



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **RURAL COMMUNITY FIRE COMPANIES ACT 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](http://www.princeedwardisland.ca)).

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

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## RURAL COMMUNITY FIRE COMPANIES ACT

### Chapter R-16

## REGULATIONS

Made by the Lieutenant Governor in Council under the *Rural Community Fire Companies Act* R.S.P.E.I. 1988, Cap. R-16

### 1. Definition

In these regulations

- (a) “**Department**” means the Department of Community and Cultural Affairs;
- (b) “**Fire Marshal**” means the Provincial Fire Marshal;
- (c) “**member**” means any resident of the municipality or rural community served by a company incorporated under this Act over the age of eighteen years and owner of real property of a value of at least one thousand dollars;
- (d) “**Minister**” means the Minister of Community and Cultural Affairs;
- (e) “**municipality**” means an incorporated village or town;
- (f) “**rural community**” means an area other than a municipality. (EC1019/67; 122/84; 639/93;699/00)

### 2. Application

Any rural community or municipality may make application by way of petition for incorporation of a rural community fire company. (EC1019/67)

### 3. Form

Such application shall be made in the appropriate Form 1, 2, or 3 of these regulations. (EC1019/67)

### 4. Signatories

If such application is made by a rural community only, the petition shall be signed by at least ten applicants who shall be residents of and generally representative of such community and be of the full age of eighteen years. (EC1019/67)

**5. *Idem***

If the application is made by a rural community and one or more municipalities, the petition, in addition to the signatures of the representatives of the rural community as set out in section 4, shall be signed by the Mayor, Chief Commissioner, Town or Village Clerk or other duly authorized officers on behalf of the municipality. (EC1019/67)

**6. *Idem***

Any municipality making application for the incorporation of a rural community fire company shall make application under the signatures of the Mayor, Chief Commissioner, Town or Village Clerk or other duly authorized officer on behalf of the municipality. (EC1019/67)

**7. Certificate of incorporation**

Such application shall be made to the Minister. Upon approval, the petition shall be submitted to the Director of Corporations who shall issue a certificate of incorporation and remit the same to the company and a copy of the same to the Fire Marshal and a copy to the Minister. (EC1019/67)

**8. Register**

The Director of Corporations and the Fire Marshal shall keep a register of rural community fire companies. (EC1019/67)

**9. Provisional chairman**

The first named person in the application of a rural community shall be the provisional chairman of the company. (EC1019/67)

**10. Organizational meeting**

The provisional chairman in the case of a rural community, or the Mayor or Chief Commissioner or other duly authorized officer in the case of a municipality, upon receiving the certificate of incorporation, shall within 30 days thereafter call an organizational meeting of members. At least 5 days' notice of the time and place of such meeting shall be given in the usual manner in the area in which the company is located. (EC1019/67)

**11. Election of officers**

The company at its organizational meeting shall elect five or more directors from whom shall be chosen a president, vice-president and secretary-treasurer. (EC1019/67)

**12. Remuneration**

Directors shall serve without remuneration but may be remunerated for reasonable expenses incurred by them in the conduct of the company's business. Reasonable remuneration may be paid to individuals for their services as firemen provided such remuneration or rate of remuneration is approved by the board of directors and by the Minister. (EC1019/67)



**13. Directives**

Where in the opinion of the Minister, a company has become non-operative or is not serving the purposes for which it was incorporated, he may issue directives for the carrying out of the business of the company and such directives shall be binding on the company, its officers, directors and members. (EC1019/67)

**14. Dissolution of company**

A company may apply to the Minister for permission to surrender its certificate of incorporation, and such application shall state the proposed disposition of its assets and the winding up of its affairs. The Minister may approve such application or make such directives as he deems necessary, and such directives shall be binding upon the company, its officers, directors and members. (EC1019/67)

**15. Change of area to be served**

A company may apply to the Minister for the purpose of changing the area to be served with fire protection. If the Minister approves of the application, he shall file the same with the Director of Corporations and Fire Marshal and thereupon the said change shall become effective. (EC1019/67)

**16. Annual Report**

The company shall file an annual report with the Minister within 30 days after each annual meeting. The report shall include a balance sheet and a profit and loss statement audited by a person approved by the Minister or a chartered accountant or other accountant recognized by the laws of the province. (EC1019/67)



FORM 1

APPLICATION FOR THE INCORPORATION OF A FIRE COMPANY UNDER THE PROVISIONS OF THE RURAL COMMUNITY FIRE COMPANIES ACT

We the undersigned, being residents of the rural community hereinafter described do hereby petition the Minister of Community and Cultural Affairs of the Province of Prince Edward Island for the incorporation of a fire company under the provisions of the Rural Community Fire Companies Act.

