

**TOWN OF HERBERT  
BYLAW NO. 2023-09**

**A BYLAW OF THE TOWN OF HERBERT  
TO ESTABLISH A VOLUNTEER FIRE DEPARTMENT  
IN AND FOR THE TOWN OF HERBERT**

The COUNCIL of the Town of Herbert, in the Province of Saskatchewan, enacts as follows:

1. Interpretation:

- 1.1 "Council" means the elected Council of the Town of Herbert.
- 1.2 "Dispatch" means an individual, organization, or corporation that is authorized to dispatch reported emergency calls to the Fire Department in order to illicit a response.
- 1.3 "False Alarm" means any incident in which personnel are paged or respond to a call from dispatch originating from a person by mistake or as a result of purposeful action reporting an emergency under false pretenses, or by an alarm system that is activated incorrectly, by mistake, or as a result of a malfunction.
- 1.4 "Fire Brigade" means the personnel of the Fire Department.
- 1.5 "Fire Equipment" means the fire truck, pumps, hoses, fire suits, and any and all other firefighting equipment or lifesaving equipment owned and provided by the Town of Herbert for the use of the Fire Department in the prevention and control of fires.
- 1.6 "Fire Department" means the Volunteer Fire Department established pursuant to this Bylaw.
- 1.7 "In Town" means a property or location within the municipal boundaries of the Town of Herbert.
- 1.8 "Out of Town" means a property or location outside of the municipal boundaries of the Town of Herbert.
- 1.9 "Municipality" means the Town of Herbert.
- 1.10 "Scene" means the location of a reported emergency that the Fire Department is asked to respond to as provided to them by dispatch.

2. Scope of the Bylaw:

The Council shall appoint a Fire Brigade for the following purposes:

- 2.1 To maintain and operate the fire truck for the prevention and extinguishing of fires within the municipality and as outlined in 2.6 below;
- 2.2 To control, supervise and manage the Fire Hall and all equipment contained therein;
- 2.3 To ensure to Council's satisfaction that adequate fire protection be provided for the safety and welfare of the municipality and as outlined in 2.6 below;
- 2.4 To promote and encourage preventative fire measures in the municipality;
- 2.5 To regulate and conduct the assistance of persons present at fires within the municipality as listed in 2.6 below;
- 2.6 To maintain and operate the firefighting equipment in extinguishing fires outside the municipality when responding to requests for service from:
  - a. Jurisdictions that have entered into an agreement with the municipality;
  - b. Jurisdictions within the Herbert Mutual Aid Area in the event of a declared disaster;
  - c. The R.M. of Morse, on the condition that the Morse Fire Brigade will be on standby for response if service is requested from elsewhere within the Fire Department's area of responsibility.

3. Composition of the Fire Brigade:

- 3.1 Council shall appoint two members to comprise the Protective Services Committee at the time of Council appointments in November of each year.
- 3.2 The Fire Brigade shall consist of:
  - a. A Fire Chief and an Assistant Fire Chief appointed by Council based on recommendations from the Protective Services Committee and the Fire Brigade; and
  - b. A minimum of eight (8) additional volunteer firefighters.
- 3.3 All members of the Fire Brigade shall be appointed by Council annually, effective February 1<sup>st</sup>. Individuals joining during the year will be appointed as soon as Council is advised of their interest. Council may accept recommendations from the Fire Chief, the Assistant Fire Chief, and the Protective Services Committee for the appointment of firefighters.

4. Powers, Duties, and Responsibilities of the Fire Brigade, the Protective Services Committee, and Council:
  - 4.1 The Fire Brigade shall meet monthly for an instruction, practice, or training session. Included in the training sessions shall be providing all necessary information with respect to handling and storage of dangerous goods. A schedule for practices will be set at the annual meeting of the Fire Brigade.
  - 4.2 The Fire Chief shall report all activities and meetings to the Protective Services Committee.
  - 4.3 The Fire Chief shall provide a report regarding all fires which occur to the Town Administrator who will then have a bill for service issued for all fires attended by the Fire Brigade which are outside the municipality's boundaries.
  - 4.4 The Fire Chief shall, before February 28 of each year, initiate a review of all firefighting equipment of the municipality, and shall provide a report to the Protective Services Committee indicating the working condition of all equipment. Once copy of this report to be provided to the Town Administrator, a second copy to be provided to the Secretary of the Fire Brigade.
  - 4.5 An Auxiliary to the Fire Brigade may be established and the Secretary of the Fire Brigade may maintain a list of individuals who may be called upon for assistance, should additional people be required in the extinguishing of fires, fire prevention campaigns, fire education, and so forth. These individuals are expected to acquaint themselves with the workings of the Fire Brigade by attending a minimum of three practices or information sessions each year.
  - 4.6 The Fire Chief shall, together with the Protective Services Committee and in consultation with the Fire Brigade, prepare an Operating and Capital Budget annually. The budget shall be presented to the Council before February 28. Upon approval by council, this budget shall be included and form part of the Municipal Budget.
  - 4.7 The Fire Brigade may initiate fund raising activities for the purpose of upgrading existing equipment, or for the purpose of unbudgeted new items. Funds raised by the Fire Brigade shall be turned over to the Town with the provision that a fund may be retained by the Fire Brigade to a maximum of \$1,000.00 for the purpose of purchasing fund raising materials and minor incidentals. Revenue from fund raising events shall be turned over to the town and shall be expended as directed by the Protective Services Committee.
  - 4.8 The Fire Brigade, under the supervision of the Fire Chief, shall control, manage, and operate the fire equipment and facilities as listed in Section 3 within the budgetary allowances approved by Council.
  - 4.9 The Fire Chief shall make periodic general inspections of the Municipality and shall issue orders to remedy fire hazardous conditions and shall report such orders to Council.
  - 4.10 The Fire Chief shall investigate all fires in order to ascertain the cause, origin, and other circumstances thereof.
  - 4.11 The Fire Chief shall be a member of the Emergency Measures Operations Group.
  - 4.12 The Assistant Fire Chief shall assume the responsibilities of the Fire Chief in his absence, and shall assist the Fire Chief when called upon to do so.
  - 4.13 The Fire Department shall not enter into any contracts or lease agreements for service with another municipality. All such contracts and lease agreements must be approved and signed by Council.
  - 4.14 All fees, donations, and grants to the Fire Department shall be made payable to the Town of Herbert. Any monies received by the Fire Department shall appear in the records of the municipality to be used for fire protection.
  - 4.15 The Protective Services Committee shall provide the Fire Brigade with an annual accounting of all fire protection revenues and expenditures.
  - 4.16 Council shall, in the annual budget, approve a portion of municipal revenue for Fire Protection.
  - 4.17 Council shall ensure that adequate personal injury, death, and liability insurance be maintained for the Fire Department; such coverage to be provided out of the municipal budget for fire protection.
  - 4.18 Failure to comply with the regulations of this Bylaw shall make any or all members of the Fire Department liable to dismissal from the Fire Department, entirely at the discretion of Council.
5. Fire Monitoring
  - 5.1 The Fire Department is authorized to monitor controlled fires, fireworks displays, and other potential fire situations.

