

# THE CORPORATION OF THE TOWNSHIP OF SOUTH DUNDAS

## BY-LAW NO. 2011-03

**A BY-LAW of the Corporation of the Township of South Dundas to establish and regulate the Township of South Dundas Fire and Emergency Services.**

**WHEREAS** the *Fire Protection and Prevention Act, S.O. 1997, Chapter 4*, and the *Municipal Act, 2001, Chapter, 25*, as amended, permit Council to enact a by-law to establish and regulate a fire department;

**AND WHEREAS** the Fire Chief deemed it expedient to update and outline the rules and regulations for the South Dundas Fire and Emergency Services;

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

### 1. DEFINITIONS

In this by-law, unless the context otherwise requires;

- 1.1 "Approved" means approved by the Council;
- 1.2 "CAO" means the Chief Administrative Officer appointed by Council to act as Chief Administrative Officer for the Corporation;
- 1.3 "Corporation" means The Corporation of the Township of South Dundas;
- 1.4 "Council" means the Council of the Corporation of the Township of South Dundas;
- 1.5 "Deputy Fire Chief" means the person appointed by the Council to act on behalf of the Fire Chief in the case of an absence or a vacancy in the office of the Fire Chief;
- 1.6 "Division" means a division of the fire department as provided for in this by-law;
- 1.7 "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 FPPA;
- 1.8 "Fire Department" means Iroquois, Morrisburg and Williamsburg Fire Stations;
- 1.9 "FPPA" means the Fire Protection and Prevention Act, 1997, S.O., c 4, as may be amended from time to time, or any successor legislation, and any regulation made hereunder;
- 1.10 "Fire Protection Services" includes fire suppression, fire prevention, fire safety education, communications, training of persons involved in the provision of fire protection services, rescue and emergency services and the delivery of all those services;
- 1.11 "member" means any other person employed in or appointed to the fire department and assigned to undertake fire protection services and includes full time officers, full time firefighters, and volunteer fire fighters;
- 1.12 "volunteer firefighter" means a firefighter who provides fire protection services either voluntary or for a nominal consideration, honorarium, training or activity allowance;

## 2. ESTABLISHMENT

- 2.1 The fire department is established under this by-law to provide fire and emergency services for the Corporation and shall be known as the South Dundas Fire and Emergency Services.
- 2.2 The fire department mission statement is attached as per appendix "A" forming part of this by-law.

## 3. COMPOSITION

- 3.1 The fire department shall consist of the Fire Chief, deputy chief, assistant deputy chiefs, volunteer captains, volunteer fire fighters, other officers, administrative support staff and any other member as may be authorized or considered necessary from time to time by Council for the fire department to perform fire protection services.
- 3.2 The fire department shall be structured in conformance with the approved organization chart as per appendix "B", forming part of this by-law.

## 4. EMPLOYMENT

- 4.1 The Fire Chief may recommend to the CAO, the employment in, or the appointment to the fire department, as the case may be, of any person, as an officer or member or as administrative support staff, who meets the qualifications and, if applicable, completes successfully criteria (including without limitation training courses and physical, skills and other examinations) and otherwise satisfies any hiring policies, practices or procedures established or approved by Council for such employment or appointment.
- 4.2 Deputy chiefs, assistant deputy chiefs and volunteer captains shall be appointed by the Fire Chief as required and shall serve a probationary period of one year before appointment to permanent volunteer officer status.
- 4.3 Volunteer fire fighters shall be appointed by the Fire Chief following successful completion of the South Dundas Fire and Emergency Services volunteer fire fighter recruitment procedure and every volunteer fire fighter shall serve a probationary period of one year before appointment to permanent volunteer fire fighter status.
- 4.4 The Fire Chief may suspend or dismiss any volunteer firefighter for insubordination, inefficiency, gross misconduct, or repeated failure to attend practices or fires.

## 5. TERMS AND CONDITIONS OF EMPLOYMENT

- 5.1 Subject to the FPPA, the remuneration and other terms and conditions of employment or appointment of the members and administrative support staff that comprise the fire department shall be determined by Council or by the CAO acting in accordance with policies and programs established or approved by Council.

## 6. ORGANIZATION

- 6.1 The Fire Department shall be organized into divisions such as;
  - 6.1.1 Administrative Services

6.1.2 Fire Suppression

6.1.3 Training

6.1.4 Fire Prevention

6.2 The Fire Chief, with prior approval of the CAO, may re-organize or eliminate divisions or establish other divisions or may do all or any of these things or any combination of them as may be required to ensure the proper administration and efficient operation of the fire department and the effective management of fire protection services for the Corporation; and,

6.3 The Fire Chief may assign or re-assign such members to a division to assist him in the administration and operation of that division.

