

THE CORPORATION OF THE TOWNSHIP OF SOUTH DUNDAS

BY-LAW NO. 2011-05

A BY-LAW of the Corporation of the Township of South Dundas to adopt a Policy as per the provisions of the Municipal Act, 2001, as amended.

WHEREAS *the Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, states that a municipality and a local board shall adopt policies with respect to certain matters;

NOW THEREFORE the Council of the Corporation of the Township of South Dundas hereby enacts as follows:

1. THAT Policy No. 5-3 attached as Schedule "A" to this by-law is hereby approved.
2. THAT the Policy in Schedule "A" shall be effective on the date of passing.

READ and passed in open Council, signed and sealed this 1st day of February, 2011.

MAYOR

CLERK

POLICY MANUAL	Policy No. 5-3
For the Township of South Dundas	Effective Date: February 2011
SUBJECT: Fire Prevention	Department: Fire Department

General:

The Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, allows a municipality to establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances.

In discharging its responsibilities under Subsection (1), the municipality, under their establishing and regulating bylaws, has directed the fire department to provide fire prevention and education.

This Fire Prevention Policy is applicable in its entirety for the whole of the Municipality.

This policy provides for the participation of department members in fire prevention and public fire education activities, during available hours, and also addresses the types of inspection services that have been approved by Council. It is intended as an affirmative direction to the Fire Chief, Fire Department personnel and the public.

Definitions:

Except for headings and names of regulations and statutes, the words and terms used in this Code that are in lower case bold face shall have the following meanings:

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building department refers to the Township of South Dundas building department

Chief Fire Official means the assistant to the Fire Marshall who is the Township Fire Chief or a member or members of the Fire Department appointed by Municipal Fire chief under Article 1.1.1.2. of Division C or a person appointed by the Fire Marshal under Article 1.1.1.1. of Division C.

Dwelling unit means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities

Fire detector means a device which detects a fire condition and automatically initiates an electrical signal to actuate an alert signal or alarm signal and includes heat detectors and smoke detectors

Fire safety legislation – includes legislation regulated under the Ontario Fire Code, Fire Protection and Prevention Act, the Forest Fire Prevention Act, and Township open air burning by-law.

Inspect means physical examination to determine that the device or system will apparently perform in accordance with its intended function.

Inspectors – a member of a Township Fire Department, appointed as an “Assistant to the Fire Marshall”.

Municipality means the Township of South Dundas.

Occupancy means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

Owner means any person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property.

Property – a piece of land or real estate, confined to the area as identified in the parcel registry.

Residential occupancy (Group ‘C’) means the occupancy or use of a building or part thereof by persons for whom sleeping accommodation is provided but who are not harboured or detained to receive medical care or treatment or are not involuntarily detained.

Retrofit means upgrades to older buildings to meet the minimum performance requirements for life safety for existing buildings.

Smoke alarm means a combined smoke detector and audible alarm device that is designed to sound an alarm within the room or suite in which it is located when there is smoke within the room or suite.

Smoke detector means a fire detector designed to operate when the concentration of airborne combustion products exceeds a predetermined level.

Violation – is non-compliance or infringement of a law or rules pertaining to fire safety codes and legislation.

Inspections:

Complaint Investigations:

The Fire Chief and/or members delegated by the Fire Chief shall investigate, as soon as practical, every complaint that alleges that a fire safety hazard or violation of fire safety legislation exists to determine if the complaint is justified. The complainant must provide sufficient information on the location and description of the fire safety hazard, or violation, for the department to investigate the complaint. Complaint initiated inspections shall be limited to the extent of the building or property where the violation is reported. Anonymous complaints will not be investigated.

Requests for Assistance:

The Fire Chief and/or members delegated by the Fire Chief shall provide inspection services, within the municipality, to assist owners/occupants of commercial /industrial establishments in achieving compliance with the Ontario Fire Code.

Home Inspections: Fire safety inspection requests, for residential (home/cottage) dwelling units, will be scheduled based on availability of fire prevention personnel.

Other Inspections: Inspection requests for licensing requirements, property sales or any other administrative or information purpose are subject to a cost recovery fee, as per the Municipal schedule of fees.

Department initiated Inspections:

Occupancies have been divided into 3 levels for prioritizing inspections:

- Level 1 priority includes: hospitals, old age homes, schools, multi-plex residential, large assembly occupancies (Community Center), Large industrial facilities
- Level 2 priority includes: Assembly occupancies (licensed establishments, restaurants, ...), municipal buildings, 3 & 4 plex residential units, duplex, groc./hardware, marinas,...
- Level 3 priority includes: mercantile, small engine / garages, single resident buildings (excluding smoke alarm inspections), ...

