

# THE CORPORATION OF THE TOWN OF LATCHFORD

## BY-LAW NO. 2015-17

<b>A BY-LAW TO ESTABLISH A FIRE DEPARTMENT FOR THE TOWN OF LATCHFORD</b>
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### RECITALS

1. Subsection 2(1) of the *Fire Protection and Prevention Act, 1997* 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.
2. Subsection 2(2) of the *Fire Protection and Prevention Act, 1997* permits a municipality, in discharging these responsibilities, to establish a fire department.
3. Subsection 5(1) of the *Fire Protection and Prevention Act, 1997* requires a fire department to provide fire suppression services and permits the fire department to provide other fire protection services in the municipality.
4. Paragraph 210(31) of the *Municipal Act* permits the municipality to pass a by-law for providing for fire-fighting and fire protection services and for establishing, operating, promoting and regulating life and property saving companies.

Accordingly, the Council of The Corporation of the Town of Latchford enacts this By-law

### DEFINITIONS AND INTERPRETATION

1. Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in this Section 1. Where any word appears in ordinary case, its regularly applied meaning in the English language is intended.
  - (a) **"By-law"** means this By-law, as it may be amended from time to time. The Recitals to, and the Appendixes attached to this By-law are considered integral parts of it.
  - (b) **"CAO"** means the Chief Administrative Officer appointed by Council to act as Chief Administrative Officer for the Corporation of the Town of Latchford.
  - (c) **"Town"** means The Corporation of the Town Of Latchford
  - (d) **"Council"** means the elected municipal council for the Town.

(e) **"Fire Chief"** means the person appointed by Council to act as fire chief of the Fire Department for the Town and is ultimately responsible to Council as defined in the Fire Protection and Prevention Act, 1997.

(f) **"Deputy Fire Chief"** means a person appointed by Council to act as Fire Chief of the Fire Department in the case of an absence or a vacancy in the office of Fire Chief.

(g) **"Division"** means an operating unit of the Fire Department as provided for in this By-law.

(h) **"Fire Department"** means the fire department of the Town established pursuant to this By-law. The Fire Department may also be known as the "Emergency Services Department" of the Town. The term includes the Volunteers, as well as the administrative support staff to the department, where the context allows.

(h) **"Fire Protection and Prevention Act, 1997"** means the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as may be amended from time to time, or any successor legislation, and includes any and all regulations made under that statute, including the Ontario Fire Code.

(i) **"Fire Protection Services"** include: 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.

(j) **"Firefighter"** means a person appointed to the Fire Department, whether on a full time or part time basis, and assigned to undertake Fire Protection Services and includes Volunteer Firefighters and Officers, but does not include administrative support staff.

(k) **"Town Of Latchford"** means the geographical area under the jurisdiction of the Town.

(l) **"Officer"** means the Fire Chief, a Deputy Fire Chief, an Assistant Deputy Fire Chief, a Division Chief, a senior divisional chief, a platoon chief, a district chief, a captain and any other firefighters that are formally designated as Officers from time to time by the Council.

(m) **"Owner"** means a person who is shown as the assessed owner or tenant of the building or yard in the assessment rolls for the Town and includes the registered owner, or a mortgagee in possession of the property in question, and includes a person in actual occupation of the land on which the building is

situated or that constitutes the yard. Where there is more than one Owner, the term includes all of them, jointly and severally.

(n) **"Rescue and Emergency Services"** include any life or property saving activity that is unrelated to fire suppression and fire prevention.

(o) **"Volunteer Firefighter"** means a Firefighter who provides Fire Protection Services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.

2. (A) A department for the Town of Latchford to be known as the The Town of Latchford Volunteer Fire Department is hereby established and the head of the department shall be known as the chief of the department.  
  
(B) The goals/mission statement of the department shall be as those contained in appendix A of this by-law and the department shall be organized as per table 1 forming part of this by-law.
3. In addition to the chief of the department, the department personnel shall consist of a deputy chief and such number of officers, captains and members as from time to time may be deemed necessary by the council.
4. (A) The Chief of the department may recommend to the council the appointment of any qualified person as a member of the department, subject to standards as established by the Fire Department and approved by Council.  
  
(B) A person volunteering as a member of the department for fire fighting and fire prevention duties shall be on probation for a period of 3 months during which period he/she shall take such special training and examination as may be required by the chief of the department.  
  
(C) If a probationary member volunteers for firefighting or fire prevention duties fails any such examinations, the chief of the department may recommend to the Council that he/she be dismissed.
5. (A) The chief of the department may suspend any member for insubordination, inefficiency, misconduct, tardiness, or for noncompliance, with any of the provisions of this by-law or general orders and departmental rules, that in the opinion of the chief, would be detrimental to the discipline and efficiency of the department. The Chief shall make, if necessary, a recommendation to the Chair of Protection to Person and Property for dismissal of that member.  
  
(B) Following a recommendation for dismissal of any member the Chairperson shall report the recommendation to the council.

(C) A member shall not be dismissed without being afforded the opportunity for a hearing before council, if he/she makes a written request for such a hearing within seven days after receiving his/her proposed dismissal.

