



Chronological No. - Numéro consécutif
 File Reference - N° de réf. du dossier

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
 NOTA: Les mots "des fonds de notre bande" "Capital" ou revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	Moose Deer Point	Current Capital Balance Solde de capital	\$ _____
AGENCY DISTRICT	Peterborough	Committed - Engagé	\$ _____
PROVINCE	Ontario	Current Revenue balance Solde de revenu	\$ _____
PLACE NOM DE L'ENDROIT	Moose Deer Point Indian Reserve #79	Committed - Engagé	\$ _____
DATE	<u>14</u> February AD 19 <u>83</u> DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:
 DÉCIDE, PAR LES PRÉSENTES:

- A. That the council of Moose Deer Point Indian Band #79 pass a by law being a By-Law to establish and regulate a Fire Department.
- B. And to establish a Fire Safety Committee. To monitor and assess the progress and function of the Volunteer Fire Department. This By-Law to be known as No.80-14. In this By-Law, unless the content otherwise requires:
 1. i) "Council" means the Council of the Moose Deer Point Indian Reserve #79
 ii) "Department" means the Moose Deer Point Volunteer Fire Department.
 iii) "Member" means and includes officers and personnel.
 iv) "Indian Act" means the Indian Act RS. C.149. 1.
 v) "Committee" means the Fire Safety Committee.
 2. A Department for the Moose Deer Point Indian Reserve #79 to be known as the Moose Deer Point Volunteer Fire Department is hereby established and the Head of the Department shall be known as the Fire Chief of the Department.
 3. In addition to the Fire Chief of the Department, the Department Personnel shall consist of a Deputy Chief and such number of Division Chief, Captain, and other officers and members as from time to time, may be deemed necessary by the council.
 4. Fire Safety Committee terms of reference shall be to,
 - a) Monitor & assess the progress and function to the C-1 Volunteer Fire Department.
 - b) Assist in the recruitment and selection process for the Fire Department.
 - c) Ensure that there is implementation of all of the following causes.

A quorum for this Bande
 Pour cette bande le quorum est

consists of
 fixé à

Council Members
 Membres du Conseil

Ralph King
 (Chief - Chef)

Catherine Williams
 (Councillor - conseiller)

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 (Councillor - conseiller)

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 (Councillor - conseiller)

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 (Councillor - conseiller)

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 (Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital	B. Revenue - Revenu			
\$	\$	\$			
6. Recommended - Recommandable			Approved - Approuvable		
Date			Date		
Recommending Officer - Recommandé par			Approving Officer - Approuvé par		

THE COUNCIL OF THE : MOOSE DEER POINT BAND
AGENCY : PETERBOROUGH
PROVINCE : ONTARIO
PLACE : MOOSE DEER POINT INDIAN BAND #79
DATE : FEBRUARY 14 1983.

- d) Provide continuity for the Fire Safety, Fire prevention program.
- e) Provide support and backup services to the Volunteer Fire Department.
- f) Make recommendation to the band council (VIA Reports).

5. a) The Fire Chief of the Department, may recommend to the council, the appointment of any qualified person as a member of the Department.
- b) A person is qualified to be appointed a member of the Department for fire fighting duties if he is:
- i) Not less than 16 years of age and not more than 50 years of age,
 - ii) has successfully completed at least grade 8 or equivalent;
 - iii) of good character;
 - iv) passes such aptitude tests as may be required by the Chief of the Department, and;
 - v) is medically fit to be a member as certified by a physician designated by the Chief of the Department.
- c) A person appointed as a member of the Department for Fire Fighting Duties shall be on a probationary period of one year during which period he shall take such training and examinations as may be required by the Chief of the Department.
- d) If a probationary member appointed for fire fighting duties fails any such training and examination, the Chief of the Department may recommend to the Council, that he be dismissed.

