

CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

BY-LAW NUMBER: 14-452

BEING A BY-LAW TO ESTABLISH FIRE DEPARTMENTS (REPLACES BY-LAW #14-452 AND ALL OTHER PRECEDING FIRE DEPARTMENT BY-LAWS)

WHEREAS the Municipal Act (2001) provides that the Council of a municipality may by by-law establish and regulate a Fire Department and

WHEREAS pursuant to the Fire Protection and Prevention Act 1997, c. 4, s. 5 (2). A Municipality may establish more than one fire department for the municipality.

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Township of South Algonquin as follows:

1) DEFINITIONS:

- a) **“Council”** means Council of the Township of South Algonquin
 - b) **“Fire Department”** means either Madawaska Fire & Rescue Department or Whitney Fire & Rescue Department
 - c) **“Member”** includes all Fire Department personnel
 - d) **“O.F.M.”** means Ontario Fire Marshall
 - e) **“Deputy Chief”** means the person appointed by Council to act on behalf of the Chief of his respective Fire Department in the event of an absence, or a vacancy in the office of Fire Chief
 - f) **“Fire Chief”** means a person appointed by Council to act as a Fire Chief for the corporation and is ultimately responsible to Council as defined in the Fire Protection and Prevention Act
 - g) **“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
 - h) **“Volunteer Firefighter”** means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, or training activity allowance
- 2)** A Department will consist of one Chief, one Deputy Chief, Captains and other officers and members in both the Madawaska and Whitney Halls, as deemed necessary and approved by Council.
- 3)** A person is qualified to be appointed a member of the Departments who:
- a) is not less than eighteen (18) years of age
 - b) is of sound character

- c) has passed such tests as may be required
 - d) is medically fit
 - e) has an appropriate valid driver's licence
- 4) The remuneration of all members of the Departments shall be determined by Council.
- 5) The Chiefs of the Departments are responsible to the Council for:
 - a) the proper administration and operation of their respective Department
 - b) taking all proper measures for the prevention, control and extinguishment of fires
 - c) ensuring the protection of life and property
 - d) enforcing all by-laws, policies and standard operating procedures and exercising the powers imposed by the Fire Marshall's Act
 - e) preparing and submitting to the Council, for its approval, the annual budget estimate of their Department and any other specific reports requested by Council
 - f) maintaining records and reporting incidents to the O.F.M.
 - g) carrying out the general administrative duties of the Departments
 - h) providing liaison with the O.F.M. Advisor and the Renfrew County Fire Co-ordinator
 - i) conducting inspections, where authorized, upon request or complaint or make arrangements to have qualified persons do the inspection
- 6) The Chiefs are in charge of their respective "halls" and their operation, including coordinating maintenance of all equipment and buildings as well as:
 - a) issuing clothing, equipment and supplies
 - b) dispatching members and apparatus
 - c) ensuring the operation of communications within their jurisdictions
 - d) conducting investigations in order to determine cause
 - e) performing or coordinating automotive rescue, extrication, first aid assistance, and salvage
 - f) training
 - g) preplanning fire fighting operations
- 7) The Deputy Chief shall report to the Chief of their Department and is responsible for carrying out the orders of the Chief and in the absence of the Chief, have all the powers and shall perform all the duties of the Chief.
- 8) A Captain is in command of the company or group to which he /she

