



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

FIRE PREVENTION ACT FIRE DISTRICT REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to February 1, 2004. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office

Tel: (902) 368-4292

Email: legislation@gov.pe.ca



FIRE PREVENTION ACT
Chapter F-11

FIRE DISTRICT REGULATIONS

Pursuant to section 47 of the *Fire Prevention Act* R.S.P.E.I. 1988, Cap. F-11, Council made the following regulations:

PART I — EXTENDING OF FIRE DISTRICT BOUNDARIES INTO UNINCORPORATED AREAS NOT PART OF ANOTHER FIRE DISTRICT

1. Extension of fire district boundaries

Where a fire district committee wishes to extend the boundaries of the fire district to include an unincorporated area which is not already part of another fire district, it may apply to the Minister for approval of the annexation of that area. *(EC487/89)*

2. Content of application

(1) An application under section 1 shall include

- (a) a resolution of the fire district committee supporting the application;
- (b) confirmation that affected fire departments have been informed of the application;
- (c) a description of the geographical boundaries of the area to be annexed; and
- (d) the reasons for the proposed annexation.

Idem

(2) The applicant shall submit any additional documentation requested by the Minister. *(EC487/89)*

3. Hearing

(1) Upon receipt of an application, the Minister may require that a public hearing be held.

Review

(2) Where a public hearing is held, the Minister shall review the representations made thereat. *(EC487/89)*

4. Recommendation

The Minister shall present the application, together with a recommendation, to the Lieutenant Governor in Council. *(EC487/89)*

5. Approval

The Lieutenant Governor in Council may, by order published in the Gazette, approve the application subject to such conditions as it considers appropriate. (EC487/89)

6. Effect of order

Where an order approving an application is made under section 5, subject to any conditions in the order, the annexed area becomes for all purposes part of the fire district. (EC487/89)

PART II — CORRECTIONS, DISSOLUTIONS, ADJUSTMENTS AND AMALGAMATIONS OF FIRE DISTRICTS**7. Other modifications re fire district**

Where a fire district committee wishes to

- (a) correct an error in the description of, or resolve any doubt concerning, the fire district boundary lines;
- (b) dissolve the fire district;
- (c) adjust a mutual boundary line between the fire district and another fire district, or between the fire district and a municipality;
- (d) reduce the boundaries of the fire district;
- (e) amalgamate the fire district with another fire district to form one fire district; or
- (f) change the name of the fire district,

it may apply to the Minister for approval therefor. (EC487/89)

8. Contents of application

(1) An application under section 7 shall include

- (a) a resolution of the fire district committee supporting the application;
- (b) confirmation that affected fire departments, fire district committees, and municipalities have been informed of the application;
- (c) a description of the geographical boundaries of the area to be affected; and
- (d) the reasons for the application.

Documentation

(2) The applicant shall submit any additional documentation requested by the Minister. (EC487/89)

9. Hearing

(1) Upon receipt of the application, the Minister may require that a public hearing be held.

Review

(2) Where a public hearing is held, the Minister shall review the representations made thereat. (EC487/89)

10. Recommendation

The Minister shall present the application, together with a recommendation, to the Lieutenant Governor in Council. (EC487/89)



11. Effect of order

The Lieutenant Governor in Council may, by order published in the Gazette, approve the application, subject to such conditions as it considers appropriate and upon publication of the order the modifications applied for have effect. (EC487/89)

PART III — GENERAL**12. Special commissioner**

Where a fire district committee has become inoperative or in the opinion of the Minister functions in a manner contrary to the best interests of the residents, the Lieutenant Governor in Council may by order dismiss the committee and appoint a special commissioner to carry on the administration of the fire district on an interim basis and arrange for the election of a new committee. (EC487/89)

13. Alteration of municipal boundaries

Where the Lieutenant Governor in Council has received, pursuant to Part IV or V of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13, an application which affects the boundaries of a fire district, and it approved the application, it may order that the boundaries of the fire district be amended in accordance with the order made under the *Municipalities Act*, notwithstanding that no application has been made by the fire district pursuant to Part II of these regulations. (EC487/89)

14. Report

Prior to March 31 in each year, the fire district committee shall submit an annual report to the Minister setting out

- (a) the tax rate approved for the fire district, including, in the case of a “flat rate” tax system, a description of each property category;
- (b) the annual budget for the fire district committee; and
- (c) a list of fire district committee members,

and the report shall be accompanied by a copy of the minutes of the annual meeting of residents. (EC691/91)