

Otonabee-South Monaghan Department of
Fire and Emergency Services

ESTABLISHING AND REGULATING BY-LAW

*Corporation of the
Township of Otonabee-South Monaghan*

By-Law No. 2010 - 49

Whereas the Municipal Act, S.O. 2001, c.25, as amended, and the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 as amended, permits the *council* to enact a by-law to establish and regulate a *fire department*;

BE IT THEREFORE ENACTED by the Municipal *council* of the Corporation of **The Township of Otonabee-South Monaghan**, as follows:

Definitions:

1. In this by-law, unless the context otherwise requires,
 - a. **approved**
means approved by the *council*
 - b. **chief administrative officer (CAO)**
means the person appointed by *council* to act as chief administrative officer for the *corporation*
 - c. **corporation**
means the Corporation of the *Township of Otonabee-South Monaghan*
 - d. **council**
means the council of the *Township of Otonabee-South Monaghan*
 - e. **deputy chief**
means the person appointed by *council* to act on behalf of the *fire chief* of the *fire department* in the case of an absence or a vacancy in the office of *fire chief*
 - f. **fire chief**
means the person appointed by *council* to act as *fire chief* for the *corporation* and is ultimately responsible to *council* as defined in the Fire Protection and Prevention Act
 - g. **fire department**
means the Township of Otonabee-South Monaghan Department of Fire and Emergency Services

- h. **firefighter**
means a Fire Chief and any other person employed in, or appointed to, a fire *department* and assigned to undertake *fire protection services*, and includes a *volunteer firefighter*.
- i. **firefighter** for the purposes of Labour Relations
means a person regularly employed on a salaried basis either full or part-time in a fire *department* and assigned to *fire protection services* and includes technicians but does not include a *volunteer firefighter* and whereas Part IX of the Fire Protection and Prevention Act would apply.
- j. **fire protection services**
includes fire suppression, fire prevention, fire safety education, communication, training of persons involved in the provision of *fire protection services*, rescue and emergency services and the delivery of all those services
- k. **limited services**
means a variation of services significantly differentiating from the norm as a result of extenuating circumstances, such as environmental factors, obstructions, remote and/ or island properties, private road ways, lanes, and drives
- l. **member**
means any persons employed in, or appointed to, a *fire department* and assigned to undertake *fire protection services*, and includes officers, *full time*, part time and *volunteer firefighters*
- m. **volunteer firefighter**
means a firefighter who provides *fire protection services* either voluntarily or for a nominal consideration, honorarium, training or activity allowance

Fire Department Establishment

- 2. A *fire department* for the Township of Otonabee-South Monaghan to be known as the Township of Otonabee-South Monaghan Department of Fire and Emergency Services is hereby established and the head of the *fire department* shall be known as the *fire chief*.
- a. The *fire department* "Mission Statement and Goals" are as stated in **Appendix "C"**, forming part of this by-law.

Structure

- 3. The *fire department* shall be structured in conformance with the *approved Organizational Chart*, **Appendix A**, forming part of this by law.

4. *Firefighters* of the Township of Otonabee-South Monaghan *fire department* for the purposes of "WSIB" Workplace Safety Insurance Board shall be defined as *volunteer firefighters*.
5. In addition to the *fire chief*, the *council* shall appoint a *deputy chief* and such number of other officers and members as may be deemed necessary by the *council*
6. The *fire chief* may recommend to the *council* the appointment of any qualified person as a member of the *fire department* subject to the *approved hiring policies* of the *Township of Otonabee-South Monaghan fire department*.
7. Persons appointed as members of the *fire department to provide fire protection services* shall be on probation for a period of 12 months, during which period they shall take such special training and examination as may be required by the *fire chief*.
8. The remuneration of the *volunteer firefighters* shall be as determined by the *council*.
9. If a probationary member appointed to provide *fire protection services* fails any such special training and examination, the *fire chief* may recommend dismissal and/or appropriate action to *council*.
10. The *fire chief* may reprimand, suspend or recommend dismissal of any member for infraction of any provisions of this by law, policies, general orders and departmental rules that, in the opinion of the *fire chief*, would be detrimental to discipline or the efficiency of the *fire department*.
11. Disciplinary action or dismissal of a volunteer firefighter shall be conducted in accordance with the *approved fire department* and human resources policies.