Fire Chief / inspectors **shall** conduct fire safety inspections at schools, large assembly occupancies, nursing homes and senior apartments/complexes on an annual basis

Inspectors shall conduct routine fire safety inspections of all other assembly occupancies, commercial and industrial properties within the Municipality, as department resources permit. Inspections to be prioritized based on municipal building stock / property profile and the potential impact to the community should a fire occur.

Inspectors shall seek out opportunities to promote fire safety and fire code education during the performance of fire code inspections.

Excluding inspections of multiple dwelling units, under 9.5 or 9.8 of the Fire Code, department initiated inspections of residential dwellings shall be completed as per municipal Smoke Alarm Policy. If Fire Code violations are noted, a subsequent inspection shall be completed to determine the extent of non-compliance.

Follow-up Inspections:

Fire prevention officers/inspectors shall conduct follow-up inspection(s) when a fire safety hazard or violation of the Ontario Fire Code has been identified. Follow-up inspections will document that voluntary compliance has been achieved, or the apparent lack of intent to achieve compliance; requiring enforcement of the fire code.

Retrofit Inspections:

A number of properties in the Township may be subject to “Retrofit Requirements” of the Fire Code. The Fire Department will attempt to identify, schedule and conduct “Retrofit Inspections” to educate property owners of their responsibility and Ontario Fire Code regulations that apply to their building(s).

New Construction:

The Fire Chief is appointed under by-law to conduct inspections (when requested) of new construction or alterations to existing buildings where building permits are required.

Solid Fuel Burning Systems:

Fire Department personnel **shall not** conduct Inspections of existing woodstove installations.

The Fire Department recommends inspections of existing installations are conducted by a qualified inspector, certified by a recognized inspection authority, such as W.E.T.T. (Wood Energy Technology Transfer Inc.).

Fire Cause Determination:

The Fire Chief and/or members of the Fire Department delegated by the Fire Chief shall investigate, where possible, fire cause determination for all structure fires within the municipality. Ontario Fire Code compliance assessments will be done, where possible, in conjunction with fire cause investigations.

Investigation services by other agencies may be relied upon in determining a fire cause and origin (OPP, MNR, OFM). Where necessary, a private fire investigation consultant may be hired to assist in determining fire cause and origin.

The Fire Department will immediately notify the Office of the Fire Marshall of all:

- Large loss fires over \$500,000,
- Fires involving fatalities,
- All gaseous explosions or
- Where there is suspicion of arson.
- Where an investigator from the OFM is assigned to a fire investigation, the Fire Department will assist the OFM investigator as requested.

Enforcement:

Ontario Fire Code Violations

Fire prevention officers/inspectors shall take all steps reasonable to encourage voluntary compliance by the owner, in achieving fire code compliance in a timely matter. Where all reasonable actions have been exhausted, or if the owner has indicated an unwillingness to comply with legislation; the Chief Fire Official shall take all actions necessary to enforce all fire safety legislation to the letter of the law.

Smoke Alarms:

As identified in the municipal smoke alarm policy and program, the fire department will take a zero tolerance approach for smoke alarm violations.

Open Air Burning:

Open air burning is regulated within the Township. Open air burning will only be conducted with approval of the Chief Fire Official and in accordance with the conditions set out in the Township Open Air Burning By-law.

Administration:

Notification of Owner:

The Fire Department shall notify the owner or responsible person when a fire safety hazard or violation of the Ontario Fire Code is identified.

Change of Occupancy or Ownership:

Inspections shall be conducted within a reasonable period of time (within 10 business days of receipt of request) when requested by the purchaser's solicitor only where written permission has been obtained from the owner or the owner's agent to inspect and release inspection results. A fee for inspection services will be charged.

Fees for Services:

A fee schedule for various types of inspections, letters and reports is available upon request at the Fire Department or at the Township Office.

Fire Prevention Records Keeping and Risk Assessment

Records relating to all fire prevention and public fire safety education activities must be prepared and retained. These records include:

- Emergency response statistics using the Standard Fire Incident Report
- Fire investigations
- Fire prevention inspection program – complaints, requests, mortgage and resale, licensing, building code, other inspection types
- Smoke alarm program
- Distribution of Public Fire Safety information and media releases,
- Public displays/presentations, lectures, demonstrations, fire hall tours, etc.
- Fire safety programs

Training and Development:

Fire Department personnel involved in fire prevention shall, where possible, participate in various workshops and seminars that promote fire prevention and/or public fire safety education. The Fire Chief, Deputy Chief and/or Fire Prevention Personnel may attend meetings and/or conferences of various organizations whose purpose is to promote fire prevention and/or public fire safety education.