- is assigned and is responsible to the Deputy Chief for the proper operation of that group.
- 9)
 - a) Every member of the Departments shall respond when available for duty at the time prescribed by the Departmental Rules and shall remain on duty until relieved.
 - b) No member, shall respond for duty or shall be permitted to remain on duty if his/her ability is impaired by the use of alcohol or drugs.
 - c) Every member will be expected to participate in appropriate training as directed by the Chief. Missing attendance for more than three months requires a leave of absence from the Chief.
 - 10)
 - a) The Chief of each Department may reprimand, suspend or recommend release of any member, for insubordination, inefficiency, misconduct, or for non-compliance with the provisions of this by-law or general orders and Department Rules, whose continued membership, in the opinion of the Chief, would be detrimental to the Department.
 - b) A member shall not be released without the opportunity to be heard by Council, if he/she makes a written request for a hearing within seven (7) days of such release.
 - 11) The level of Fire Protection Services within the Township of South Algonquin will be dependent on the following:
 - a) full level of suppression to those residing on year-round roads maintained to municipal standards
 - b) seasonal level of suppression for those residing on roads not maintained in winter
 - c) no suppression to those with no road access
 - d) all areas will receive the same level of Fire Prevention Programs
 - e) distance from Fire Halls will determine response time
 - 12) The department will respond to emergency situations within the boundaries of the Township of South Algonquin, including snowmobile and ATV trails when the necessary equipment is available, as requested or required.
 - a) The Department reserves the right to charge a fee for costs incurred by the Fire Department, for any calls deemed not to be a true emergency, repetitive false alarms, or commission of a crime. This may include costs for volunteer personnel, equipment and apparatus deemed necessary for the response; as set out in Schedule ‘A’.
 - b) The Department reserves the right to recover costs incurred to extinguish any fire purposely set without a permit or for violations of a permit; as set out in Schedule ‘A’.
 - 13) The Department does not engage in “Search & Rescue” unless directed to do so by the Ontario Provincial Police. The Department advises that in such instances assistance will only be provided in keeping with the limited amount of equipment it has available and with the limited amount of firefighters trained in “Search & Rescue”.
 - 14) The Department will assist EMS as required.

- 15)** Pursuant to Section 20 (1) (2) of the Municipal Act, S.O. 2001, authorizes Council to enter into agreements, Section 19 (1) (2) authorizes Council to share fire fighting apparatus, equipment and personnel;
- 16)** The fire departments 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 that:

 - a) 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 or emergency first response/rescue operations
 - 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 reciprocal 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
- 17)** A Fire Chief may recommend to the Council the appointment of any qualified person as a member of the Fire Department.
- 18)** Persons appointed as members of the Fire Departments to provide fire protection services shall be on probation for a period of twelve (12) months.
- 19)** If a medical examiner finds a member is physically unfit to perform assigned duties Council may release him/her from membership in the Fire Department.
- 20)** A Fire Chief shall take all proper measures for the prevention, control and extinguishing 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 Chiefs 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.
- 21)** Roster levels not to exceed eighteen (18) persons per department without approval of council.
- 22)** The list of equipment and the schedule of fees that may be

charged by the municipality are attached hereto as Schedule “A” and it forms an integral part of this by-law.

- 23) The Job Descriptions for each position within the Fire Departments are attached hereto as Schedule “B” and form an integral part of this by-law.
- 24) Any other fire by-law inconsistent with or antedating this fire by-law is hereby repealed.

Read a first and second time this 9th day of January 2014,

Read a third and final time this 9th day of January, 2014

(Jane Dumas - Mayor)

(Harold Luckasavitch - Clerk-Treasurer)

SCHEDULE “A”

FEE SCHEDULE

1. \$300.00 per hour, or portion thereof, for each piece of apparatus
2. \$30.00 per hour, or portion thereof, for each firefighter
3. \$1.00 per kilometer traveled for each piece of apparatus
Minimum charge of 1 hour for equipment and firefighters
4. Additional equipment to be billed at current contractor rate plus 25% administration costs
5. Letters to Lawyers/Insurance Companies, etc. \$30.00
6. Vehicle and firefighter hours to include refurbish of vehicles and equipment readied for the next incident or response

MOTOR VEHICLE INCIDENTS

7. If Fire and Emergency Services attend the scene of any motor vehicle incident the Fees as outlined may apply.

EXTRAORDINARY EXPENSES

8. If Fire and Emergency Services respond to a motor vehicle incident, or other emergency at any property in the Township of South Algonquin, and determine, or the Fire Chief or Deputy Fire Chief or appointed designate determine, that it is necessary to retain a private contractor, rent special equipment not normally carried on a fire apparatus, use more materials than are carried on a fire apparatus in order to suppress or extinguish a fire, preserve or prevent a fire from spreading or otherwise control and eliminate an emergency or damage equipment owned by the Corporation of the Township of South Algonquin, the owner shall be charged those expenses incurred.

ADMINISTRATION AND ENFORCEMENT

9. The Corporation shall mail an invoice to each owner upon whom a fee is imposed under this by-law, requiring that payment be made within sixty (60) days of the date of mailing of the invoice.
10. The Corporation will administer collections procedures to the owner who is charged a fee under this by-law and who fails to pay the fee within sixty (60) days of mailing of the invoices.
11. The fees imposed this by-law may be waived or reduced where circumstances warrant with the recommendation of the Township of South Algonquin Fire Chief and with Council approval by way of resolution.

