

CORPORATION OF THE DISTRICT OF BURNABY

VF 1704

BY-LAW NO. 1816.

A BY-LAW to authorize an annual special rate or tax for the fire department of the Corporation of the District of Burnaby, and for the maintenance and regulation of same.

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE DISTRICT OF BURNABY in open meeting assembled enacts as follows:-

- (1) This By-law may be cited as the "Burnaby Fire Department By-law 1943."
- (2) There shall be raised and levied in each year upon the rateable lands and improvements or upon rateable improvements only situated within the Municipality, a special rate or tax in addition to other rates and taxes for the purposes of establishing and maintaining and operating or assisting in the establishing, maintaining and operating of a fire department for the Municipality.
- (3) The Council may from time to time appoint by by-law or resolution a Fire Chief and such other officials, including fire wardens, fire engineers and firemen as it may consider necessary for the efficient operation of a Fire Department.
- (4) The Fire Chief shall have the management, control and supervision of the Fire Department and the care and custody and control of all buildings, apparatus and equipment of the Fire Department, and shall be directly responsible to Council for the efficient management of the Fire Department and the condition of all buildings, apparatus and equipment under his control.
- (5) Person appointed to the staff of the Department shall be between the ages of twenty-one (21) and Thirty-four (34) years; provided that during the present war the age limit may be extended to forty (40) years.

(6) The Fire Chief shall be responsible for the efficient operation of the Fire Department in the extinguishment of fires and the reduction of loss of life and property by fire and fire hazards and shall enquire into, investigate and record the cause of all fires occurring in the Municipality of Burnaby.

(7) The Fire Chief may from time to time make such rules and regulations as he may consider necessary for the efficient operation of the Fire Department and may vary, alter or repeal such rules or regulations and shall enforce such rules and regulations, subject to approval of the Council.

(8) The Fire Chief may recommend persons for rewards who distinguish themselves at fires, and the Council may make rewards to such persons recommended of such amounts of money or otherwise as it may deem expedient, and may make such pecuniary grants to the widows and orphans of persons who are killed by accidents at fires, as it may deem necessary and expedient, in its absolute discretion.

(9) All members of the Fire Department shall comply with all rules and regulations made by the Fire Chief pursuant to Section 6 and any violation of the said rules and regulations by a member of the Fire Department shall be dealt with by the Fire Chief in such manner as he shall deem fit.

(10) The Fire Chief or other officer in charge at any fire shall have power in case of fire to cause the demolition of any building or part of a building which, in his judgement, should be demolished in order to prevent the spread of fire or to prevent damage to person or property or loss of life.

(11) Every person shall when required to do so by the Fire Chief or Assistant Chief or any other officer of the Fire Department in charge at any fire, assist in extinguishing the same and shall carry out to the best of his ability any and all orders given to him by the Fire chief, Assistant Chief or other officer.

(12) The Fire Chief or other officer in charge at any fire may at his discretion prescribe limits in the vicinity of any fire within which no person shall be permitted to come, except with the consent of an officer of the department; any person who shall come within such limits without such consent shall be liable to the penalties provided herein.

(13) No person shall impede, hinder or obstruct the extinguishment of any fire and any person who fails to comply with the order of any member of the Fire Department engaged in the extinguishment of a fire shall be liable to the penalties provided herein.

(14) No person shall refuse to give any information with respect to any fire to any officer of the Fire Department or any person acting with the authority of the Fire Chief.

(15) No person shall refuse to permit any member of the Fire Department to enter into or upon any premises from which an alarm of fire has been received or in or upon which such member has reasonable grounds to suspect that a fire exists.

(16) No unauthorized person shall ride on any fire apparatus en route to or in returning from the scene of any fire or any alarm of fire.

(17) The Fire Chief shall annually report to the Council on the efficiency of the members and the condition of the equipment of the Fire Department.

(18) Every person who violates any of the provisions of this by-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, or who does any act which violates any of the provisions of this by-law, shall be deemed to be guilty of an infraction hereof, and liable to the penalties hereby imposed.

(19) Any person guilty of an infraction of this by-law shall upon conviction thereof before the Reeve, Police Magistrate, or any two Justices of the Peace, or other Magistrate or Magistrates having jurisdiction in the Municipality of Burnaby, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Reeve, Police Magistrate, Justices or other Magistrate or Magistrates convicting, a fine or penalty not exceeding the sum of One hundred dollars and costs of each offence, and in default of payment thereof forthwith, it shall be lawful for such Reeve, Police Magistrate, Justices or other Magistrate or Magistrates convicting aforesaid, to issue a warrant under his or their hand and seal to levy the said fine or penalty, and costs, or costs only, by distress and sale of the offender's goods and chattels; and in the case of no distress, or insufficient distress, found to satisfy the said fine or penalty, it shall and may be lawful for the Reeve, Police Magistrate, Justices or other Magistrate or Magistrates convicting as aforesaid, to commit the offender to the common gaol or any lock-up house in, of, or for the Municipality of Burnaby for any period not exceeding two months (with or without hard labour) unless the said fine or penalty be sooner paid.

(20) This By-law shall take effect on the First day of January, 1944 A.D.

DONE AND PASSED in Open Council this Thirteenth (13th) day of September, 1943 A.D.

RECONSIDERED AND FINALLY PASSED by a three-fourths majority of the Municipal Council on the Twenty seventh (27th) day of September, 1943 A.D.

*W. J. Mills*

REEVE

*Charles B. Brown*

CLERK.

I, Charles B. Brown, Clerk of the Corporation of the District of Burnaby do hereby certify the foregoing to be a true copy of a By-law passed by a three fourths majority of the Municipal Council of the Corporation of the District of Burnaby on the 27th day of September, 1943 A.D.

*Charles B. Brown*  
Clerk.