## 7. CORE SERVICES

7.1 The fire department vision statement is attached as per appendix "C" forming part of this by-law.

7.2 For the purposes of this by-law core services provided by the fire department shall be as per appendix "D" forming part of this by-law.

7.3 Nothing in this by-law shall restrict the fire department to providing only core services or limit the provisions of fire protection services.

## 8. RESPONSIBILITIES AND AUTHORITY OF FIRE CHIEF

8.1 The Fire Chief shall be the head of the fire department and is ultimately responsible to Council, through the CAO, for proper administration and operation of the fire department including the delivery of fire protection services;

8.2 The Fire Chief shall be authorized to make such general orders, policies, procedures, rules, and regulations and to take such other measures as the Fire Chief may consider necessary for the proper administration and efficient operation of the fire department and the effective management of the fire protection services for the Corporation and for the prevention, control and extinguishment of fires, the protection of life and property and the management of emergencies and, without restricting the generality of the foregoing;

8.2.1 For the care and protection of all property belonging to the fire department;

8.2.2 For arranging for the provision of necessary and proper facilities, apparatus, equipment, materials, services and supplies for the fire department;

8.2.3 For determining and establishing the qualifications and criteria for employment or appointment and the duties of all members and administrative support staff of the fire department;

8.2.4 For the conduct and the discipline of members and administrative support staff of the fire department;

8.2.5 For preparing and, upon approval by the Council, implementing and maintaining an emergency fire service plan and program for the Corporation;

- 8.2.6 For coordinating any emergency fire service plan and program adopted or to be adopted by the Council with, and assisting in the preparation, implementation and maintenance of any emergency plans, organizations, services or measures established , or to be established by the Corporation, alone or with others, and, if so requested or required, any emergency plan established or to be established by the Province of Ontario or the Government of Canada and for coordinating with and assisting any other public official in an emergency declared by the Mayor of the Corporation, the Premier of Ontario or the Governor in Council;
- 8.2.7 For reporting to the appropriate crown attorney or other prosecutor or law enforcement officer or other officer, the facts upon the evidence in any case in which there is reason to believe that a fire has been the result of criminal intent or negligence or in which there is reason to believe an offence has been committed under the FPPA;
- 8.2.8 For keeping an accurate record, in convenient form for reference, of all fires, rescues and emergencies responded to by the fire department;
- 8.2.9 For keeping such other records as may be required by the Council and the FPPA;
- 8.2.10 For preparing and presenting the annual estimates of the fire department to the CAO and the Council and for exercising control over the budget approved by the Council for the fire department, provided that such general orders, policies, procedures, rules, regulations, and other measures do not conflict with the provisions of this by- law or any other by-law of the Corporation, including without limitation those requiring the prior approval of or prior notice to the Council or the satisfaction of certain conditions, general or otherwise, specified by the Council before such measures can be implemented, or with the provisions of the FPPA or with the provisions of any collective agreement or other written agreement that may be applicable.
- 8.3 The Fire Chief shall be responsible for the administration and enforcement of this by-law and all general orders, policies, procedures, rules, and regulations made under this by-law and for the enforcement of any other by-laws of the Corporation respecting fire protection services, and shall review periodically such laws, and may for this purpose, establish an advisory committee consisting of such officers and other persons, including members of the general public as the Fire Chief may determine from time to time to assist him in the discharge of this duty and, in the case of such by-laws, including this by-law, recommend to the Council such amendments as the fire chief considers appropriate and, in the case of general orders, policies, procedures, rules, and regulations made under this by-law, revise or terminate any of them if the Fire Chief considers it appropriate;
- 8.4 The Fire Chief shall have all powers, rights and duties assigned to a fire chief under the FPPA including without limitation the authority to enforce compliance with the fire code;
- 8.5 The Fire Chief may liaise with any association representing firefighters or administrative support staff of the fire department or any of them;

- 8.6 The Fire Chief may liaise with the Office of the Fire Marshal of Ontario and any other office or organization as required by Council or as considered necessary or advisable by the Fire Chief for the proper administration and efficient operation of the fire department and the effective management of the fire protection services for the Corporation; and,
- 8.7 The Fire Chief may utilize such members and administrative support staff of the fire department as the Fire Chief may determine, from time to time, to assist in the performance of his duties

#### 9. DEPUTY FIRE CHIEF

- 9.1 The deputy Fire Chiefs shall be the second ranking officers of the fire department and shall be subject to and shall obey all orders of the Fire Chief and shall perform such duties as are assigned to him or her by the Fire Chief and shall act on behalf of the Fire Chief in case of absence or a vacancy in the office of Fire Chief.

