

Corporation of the Township of Killaloe, Hagarty and Richards
By-Law # 13-2012

Being a by-law to establish, maintain and operate a fire department.

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;

THEREFORE BE IT ENACTED THAT the Municipal Council of the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

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

- (a) **Approved** shall mean approved by Council.
- (b) **Council** shall mean the Council of the Corporation of the Township of Killaloe, Hagarty and Richards.
- (c) **Chief Administrative Officer (CAO)** shall mean the person appointed by Council to act as Chief Administrative Officer for the Corporation.
- (d) **Corporation** shall mean the Corporation of the Township of Killaloe, Hagarty and Richards.
- (e) **Deputy Chief** shall mean 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** shall mean the person appointed by Council to act as Fire Chief for the Corporation, and who is ultimately responsible to Council as defined in the Fire Protection and Prevention Act.
- (g) **Fire Department** shall mean the Township of Killaloe, Hagarty and Richards Fire Department.
- (h) **Firefighter** shall mean 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 of 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. Structural fire fighting inclusive of interior or internal fire attack, rescue, or response to any emergency, will be carried out in accordance with the fire department level of available resources, training, approved policies and operational guidelines, Occupational Health and Safety Act requirements, and the number of available staff and equipment in attendance on each specific emergency response.

(1) **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 Killaloe, Hagarty and Richards to be known as the Township of Killaloe, Hagarty and Richards Fire Department 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 Killaloe, Hagarty and Richards 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 Killaloe, Hagarty and Richards.
- (a) A person is qualified to be appointed a member of the Department for fire fighting and fire prevention duties who:
 - a) has successfully completed Grade 12,
 - b) is of good character,
 - c) passes such aptitude and other tests as may be required by the Chief of the Department,
 - d) is medically and physically fit to be a member as certified by a qualified physician.

- 7. Persons appointed as members of the Fire Department to provide fire protection services shall be on probation for a period of 12 months, or such probationary period as established under a Collective Bargaining Agreement, 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 determine by Council, or if the volunteer firefighters are members of a union, as determined in their Collective Bargaining Agreement.
- 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 provision 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 Policy and Collective Bargaining Agreement.
12. 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.

Duties and Responsibility:

13. The Fire Chief is ultimately responsible to Council for the proper administration and operation of the Fire Department, for the discipline of its members, and for the operation of the Fire Department, including the delivery of fire protection services, and in doing so;
 - (a) May make such general orders and departmental rules as may be necessary for the care and protection of the Department and generally for the efficient operation of the Department, provided that such orders and rules do not conflict with the provisions of any by-law of the Municipality;
 - (b) 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;
 - (c) Shall review periodically all policies, orders, rules and operating procedures of the Fire Department and may establish an advisory committee consisting of such members as the Fire Department as the Fire Chief may determine from time to time to assist in these duties.
 - (d) Shall take all proper measures for the prevention of the loss of life and property and shall enforce all municipal by-laws respecting fire prevention and exercise the powers imposed on him/her by the Fire Marshals Act and Forest Fire Prevention Act and the Fire Protection and Prevention Act;
 - (e) Is responsible for the enforcement of this by-law, the general orders and departmental rules;
 - (f) Shall report all fires to the Fire Marshal as required by the Fire Marshals Act;
 - (g) Shall prepare and submit to Council for its approval, the annual budget estimates for the Fire Department, and once approved, for the administration of the budget.
 - (h) Shall prepare an annual report and any other specific reports requested by Council.
14. The Fire Chief is responsible for carrying out or delegating in total or in part, the following duties pertaining to administration:
 - (a) Maintain personnel records which shall include medical records and performance records,
 - (b) Arrange for the provision of new buildings as required,

