

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2012-20

Being a by-law to establish and regulate a Fire Department for the Municipality of Tweed and to repeal By-Law 99-13.

WHEREAS the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 as amended, permits the Council of a municipality to enact a by-law to establish and regulate a Fire Department;

AND WHEREAS Council deems it necessary to enact an updated by-law for establishing and regulating the Municipality of Tweed Fire Department;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed enacts as follows:

Definitions:

The following definitions shall apply.

1. Approved means approved by the Council;
2. CAO/Clerk means the person appointed by council to act as Administrator for the Corporation.
3. Corporation means the Corporation of the Municipality of Tweed;
4. Council means the Council of the Municipality of Tweed;
5. Deputy Fire Chief means the person or persons appointed by Council to act on behalf of the Fire Chief of the Fire Department in the case of an absence or vacancy in the office of Fire Chief;
6. 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;
7. Fire Inspection means the person appointed by Council to act as Inspector for the Corporation and is ultimately responsible to Council as defined in the Fire Protection and Prevention Act.
8. Fire Department means the Municipality of Tweed Fire Department;
9. 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 firefighters;
10. Volunteer Firefighter means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance;
11. Firefighter means 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;
12. 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 those services;
13. Limited Services means a variation of services significantly differing from the norm as a result of extenuating circumstances, such as environmental factors, obstructions, remote and/or island properties, private roadways, lanes, and drives.

Fire Department Establishment

1. A Fire Department for the Municipality of Tweed to be known as the Municipality of Tweed Fire Department is hereby established and the head of the Fire Department shall be known as the Fire Chief.
2. The Fire Department Mission Statement and Goals are as stated in Schedule “B”, forming part of this by-law.

Structure:

1. The Fire Department shall be structured in conformance with the approved organizational chart in Schedule “C”, forming part of this by-law.
2. Firefighters of the Municipality of Tweed Fire Department for the purposes of Workplace Safety Insurance Board (WSIB) shall be defined as volunteer firefighters.
3. 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.
4. 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 Municipality of Tweed.
5. 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 examination as may be required by the Fire Chief.
6. If a probationary member appointed to provide fire protection services fails any such examinations, the Fire Chief may recommend to the Council that they be dismissed.
7. The remuneration of the volunteer members shall be as determined by the Council.
8. Working conditions and remuneration for all firefighters defined in part IX of the Fire Protection and Prevention Act shall be determined by Council in accordance with provisions of Part IX of the Fire Protection and Prevention Act.
9. If a medical examiner finds a member is physically unfit to perform assigned duties and such condition is attributed to, and a result of employment in the Fire Department, Council may assign the member to another position in the Fire Department or may retire the member. Council may provide retirement allowances to members, subject to the Municipal Act.
10. The Fire 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 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 policies.
12. Following the suspension of a member, the Fire Chief shall immediately report, in writing, the suspension and recommendation to the CAO/Clerk and Council.
13. The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all firefighters defined in Part IX of the Fire Protection and Prevention Act.
14. A volunteer firefighter shall not be dismissed without the opportunity for a review of termination, if they make a written request for such a review within seven (7) 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.

Duties and Responsibilities

1. The Fire Chief is ultimately responsible to Council, through the CAO/Clerk for proper administration and operation of the Fire Department including the delivery of fire protection services.
2. 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.
3. 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.

Policies and Procedures

1. The Fire Chief 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.
2. 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.

Budgets and Reports

1. The Fire Chief shall submit to the CAO/Clerk and Council for approval, the annual budget estimates for the Fire Department; an annual report and any other specific reports requested by the CAO/Clerk or Council.

Powers

1. The Fire Chief shall take all proper measures for the prevention, control and extinguishment of fire 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:
 - i. pulling down or demolishing any building or structure to prevent the spread of fire.
 - ii. 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.
 - iii. 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.

