

**THE CORPORATION OF THE MUNICIPALITY OF POWASSAN**

**BY-LAW NO. 2020-04**

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Being a By-Law to establish a Volunteer Fire Department

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**Whereas**, the Municipal Act, 2001, S.O. 2001, c.25, as amended, ("Municipal Act") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act;

**And Whereas**, the Municipal Act provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

**And Whereas**, the Fire Protection and Prevention Act, 1997, S.O. 1997, c4, as amended, ("FPPA") requires every 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 to provide such other Fire Protection Services as it determines may be necessary in accordance with its needs and circumstances;

**And Whereas**, the FPPA permits a municipality, in discharging these responsibilities, to establish a fire department;

**And Whereas**, the FPPA requires a municipality that establishes a Fire Department to appoint a Fire Chief;

**And Whereas**, the FPPA authorizes a council of a municipality to pass by-laws under the FPPA to regulate fire prevention, to regulate the setting of open-air fires and to designate private roads as fire routes.

**Now therefore**, the Council of The Corporation of the Municipality of Powassan hereby enacts as follows:

1. That all appendices and schedules attached form a part of this by-law.
2. That By-Law 2001-21 be rescinded upon adoption of this by-law.
3. That this by-law come into effect upon adoption.

**READ a FIRST and SECOND** time the 4<sup>th</sup> day of February, 2020.  
**To be READ a THIRD and FINAL** time the 18<sup>th</sup> day of February, 2020.

  
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Mayor

  
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Deputy Clerk

## **Appendix A to By-Law 2020-04 Establishing and Regulating a Fire Department**

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
  - (i) "Members" means members of the Municipality of Powassan Fire Department and includes officers, members of a fire prevention bureau, 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 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 and/or perform the role as required of a Chief Fire Official or other designate in such a manner as to include, but not be limited to, the following;
  - a) Provide administrative support and customer assistance for facilities and services provided by the Fire Department;
  - b) Prepare Divisional and overall Departmental budget(s) and exercise budgetary control;
  - c) Prepare the payroll data of the Department as required, to initiate requisitions and acquire materials and services and certify all accounts of the Department;
  - d) Maintain personnel records as required in conjunction with the direction of the Corporation's Corporate Services Department;

- e) Arrange for the provision of new facilities, equipment, and apparatus;
- f) Carry out the general administrative duties of the Fire Department;
- g) Liaise with the local firefighter's associations;
- h) Liaise with other emergency response and safety agencies;
- i) Liaise with other Departments within the Corporation and participate on committees or be involved in functions as required;
- j) Provide emergency communications/dispatch, firefighting and emergency response duties and/or assist at emergency or life supporting incidents as required by the Fire Chief to prevent, control, and extinguish fires, and further prevent fire and life safety tragedy;
- k) Conduct investigations of fires by Fire Department personnel in concert with Investigators of the Office of the Fire Marshal and Emergency Management and the Police or other allied agencies in order to determine cause, origin, and circumstances of a fire incident;
- l) Perform specialized emergency and/or rescue response such as vehicle/auto/machinery extrication, land based static water/ice rescue, hazardous materials response (emergency decontamination), high/low angle rope and confined space rescue, render emergency patient care and other life saving measures as per Fire Department policies;
- m) Conduct, facilitate and participate in training at fire stations or other approved sites and keep clear and concise records of said training to Provincial standards;
- n) Research and/or develop new technologies and strategies to maintain safe operating efficiency and effectiveness in emergency or routine operations;
- o) Prepare and conduct examinations of Fire Department staff members as required;
- p) Conduct in-service fire prevention audits, visits, inspections and/or other pre-planning familiarization inspections of premises and occupancies on a complaint, request or proactive basis as required;
- q) Enforce all legislation pertaining to fire prevention and the Ontario Fire Code and respond to all fire and life safety complaints and/or concerns as appropriate;

