

BY-LAW NO.8
COMMUNITY OF TIGNISH
TIGNISH VOLUNTEER FIRE DEPARTMENT BY-LAW

1. This Bylaw authorizes the formation of the Tignish Volunteer Fire Department, hereinafter referred to as the “Department”
2. The Department is considered a committee of the Community Council and thereby receives the financial support to maintain its facilities and equipment.
3. (i) The Department shall consist of twenty-six (27) members.
(ii) A Canadian Citizen, at least eighteen (18) years of age, physically fit, of good reputation, and holding a valid drivers license. At least 11 members must be residents of the Community.
(iii) Any member not a resident of the Community shall be a resident of the Tignish Fire District.
(iv) A person’s availability to attend fires will weigh heavily on his appointment to the Department.
4. The Department shall consist of Chief, Deputy Chief, four captains and one training officer, plus a President, Secretary and Treasurer and sufficient non-officers to satisfy section 3.1.
5. The Chief and Deputy Chief shall be appointed by Council upon recommendation by the Department. Their term of office shall be renewed yearly.
6. All other officers shall be appointed by the Council upon recommendation of the Department. Their term of office shall be at the pleasure of Council but not to exceed one (1) year.
7. Any prospective member must be nominated by the Department and approved by the Council. The Council retains the right to accept or reject the nominee and this decision is final.
8. Any new member approved by Council shall serve a probationary period of twelve (12) months. Any member on probation called in for disciplinary action shall have those twelve (12) months reset to start again.
9. The annual cost of operating the department shall be included in the Community’s annual budget.
10. The Chairman of the Finance Committee shall notify the Chief and President by January 15 in any year to have them determine their budget requirements for the year. They are to submit these estimates to Council by February 15.

11. (i) The Department is authorized to have a set of financial records subject to (ii) below.
(ii) The Community auditor shall complete a Financial Statement of all revenue and expenditure under the control of the Department. This statement includes any monies involved in the social aspects of the Department authorized in section 30.
12. The Department shall have an Executive made up of President, Secretary, Treasurer, Officers and one or more men from the department, and the one or more men shall be alternated on a yearly basis.
13. The Department shall meet at least once a month for general purposes, practice or instructions in the use of all apparatus and principles of Fire Prevention and Fire Protection. Meetings can be called by the President or Chief.
14. All members of the Department shall attend at least seventy-five (75%) percent of meetings and practices and one-hundred (100%) percent of fires and absolutely no alcoholic beverages or drugs or intoxication before and during these functions. Failure to do so, unless excused by the Chief and ratified by the Executive, will result in the recommendation for removal of that member from the Department with the recommendation being forwarded to Council for approval.
15. The Chief shall keep the department up to full strength at all times. Any member wishing to be absent for a legitimate reason involving more than six (6) consecutive days must notify the Chief in advance.
16. The Chief shall have authority to fill any deficiency in members on a temporary basis (not more than six months).
17. (i) The Department may form a group of Firemennettes whose members would be approved by the Department's Executive. These individuals will receive privileges, and responsibilities as determined by the mutual agreement of the Council and the Department.

(ii) The Department may form Junior Firefighters and Auxiliary members to be approved by the Council. These individuals will receive privileges, responsibilities and insurance coverage as determined by the mutual agreement of Council and the Department.
18. No person shall impede, interfere with or hinder any officer or firefighter in the discharge of his duties at a fire, in responding to fire alarm or at a practice session.

19. (i) No person shall damage any apparatus, equipment or supplies of the Department.

