

BYLAW NO. 2019-05
VILLAGE OF BETHUNE

A Bylaw of the Village of Bethune, in the Province of Saskatchewan to provide for entering into an agreement respecting the provision of Fire Protection Services and Establishment of a Volunteer Fire Department and Operations thereto in accordance with *The Municipalities Act and The Saskatchewan Fire Safety Act.*

Council of the Village of Bethune enacts as follows:

1. This Bylaw shall be known as the Fire Protection Services Agreement Bylaw.
2. The Village of Bethune is hereby authorized to enter into an agreement with the Council of the R.M. of Dufferin No. 190, the terms of which are attached and marked as schedule "A".
3. The Council has reviewed the contents of the agreement and consents to its terms.
4. Bylaw No 6/2004 is hereby repealed.

READ A FIRST TIME this 2nd day of July, 2019.

READ A SECOND TIME this 2nd day of July, 2019.

READ A THIRD TIME UPON THE UNANIMOUS CONSENT OF THE COUNCIL this 2nd day of July, 2019.

(seal)

Mayor

Administrator

Certified a true copy of the original bylaw passed by the unanimous consent of the Council present at their regular meeting held on the 2nd day of July, 2019.

Administrator

**SCHEDULE “A” TO BYLAW NO.
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This agreement made this 2nd day of July 2019**

BETWEEN

**The Rural Municipality of Dufferin No. 190
AND
The Village of Bethune**

WHEREAS it has been deemed advisable to share in the ownership and operation of fire fighting equipment to provide protection for the residents of the areas mentioned above.

NOW THEREFORE THIS AGREEMENT WITNESSETH

**DESIGNATED
AREA**

1. Includes all the Village of Bethune and all of the Rural Municipality of Dufferin No.190 including the Hamlet Of North Shore Estates, Valleyview, Kedleston Beach, Highwood Beach and Marion Heights Resorts.

ASSOCIATION:

2. The parties hereto agree to co-operate in the operation of the BETHUNE AND DISTRICT FIRE BOARD, a body Corporate.

**BOARD
CONSTITUTION:**

3. It is further agreed by the above parties that the composition of the Board shall be made up as follows:

All council members of the Rural Municipality of Dufferin No. 190 and all Council members of the Village of Bethune.

Each Council shall appoint a maximum of four (4) voting delegates from their respective Council's for the purpose of voting delegation at Board Meetings. The Council's shall make the appointment at the first regular meeting of the Councils of each year.

Voting Delegates:

- a. Pursuant to *The Municipalities Act* and each respective Councils Code of Ethics Bylaw for Elected Officials to ensure public interests are held to the highest standard and to ensure any conflicts of interest or potential areas of conflict of interests are being disclosed it shall be agreed that any elected official of the respective Councils' that are registered members of the volunteer

- fire department be exempted from being appointed as a voting delegate to the Board;
- b. The exemption for conflict of interest or potential conflict of interest shall only apply to voting delegation privileges and shall not exempt an individual from participation in discussion on matters of the Fire Board;
- c. In the event the number of appointed voting delegates from any member Council is less than the maximum four (4), the other member Council shall have an equal appointed number of voting delegates so as to not provide weighted discrimination on matters;
- d. ;

QUORUM

- 4. When a Board meeting is held, all members shall be duly notified at least twenty four hours prior thereto of the time and place of the meeting. A meeting may be held upon shorter notice if all members of the Board give their consent to such notice before the commencement of the meeting. No meeting shall be held with less than 3 members present.

CHAIRMAN,
SECRETARY:

- 5. The Chairman shall be elected annually by the Members of the Bethune and District Fire Board, at their First meeting of any year and that the recording secretary shall be the Joint Municipal Administrator of the RM of Dufferin #190 and Village of Bethune.

MEETINGS:

- 6. The Board will make every effort to meet at least three times during each year, one of such meetings to be held on or before the first day of February. All meetings of the Board shall be called by the Chairman. At the February Board meeting the Board shall request an operating and capital budget from the Fire Department to determine the budget required or any expenditure required for the budget year. The Board, upon review of the Fire Department expense requests, and submit this to both respective Councils by April 1st for their formal approval.

PURPOSE:

- 7. The Board shall be responsible for the following:
 - a) Administering all fire protection services within the designated area.
 - b) Making recommendations to the respective Councils on the disposal and purchase of new equipment required.
 - c) Ensuring the Fire Department is adequately staffed and trained.
 - d) Ensuring the Fire Department establishes guidelines (Standard Operating Procedures) to cover all aspects of the services they perform, or are responsible for within their jurisdiction. The guidelines need to be sufficiently detailed to cover common

situations that may come up in relation to the service they provide.