- r) Provide fire and life safety education and distribution of educational materials as appropriate;
  - s) Perform apparatus and equipment maintenance cleaning, checks, inspection and testing at stations or other as required;
  - t) Co-ordinate and address joint health and other safety issues within the Fire Department itself;
  - u) Ensure the Joint Health and Safety Committee performs, meets, and provides recommendations to Administration as required by legislation, and further that all staff conform and abide by safety practices to ensure a safe workplace;
  - v) Assist in the preparation and implementation of Departmental emergency plans and contingencies in conjunction with the Corporation's Emergency Plan;
  - w) Perform other duties as assigned and shall comply with all other requirements of the job description and abide by all orders, policies, procedures, rules and regulations as provided.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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
17. 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.
18. The Fire Chief may require occupancy owners, persons within or outside the municipality, or providers of public utilities to pay costs or fees for fire and emergency response or other administrative services provided to them. This includes responding to emergencies relating to public utility equipment. Invoicing for services will be conducted in accordance with the Municipality of Powassan's Fees By-Law.
19. If as a result of a Fire Department response to a fire or emergency incident, the Fire Chief or their designate determines that it is necessary to incur additional expenses, retain a private contractor, or rent special equipment not normally carried on a fire apparatus in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, control or eliminate an emergency, conduct a fire cause investigation, or otherwise carry out the duties and functions of the fire department and/or generally make "safe" an incident or property,

## **Appendix "B" to By-law No. 2020-04 Core Services**

### **Fire Suppression and Emergency Response**

1. Fire suppression services shall be delivered in both offensive and defensive modes as required and shall include search and rescue operations, forcible entry, ventilation, protection of exposures, and salvage and overhaul as appropriate.
  
3. Special technical and/or rescue response services provided by Municipality of Powassan Fire Department shall include performing automobile and/or equipment extrication using hand tools, air bags, and heavy hydraulic tools as required, shore based water rescue.
  
3. Other technical and/or specialized rescues response services (including trench rescue, rope rescue, building collapse, confined space, swift water, etc.) shall **not** be provided by the Municipality of Powassan Fire Department beyond the Awareness level. Notwithstanding, Council may approve a specialized rescue service agreement to allow these services to be provided by an agency or Department at a higher level as necessary.

### **Training**

4. The National Fire Protection Association (NFPA) Standards and other related industry training standards and reference materials shall be used as reference guides for Municipality of Powassan Fire Department Training Division as approved by the Fire Chief. All training will comply with the Occupational Health and Safety Act, R.S.O. 1190, c. O.1, as amended and applicable provincial legislation.