- 1. The name of the Company is "..... Rural Community Fire Company".
2. The object of the said Company is to provide fire protection coverage for the following community: .....
3. The head office of the Company shall be located at .....
4. The following applicants shall be the provisional directors and the first named shall be Provisional President of the Company; and by our signatures attached herewith we agree to act as Provisional Chairman and Directors respectively:

Signature of Director ..... Address .....
Names of Additional Supporting Applicants ..... Address .....

CERTIFICATE OF THE FIRE MARSHAL

I hereby certify that I have carefully examined this application and approve of the formation of this Fire Company and that I do hereby support the applicants in this their application for incorporation under the provisions of the Rural Community Fire Companies Act.

..... Fire Marshal

..... Witness

CERTIFICATE OF APPROVAL

I hereby approve this the application for the incorporation of .....

Name of Fire Company

and upon this application being duly filed with the Director of Corporations, the said Company shall thereupon become a body corporate and shall have the powers of a Company incorporated under the Companies Act R.S.P.E.I. 1988, Cap. C-14.

This application conforms with the provisions of the Rural Community Fire Companies Act and regulations thereunder.

..... Minister of Community and Cultural Affairs Province of Prince Edward Island

..... Witness

**CERTIFICATE OF THE DIRECTOR OF CORPORATIONS**

This is to certify that the original application of .....

Name of Fire Company  
has been duly filed in the Office of the Director of  
Corporations on this ..... day of ....., 20.....

.....  
Director of Corporations

.....  
Witness





## Form 2

### APPLICATION FOR THE INCORPORATION OF A FIRE COMPANY UNDER THE PROVISIONS OF THE RURAL COMMUNITY FIRE COMPANIES ACT

We the undersigned, being the Mayor, Chief Commissioner, Town or Village Clerk of the municipality of .....and residents of the rural community hereinafter described do hereby petition the Minister of Community and Cultural Affairs of the Province of Prince Edward Island for the incorporation of a fire company under the provisions of the *Rural Community Fire Companies Act*.

1. The name of the Company is “ .....  
Rural Community Fire Company”.

2. The object of the said Company is to provide fire protection coverage for the following community and municipality: .....

3. The head office of the Company shall be located at .....

4. The following applicants shall be the provisional directors and the first named shall be Provisional President of the Company; and by our signatures attached herewith we agree to act as Provisional Chairman and Directors respectively:

.....	.....
.....	.....
Signature of Director	Address

Names of Additional Supporting Applicants	Address
.....	.....
.....	.....
.....	.....

#### CERTIFICATE OF THE FIRE MARSHAL

I hereby certify that I have carefully examined this application and approve of the formation of this Fire Company and that I do hereby support the applicants in this their application for incorporation under the provisions of the *Rural Community Fire Companies Act*.

.....  
Fire Marshal

.....  
Witness

**CERTIFICATE OF APPROVAL**

I hereby approve this the application for the incorporation of .....

Name of Fire Company

and upon this application being duly filed with the Director of Corporations, the said Company shall thereupon become a body corporate and shall have the powers of a Company incorporated under the *Companies Act* R.S.P.E.I. 1988, Cap. C-14.

This application conforms with the provisions of the *Rural Community Fire Companies Act* and regulations thereunder

.....  
Minister of Community and Cultural Affairs  
Province of Prince Edward Island

.....  
Witness

**CERTIFICATE OF THE DIRECTOR OF CORPORATIONS**

This is to certify that the original application of .....

Name of Fire Company

has been duly filed in the Office of the Director of Corporations on this ..... day of ....., 20.....

.....  
Director of Corporations

.....  
Witness



### Form 3

**APPLICATION FOR THE INCORPORATION OF A FIRE  
COMPANY UNDER THE PROVISIONS OF THE  
RURAL COMMUNITY FIRE COMPANIES ACT**

We the undersigned, being the Mayor, Chief Commissioner, Town or Village Clerk of the municipality of ..... do hereby petition the Minister of Community and Cultural Affairs of the Province of Prince Edward Island for the incorporation of a fire company under the provisions of the *Rural Community Fire Companies Act*.

- 1. The name of the Company is “ ..... Rural Community Fire Company”.
- 2. The object of the said Company is to provide fire protection coverage for the following municipalities: .....
- 3. The head office of the Company shall be located at .....
- 4. The following applicants shall be the provisional directors and the first named shall be Provisional President of the Company; and by our signatures attached herewith we agree to act as Provisional Chairman and Directors respectively:

..... Signature of Director	..... Address
Names of Additional Supporting Applicants	Address
.....	.....
.....	.....