6. The remuneration of all members of the Department shall be determined by the council

7. The Chief of the Department is responsible to the Council for the proper administration and operation of the Department, for the discipline of its member, and;

- i) May make such general orders and Departmental rules as may be necessary for the care and protection of the property of the Department, for the conduct of the member of the Department, and generally for the efficient operation of the Department, provided that such general orders and rules do not conflict with the provisions of any By-Law of the municipality.
- ii) Shall review periodically the policies and procedures of the Department and may establish an Advisory Committee consisting of such officers as he may determine from time to time to assist him in this duty.
- iii) Shall make all proper measures for the prevention, control and extinguishing of fires and for the protection of life and property and shall enforce all Municipal By Law respecting Fire Prevention and exercise the power and duties imposed on him by the Fire Marshall Act.
- iv) Enter and make agreements with other fire fighting departments in the area for mutual aid.
- v) Is responsible for the enforcement of this By-Law and the General orders and Department rules.
- vi) Shall report all fires to the Fire Safety Officer, Ontario Region D.I.A.N.D.

The Deputy Chief shall report to the Chief of the Department on the activities of the division that are their responsibilities and carry out the orders of the Chief and, in the absence of the Chief, has all the powers and shall perform all the duties of the Chief.

- a) The Department is composed of the following divisions:
- Division of Administration
 - Division of Apparatus and Equipment
 - Division of Fire Fighting
 - Division of Training
 - Division of Communications

b) The Division of Apparatus and Equipment, Division of Communication Fire Fighting and Training are under the direction of the Deputy Chief who are responsible to the Chief of the Department for the

THE COUNCIL OF THE : MOOSE DEER POINT BAND
AGENCY : PETERBOROUGH
PROVINCE : ONTARIO
PLACE : MOOSE DEER POINT INDIAN RESERVE
DATE : FEBRUARY 14 1983.

9. proper operation of each Division
10. The Fire Chief is responsible for the carrying out of the following duties of the Division of Administration
 - a) Provide administration facilities for the Chief and Deputy Chiefs of the Department.
 - b) Prepare the Department Budget and exercise control of the Budget.
 - c) Prepare the payroll of the Department and initiate requisitions for materials and services and certify all accounts of the Department.
 - d) Maintain personnel records.
 - e) Arrange for the provision of medical services.
 - f) Arrange for the provision of new building.
 - g) Prepare the annual reports to the Department.
 - h) Carry out the general administration duties of the Department.
 - i) Provides liaison with the District Fire Co-Ordinator.
 - j) Assist the District Fire Co-Ordinator in the preparation of the District Emergency Fire Services Annex and operating procedures.
11. The Deputy Chief are in charge of the Division of Apparatus, Equipment and Communication and is responsible to the Chief for carrying out of the following duties of the Division.
 - a) Prepare specification for the purchase of apparatus and equipment.
 - b) Maintain and keep in repair all existing building, fire equipment for fire fighting, rescue and salvage apparatus of the Department.
 - c) Modify apparatus and equipment.
 - d) Provide recharging facilities for fire fighting extinguishers and cylinders and to test and repair hose.
 - e) Where a waterworks Commission is established, provide liaison in order to ensure an adequate flow of water in new waterworks projects and the adequate maintenance of existing waterworks facilities for the use of the Department.
 - f) Issue clothing, equipment, and cleaning supplies.
 - g) Receive alarms and dispatch apparatus.
 - h) Prepare specification for new Communication Systems and for additions to existing communication systems.
 - i) Maintain the communication system of the Department.
 - j) Prepare the annual report and the budget of the Division of Apparatus, Equipment and Communication to be submitted to the Division of Administration.
12. The Deputy Chief are responsible to the Chief of the Department for the,
 - a) Management and operation of the Division of Fire Fighting and the carrying out of the following duties of the Division:
 - i) Prevent and control and extinguish fires.
 - ii) Conduct through the Division of the Fire Fighting or the Division of Fire Prevention investigation of fires in order to determine Cause, Origin, and where appropriate to notify the authority having jurisdiction to conduct an investigation.
 - iii) Perform rescue and salvage operations and render first aid.
 - iv) Respond and assist at such emergencies as may be required by the Chief of the Department.
 - v) Participate in training at stations.
 - vi) Conduct company fire prevention and familiarization inspections.
 - vii) Perform apparatus maintenance and cleaning duties at the station.
 - viii) Prepare the annual report and budget of the Division of Fire fighting to be submitted to the Division of administration.
 - b) A Captain is in command of the company to which he is assigned and is responsible for the proper operation of the Company to the Deputy Chief.
 - c) Where the Chief of the Department designates a member to act in the place of an officer in the Department, such member, when so acting has all the powers and shall perform all the duties of the officer replaced.
13. The Fire Chief is responsible for carrying out of the following duties of the Division of Fire Prevention:

THE COUNCIL OF THE : MOOSE DEER POINT BAND
AGENCY : PETERBOROUGH
PROVINCE : ONTARIO
PLACE : MOOSE DEER POINT INDIAN RESERVE
DATE : FEBRUARY 14 1983.