#### 10. SUPERVISION

- 10.1 The members and administrative support staff of the fire department while on duty shall be under the direction and control of the Fire Chief or the next ranking officer present in any place.

#### 11. GENERAL DUTIES AND RESPONSIBILITIES

- 11.1 Every member and administrative support staff person shall conduct themselves in accordance with general orders, policies, procedures, rules and regulations made by the Fire Chief and shall give their whole and undivided attention while on duty to the efficient operation of the fire department and shall perform the duties assigned to them to the best of their ability in accordance with the FPPA and any collective agreement or other written agreement that may be applicable.

#### 12. PROPERTY

- 12.1 No person shall supply any apparatus, equipment or other property of the fire department for any personal or private use; and
- 12.2 No person shall willfully damage or render ineffective or inoperative any apparatus, equipment or other property belonging to or used by the fire department.

#### 13. FIRE SUPPRESSION

- 13.1 The fire department may suppress any fire or other hazardous condition by extinguishing it or by other reasonable action and, for this purpose, may enter private property, if necessary, to do so;
- 13.2 The fire department may pull down or demolish any building or structure when considered necessary to prevent the spread of fire;

#### 14. EMERGENCY RESPONSES OUTSIDE THE LIMITS OF THE MUNICIPALITY

- 14.1 The fire department shall not respond to a call with respect to a fire or emergency outside the territorial limits of the Corporation except with respect to a fire or emergency;

- 14.1.1 That, in the opinion of the Fire Chief or designate of the fire department, threatens property in the territorial limits of the Corporation or property situated outside the territorial limits of the Corporation that is owned or occupied by the Corporation;
- 14.1.2 In a municipality with which an approved automatic aid or mutual aid agreement has been entered into to provide fire protection services;
- 14.1.3 On property with which an approved agreement has been entered into with any person or corporation to provide fire protection services;
- 14.1.4 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 co-coordinator appointed by the fire marshal or any other similar reciprocal plan or program; and
- 14.1.5 On property beyond the territorial limits of the Corporation where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate fire department is notified to respond and assume command or establish alternative measures, acceptable to the fire chief or designate.

15. INTERFERENCE

- 15.1 No person shall impede or interfere with or hinder the fire department in the performance of its duties.

16. FIRE ALARM

- 16.1 No person shall prevent, obstruct or interfere in any manner whatsoever with the communication of a fire alarm to the fire department or with the fire department responding to a fire alarm that has been activated.

17. OFFENCES

- 17.1 Every person who contravenes any provisions of this by-law is guilty of an offence and on conviction is liable to the penalty established by the Provincial Offences Act, R.S.O. 1990, c. P.33, as may be amended or replaced from time to time.

18. SEVERABILITY

- 18.1 If any section or part of this by-law is found to be illegal or beyond the power of the Corporation, such section or part or item shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent there from and to be enacted as such.

19. This by-law shall come into effect the day of passing.

20. And that By-Law No. 2001-25 is hereby repealed in its entirety.

**READ** and passed in open Council, signed and sealed this 1<sup>st</sup> day of February, 2011.

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MAYOR

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CLERK

**APPENDIX "A"**

to By-law 2011-03

**MISSION STATEMENT**

The Mission of the Township of South Dundas Fire and Emergency Services is to provide the utmost professional and competent emergency service through our commitment to quality and excellence in the community for our citizens and visitors.

**APPENDIX "B"**

To By-Law No. 2011-03



## **APPENDIX "C"**

to By-law No. 2011-03

### **VISION STATEMENT**

Our vision is to be proactive in the prevention of fire and emergencies through public education in the community, to reduce any threat to the citizens of the Township of South Dundas by being prepared for all types of emergencies that we are challenged with and to be accountable to each other.

## **APPENDIX "D"**

to By-law No. 2011-03

### **CORE SERVICES**

#### **1. FIRE SUPPRESSION AND EMERGENCY RESPONSE**

1.1 Fire suppression services shall be delivered in both a proactive and reactive mode and shall include search and rescue operations, forcible entry, ventilation, protecting exposures and salvage and overhaul.

