



**BY-LAW ESTABLISHING THE FIRE SAFETY SERVICE OF THE
MUNICIPALITY OF THORNE**

By-Law Number 01-2013

January 2013

**This by-law is printed under and by authority
of the Council of the Municipality of Thorne, Quebec, Canada**

Province of Quebec

Municipality of Thorne

By-law number 01-2013

Establishing the Fire Safety Service of the Municipality of Thorne

- WHEREAS** a Fire Safety Service exists in the Municipality of Thorne but that to the best knowledge of this council, it has never been officially recognized;
- WHEREAS** it is necessary for the Municipality of Thorne to decree the establishment of a municipal Fire Safety Service;
- WHEREAS** the provisions of the municipal competence (L.R.Q. chap. C-47.1) in particular article 4 and 62;
- WHEREAS** the provisions of the Fire Safety Act (L.R.Q. c. S-3.4) in particular article 36;
- WHEREAS** a notice of motion of this by-law was duly given at the session held by the Council on January 8, 2013

CONSEQUENTLY the Council enacts as follows:

ARTICLE 1 – ESTABLISHMENT OF THE FIRE SAFETY SERVICE

The Municipality of Thorne provides a Fire Safety Service known as the «Fire Safety Service».

ARTICLE 2 – MISSION

The Fire Safety Service is responsible for protection against disasters that could cause harm to people and property in the territory of the Municipality of Thorne on all or part of another municipal territory following an intermunicipal agreement in effect at the time of intervention.

ARTICLE 3 – PURPOSE

The Fire Safety Service's main purpose is to protect people and property against fires. It has also the objective of maintaining the human and material losses caused by fires below the provincial average for municipalities of similar size in population and built heritage.

ARTICLE 4 – MANDATES

To realize the above objectives, the Fire Safety Service:

- a. Implement, from their entry into force, at the conditions enacted, the specific actions adopted by the Municipality of Thorne in its implementation plan of the Fire Safety Cover plan prepared by the Pontiac MRC, adopted by the Municipality and approved by the Minister of Public Security.
- b. Apply any regulation enacted by the Municipality of Thorne.

ARTICLE 5 – DIRECTOR

The Fire Safety Service is headed by its director who, in accordance with articles 37 and 39 of the Fire Safety Act (L.R.Q. c. S-3.4) is a qualified or recognized as qualified officer. The director is the chief of the Fire Safety Service.

ARTICLE 6 – ASSISTANTS AND ORGANIZATION OF THE FIRE SAFETY SERVICE

The director is assisted in his functions by a deputy chief, one captain and one officer (can be modified, depends on the number of firefighters in the service).

The organizational chart of the Fire Safety Service is attached to this bylaw as Annex 1 and is considered an integral part of this by-law.

ARTICLE 7 – POWERS OF THE DIRECTOR

In addition to the powers provided for in the Fire Safety Act (L.R.Q. c. S-3.4) and a director of a service within the Municipality of Thorne, the director of the Fire Safety Service has the following powers:

- a. He acts as a first officer in the Fire Safety Service;
- b. He sets all internal management rules, guidelines, protocols and regulation for the proper functioning of the service, all in compliance with applicable laws and regulations;
- c. He ensures compliance by members of the Fire Safety Service for laws and regulations and any internal governance rules, guidelines, protocols and regulation enacted;
- d. He takes appropriate disciplinary action against any member of the Fire Safety Service;
- e. He suspends from office, immediately if necessary, any member of the Fire Safety Service and report to the director general of the Municipality in the shortest possible time, which informs the Council to take the steps required with respect to the member of the Fire Safety Service.

ARTICLE 8 - REQUEST FOR ASSISTANCE

In addition to persons authorized by article 33 of the Fire safety act (L.R.Q. c. S-3.4), the Municipality of Thorne designates the director or the officer replacing him, in accordance with the intermunicipal agreements in force, to seek intervention or assistance, when required by the circumstances of an intervention of any Fire Safety Service of another municipality and all other services including the public works of the Municipality or of another municipality, Hydro-Quebec, telephone companies, companies for recuperation and cleaning, the Ministry of Transport Quebec, the Quebec Provincial Police, the various provincial and federal departments.

The director is also authorized to provide assistance to any municipality that so request during an intervention, in accordance with the existing intermunicipal agreements or in accordance with Article 33 of the Fire Safety Act (L.R.Q. c. S-3.4). In these cases, he shall, prior to the assistance, take appropriate measures to ensure the continued protection of persons and property of the Municipality of Thorne.

ARTICLE 9 – AUTHORIZATION TO DEMOLISH A BUILDING

During an operation of the Fire Safety Service and in accordance with applicable rules, the director or the officer replacing him has all the powers listed in Article 40 of the Fire Safety Act (L.R.Q. c. S-3.4). Thus, they are especially authorized to stop the progress of a fire, to demolish any principal or accessory building and to remove or destroy any personal property interfering with the work of the firefighters.

ARTICLE 10 – REFUSAL TO OBEY

No person shall interfere with the work of firefighters or refuse to obey an order of an officer for the Fire Safety Service of the Municipality, in the exercise of its functions.

ARTICLE 11 – PROSECUTION AND PROCEDURES

Any employee under the Fire Safety Service and any person designated by resolution of the Municipality is authorized to issue statements of offense and initiate appropriate criminal proceedings, for and on behalf of the Municipality for an offense under this bylaw in accordance with the Penal Code of Quebec (L.R.Q., c. C-25).

ARTICLE 12 – FINES

Any person who contravenes to any provision of this by-law commits an offense and is liable for each day or part of a day during which the offense continues to a fine of not less than \$200 or more than \$1000, in the case of an individual, and not less than \$400 and not more than \$2000, in the case of a corporation, for the first offense, and not less than \$400 and not more than \$2000, in the case of an individual, and not less than \$800 and not more than \$4000, when it comes to a corporation, for each subsequent offense.

ARTICLE 13 – OTHER RECOURSE

A criminal prosecution against an offender is without prejudice or limitation to any other recourse that may bring the Municipality against it, including civil pursuit in any court, including the Municipal court to recover any costs incurred by the Municipality, as a result of non-compliance with this regulation.

ARTICLE 14 – ENTRY INTO FORCE

This by-law shall enter into force on the day of its publication.

Was drawn and passed at the Municipality of Thorne on February 5th, 2013

Ross Vowles, Mayor

Annie Beauregard, Director General