

# ESTABLISHING AND REGULATING BY-LAW

## Corporation of the Township of North Huron

### By-Law No. 73-2009

**WHEREAS** the Municipal Act, R.S.O. 2003 c., 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 North Huron, as follows:

- 1) In this by-law, unless the context otherwise requires,
  - a) **approved** means approved by the Municipal Council
  - b) **corporation** means the Corporation of the Township of North Huron
  - c) **council** means the council of the Township of North Huron
  - d) **Chief Administrative Officer** means the person appointed by *council* to act as chief administrative officer for the *corporation*
  - e) **company** means a complement of personnel operating one or more pieces of apparatus or equipment
  - f) **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
  - g) **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
  - h) **Fire department** means the ~~North Huron Fire Department~~ Fire Department of North Huron
  - i) **Fire Prevention Officer** means the person appointed by council as a Provincial Offences Officer to enact measures and requirements as found in the Ontario Fire Code and municipal bylaws within the Township of North Huron and as required under fire protection agreements
  - j) **Fire protection services** means a range of programs and services designed to protect the lives and property of the inhabitants of the Township of North Huron from the adverse effects of fires or exposure to dangerous conditions created by individuals or nature. This includes structural fire suppression and rescue; motor vehicle firefighting; fire prevention activities including Fire Code enforcement and inspections; fire safety education; communications; technical rescue operations including extrication of patients from motor vehicle ~~accidents collisions~~ and industrial accidents, farm ~~accident~~ rescue, shore based ice/water rescue, ~~awareness level~~ and scene support services (less than NFPA 1006 awareness level activity) for confined space rescue, ~~awareness level~~ trench rescue, NFPA 472 awareness level hazardous materials response; emergency medical response; training of persons involved in the provision of fire protections services, rescue and emergency services and the delivery of all those services
  - k) **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~~ paid on call firefighters
  - l) ~~Volunteer Paid on call firefighter~~ means a firefighter who provides fire protection services ~~either voluntarily or~~ for a nominal consideration, honorarium, training or activity allowance
- 2)
  - a) A fire department for the Township of North Huron to be known as the ~~North Huron Fire Department~~ Fire Department of North Huron is hereby established and the head of the fire department shall be known as the Fire Chief.
  - b) The *fire department* shall be structured in conformance with the *approved* Organizational Chart, **Appendix "A"**, forming part of this by law.

- c) The mission statement and goals of the department shall be as those contained in **Appendix "B"** of this bylaw.
- 3) In addition to the Fire Chief, ~~the~~ council shall appoint two Deputy Chiefs 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.
- 4) The Fire Chief may appoint any qualified person as a member of the fire department, subject to the approved hiring policies of the Township of North Huron.
- a) 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 examinations as may be required by the Fire Chief.
- b) If a probationary member appointed to provide fire protection services fails any such examinations, the Fire Chief may dismiss that member.
- 5) The Fire Chief may reprimand, suspend or dismiss any member for non-compliance with any provisions of this bylaw, standing orders and department rules, that in the opinion of the Fire Chief, would be detrimental to the good order, discipline and efficiency of the department.
- 6) A ~~volunteer~~ paid on call firefighter shall not be dismissed without the opportunity for a review of termination, if he/she makes a written request for such a review within seven working days after receiving notification of the proposed dismissal. A person appointed by the municipality, who is not employed in the fire department, shall conduct the review.
- 7) The remuneration of the ~~volunteer members~~ personnel shall be as determined by ~~the~~ council.
- 8) The Fire Chief is ultimately responsible to council, under the general direction of the CAO, for the proper administration and operation of the fire department including the delivery of fire protection services.
- 9) The Fire Chief shall implement all approved policies and shall develop ~~best practices 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 fire department equipment. Such rules, orders and policies shall not conflict with the provisions of any legislation or bylaws of the municipality.
- 10) 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.
- 11) The Fire Chief shall submit to ~~the~~ council for approval, the annual budget estimates for the fire department, ~~an annual report~~ and any other specific reports requested by council.
- ~~12) The department shall perform the following divisional functions:~~
- ~~• Division of Administration~~
  - ~~• Division of Mechanical Equipment and Apparatus~~
  - ~~• Division of Public Education~~
  - ~~• Division of Fire Prevention~~
  - ~~• Division of Training~~
  - ~~• Division of Emergency Medical Services~~

- ~~Division of Personnel Safety~~
- ~~Division of Fire Suppression~~

~~13) Each division captain 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.~~

14) Where the *Fire Chief* designates a member to act in the place of an officer in the *fire department*, such member, when so acting, has all of the powers and shall perform all duties of the officer replaced.

15) 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, 1997, and the Fire Chief shall be empowered to authorize:

- a) pulling down or demolishing any building or structure to prevent the spread of fire
- b) 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
- c) 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.

16) The Fire Chief shall develop an approved fire department promotional policy based on such evaluation, written, practical and oral examinations as deemed necessary.

- a) The provisions of this section shall not apply to the positions of Fire Chief or Deputy Fire Chief

17) 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 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. The Fire Chief shall subsequently notify the Chief Administrative Officer of such response.

18) Any provisions of provincial legislation supersede the provisions of this bylaw.

19) This by-law comes into effect January 1, 2010.

READ A FIRST, SECOND AND THIRD TIME and finally passed this second day of December, 2009.

Reeve

Clerk



**Appendix “B”**  
**To By-Law No. 73-2009**

**Mission Statement**

The ~~North Huron Fire Department~~ Fire Department of North Huron is committed to the enhancement of the quality of life through the protection and preservation of life and property ~~within the jurisdiction of the Township of North Huron~~ from the effects of fire or other emergencies.

~~Our mission will be accomplished through the delivery of fire prevention, public education and professional emergency response programs to all who work, live and play within our community. We will work to educate people in fire safety in order that they may protect themselves and their families.~~

~~We will strive to minimize any adverse effects on individuals, families and businesses as a result of these emergencies and work to safeguard the environment. Through this effort we will protect our lifestyle and the general economic welfare of the community.~~

**Goals**

1. Provide for the safety of the public and the firefighters.
2. Identify and review the fire service requirements of the municipality
3. Provide the administrative process consistent with the needs of the department.
4. Ensure that firefighting equipment and operating personnel are available within the municipality to provide adequate response to a citizen's call within a reasonable time.
5. Provide departmental training to an accepted standard which will ensure the continuous upgrading of all personnel in the latest techniques of fire prevention, firefighting and control of emergency situations and to cooperate with other departments of the corporation with respect to assistance and other programs.
6. Provide a maintenance program to ensure all fire protection apparatus, including allied equipment, is ready to respond to emergency calls.
7. Provide an effective fire prevention program to:
  - a. Ensure, through cooperation with the building department and inspection compliance with applicable municipal, provincial and federal fire prevention legislation, statutes codes and regulations.
  - b. Reduce and/or eliminate fire hazards.
8. Develop and maintain an effective public information system and education program with particular emphasis on school fire safety programs.
9. Ensure that in the event ~~e of~~ a major catastrophe ~~in the municipality~~, assistance to cope with the situation is available from outside departments and agencies.
10. Develop and maintain a good working relationship with all outside agencies related to the protection of life and property.