Duties and Responsibility

12. The *fire chief* is ultimately responsible to *council*, for proper administration and operation of the *fire department* including the delivery of *fire protection services*.
13. Each division of the *fire department* is the responsibility of the *fire chief* and is under the direction of the *fire chief* or a member designated by the *fire chief*. Designated members shall report to the *fire chief* on divisions and activities under their supervision and shall carry out all orders of the *fire chief*.

Policies and Procedures

14. The *fire chief* shall implement all *approved* policies and shall develop such standard operating procedures and guidelines, general orders and departmental rules as necessary to implement the *approved* policies and to ensure the appropriate care and protection of all *fire department* personnel and equipment.
15. The *fire chief* shall review periodically all policies, orders, rules and operating procedures of the *fire department* and may establish an advisory committee consisting of such members of the *fire department* as the *fire chief* may determine from time to time to assist in these duties.

Budgets and Reports

16. The *fire chief* shall submit to the CAO and *council* for approval, the annual budget estimates for the *fire department* an annual report and any other specific reports requested by the CAO and/or *council*.

Powers

17. The *fire chief* shall take all proper measures for the prevention, control and extinguishment of fires and the protection of life and property and shall exercise all powers mandated by the Fire Protection and Prevention Act, and the *fire chief* shall be empowered to authorize:
 - a. enter all lands and premises within the municipality where a fire is occurring or has occurred
 - b. pulling down or demolishing any building or structure to prevent the spread of fire
 - c. all necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident, when unable to contact the property owner
 - d. recovery of expenses incurred by such necessary actions for the *corporation* in the manner provided through the Municipal Act and the Fire Protection and Prevention Act

Emergency Response Outside of Municipal Boundaries

18. The *fire department* shall **not** respond to a call with respect to a fire or emergency outside the limits of the municipality **except** with respect to a fire or emergency:
 - a. that, in the opinion of the *fire chief* or designate of the *fire department*, threatens property in the municipality or property situated outside the municipality that is owned or occupied by the municipality

- b. in a municipality with which an **approved** agreement has been entered into to provide **fire protection services** which may include **automatic aid**
- c. on property with which an **approved** agreement has been entered into with any person or **corporation** to provide **fire protection services**
- d. at the discretion of the **fire chief**, to a municipality authorized to participate in any **county, district or regional** mutual aid plan established by a fire coordinator appointed by the fire marshal or any other similar reciprocal plan or program
- e. on property beyond the municipal boundary where the **fire chief** or designate determines immediate action is necessary to preserve life or property and the appropriate department is notified to respond and assume command or establish alternative measures, acceptable to the **fire chief** or designate

Levels of Service

- 19. a. The Township of Otonabee-South Monaghan **fire department** shall provide such **approved** services as specified and listed in **Appendix "B"**
- b. Due to the fire department's reliance upon volunteer firefighters, the topographic and geographic configuration of the Township, the level and amount of equipment at the department's disposal, and other budgetary constraints, the services listed in Appendix "B", although approved, may be provided as "**limited services**" as defined in Section 1 of this by-law.
- c. The Township of Otonabee-South Monaghan accepts no liability for the delay or inability to supply the services set out in **Appendix "B"** of this By-law due to the provision of its **approved** services as **limited services** or due to the existence of unsafe conditions encountered en route, impeded access to property, and/or environmental factors/constraints.

AN APPROVED ORGANIZATIONAL CHART FORMS PART of THIS BY LAW AS Appendix "A"

AN APPROVED LIST OF SUPPLIED SERVICES FORMS PART of THIS BY LAW AS Appendix "B"

AN APPROVED MISSION STATEMENT AND LIST OF PRIMARY GOALS AND OBJECTIVES OF THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES FORMS PART of THIS BY LAW AS Appendix "C"

This by-law comes into effect the day it is passed by *council*, in the manner appropriate to the municipality


That by-law 2010-35 or any by-laws or parts thereof and all resolutions of Council which are inconsistent herewith are hereby repealed.

