

**THE CORPORATION OF THE
MUNICIPALITY OF POWASSAN**

BY-LAW NO. 2001-21

BEING A BY-LAW TO ESTABLISH A VOLUNTEER FIRE DEPARTMENT

WHEREAS THE Municipal Act R.S.O. 1990, Section 210, Paragraph 31(a) Chapter M.45 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 Volunteer Fire Department.

BE IT THEREFORE ENACTED BY THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF POWASSAN, AS FOLLOWS:

1. In this by-law unless the context otherwise requires,
 - (a) “Approved” means approved by the municipal council.
 - (b) “Chief” means the person appointed through a by-law of the council of the municipality to act as fire chief for the corporation.
 - (c) “Clerk-Treasurer” means the person appointed through a by-law of the council of the municipality to act as Clerk-Treasurer for the corporation.
 - (d) “Corporation” means the Corporation of the Municipality of Powassan.
 - (e) “Council” means the Council of the Municipality of Powassan.
 - (f) “Department” means the Municipality of Powassan Fire Department.
 - (g) “Deputy Chief” means the person appointed through a by-law of council to act on behalf of the chief of the fire department in the case of an absence or a vacancy in the office of chief.
 - (h) “Fire Protection” means a range of programs designed to protect the lives of the inhabitants of the fire department response area from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by persons or nature and includes fire prevention and public education, rescue and suppression services.

- (i) "Members" means members of the Municipality of Powassan Fire Department and includes officers, volunteer firefighters and any technicians assigned exclusively to department duties.
 - (j) "Volunteer Firefighter" means a firefighter who provides fire protection services either voluntary or for a nominal consideration, honorarium, training or activity allowance.
2. A department for the Municipality of Powassan to be known as the Municipality of Powassan Fire Department is hereby established and the head of the department shall be known as the chief.
 3. In addition to the chief, the department personnel shall consist of Deputy Chiefs and such number of other officers and members as may be deemed necessary by the council.
 4. The chief may recommend to the council appointment of any qualified person as a member of the department. Subject to the approved hiring policies of the Municipality of Powassan.
 5. Persons appointed as members of the department for firefighting and fire prevention shall be on probation for a period of three months, during which period they shall take such special training and examination as may be required by the chief.
 6. If a probationary member appointed for firefighting or fire prevention duties fails any such examinations, the chief may recommend to the council that they be dismissed.
 7. The remuneration of the department shall be as determined by the council.
 8. The chief is responsible to council, through the Clerk-Treasurer for proper administration and operation of the department including all department functions and programs.
 9. The chief shall implement all approved policies and shall develop such standard operating procedures, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all department personnel and department equipment.
 10. The chief shall review periodically all policies, orders, rules and operating procedures of the department and may establish an advisory committee consisting of such members of the department as the chief may determine from time to time to assist in these duties.
 11. The chief shall submit to the Clerk-Treasurer and council for approval, the annual budget estimates for the department, an annual report and any other specific report requested by the Clerk-Treasurer or Council.
 12. Each division of the department is the responsibility of the chief and is under the direction of the chief or a member designated by the chief. Designated members shall report to the chief on divisions and activities under their supervision and shall carry out all orders of the chief.
 13. Where the chief of the department 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.
 14. The 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 chief, would be detrimental

to discipline or the efficiency of the department.

15. The 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 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 damage, 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

16. The 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 chief or designate of the 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
 - (c) on property which an approved agreement has been entered into with any person or corporation to provide fire protection
 - (d) at the discretion of the chief to a municipality authorized to participate in the mutual aid plan established by a fire co-ordinator appointed by the Fire Marshal or any other similar reciprocal plan or program
 - (c) on property beyond the necessary boundary where the chief or designate determines immediate action is necessary to preserve life or property and the correct department is notified to respond and assume command or establish alternative measures, acceptable to the chief or designate.

Resolution Number 2001-12 Moved by Rob Passmore

Seconded by Carole Dobbs

Be it resolved that the Council of the Corporation of the Municipality of Powassan approves the first and second reading of By-Law Number 2001-14 to 2001-25 and approves the third reading and final passing of said by-laws.

Mayor

Clerk