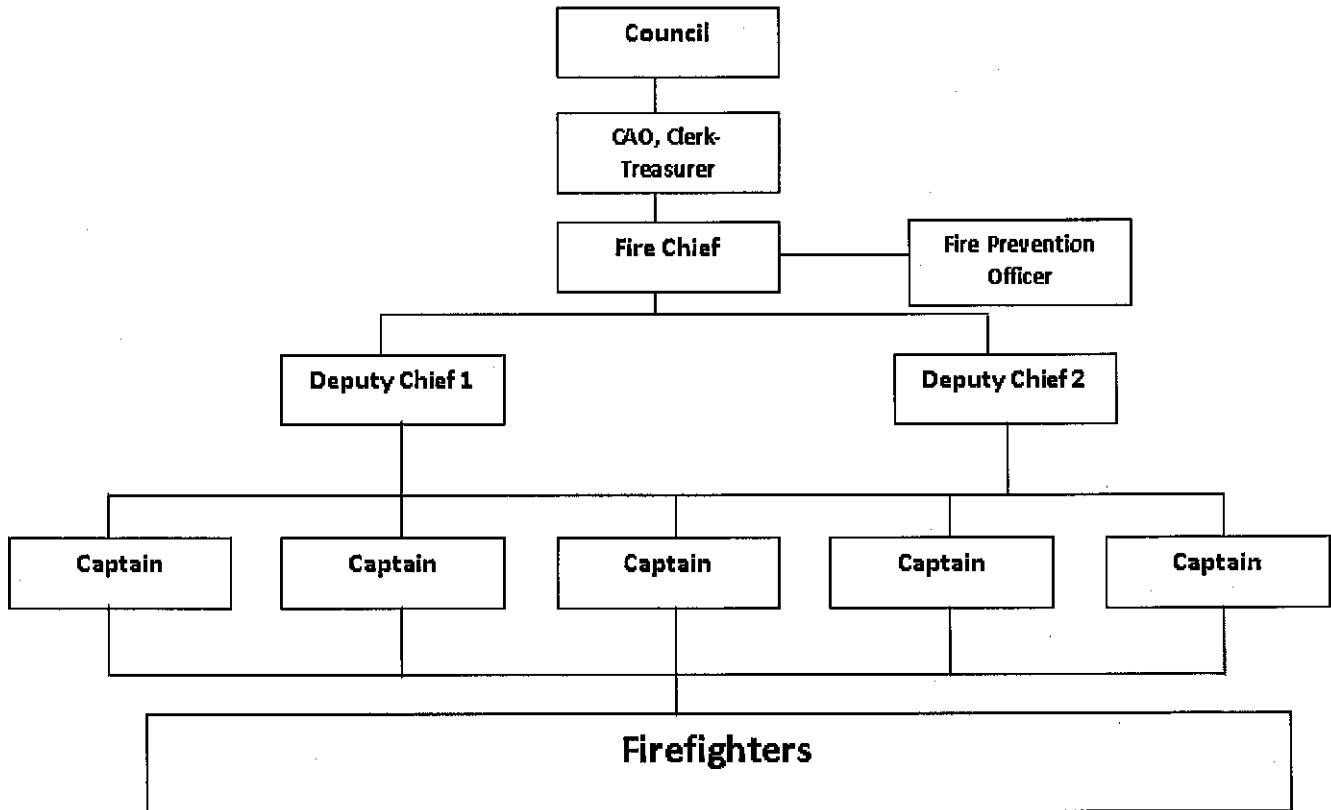
### **Fire Prevention**

5. Inspections arising from complaint, request, retrofit, or self-initiated; fire investigations; and examination and review of fire protection elements of building permit plans shall be provided in accordance with the FPPA and Departmental policies.

### **Fire and Life Safety Education**

6. Public education programs shall be administered in accordance with the FPPA and Departmental policies.

**Appendix "C" to By-law No. 2020-04  
Fire Department Organizational Structure**





## **Appendix "D" to By-law No. 2020-04 Fire Department Objectives and Mission Statement**

### **Mission of the Fire Department**

The primary mission of the Municipality of Powassan Fire Department is to provide a range of programs to protect the lives and property of the inhabitants of the Municipality of Powassan from the adverse effects of fires, sudden medical emergencies or exposures to dangerous conditions caused by people or nature.

### **Primary Objectives of the Municipality of Powassan Fire Department**

The primary Objectives of the Fire Department are to;

- Identify and review annually the fire service requirements of the municipalities.
- Provide appropriate public fire and life safety education and other fire prevention programs and measures as legislated by the FPPA,
  - Provide exceptional training to its members through well planned programs followed by appropriate testing and documentation,
  - Provide effective, timely and adequately staffed emergency response and assistance as appropriate to the needs and circumstances of the municipality and as required by the FPPA and other applicable legislation,
- Provide an administrative process consistent with the needs of the fire department.
- Provide a maintenance program to ensure that all firefighting apparatus and equipment is maintained and ready to be deployed for emergency responses.
- Develop a good working relationship with all federal, provincial and municipal departments, utilities and agencies, related to the protection of life and property.
- Interact with other municipal departments respecting the aspects of fire on any given property.