(ii) No person, including members of the Department, shall use any such apparatus, equipment or supplies for any other use but for fires, emergencies or practices unless authorized by the Chief and Fire Department after being notified when and where equipment will be.
20. The officer or firefighter in charge of the Department at any fire or emergency may cause any building, fence or other structure to be removed or torn down, if such removing or tearing down is necessary to prevent further spreading of fire.
21. Upon arriving at the scene of a fire or emergency, the Chief or Senior Officer shall arrange to notify the R.C.M.P. and if necessary, Maritime Electric.
22. The Chief shall keep a record of attendance of members of the Department at fires and practices as well as a record of the particulars of every fire call including the apparatus, equipment and supplies used. The Chief will report to Council any breakage, shortage or deficiencies in equipment and any other information that may be required from time to time by the Community.
23. The Chief must report, within three (3) days, all fires to the Provincial Fire Marshall on the supplied forms and otherwise comply with the provisions of the P.E.I. Fire Prevention Act and Regulations as well as any other Provincial laws which may apply. Copies of the above reports are to be forwarded to the Community Office.
24. The Chief shall keep an inventory of all equipment and supplies.
25. The Chief, when appointed, automatically becomes assistant to the fire Marshall and carries out the Duties of the Office in relation to fire prevention in his Department's fire coverage zone.
26. The person holding position of Training Officer shall, in consultation with the Chief:
 - (i) Be responsible for all training within the Department and shall therefore keep advised of all new methods and procedures for fighting fires.
 - (ii) Attend all fires and observe fire fighting method and procedures and assess these in relation to his training duties.
 - (iii) Have the authority to command as a Captain only under section 27.iii
 - (iv) Hold the position for a one (1) year period and may be reappointed.

27. (i) The Chief shall have full command and control at all fires or emergencies. He shall direct all proper measures for extinguishing fires and enforcing the laws, ordinances and regulations respecting fires.
(ii) The Deputy Chief shall assist the Chief in all his duties and, in the absence of the Chief at a fire scene, perform his duties and exercise his authority.
(iii) In the absence of both Chief and Deputy Chief at a fire scene, the Senior Officer present will assume the authority of the Chief.
(iv) The officers and other Department members shall carry out the orders of their Senior Officer.
(v) The Department shall have an Interviewing Committee to interview new applications, and to recommend to the Department on disciplinary action
28. In the event that both Chief and Deputy Chief are not available for a period of time up to Thirty (30) days, the Community Chairperson, in consultation with the Councillor supervising the Fire Department, shall appoint a temporary Chief on recommendation of the Fire Department.
29. The Department, individual members of the Department or the Community shall not be liable for any claim made by persons injured or for property damaged because of the reasonable discharge of a member's duties at a fire or other emergency.
30. The members of the Department may organize for social and other purposes intended to further the interest and welfare of the Department and its members.
31. In the event that a fire or emergency may or does cover a large amount of the Community and there is seen a need for the assistance of other of our own Municipality Departments or outside help; the Chief or the Senior Officer shall contact the Community Chairperson, who in consultation with the Senior Officer in charge may declare an emergency. The Community Chairperson may put into operation an Emergency Measures Plan if the Community has one available. This section does not affect the Department's use of Mutual Aid Departments in West Prince.
32. The Council may grant an honorarium, for services rendered, to the members of the Department.
33. The Council may authorize the Department to extend their services to the rural areas that agree to pay fees for fire protection.

34. (i) The Department shall hold an annual meeting during February of each year.
(ii) Members of Council shall be invited to sit in as observers.
(iii) The Chief and President shall give annual reports.
(iv) If there are many changes in officers at the Annual Meeting, the changes must be approved later by Council.
(v) A President, Secretary and Treasurer shall be elected annually.
35. The Department may develop Bylaws of its own to further control and direct the members and the Department as a whole.
36. The Chief shall keep in close touch with the Council so that the Council is aware of all aspects of the Department enabling Council to exercise its responsibility for the overall supervision of the Department.
37. The Council may transfer the managing of the Firehall to the Department especially in the area of maintenance and rental of facilities. This arrangement is merely for convenience and the Council retains the right to partial or complete control of the Firehall. Notwithstanding the above, any requests for rental of facilities in excess of two (2) weeks must be brought to the Council for consideration and direction. This section will allow Council to consider the dispersion of any substantial rental fees.
38. The following shall be the form to be completed by newly appointed members of the Department:
“I, the undersigned, agree to undertake, as long as I remain a member of this Department, to serve the Community of Tignish as a volunteer firefighter and to obey the commands and orders of my superior officers and faithfully observe all ordinances, rules and regulations of the Community, or of this Department, touching my duties as such a firefighter. I hereby release, waive, and disclaim any charges, claims, actions or claims for damages which I or my heirs, executors, administrators or assign might hereafter have against the Community, Council or any of its Officers for any damages, injury or happening whatsoever to me, or any of us, occurring in the performance of my duties, except as such remuneration therefore as the Community may provide in the way of insurance for my benefit. I undertake to accept all grants or money made to me hereafter by the Community as gratuities given in appreciation of regularity of service and not otherwise.