Response.
  - iv. Public Services.
  - v. Land and water rescue operations.
  - vi. Mutual Aid.
  - vii. Hazardous material incidents.
  - viii. Emergency Preparedness.
  - ix. This scope shall be provided to the extent, and limits, as defined in Policy ES2 Provision of Emergency Services.

**(c) Fire chief**

- i. The head of the Department is the Fire Chief, who is responsible to the Administrator for the effective management of the Fire Department and the condition of all buildings, apparatus and equipment under his/her control.

**(d) Powers and duties of the fire chief**

The *Fire Chief* is responsible for:

- i. Making such rules and regulations for the proper and efficient administration and operation of the Fire Department, including training and education requirements and for the discipline of its members and may vary, alter or repeal the rules and regulations.
- ii. Take measures to prevent and suppress fires, including the demolition of buildings and other structures to prevent the spread of fire.
- iii. The Fire Chief may require an owner or occupier of real property to undertake any actions directed by the Fire Chief for the purpose of removing or reducing anything or condition that the Fire Chief considers is a fire hazard or increases the danger of fire.
- iv. Enforcing all Municipal Bylaws respecting fire prevention and exercising the powers and duties imposed upon him by the Fire Safety Act, 2016, and amendments thereto.
- v. Enquiring into investigating and recording the cause of all fires within his jurisdiction.
- vi. Collecting and disseminating information in regard to fires in the Municipality; investigating and holding inquiries into such fires as he may deem advisable; investigating conditions under which fires are likely to occur; studying methods of fire prevention; and render advice and making recommendations as he may deem advisable.
- vii. The Fire Chief, and any other officer may exercise all the powers of a Fire Inspector, and/or a Fire Investigator as appointed by *Council*.

**(e) Limits of jurisdiction**

- i. 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 Village of Burns Lake and include that portion of the Regional District of Bulkley-Nechako as defined by Regional District Bylaw No. 939, and no part of the fire Apparatus shall be used beyond the limits of jurisdiction without:
  1. The express authorization of a written contract or agreement providing for the supply of firefighting and assistance response services outside the established boundaries; or
  2. When approval for an extra-territorial activity has been given by Council or the Village of Burns Lake Chief Administration Officer (CAO); or

3. When extra-territorial assistance is requested by the Ministry of Forests or Provincial Emergency Response Personnel.

**(f) Inspections**

- i. The Fire Chief and Members of the Department may enter on any property at any reasonable time for the purpose of ascertaining whether the regulations and requirements of this Bylaw are being observed.
- ii. Inspect the premises for conditions which may cause a fire or increase the danger to person(s).

**(g) Prevention and control**

- i. The Department may take all necessary measures for the prevention, suppression, control and extinguishment of fires, for mitigating the effects of dangerous goods Incidents and for the protection of life and property, including rescue operations and the administration of first aid.
- ii. The Fire Chief or any Officer or Member may exercise the powers provided by the *Fire Safety Act* and they may enforce the *B. C. Fire Code* and any Village of Burns Lake Bylaws and regulations for the prevention and suppression of fires. The Fire Chief may charge for the use of fire services and auxiliary equipment and personnel.
- iii. The Officer in Charge at an incident may order the removal of any vehicle, material, chemical, or other matter or things which impedes the mitigation of, or may worsen, an Incident.
- iv. The Officer in Charge at a fire may cause any building, structure or thing to be demolished or removed or otherwise deal with a building, structure or thing to suppress and or prevent the spread of fire. All costs associated are to be borne by the property owner. Any expenses incurred by the Department are recoverable in the manner provided by Section 258 of the *Community Charter*.
- v. The Officer in Charge at an Incident may establish boundaries or limits and keep persons from entering an area within the prescribed boundaries or limits unless authorized by the Officer in Charge.
- vi. The Officer in Charge at an Incident may direct or cause to be directed vehicular and pedestrian traffic as necessary for the control of the Incident.
- vii. No person at an Incident shall impede, obstruct, or hinder a Member, Apparatus, Equipment or other person assisting or acting under the direction of the Officer in Charge.
- viii. No person at an Incident shall drive a vehicle over any hoses or Equipment without permission of the Officer in Charge.

**6. Enforcement:**

**(a) Issuance of an order**

- i. Where the Fire Chief finds that any provision of this bylaw has been contravened, has not been complied with, has been complied with improperly or only in part, or that conditions exist in or upon a building or property and which, in his 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 or to eliminate the fire hazard and in particular, but without limiting the generality of the foregoing, he/she may:
  1. Make the owner, occupier or lessee to the building or property such directions as he deems necessary to correct the contravention or to ensure compliance with this Bylaw or to remove the hazards, or
  2. Make such an order as he/she deems necessary with respect to any of the matters referred to in this Bylaw.
- ii. 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.
- iii. Where the owner or occupier fails to comply with any order under this section, the Director of Public Works may, at the expense of the owner or occupant, cause the condition to be remedied as required by the Fire Chief.

**(b) Service of an Order**

- i. An Order made under this Bylaw shall be served by:
  1. Delivering it or causing it to be delivered to the person to whom it is directed, or
  2. Sending the order by registered mail to the last known property owner, or
  3. Posting a copy of it in a conspicuous place on the building or property if the person whom it is directed cannot be found, is not known or refuses to accept service of the order.
- ii. If any section, subsection or clause of this Bylaw is declared or held to be invalid by a court of competent jurisdiction, then that invalid portion will be severed, and the remainder of this Bylaw will be deemed to have been enacted and adopted without the invalid and severed section, subsection or clause.

**7. Full Force and Effect:**

This Bylaw has full force and effect from the date of adoption until amended, repealed, or replaced.

READ A FIRST TIME THIS 21ST DAY OF JANUARY 2025

READ A SECOND TIME THIS 21ST DAY OF JANUARY 2025

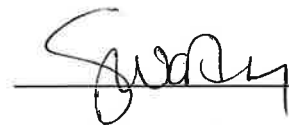
READ A THIRD TIME THIS 21ST DAY OF JANUARY 2025

ADOPTED THIS 11TH DAY OF FEBRUARY 2025



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MAYOR



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CORPORATE OFFICER

Certified to be a true copy of "The Corporation of the Village of Burns Lake Fire Department Establishment and Operation Bylaw No. 1083, 2025."