These fees do not apply where there is a signed agreement in place.

Schedule “B”

JOB DESCRIPTION - FIRE CHIEF

POSITION SUMMARY:

In accordance with By-Law#14-452, the Fire Chief is administrative and supervisory with responsibility for the overall operation of the Fire Department under the general direction of the Council of the Township of South Algonquin. This includes planning, coordinating, operating, training and efficiency for firefighting/prevention, hazardous materials and auto extrication incidents, rescue, all life and property saving functions. This rank allows considerable exercise of independent judgment in accordance with established policies and objectives including purchasing, maintenance and budgeting.

MAJOR RESPONSIBILITIES:

- Prepares, presents and administers the budget for his/her respective Fire Hall (Madawaska/Whitney).
- Plans, coordinates, directs the fire fighting/prevention, rescue and life and property saving functions. Supervises the activities and the training programs, and assists in the development of these programs.
- Reports to and assumes command at major incidents, and if required, initiates investigations up to and including contacting the local Fire Marshall.
- Maintains discipline and morale within the department.
- Ensures the maintenance of all major equipment.
- Ensure all volunteer fire fighters are trained and familiar with the safe operation of all vehicles and equipment.
- Maintains all training records for volunteer fire fighters.
- Ensures that the station is maintained and kept in good order.
- Attends conferences, mutual aid meetings, workshops, and seminars to ensure the Township remains informed of changes in equipment and methods of operation to ensure the department will maintain, and where possible, improve the level of service in the community.
- Confers with the Council to ensure that the activities of the Fire Department are consistent with the goals and objectives of the Council of the Township of South Algonquin.
- Meets regularly with the Deputy Fire Chief and other officers to ensure that they are following the procedures and goals of the Fire Department.
- Recommends new volunteer members to Council as required to maintain adequate volunteer levels as established by the Council of the Township of South Algonquin.
- Recommends to Council, dismissal of any member not deemed to be meeting requirements of his/her job.

QUALIFICATIONS AND TRAINING:

EDUCATION AND TRAINING:

- Must maintain, at minimum, a valid Class ‘G’ Ontario Drivers Licence, a ‘DZ’ licence is preferred.
- Possess, or be willing to obtain training or certification in:
 - First Aid and CPR
 - Vehicle extrication
 - Chainsaw
 - Other training as required

EXPERIENCE:

- Minimum five (5) years satisfactory experience as an officer and have received additional training at regional fire schools or educational seminars.
- Advanced knowledge of modern fire fighting and fire prevention methods, rescue and first aid procedures.
- Advanced knowledge of the community and surrounding areas protected by agreement.
- Advanced knowledge of the type of buildings in the community.
- Advanced knowledge of safety procedures, rules and equipment.
- Must have demonstrated ability to supervise fire fighters, and maintain discipline.
- Ability to use sound judgment, and be resourceful.
- Must be in good physical condition, have high mental alertness, be conscientious and dependable.
- Must be willing and able to enter hazardous atmospheres/areas.

QUALITIES:

- Excellent team skills to relate to department members, officers, emergency response teams, and the general public.
- Excellent decision making skills when under high stress conditions.
- Ability and willingness to work in all types of weather and less than ideal conditions.
- Willingness to perform any task as assigned.

Schedule “B”

JOB DESCRIPTION - DEPUTY FIRE CHIEF

POSITION SUMMARY:

In accordance with By-Law#14-452, the Deputy Fire Chief role is supervisory in nature and involves the responsibility for the coordinating and directing the activities and training of the fire fighting units of the Community Fire Hall (Madawaska or Whitney). The work is performed under the direction of, and all policy matters are referred to, the Fire Chief of the respective Fire Hall. This rank assumes command of the Fire Department in the absence of the Fire Chief and holds a high degree of responsibility for the protection of lives and property.

