

DISTRICT OF BARRIERE
BYLAW NO. 161
A bylaw to establish and regulate Road Rescue services

WHEREAS the Community Charter allows Council, by bylaw, to establish and make regulations for the safety of its citizens;

NOW THEREFORE the Council of the District of Barriere, in open meeting assembled enacts as follows:

1. This bylaw may be cited as “District of Barriere Road Rescue Bylaw No. 161”.
2. The Provincial Policies and Procedures relating to Road Rescue and all amendments thereto, are deemed to be in full force and effect within the District of Barriere, and in conjunction with this bylaw.
3. This bylaw shall come into full force upon adoption.

PART I -- DEFINITIONS

“All Found Rate”	means all costs associated with a Road Rescue response, as approved by EMBC or other body in charge of compensation for Road Rescue, Out of Jurisdiction Response.
“Chief Administrative Officer” or “CAO”	means the Chief Administrative Officer of the District of Barriere.
“Council”	means the Council of the District of Barriere.
“Department”	means the District of Barriere Fire Department – Road Rescue Team, referred to herein as the Road Rescue Team.
“District”	means the District of Barriere.
“Fire Chief”	means the person appointed by Council from time to time as the Chief of the District of Barriere Fire Department, and includes any qualified member authorized by the Fire Chief to act on his/her behalf.
“Member”	means a member of the Barriere Fire Department – Road Rescue Team.
“Out of Jurisdiction Response”	means Road Rescue services provided outside the District of Barriere boundary at the request of EMBC or its assigns.
“Road Rescue”	means response to a motor vehicle accident including extrication of vehicle occupants and embankment rescue. Water rescue that is required as a direct result of a motor vehicle accident is considered part of the road rescue response, if the Road Rescue Service Provider has the necessary water rescue skills and equipment required. The term Road Rescue is also interpreted to include the use of auto extrication tools and techniques for the release of subjects trapped by other means, such as farm or industrial accidents, train wrecks, or aircraft crashes.
“Road Rescue Service Provider (hereafter service provider)”	means the District of Barriere Fire Department – Road Rescue Team, whose members are specifically trained and maintain an on-going competence through participation in a training and exercise program that meets the intent of the current National Fire Protection Association (NFPA) standards on operations and training for technical rescue incidents.

PART II – ROAD RESCUE

- 2.1 Road Rescue for the District of Barriere is hereby constituted by bylaw and is to be carried out by the Barriere Fire Department – Road Rescue Team. The head of the Road Rescue Team is the Fire Chief.
- 2.2 Reporting to the Chief Administrative Officer, the Fire Chief is accountable for overseeing the provision of services for Road Rescue.
- 2.3 The Fire Chief shall take all proper measures for the prevention, control, and the protection of life and property and may enforce all codes and bylaws respecting road rescue.
- 2.4 (a) The Fire Chief may accept any person who is qualified, as a member or probationary member of the Road Rescue Team.
(b) A person is qualified to be a member of the Road Rescue Team based on the following:
(i) is 19 years of age or over;
(ii) is of good character;
(iii) passes such aptitude, physical and other valid tests as may be required by the Fire Chief;
(iv) preferably resides within the District of Barriere;
(v) undergoes a criminal record check
(c) A person accepted by the Fire Chief as a probationary member shall generally be on probation for six (6) months during which period they shall take training and examinations as may be required by the Fire Chief. If a probationary member fails any such examination, the Fire Chief may dismiss such a member or extend their probationary period.
(d) Following the probationary period, new members will be accepted based on a favourable evaluation by the Fire Chief and Training Officer. All appointments will be based on merit.
(e) A person recommended or appointed as a member shall adhere to the Code of Conduct presented to them, as shown in Schedule “B” of Fire Bylaw 55, and its amendments.
(f) Every member is subject to a medical examination at such time as the Fire Chief may require it. Such medical examination will be paid for by the Road Rescue budget.
- 2.5 The remuneration of all members shall be the same as the practice and callout stipends for the volunteer firefighters.
- 2.6 Out of Jurisdiction Responses are authorized to the following general extents: north to Little Fort/Hwy 24, south to Heffley Creek, east to Adams Lake and west to Westside Rd. subject to sufficient backup being left within the District to provide adequate Fire/Road Rescue response within the respective District boundaries. Responding beyond these extents requires additional authorization by the Mayor or CAO or their Deputies in the case either cannot be reached. After exhausting this approach the Fire Chief or Deputy Chief, will be authorized to make the decision to respond or to decline based on distance and/or terrain.
- 2.7 The Fire Chief has complete responsibility and authority over the Road Rescue Team, subject to the direction and control of the CAO and Council, and shall provide monthly Council reports for information.
- 2.8 The Fire Chief shall establish rules, regulations and policies in the form of Standard Operating Guidelines (SOG's), for the proper organization and administration of the Road Rescue Team including, but not limited to, the:
(a) use, care and protection of Road Rescue property;
(b) conduct and discipline of the members of the Road Rescue Team;
(c) efficient operation of the Road Rescue Team;
(d) compliance with lawful statutes and regulations.

- 2.9 No person at an incident shall impede, obstruct or hinder a member of the Road Rescue Team or other person assisting or acting under the direction of the Fire Chief or the Incident Commander in charge.
- 2.10 No person shall damage or destroy Road Rescue apparatus or equipment, and may be prosecuted accordingly.
- 2.11 The Fire Chief shall submit to the District Finance Officer, for inclusion with the overall District budget submitted to Council for approval, an annual budget for Road Rescue, upon the request of the District Finance Officer.
- 2.12 All members of the Road Rescue Team are included in the District of Barriere Indemnification Bylaw, 2007 No. 0003, and its amendments, when they are working in the capacity as a Road Rescue responder.

PART III – PENALTIES

- 3.1 Every person who violates any of the provisions of this bylaw or 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 who refrains from doing anything required by the bylaw shall be deemed to be guilty of an infraction thereof and liable to the penalties and enforcement imposed in the District of Barriere Bylaw Notice Enforcement Bylaw No. 95 and its amendments.

PART IV – COURT FEES

- 4.1 Court Fees - If a Member of the Road Rescue Team is required to attend any civil or criminal proceedings, court hearings or examination for discovery as a result of his/her attendance at a fire, fees shall be paid as outlined in the most recent District of Barriere Fees Bylaw. This may include actual replacement of lost wages, if approved by Council, when accompanied by a report with a recommendation from the Fire Chief and the Chief Administrative Officer.

PART V – SEVERABILITY

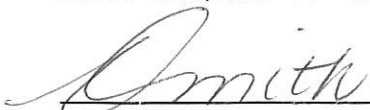
- 5.1 If any portion of this Bylaw is held invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

READ A FIRST time, this 4th day of September, 2018

READ A SECOND time, this 4th day of September, 2018

READ A THIRD time, this 4th day of September, 2018

ADOPTED, this 17th day of September, 2018



 Mayor Virginia Smith



 Colleen Hannigan, CAO