- e) Any other matter mentioned in the agreement.
- f) Provide service to Non member Municipalities on a fee for service by agreement.
- g) Appointing a Fire Chief at the 1st meeting of the year.
- h) Ensuring the Fire Protection Service provided is operating within the scope of all legislation pertaining to fire protection service including *The Saskatchewan Fire Safety Act, the Fire Prevention Act 1992, and the Occupational Health and Safety Act* etc.

REGULAR
BUSINESS:

- 8. All resolutions of the Board shall require a simple majority vote of the members present at the meeting.

EXPENDITURES:

- 9. The Board will be authorized to make any emergency expenditures without respective Councils approval in the amount \$2,500 dollars.

GENERAL
FUNDINGS:

- 10. All costs of operating the Bethune & District Fire Department shall be shared equally by the two Councils. Among other costs this will include the purchase of fire clothing, charges such as insurance power, phones, repair and maintenance of fire equipment, maintenance of fire hall and training.

CAPITAL
FUNDING:

- 11. All capital costs of purchasing equipment, vehicles and storage shall be shared as follows:
 - a. R.M. of Dufferin No. 190 – 50%
 - Village of Bethune - 50%

Equipment purchases over \$2,500.00 must be on the recommendation of the Fire Board, and must have the approval of both Councils prior to any purchases having been made.

- b. Member Municipalities may make additional capital or operating contributions outside of the scope mention in 11 a, subject to that individual Municipal Council approval.

SOCIAL CLUB
FUNCTION:

- 12. The Volunteer Fire Department may be permitted to fund raise on their behalf, for such things as identity apparel; additional equipment purchases; fire hall improvements; subject to approval being received from the Board.

FIRE

CHARGES:

13. The Bethune & District Fire Board shall recommend to the Councils rates to be charged for Emergency Fire Calls within the member Municipalities and to Emergency Fire Calls to non-member Municipalities by April 1st each year. Any rates collected will be used to offset any fire expenses incurred by the district.

MUTUAL AID
AGREEMENTS:

14. It is agreed by the respective councils that any costs incurred by invoking a mutual aid agreement, will be borne by the municipality where the fire originated.

ACCOUNTING:

15. The Village of Bethune Clerk will administer the fire protection services accounts on a yearly basis. Statements of Invoices shall be submitted to the Rural Municipality. Financial statements if requested will be provided to the Board.

FIRE
BRIGADE:

16. Composition and operation of the volunteer fire department members shall:
 - a. Consist of a fire brigade to a maximum of 25 members, to be appointed by the Fire Board;
 - b. Operate under the direction of the Fire Chief and appointed Deputies within the scope of a Standard Operating Guide as approved by the Fire Board;
 - c.

FIRE
CHIEF:

17. Duties of the Fire Chief:
 - a) The fire chief and deputy fire chief shall be responsible for the operations of volunteer firefighting personnel and of the equipment firefighting purposes.
 - b) The fire chief and deputies shall be directly responsible to the Board.
 - c) The fire chief shall provide adequate documentation for the purposes of the Board and the administration.
 - d) The fire chief shall, at an appointed time, attend Fire Board meeting(s) to give their operating report.

EQUIPMENT:

18. It is agreed that the Equipment presently located at the Fire Hall is as follows:
 - a) Fire Hall- the costs shared at 50%
 - b) 1982 Chev Truck with P75 pump & 1000 gal tank
 - c) 2004 Freightliner Fire truck;
 - d) 2004 Ford F5D Fire Truck

AGREEMENT
REVIEW:

19. It is agreed that this agreement shall be reviewed yearly.

MUTUAL
AGREEMENT
TERMINATION:

20. In the event there is a mutual agreement between the R.M. of Dufferin No. 190 and the Village of Bethune to terminate this agreement and dissolve the Board, all equipment and supplies jointly owned shall be sold and the proceeds thereof shall be divided equally between the two parties.

AGREEMENT
TERMINATION :

21. In the event that either the R.M. of Dufferin No.190 or the Village of Bethune wishes to terminate this agreement they may do so by giving written notice of such termination to the other party one year in advance of the date in which such termination is to become effective. In the event of such termination of the agreement the fair market value of all equipment and supplies that are jointly owned shall be determined and the party to whom the notice is given shall have the first right to purchase the share of the other party at one-half of the market value so determined.

REEVE

SEAL

ADMINISTRATOR

MAYOR

SEAL

ADMINISTRATOR