Emergency Response Outside of Municipal Boundaries

1. 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:
 - i. that, in the opinion of the Fire Chief or his designate of the Fire Department, threatens property in the municipality or property situated outside the municipality that is owned or occupied by the municipality;
 - ii. in a municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid;
 - iii. on property with which an approved agreement has been entered into with any person or corporation to provide fire protection services;

- iv. at the discretion of the Fire Chief, to a municipality 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 reciprocal plan or program;
- v. 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.

Level of Service

1. The Municipality of Tweed Fire Department shall provide such approved services as specified and listed in Schedule "A".
2. Due to the Fire Department's reliance upon volunteer firefighters, the topographic and geographic configuration of the Municipality, the level and amount of equipment at the department's disposal, and other budgetary constraints, the services listed in Schedule "A", although approved, may be provided as "limited services" as defined in section 1 of this by-law.
3. The Municipality of Tweed accepts no liability for the delay or inability to supply the services set out in Schedule "A" 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.
4. An approved Mission Statement and list of Primary Goals and Objectives of the Tweed Fire Department forms part of this by-law as Schedule "B".
5. An approved Organizational Chart forms part of this by-law as Schedule "C".
6. An approved list of Supplied Services forms part of this By-law as Schedule "A".
7. By-law No.99-13 is hereby repealed in its entirety.
8. This by-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first and second time this 26th day of June, 2012.

Read a third and final time, passed, signed and sealed in open Council this 26th day of June, 2012.



REEVE



CLERK

CORPORATION OF THE MUNICIPALITY OF TWEED

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SCHEDULE "A"

Core Services Provided:

A) Emergency Response:

- a. 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.
- b. Emergency Response to water access properties including islands and to those properties accessed via private roads, private lanes or private driveways subject to the following limitations.
 - i. Emergency Response to water access properties will be limited to safe travel and environmental conditions. Response times during acceptable safe conditions may range from twenty to forty-five minutes or longer.
 - ii. Emergency response to properties accessed via private roads, private lanes or private driveways may be limited by the condition of such road, land or driveway including:
 - i. the ability of such road, lane 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, lane or driveway is located or the user of such road, lane or driveway to maintain such road, lane or driveway in a condition that is passable by Fire Department equipment, vehicles and apparatus.
- c. Vehicle firefighting
- d. Grass, brush firefighting
- e. Basic medical assist with defibrillation
- f. Awareness level hazardous materials
- g. Vehicle accidents
- h. Vehicle extrication
- i. Transportation incidents involving, vehicles, aircraft and watercraft
- j. Water and ice rescue – shore based
- k. Public assistance
- l. Assistance to other agencies
- m. Mutual aid
- n. Automatic aid
- o. Participation in community emergency plan

B) Fire Prevention and Public Education:

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

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SCHEDULE "B"

MISSION STATEMENT

It is the commitment of the Tweed Volunteer Fire Dept. to maintain the quality of life in our community by preventing or minimizing injury and loss of life and property from fire or other emergencies by providing protection through EDUCATION, PREVENTION, and SUPPRESSION and other limited life saving services.

PRIMARY GOAL

The primary goal of the Tweed Volunteer Fire Dept. is 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, sudden medical emergencies, or exposure to dangerous conditions created by man or nature.

PRIMARY OBJECTIVES

In order to achieve the goal of the Tweed Volunteer Fire Dept., necessary funding must be in place and the following objectives met:

1. Provide an effective Fire Prevention Program to:
 - a) Ensure, through plan examination and building inspections that the required fire protective equipment and planning is in place and maintained within buildings.
 - b) Ensure ongoing inspections to reduce and / or eliminate fire hazards.
 - c) Ensure compliance with applicable Municipal, Provincial and Federal fire prevention legislation, statues, codes and regulations with respect to fire safety.
2. Provide departmental training, to an accepted standard, which will ensure the continuous up-grading of all personnel in the latest techniques of fire prevention, firefighting and control of emergency situations and ensure the safety of department members and the public.
3. Provide a maintenance program to ensure all fire protection apparatus and equipment is ready to respond to emergency calls.
4. 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.

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SCHEDULE "C"

**Municipality of Tweed Fire Department
Organization Chart**