- (c) Provide liaison with the County Fire Co-Ordinator,
 - (d) Assist the County Fire Co-Ordinator in the preparation of a County Emergency Fire Service Plan and operating procedures,
 - (e) Report to Council all accidents and injuries to personnel while on duty, and ensure that a record is sent to the Workers' Safety and Insurance Board.
15. The Fire Chief is responsible for carrying out or delegating in total or in part, the following duties pertaining to apparatus, equipment and communications. The Fire Chief shall:
- a) Prepare specifications for the purchase of apparatus and equipment,
 - b) Maintain and keep in repair all existing buildings, fire fighting, rescue and salvage apparatus of the Department,
 - c) Modify apparatus and equipment as required,
 - d) Provide for the recharging of fire fighting extinguishers and cylinders, and to test and repair hose,
 - e) Where the use of water facilities implies trespassing, prepare permission if time warrants, or in the case of emergency use, fair and reasonable judgement in order to obtain water facilities,
 - f) Issue clothing, equipment and cleaning supplies,
 - g) Prepare specifications for new communicating systems as required and additions to existing communications systems,
 - h) Maintain the communications systems of the Department,
 - i) Where a Waterworks Commission is established, provide liaison in order to ensure an adequate flow of water in new waterworks projects, and the adequate maintenance of existing waterworks facilities for the use of the Department.
16. The Fire Chief is responsible for carrying out or delegating in total or in part, the following duties pertaining to the management and operations of Rescue and Fire Fighting. The Fire Chief shall:
- a) Prevent, control and extinguish fires,
 - b) Conduct investigation of fire in order to determine cause, origin, and where appropriate, to request the Office of the Fire Marshal to conduct an investigation,
 - c) Participate in training,
 - d) Conduct pre-fire fighting operations planning.
17. The Fire Chief is responsible for carrying out or delegating in total or in part, the following duties regarding fire prevention inspection. The Fire Chief shall:
- a) Conduct fire prevention inspections of premises,
 - b) Enforce the Ontario Fire Code and the Ontario Building Code Municipal Fire Prevention By-Laws,
 - c) Approve Safety Plans,
 - d) Provide personnel for fire prevention lectures,
 - e) Maintain fire loss records,
 - f) Receive, process and follow up reports of fire prevention inspections conducted.
18. The Fire Chief is responsible for carrying out or delegating in total or in part, the following duties regarding the training of firefighters. The Fire Chief shall:
- a) Conduct training for all personnel of the Department in fire administration, fire prevention, fire fighting and rescue,
 - b) Administer training programs,
 - c) Prepare and conduct examination of members.

Powers:

19. 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.
20. The Deputy Chief shall report to the Fire Chief, carry out the orders of the Fire Chief, and in the absence of the Fire Chief, has all the powers and shall perform all the duties of the Fire Chief.
21. (a) A Captain is in command of the Company to which he/she is assigned and is responsible for the proper operation of the Company to the next senior officer,
- (b) Where the Fire Chief designates a member to act in the place of an Officer in the Department, such member, when so acting, has all the powers and shall perform all the duties of the Officer replaced.
22. Unless otherwise provided for in a Collective Bargaining Agreement, the provisions of this section apply with respect to the promotion of firefighters as defined in this by-law, with the exception of the Fire Chief and the Deputy Fire Chief;
- (a) Any member having at least one year of service with the Department may make application to the Fire Chief to qualify him/her for promotion to a rank immediately superior to his/her present rank,
 - (b) Every promotion of a member by the Fire Chief shall be based on the evaluation of:
 - i. the results of examinations taken by the member,
 - ii. the capability of the member, and,
 - iii. the fire and station record of the member.
 - (c) When, in the opinion of the Fire Chief, all other factors for the promotion of two or more members are equal, seniority of service in the Department shall govern,
 - (d) The emergency response capability and station record shall be evaluated as follows:
 - i. The Fire Chief and/or his/her designate shall evaluate all members under his/her jurisdiction on an annual basis,
 - ii. The Captain of each Company shall evaluate each member of the Company.

- (e) Every applicant for promotion shall take such written, oral and practical examination as may be required by the Fire Chief and shall serve a twelve month probationary period in the new position.
23. Every member of the Department appointed for fire fighting duties is subject to a medical/physical fitness examination. All firefighters performing frontline firefighting duties must provide a signed medical certificate annually indicating that he/she is physically able to perform the duties normally assigned to frontline firefighters.

Emergency Response Outside of Municipal Boundaries:

24. 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,
 - d) at the discretion of the Fire Chief, to a municipality authorized to participate in the Renfrew County Mutual Aid emergency fire service plan and program or any other organized plan or program on a reciprocal basis, or,
 - e) on property beyond the municipal boundary where the Fire Chief or his/her designate, determines that 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:

- 25.
- (a) The Township of Killaloe, Hagarty and Richards shall provide such approved services and 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 Killaloe, Hagarty and Richards 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 SERVICES WHICH ARE PROVIDED, AND WHICH ARE NOT PROVIDED BY THE KILLALOE, HAGARTY AND RICHARDS FIRE DEPARTMENT, IS ATTACHED AS APPENDIX "B" OF THIS BY-LAW

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 force and effect upon the date of its final passing.

By-Law #05-2003 or any By-Laws or parts thereof and all resolutions of Council which are inconsistent herewith, are hereby repealed.