The Fire Department shall provide training for Fire Department members regarding the promotion of fire prevention and public fire safety education, and delivery of the various programs that members will be involved in.

Public Fire Safety Education

Smoke Alarm Program

It is the policy of the Township of South Dundas to promote the installation and maintenance of working smoke alarms in all dwelling units within the Township through the implementation of the "Township of South Dundas Smoke Alarm Program.

Distribution of Fire Safety Information

Fire Stations will coordinate the distribution of fire safety educational material in the community through a number of methods, which may include:

- the provision of pamphlets and other education materials at various locations and events,
- public service announcements in the local radio and newspapers,
- Distributing public fire safety educational material at various group functions and public events.
- Fire safety information through the Township website
- Mail-outs of pamphlets /brochures and/or fire safety messages

Simplified Risk Assessment (SRA)

The SRA is an evaluation of the Township's risks, and identification of potential fire prevention and education programs needed to address, potential fire safety risks identified within the Township, and the requirements of the Fire Protection and Prevention Act 1997.

The SRA containing a current community fire profile identifying current public education and prevention needs within the entire Township. It provides direction for the development, delivery and review of fire prevention & education programs within the Township.

The SRA will be updated every 3 years, to reflect changes in potential fire safety risks within the community. Fire safety programs will be evaluated to ensure they continue to meet the needs of the community and address relevant fire safety issues identified in the SRA.

A list of public fire safety programs currently available in the Township are listed in Schedule "A" of this Policy. Fire Stations will provide these programs to community groups as the need arises within the community.

Schedule "A"

Public Fire Safety Education Programs

Fire Safety Education for Seniors:

The Township supports the provision of public fire safety education programs in the community to address the fire safety concerns facing seniors. Programs available include:

- Older & Wiser Program
- Remembering When

Fire Safety Education for Children:

The South Dundas Fire & Emergency Services supports a variety of fire safety education programs for children in the community, including:

Risk Watch is a comprehensive injury prevention program designed for use in classrooms. Linking teachers with community safety experts and parents, Risk Watch effectively teaches kids and their families the skills and knowledge they need to be safe from the areas they're at greatest risk to unintentional injuries. Once the program is used in the classroom, personnel from the coalition of local safety advocates (police, fire ambulance...) support Risk Watch lessons through classroom visits and presentations.

Fire prevention week – provide static displays, and /or classroom presentations during fire prevention week at all Public Schools in South Dundas.

TAPP-C

Playing with fire and firesetting are extremely dangerous behaviours that can result in substantial personal and economic loss to families and communities. The Arson Prevention Program (TAPP-C) is a program for youth between the ages of 2 and 17, who have played with fire or set fires, including such things as playing with matches or lighters, burning paper or garbage, performing lighter "tricks," intentionally setting fire to buildings, or making bombs. It is an evidence-based collaborative program that involves fire service and mental health professionals working together to insure that all youth involved with fire have the best chance possible for a safe and healthy future. TAPP-C's model of service delivery insures that every adolescent who is referred to the program, along with his/her family, has access to a home safety check and fire safety education provided by the Fire Department.

Fire Station Tours:

Tours of the fire station provide an excellent opportunity to promote fire safety education to the citizens of the community. Fire Station tours by community groups, can be arranged through the local Fire Chief, and scheduled based on availability of Fire Department / fire prevention personnel.

Fire stations will provide a minimum of one “open house” per year in which the general public can tour the local fire hall. Fire educational material will be made available during the open houses.

Lectures & Demonstrations:

Every effort will be made to provide fire safety lectures and/or demonstrations, upon request, for various public sectors such as industries, community groups, service clubs, business groups, day care facilities and schools, within the Township, where department resources permit.

Home Inspection Program

As identified under Fire Prevention, a home inspection can be initiated by either the owner or tenant for compliance with the Ontario Fire Code. Fire Department personnel will inspect the residence, bringing any fire safety concerns observed to the owner attention. The program is designed to assist the owner in bringing the building into compliance with the Ontario Fire Code.

Other Programs

As fire safety concerns arise, the department will attempt to provide the most appropriate fire safety program(s) available to address the need. In some cases we may direct the person(s) to one of the adjacent community groups/agencies already providing the safety training.