1.2 Emergency pre-hospital care responses and medical acts such as defibrillation, standard first aid and CPR, shall be maintained to base hospital protocols as agreed.

1.3 Technical rescue services may include confined space rescue and farm rescue incidents, resources permitting. Motor vehicle extrication shall be provided to make accessible and readily removable any trapped patients and to assist with removal and patient care as necessary. Water/ice rescue services as necessary.

1.4 Hazardous material emergency responses shall be conducted to the minimum level required to ensure rescues, life safety, evacuation and containment when resources permit

#### **2. TRAINING**

2.1 The Ontario Firefighters Curriculum, International Fire Service Training Association's Essentials of Fire Fighting, Ministry of Community Safety and Correctional Services guidelines for motor vehicle collisions, Ontario Fire Service Standard Level III "Go" rescue, and the National Fire Protection Associations Standard 472, Professional Competence of Responders to Hazardous Materials Incidents shall be used as a reference guide for South Dundas Fire and Emergency Services training. All training will comply with the Occupational Health and Safety Act and applicable provincial legislation.

#### **3. FIRE PREVENTION POLICY STATEMENT**

To proactively reduce the risk to life and loss of property by increasing the awareness and knowledge to the community and our citizens with respects to fire and injury prevention, by ensuring that compliance with the applicable codes, acts, by-laws and other accepted fire and life safety standards and programs are implemented and evaluated through monitoring the causes and origins of fire loss and injury within the Township of South Dundas.

3.1 General The Fire Protection and Prevention Act, 1997, Section 2(1) states:

- (1) every municipality shall,
- (2) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and
- (3) provide other fire protection services as it determines may be necessary in accordance with its needs and circumstances. Therefore, as a minimum accepted model, the municipality will provide the services listed below:
- (4) a smoke alarm program
- (5) fire safety education material distributed to residents/occupants
- (6) fire safety inspections upon complaint, when requested or through an annual inspection program to assist with code compliance (including any code enforcement).

(7) evaluate the effectiveness of all life safety programs, through monitoring the causes and origins of fire loss and injury using the risk assessment. Depending on periodic risk assessments, additional services may be required to meet the needs and circumstances of the municipality. Since the municipality must be able to demonstrate that they can meet their needs and circumstances, prevention programs under this policy should be measured to ensure effectiveness. This shall be the responsibility of the Fire Chief.

### 3.2 Smoke Alarm Program

The objective of the smoke alarm program is the provision, installation and maintenance of a working smoke alarm in every residential occupancy in the municipality. Activities to help achieve this goal include: \* distribution of pamphlets or other education material \* instruction to residents regarding smoke alarms \* instructions to residents regarding and home escape planning and fire safe behavior. \* providing advice and/or assistance on the installation of the smoke alarms \* inspection of residences to determine compliance with the smoke alarm provisions of the Fire Code.

### 3.3 Public Education Programs

The Fire Chief and the fire department members will provide a variety of fire prevention education programs for the municipality's population. Priority will be given to those groups/segments of the municipality that are at greatest risk. Presently, those groups are school aged children and senior citizens. Fire safety education material may be distributed to residents/occupants by any combination of the following activities: \* distribution of pamphlets or other education material \* public events within the community, such as fairs and home shows. \* public service announcements utilizing available media \* instruction to residents/occupants on fire safety matters (for example, presentations to community groups such as scouts, brownies, seniors, child caregivers, etc.) Public education material will address such issues as preventing fire occurrence, planning to escape from fire, being prepared to deal with a fire incident, the value of smoke alarms and injury prevention. The public may also request station tours or on site presentations and the public educator will make arrangements and assign personnel to conduct the tours.

### 3.4 Inspections

It is the policy of this fire department to conduct or arrange for fire prevention/safety inspections of occupancies upon request, complaint or through an annual inspection program, to assess the occupant/owner's compliance with the fire code. The Office of the Fire Marshal can provide advice and assistance with the inspection program if required. Any inspection of an occupancy must include notification of the property owner or responsible party, appropriate follow-up and enforcement as necessary. Inspections will be carried out on all other premises upon request or complaint.

### 3.5 Open Air Burning

Open air burning is only permitted as per the Ontario Fire Code. Any burning will only be conducted with the approval of the Fire Chief in accordance with the Township of South Dundas By-law No. 's 99-19 and 2002-14.

### Conclusion:

This fire prevention policy provides for the participation of all fire department members involving prevention and public education activities. It also addresses the types and frequency of inspections directed by Council. This policy is intended as firm direction to the Fire Chief, the fire department and the public.