13. a) Conduct Fire Prevention inspections of premises.
b) Enforce Fire Prevention By-Law
c) Examine building plans
d) Establish and maintain photography facilities.
e) Maintain fire loss records.
f) Receive process and follow up records of Fire Prevention inspections conducted under the Division of Fire Fighting.
g) Provide personnel for Fire Prevention Lectures.
h) Prepare the annual report and budget of the Division of Fire Prevention to be submitted to the Division of Administration.
14. The Deputy Chiefs are responsible for carrying out the following duties of the division of training.
 - a) Conduct training for all personnel of the Department in Fire Administration. Fire prevention and Fire Fighting.
 - b) Administration training programs in station.
 - c) Prepare and conduct examinations of members as required by the Chief of the Department.
 - d) Prepare the annual report and budget to the Division of training to be submitted to the Division of Administration.
15. The Provision of this section with respect to the Promotion of members do not apply to the Deputy Chiefs.
 - a) Any member having at least three years of services with the Department may make application to the Chief of the Department to qualify him for a promotion to a rank immediately superior to his present rank.
 - b) Every recommendation for promotion of a member made to council by the Chief of the Department shall be based on the evaluation of;
 - i) The results of Examination taken by the members;
 - ii) The age and physical fitness of the member.
 - iii) The Fire and station record of the member,
 - c) When in the opinion of the Chief of the Department, all other factors for promotion of two or more members are equal, seniority of service in the department governs.
 - d) The Fire Fighting and Station record of each member of the Department shall be evaluated as follows;
 - i) The Captain of each company shall evaluate each member of the company.
 - e) The Chief of the Department and the Deputy Chief shall evaluate all members of the department who are participating in an examination for promotion.
 - f) Every applicant for promotion shall take written, oral and practice examination as may be required by the Chief of the Department.
16. Every member of the Department appointed for Fire Fighting duties is subjected to a medical examination at least once annually and at such other times as the Chief of the Department may require.
17. a) Every member of the Department shall report for duties at the time prescribed by the Department Rules and shall remain on duty until relieved,
 - b) In case of a member failing to report for duty, the officer-in-charge shall report this in writing, through his superior officer, to the Chief of the Department.
 - c) no member:
 - i) while in uniform, shall enter any premises where there is alcoholic beverages are sold or consumed, except in the performance of his Departmental duties.
 - ii) if his ability is impaired by the use of an intoxicating beverage or drug, shall not be permitted to remain on duty.
 - iii) While on duty, shall consume any intoxicating beverages or drugs.
 - d) No member shall solicit the influence or support of anyone in order to secure a transfer, promotion or other advantage.
18. a) The Chief of the Department may reprimand, suspend or recommend dismissal of any member for insubordination, inefficiency, misconduct,

THE COUNCIL OF THE : MOOSE DEER POINT BAND
AGENCY : PETERBOROUGH
PROVINCE : ONTARIO
PLACE : MOOSE DEER POINT RESERVE
DATE : FEBRUARY 14 1983.

18. a) tardiness or for non-compliance with any of the provision of this By-Law or general orders and Department rules that in the opinion of the Chief, would be detrimental to the discipline and efficiency of the Department.
b) Following the suspension of any member, the Chief of the Department shall report the suspension and his recommendation to the council
c) A member shall not be dismissed without being afforded the opportunity for a hearing before Council, if he makes a written request for such a hearing within seven days after receiving notice of his proposed dismissal
19. The Department shall not respond to a call with respect to a Fire on Emergency outside the limits of the Moose Deer Point Indian Reserve, except with respect to a fire emergency.
 - a) That in opinion of the Chief of the Department threaten property in Moose Deer Point Indian Reserve or property situated outside the reserve that is owned or occupied by a municipality.
 - b) In a municipality with which an agreement has been entered into, to provide Fire protection, or;
 - c) On property with respect to which an agreement has been entered into with any person or corporation to provide Fire Protection thereof.
20. This By-Law comes into effect on the day it is passed by council.