5.2 Two fire fighters and one truck shall attend monitoring situations.

5.3 In the event that fire fighters are paged to an out-of-control fire while monitoring a situation, the paged call shall take priority, and all fire fighters will respond. All invoicing for the monitoring situation will top in this situation.

6. Fees for Service

6.1 The Fire Department is authorized to charge the applicable fees for the various services, monitoring, tests, and emergency responses listed in Schedule "A".

6.2 The fees shall be reviewed and set by Council on the advice of the Fire Chief, as required.

6.3 The Fire Department is authorized to charge Residents and Non-residents the current SGI rate for any/all Motor Vehicles both within and outside the Town or Emergencies involving Motor Vehicles both within and outside the Town boundaries.

7. Bylaw 2013-01 is hereby repealed.

READ THREE TIMES AND passed by the Council of the Town of Herbert, in the Province of Saskatchewan, this     day of     , 2023.

SEAL

X

(Mayor)

X

(Administrator)

Schedule "A" – Fee Schedule

<p>Firefighting</p>	<p>Current SGI and/or Government of Saskatchewan Rate</p>
<p>Fire Monitoring</p> <ul style="list-style-type: none"> <li>i. Monitoring</li> <li>ii. Firefighting Transition</li> </ul>	<p>The regular hourly rate will be applied for all hours and parts thereof for monitoring, including travel of equipment to and from monitoring site.</p> <p>In the event that a monitoring situation turn into a firefighting scenario, the current SGI and/or Government of Saskatchewan Rate will be applied.</p>
<p>False Alarm</p> <ul style="list-style-type: none"> <li>i. In Town <ul style="list-style-type: none"> <li>a. First False Alarm in the calendar year</li> <li>b. Additional False Alarm</li> </ul> </li> <li>ii. Out of Town <ul style="list-style-type: none"> <li>a. First False Alarm in the calendar year</li> <li>b. Additional False Alarm</li> <li>c. 3<sup>rd</sup> False Alarm in the calendar year</li> </ul> </li> </ul>	<p>No charge, courtesy letter issued to property owner with instructions to contact the alarm system provider to reduce likelihood of further occurrences</p> <p>\$50.00 for the 2<sup>nd</sup> in the calendar year and \$100 for the 3<sup>rd</sup> and subsequent calls in the calendar year</p> <p>No charge, courtesy letter issued to property owner with instructions to contact the alarm system provider to reduce likelihood of further occurrences</p> <p>\$50.00 for the 2<sup>nd</sup> call in the calendar year if the Fire Department responds to the call but does not leave the Fire Hall, or \$50.00 plus \$2.00 per kilometer if the Fire Department responds to the call and travels to the scene or portion thereof.</p> <p>\$100.00 for the 3<sup>rd</sup> call in the calendar year if the Fire Department responds to the call but does not leave the Fire Hall, or \$100.00 plus \$2.00 per kilometer if the Fire Department responds to the call and travels to the scene or portion thereof.</p>
<p>Motor Vehicle Collisions</p> <ul style="list-style-type: none"> <li>i. In Town <ul style="list-style-type: none"> <li>a. Resident</li> <li>b. Non-Resident</li> </ul> </li> <li>ii. Out of Town <ul style="list-style-type: none"> <li>a. Resident</li> <li>b. Non-Resident</li> </ul> </li> </ul>	<p>Current SGI and/or Government of Saskatchewan Rate</p> <p>Current SGI and/or Government of Saskatchewan Rate</p> <p>Current SGI and/or Government of Saskatchewan Rate</p> <p>Current SGI and/or Government of Saskatchewan Rate</p>