By-law read a first and second time this 23rd day of August, 2010

By-law read a third time and finally passed this 23rd day of August, 2010

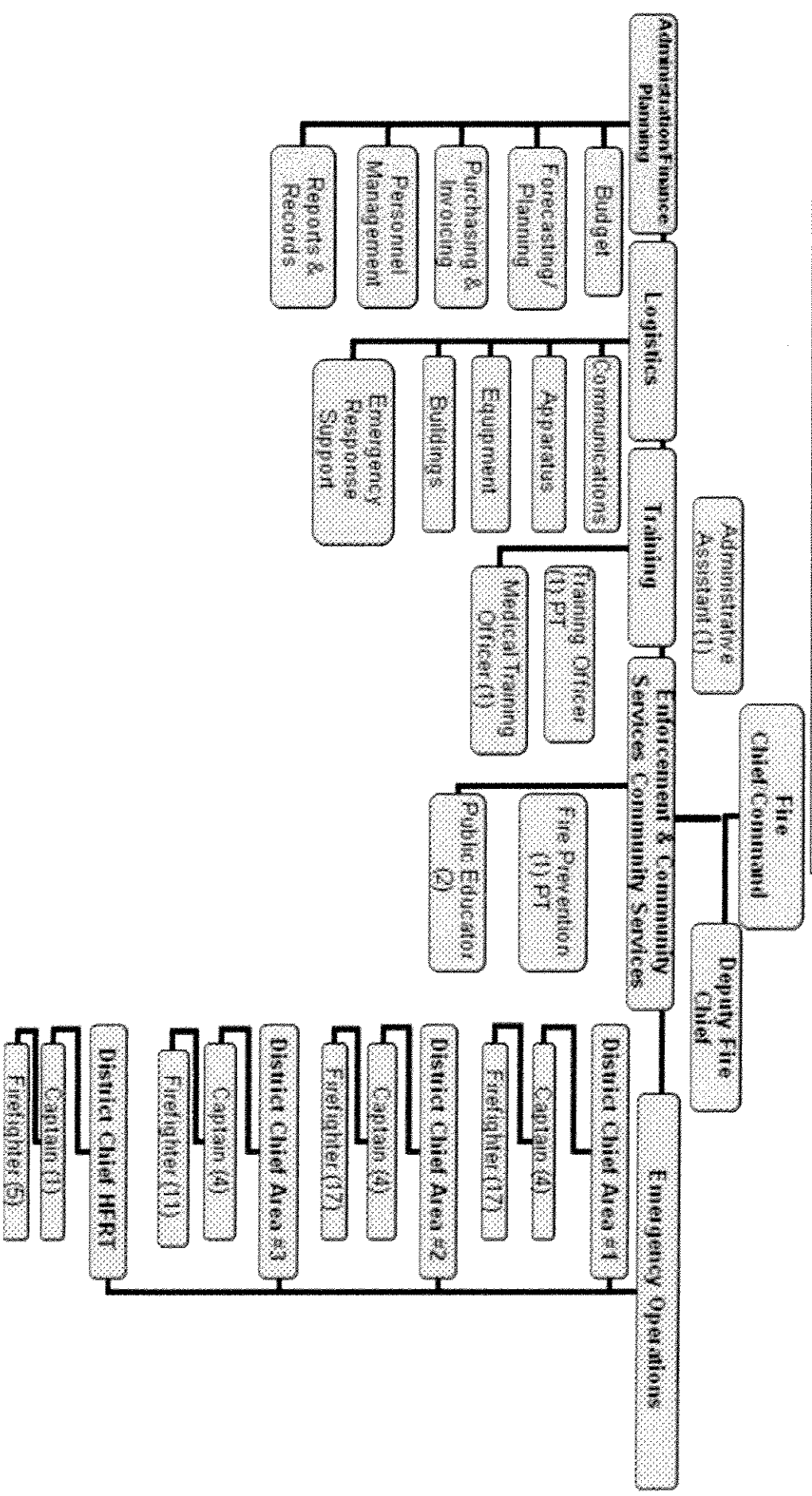


David P. Nelson Reeve



Heather Scott, Clerk

The Township of Otonabee-South Monaghan
 Department of Fire and Emergency Services
 Organizational Chart (revised 01/11/2010)



The Township of Otonabee-South Monaghan
DEPARTMENT OF FIRE AND EMERGENCY SERVICES

By-law 2010- 49 Appendix “B”

PAGE 1 OF 2

Core Services Provided (Response and Support):

A) Emergency Response

1. Structural firefighting including limited internal rescue & fire attack in accordance with the fire department's level of training, standard operating guidelines, Occupational Health and Safety Guidelines and the number and type of personnel and equipment available to the department and on each specific emergency response.
2. Emergency responses to water access properties including islands and to those properties accessed via private roads, private lanes or private driveways subject to the following limitations.

a) Emergency Response to water access properties will be limited to safe travel and environmental conditions. Response times during acceptable safe conditions may range from twenty to forty-five minutes or longer.