MAJOR RESPONSIBILITIES:

- Responds to all alarms of emergency and assumes command of the scene until relieved by the Fire Chief in all kinds of weather and less than ideal conditions, which may require entering hazardous atmospheres and areas.
- Supervises the fire ground to ensure that the officers and department members operate in a safe manner consistent with established procedures and accepted fire fighting methods.
- Determines causes of fires in conjunction with other officers and ensures that the necessary forms are completed.
- Advised the Fire Chief of any changes in procedures or methods necessary to maintain or increase the fire fighting efficiency.
- Advised the Fire Chief of any repairs necessary to maintain the vehicles, equipment and station.
- Ensure all volunteer fire fighters are trained and familiar with the safe operation of all vehicles and equipment.
- Maintains all training records for volunteer fire fighters.
- Oversees the training and maintains discipline in the fire fighting ranks.
- Meets regularly with the Fire Chief and other officers to assist in developing and maintaining a progressive and efficient training program.
- Attends conferences, mutual aid meetings, workshops, and seminars to ensure the Township remains informed of changes in equipment and methods of operation to ensure the department will maintain, and where possible, improve the level of service in the community.
- Assumes command of the Fire Department in the absence of the Fire Chief during sick leave, time off, vacations, seminars, conventions, etc.
- Any other duties as assigned by Fire Chief.

QUALIFICATIONS AND TRAINING:

EDUCATION AND TRAINING:

- Must maintain, at minimum, a valid Class‘G’ Ontario Drivers Licence, a ‘DZ’ licence is preferred.
- Possess, or be willing to obtain training or certification in
 - First Aid and CPR
 - Vehicle extrication
 - Chainsaw
 - Other training as required

EXPERIENCE:

- Minimum of five (5) years satisfactory experience as an officer and/or a department member and have received additional training at regional fire schools or educational seminars.
- Advanced knowledge of modern fire fighting and fire prevention methods, rescue and first aid procedures.
- Advanced knowledge of the community and surrounding areas protected by agreement.
- Advanced knowledge of the type of buildings in the community.
- Advanced knowledge of safety procedures, rules and equipment.
- Must have demonstrated ability to supervise fire fighters, maintain discipline, use sound judgment, and be resourceful.
- Must be in good physical condition, high mental alertness, and be conscientious and dependable.
- Must be willing and able to enter hazardous atmospheres/areas.

QUALITIES:

- Excellent team skills to relate to department members, officers, emergency response teams, and the general public.
- Excellent decision making skills when under high stress conditions.
- Ability and willingness to work in all types of weather and less than ideal conditions.
- Willingness to perform any task as assigned.

Schedule "B"

JOB DESCRIPTION – CAPTAIN

POSITION SUMMARY:

In accordance with By-Law#14-452, the Captain role is supervisory in nature and involves the responsibility for the directing the activities at an emergency scene or around the fire station. The work is performed in accordance with established policies and required the exercise of good judgment in emergency situations under the direct supervision of superior officers. This rank responds to emergency calls assigned to his/her company and assumes command until relieved by a senior officer.

MAJOR RESPONSIBILITIES:

- Responds to alarms assigned to his/her company in all kinds of weather and less than ideal conditions, which may require entering hazardous atmospheres and areas.
- Assigns personnel to perform fire fighting functions in accordance with training procedures, ventilate buildings, perform salvage and rescue operations, stabilize hazardous materials scenes and any other life and property saving functions which the department may be involved in and is expected to ensure all work is performed in a safe manner.
- Inspects fire scenes to prevent re-ignition.
- Supervises cleaning, checking and replacement of tools and equipment after an emergency.
- Supervises work of the department members to ensure that it is done safely and in accordance with established procedures.
- Inspects equipment, grounds and station to insure proper order and condition, reports deficiencies to the Deputy Fire Chief.
- Maintains discipline, trains and drills department members and maintains a record of training activities of his/her company.
- Meets on a regular basis with the Fire Chief and Deputy Fire Chief to discuss the overall operation of the Fire Department.
- Any other duties as assigned by Fire Chief.

QUALIFICATIONS AND TRAINING:

EDUCATION AND TRAINING:

- Must maintain, at minimum, a valid Class 'G' Ontario Drivers Licence, a 'DZ' licence is preferred.
- Possess, or be willing to obtain training or certification in
 - First Aid and CPR
 - Vehicle extrication
 - Chainsaw
 - Other training as required

EXPERIENCE:

- Five years satisfactory experience as a department member and have received additional training at regional fire schools or educational seminars.
- Good knowledge of modern fire fighting and fire prevention methods, rescue and first aid procedures.
- Good knowledge of the community and surrounding areas protected by agreement.
- Good knowledge of the type of buildings in the community.
- Good knowledge of safety procedures, rules and equipment.
- Must have demonstrated ability to supervise department members, maintain discipline, use sound judgment, and be resourceful.
- Must be in good physical condition, high mental alertness, conscientious, dependable.
- Must be willing and able to enter hazardous atmospheres/areas.