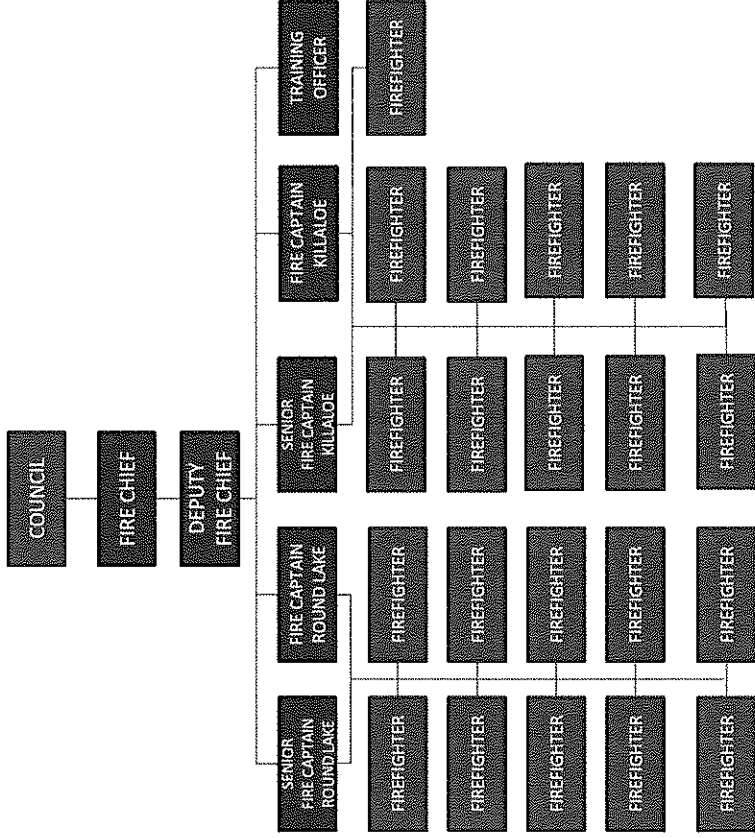
Read a first and second time this 15th day of May, 2012.

Read a third time and passed this 15th day of May, 2012.

Jennie Visconti
Mayor

Amy Mudd
CAO/Clerk-Treasurer

Appendix "A"
To By-Law #13-2012
The Township of Killaloe, Hagarty and Richards Fire Department Organizational Chart



Appendix "B"
To By-Law #13-2012

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 response to properties accessed via private roads, private lanes or private driveway may be limited by the condition of such road, land, bridges, culverts or driveway, including:
 - (i) the ability of such road, land, bridge, culvert 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, land, bridge, culvert or driveway is located or the user of such road, land or driveway to maintain such road, land or driveway in a condition that is passable by fire department equipment, vehicles, apparatus and/or personnel.
 - (iii) A portion of a roadway or yard provided as an access route shall:
 - a) Have a clear width no less than 6m (19.68 ft)
 - b) Have an overhead clearance not less than 5m (16.4 ft)
 - c) Have a change of gradient not more than 1 in 12.5 over a minimum distance of 15m (49.2 ft)
 - d) Be designed to support the expected loads imposed by fire fighting and other emergency equipment, and shall be surfaced with material designed to permit accessibility under all climatic conditions.
 3. Vehicle firefighting
 4. Grass, Brush firefighting
 5. Vehicle Accidents
 6. Heavy Vehicle Extrication
 7. Land-based transportation incidents
 8. Hazardous Materials (HazMat) – Awareness Level ONLY – May Zone off area and Request assistance from Base Petawawa.
 9. Electrical Emergencies – May Zone off area and request assistance from Hydro. This includes homes with Solar Arrays attached to the buildings.
 10. Forcible Entry – Killaloe, Hagarty and Richards Fire Department will provide assistance if already on scene, but is not to be called out specifically for forcible entry.
 11. CBRNE (Chemical, Biological, Radiological, Nuclear, Explosive) – May Zone off area and request assistance through Mutual Aid from CBRNE Responders in Ottawa.
 12. Public Assistance – As directed by Council
 13. Other Agencies Assistance – As directed by Council
 14. Confined Space Rescue – Awareness Level Only – this includes Silo Rescue, Trench Rescue, Wind Tower or other such type of rescue where specialized training and equipment is required. May Zone off area and request assistance from Base Petawawa.
 15. Mutual Aid
 16. Automatic Aid Agreements

17. Participation in the Community Emergency Plan
18. Fire Protection Agreements
19. Joint Services Agreements
20. Review of Propane “Risk and Safety Management Plans” as set out in Ontario Regulation 440/08.

B) Fire Prevention and Public Education activities shall be provided in accordance with the approved Fire Department Fire Prevention/Public Education and Smoke Alarm Policies.

Services Which Killaloe, Hagarty and Richards Fire Department Will Not Provide:

1. Emergency response to water access properties including islands.
2. Fire Department Apparatus and/or Personnel, shall not enter onto frozen bodies of water (ie lakes, rivers, streams) at any time.
3. Water or Ice Rescue – No Response
4. Marine Firefighting – No Response
5. Medical Assist with Defibrillation/CPR/First Aid or Oxygen – No Response
6. High Angle Rescue – No Response
7. Salvage – No Response
8. Animal Rescue – No Response

Appendix "C"
To By-Law #13-2012

Mission Statement

The Mission of the Killaloe, Hagarty and Richards Fire Department is to take action to protect and/or rescue citizens and/or property from 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 Fire Department are 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 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 Fire Department.

Primary Objectives of the Fire Department:

In order for the Fire Department to achieve its goals, necessary funding must be in place and the following objectives met:

1. Identify and review the Fire Department 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 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 upgrading 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.
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, that 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 that these objectives are not in conflict with any other Municipal Department.