**CERTIFICATE OF THE FIRE MARSHAL**

I hereby certify that I have carefully examined this application and approve of the formation of this Fire Company and that I do hereby support the applicants in this their application for incorporation under the provisions of the *Rural Community Fire Companies Act*.

.....  
Fire Marshal

.....  
Witness



**CERTIFICATE OF APPROVAL**

I hereby approve this the application for the incorporation of .....

Name of Fire Company

and upon this application being duly filed with the Director of Corporations, the said Company shall thereupon become a body corporate and shall have the powers of a Company incorporated under the *Companies Act* R.S.P.E.I. 1988, Cap. C-14.

This application conforms with the provisions of the *Rural Community Fire Companies Act* and regulations thereunder.

.....  
Minister of Community and Cultural Affairs  
Province of Prince Edward Island

.....  
Witness

**CERTIFICATE OF THE DIRECTOR OF CORPORATIONS**

This is to certify that the original application of .....

Name of Fire Company

has been duly filed in the Office of the Director of Corporations on this ..... day of ....., 20.....

.....  
Director of Corporations

.....  
Witness



**SCHEDULE A**

**CERTIFICATE OF INCORPORATION**

This certifies that .....  
Rural Community Fire Company has been incorporated under the *Rural Community Fire Companies Act* to serve (Here set out name and description of each municipality or community) with fire protection.

.....  
.....  
.....

Dated at the Office of the Director of Corporations  
at Charlottetown this ..... day of ....., 20.....

.....  
Director of Corporations

**BYLAW NUMBER 1**

BE IT ENACTED by the Directors of “ .....  
Rural Community Fire Company” that the following bylaws shall be the bylaws of the Company.

**HEAD OFFICE**

The head office of the company shall be located at .....  
.....

**DIRECTORS**

- 2. The affairs of the company shall be managed by a board of five directors of whom three shall form a quorum.
- 3. The directors shall be elected by the members at each annual meeting of the company. Election may be by a show of hands or by resolution and need not be by ballot unless duly demanded. All directors shall retire at each annual meeting, but shall be eligible for re-election.
- 4. A director may vacate his office at any time by written resignation. Any such vacancy may be filled by appointment by the remaining directors.
- 5. Directors’ meetings may be convened by the president, or by any two directors at any time on at least two days notice.
- 6. At meetings of the board, each director present shall have one vote on every question, and in case of an equality of votes, the chairman of the meeting shall have a second vote.

**OFFICERS**

7. There shall be a president, vice-president, a secretary-treasurer, and such other officers as the board of directors may from time to time determine. The president and vice-president shall be elected from among the directors at each first meeting of the board of directors following its election by the members at the annual meeting. A vacancy in either office may

be filled at any time in the same manner. All other officers shall be appointed from time to time by the board of directors and need not be members of the board.

8. The president shall be the chief executive officer of the company. He shall, if present, preside at all meetings of the members and directors.

9. The vice-president shall be vested with all the powers and shall perform all the duties of the president in the absence or refusal to act of the president. He shall also have such other powers and duties as may from time to time be assigned to him by the president or the board.

10. The secretary-treasurer shall record in the company books the minutes of all meetings of directors and members, and of such other proceedings as the board may direct. He shall also keep or cause to be kept the books and records of the company, and he shall have the care and custody of all the funds and securities of the company and shall deposit the same in the name of the company in such bank or banks or with such depository or depositories as the board of directors may direct, and he shall keep or cause to be kept the books of account.

**MEETINGS OF MEMBERS**

11. The annual meeting of the members shall be held during the month of January in such place and on such day as the board of directors may determine.

12. Other general meetings of the members may be convened by order of the president or vice-president or board of directors at any time and in any place.

13. Notice of the time and place of any general meeting and the general nature of the business to be transacted shall be advertised in the usual manner in the area in which the company is located.

14. The chairman may with the consent of any meeting of the members adjourn the same from time to time. Any business may be brought before or dealt with at any adjourned meeting which might have been brought before or dealt with at the original meeting.

15. A quorum for any meeting of members shall consist of not less than seven.

16. The fiscal year of the company shall terminate on the last day of December in each year.

17. These bylaws may be amended at any special or annual meeting of members, and no notice of such change shall be required.

ENACTED this ..... day of ....., 20.....

.....  
President

.....  
Vice-President