QUALITIES:

- Excellent team skills to relate to department members, officers, emergency response teams, and the general public.
- Good decision making skills when under high stress conditions.
- Ability and willingness to work in all types of weather and less than ideal conditions.
- Willingness to perform any task as assigned.

Schedule “B”

JOB DESCRIPTION – DEPARTMENT MEMBER

POSITION SUMMARY:

In accordance with By-Law#14-452, this is manual work of a hazardous nature involving the fighting of fires, salvage, rescue work and some first aid generally under the direct supervision of superior officers. Regular training and some maintenance work on the fire station and vehicles is required. Department members may be required to make decisions and work without supervision until a superior officer arrives at the scene.

MAJOR RESPONSIBILITIES:

- Responds to fire, rescue, hazardous materials emergencies and other emergencies assigned to his/her company in all kinds of weather and less than ideal conditions, which may require entering hazardous atmospheres and areas.
- Perform manual duties at the scene of a fire in accordance with training procedures and is expected to work in a safe manner.
- Operates fire suppression, vehicles or rescue equipment as assigned and as qualified to do so.
- Performs salvage work at fire and emergency scenes in accordance with training procedures.
- Performs ventilation by making openings in buildings, using exhaust fans or fog streams.
- Enters burning or contaminated buildings, structures and other areas to fight fires and/or perform rescues while wearing required clothing and safety equipment.
- Assists in giving first aid to the injured as qualified to do so.
- Assists in cleaning firefighting equipment upon return to the station after an emergency call or practice.
- Attends regular training sessions to learn new and/or practice existing procedures in fire fighting and rescue methods.
- Cleans and maintains areas of the fire station used by the members as scheduled.
- Assists with the fire prevention program.
- Any other duties as assigned by Fire Chief.

QUALIFICATIONS AND TRAINING:

EDUCATION AND TRAINING:

- Must maintain, at minimum, a valid Class ‘G’ Ontario Drivers Licence, a DZ Licence is preferred.
- Possess, or be willing to obtain training or certification in
 - First Aid and CPR Training and Certification
 - Vehicle extrication
 - Chainsaw training
 - Other training as required

EXPERIENCE:

- Previous satisfactory experience as a department member or have received training at regional fire schools or educational seminars is preferred but not required.
- Knowledge of modern fire fighting and fire prevention methods, rescue and first aid procedures.
- Knowledge of the community and surrounding areas protected by agreement.
- Knowledge of the type of buildings in the community.
- Knowledge of safety procedures, rules and equipment.
- Ability to use sound judgment, and be resourceful.
- Must be in good physical condition, have a mechanical aptitude and high mental alertness, and be conscientious and dependable.
- Must be willing and able to enter hazardous atmospheres/areas.

QUALITIES:

- Excellent team skills to relate to superior officers, emergency response teams, and the general public.
- Excellent decision making skills when under high stress conditions.
- Ability and willingness to work in all types of weather and less than ideal conditions.
- Willingness to perform any task as assigned.

Schedule "C"

“Whereas the Township of South Algonquin firefighters respond to incidents twenty four hours a day; and

Whereas the Township of South Algonquin Fire Department is comprised of volunteer/ or part-time firefighters, who, for the most part, hold down regular full time employment elsewhere; and

Whereas the Township of South Algonquin firefighters sometimes encounter disturbing and traumatic events; and

Whereas these incidents sometimes do not allow sufficient recuperation or rest time before firefighters return to their regular employment; and

Whereas the Township of South Algonquin currently compensates firefighters for lost wages due to attending incidents or training;

Therefore be it resolved that the Township of South Algonquin amend By-Law #14-452 to allow for compensation to firefighters for up to one full day of lost wages by a firefighter due to exposure to a traumatic event or an event that does not allow for sufficient time lapse to ensure a safe return to their regular employment; and

Be it also resolved that a copy of this motion be attached to By-Law #14-452 as schedule "C.”