If in the opinion of the *Fire Chief* or his/her designate unsafe environmental conditions exists **no** services shall be provided. *Fire Department* apparatus shall not enter onto frozen bodies of water (ie. Lakes, rivers, streams) at anytime.

b) Emergency response to properties accessed via private roads, private lanes or private driveways may be limited by the condition of such road, land or driveway including:

- (i) the ability of such road, lane or driveway to support and accommodate fire department equipment, vehicles and apparatus; and
- (ii) the failure of the owner of the lands upon which the road, lane or driveway is located or the user of such road, land or driveway to maintain such road, lane or driveway in a condition that is passable by fire department equipment, vehicles and apparatus.

3. Vehicle firefighting
4. Grass, brush firefighting
5. Marine firefighting – defensive only
6. Basic medical assist with defibrillation
7. Awareness level hazardous materials
8. Vehicle accidents
9. Vehicle extrication
10. Transportation incidents involving vehicles, trains, aircraft and watercraft
11. Water and ice rescue – Boat go based
12. Public assistance
13. Other agencies assistance
14. High angle rescue – awareness only
15. Confined space rescue – awareness only
16. Trench rescue – awareness only
17. Mutual aid
18. Automatic aid
19. Participation in community emergency plan
20. Fire protection agreements
21. Joint service agreements
22. Review of Propane Facility "Risk and Safety Management Plans" as set out in Ontario Regulation 440/08

B) Fire Prevention and Public Education

Fire Prevention and Public Educations activities shall be provided in accordance with the *approved fire department* Fire Prevention/Public Education and Smoke Alarm Policies.

**The Township of
OTONABEE-SOUTH MONAGHAN DEPARTMENT
Of
FIRE AND EMERGENCY SERVICES**

BY-LAW 2010- 49

APPENDIX "C"

PAGE 1 OF 2

MISSION STATEMENT

The Mission of the Otonabee-South Monaghan Department of Fire and Emergency Services is to take action to protect and/or rescue citizens and/or property from threats of health, the effects of natural or man made disaster, and in particular the risk that a fire, if started, would seriously endanger the health and safety of any person or quality of the natural environment for any use that can be made of it.

PRIMARY GOALS of the DEPARTMENT OF FIRE AND EMERGENCY SERVICES

The primary goal of the Department of Fire and Emergency Services is to provide fire protection and rescue services through a range of programs designed to protect the lives and property of the inhabitants from the adverse effects of fire, sudden medical emergencies, or exposure to dangerous conditions created by man or nature; second to those Municipalities requiring assistance through authorized emergency fire service plan and program (mutual aid) activities; and third, to those Municipalities which are provided fire protection by the Department of Fire and Emergency Services via authorized agreement.

PRIMARY OBJECTIVES of the DEPARTMENT OF FIRE AND EMERGENCY SERVICES:

In order to achieve the goal of Department of Fire and Emergency Services, necessary funding must be in place and the following objectives met:

1. Identify and review the Department of Fire and Emergency Services requirements of the Municipality
2. Provide an administrative process consistent with the needs of the Department
3. Ensure that firefighting equipment and operating personnel is available within the Municipality to provide adequate response to a citizen's call within a reasonable length of time.
4. Provide departmental training, to an accepted standard, which will ensure the continuous up-grading of all personnel in the latest technique of fire prevention, firefighting and control of emergency situations and to co-operate with other Municipal departments with respect to management training and other programs.

PRIMARY OBJECTIVES of the DEPARTMENT OF FIRE AND EMERGENCY SERVICES:

Cont'd:

5. Provide a maintenance program to ensure all fire protection apparatus, involving all equipment, is ready to respond to emergency calls
6. Provide an effective Fire Prevention Program to:
 - (a) Ensure, through plan examination and inspection, that required fire protective equipment is installed and maintained within buildings
 - (b) Reduce and/or eliminate fire hazards
 - (c) Ensure compliance with applicable Municipal, Provincial and Federal fire prevention legislation, statutes, codes and regulations in respect to fire safety.
7. Develop and maintain an effective public information system and educational program, with particular emphasis on school fire safety programs; and commercial, industrial and institutional staff training.
8. Ensure in the event of a major catastrophe in the Municipality, assistance to cope with the situation is available from outside departments and other agencies.
9. Develop and maintain a good working relationship with all Federal, Provincial and Municipal departments, utilities and agencies, related to the protection of life and property.
10. Interact with other Municipal departments respecting the aspects of fire or any given programs.
11. Ensure these objectives are not in conflict with any other Municipal department.