6. The remuneration of all members of the department shall be as determined by the council.

7. The Chief of the department is responsible to Council for proper administration and operation of the department, for the discipline of its members and,

(A) Shall develop, and publish such written standard operating guidelines and such general orders and departmental rules as may be necessary for the care and protection of the department, department equipment and department personnel, and generally for the efficient operation of the department, provided that such general orders and rules do not conflict with the provisions of any by-laws of the municipality.

(B) Shall review periodically the policies and guidelines of the department and may establish an Advisory Committee consisting of such officers as he/she may determine from time to time to assist his/her in these duties.

(C) Shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall enforce all municipal by-laws respecting fire prevention and exercise the powers imposed on him/her designate shall be empowered to authorize fire department members to:

- 1) pull down or demolish any building or structure to prevent the spread of fire.
- 2) when unable to contact the property owner, to take such necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident.
- 3) The Corporation may recover expenses incurred by such necessary action in a manner provided by the Municipal Act.

(D) Is responsible for the enforcement of this by-law and the general orders and departmental rules.

(E) Shall report all occurrences to the Fire Marshall as required by the Fire Marshall's Act.

(F) Shall submit to the Chief Financial Officer for council's approval the annual estimates for the department and a financial statement of all Revenues and expenditures for the year and follow The Town of Latchford purchasing policy as established in the procurement By-Law number 1166/11.

8. The deputy fire chief shall be the second ranking officer of the department and it shall be his/ her responsibility to carry out the orders of the chief and in the

absence of the chief, has all the powers and shall perform all the duties of the chief

9. The department is composed of the following divisional functions:  
Division of Administration  
Division of Apparatus, Equipment and Communication  
Division of Fire Suppression  
Division of Fire Prevention  
Division of Training  
Division of Auto Extrication,  
and each division of the department is the responsibility of the chief and is under the direction of the chief, or any such member designated by the chief. If deemed necessary division chiefs may be appointed and delegated authority with responsibility to the chief for the proper operation of a division.
10. The Chief of the department is responsible for carrying out, or delegating in total or in part, the following duties pertaining to the function of the Division of Administration.
- a) Provide administration facilities for the chief and deputy chief of the department.
  - b) Maintain personnel records.
  - c) Arrange for the provisions of medical services.
  - d) Prepare the annual report of the Department.
  - e) Carry out the general administrative duties of the department.
  - f) Provide liaison with the district fire co-coordinator.
  - g) Assist the district fire co-coordinator in the preparation of emergency Fire Services plan and Program.
11. The chief of the fire department is responsible for carrying out, or delegating in total or in part, the following duties pertaining to the function of the Division of Apparatus, Equipment and Communications. He Shall:
- a) Prepare specifications for the purchase of apparatus and equipment and forward recommendations to council.
  - b) Arrange for the maintenance of all existing buildings, fire fighting and rescue and salvage apparatus of the department.
  - c) Modify apparatus and equipment.
  - d) Provide for the recharging of fire fighting extinguishers and cylinders and to have them tested and all hose repairs provided for.
  - e) Issue protective clothing, equipment and cleaning supplies.
  - f) Receive alarms and dispatched equipment, as necessary.
  - g) Prepare specifications for new communications systems and for additions to existing communications systems.
  - h) Maintain the communication systems of the department.

12. (A) The Division of Fire Fighting is composed of such number of companies as the chief of the department may determine.

(B) The chief of the fire department is responsible for carrying out or delegating in total or in part the following duties.

- 1) Prevent, control and extinguish fires.
- 2) Conduct investigations of fire in order to determine cause origin, and where appropriate to request the Office of the Fire Marshall to conduct an investigation.
- 3) Perform emergency services and first aid when required.
- 4) Respond and assist at such emergencies as may be required ,
- 5) Participate in training at stations,
- 6) Conduct pre-fire fighting operations planning,
- 7) Ensure apparatus maintenance and cleaning duties at station is carried out.

(C) A captain is in command of the company to which he/she is assigned and is responsible for the proper operation of that company to the chief.

(D) 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 until such senior officer returns.

13. The chief of the fire department is responsible for carrying out or delegating in total or in part the following duties pertaining to the function of the Division of Fire Prevention through an approved fire prevention policy. He/She/ shall:

- 1) Conduct fire prevention inspections of premises as follows.
- 2) Enforce fire prevention by-laws
- 3) Provide personnel for fire prevention lectures,
- 4) Maintain fire loss records,
- 5) Receive, process and follow up reports of fire prevention inspections conducted under the Division of Fire Prevention.

14. The chief of the fire department is responsible for carrying out, or delegating, in total or in part, the following duties pertaining to the function of the Division of Training. He /She Shall:

- 1) Establish a fire department training program, complete with written records, and conduct training for all personnel of the department in fire administration, fire prevention and fire fighting.
- 2) Administer training programs in station.
- 3) Prepare and conduct examinations of members as required.

15. 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 is in the opinion of the chief of the department threatens property situated outside the municipality that is owned or occupied by the municipality,
  - (B) In a municipality with which an agreement has been entered into with any person or corporation to provide fire protection therefore.
  - (C) On property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefore,
  - (D) At the discretion of the chief to a municipality
16. This by-law shall come into force and effect on the date of its final passing. That all By-Laws and resolutions, or parts thereof, contrary hereto or inconsistent herewith, be and at the same are hereby repealed.

**Read a first and second and third time and finally passed the 23<sup>rd</sup> day of July 2015.**



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Mayor, George Lefebvre



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Clerk, Jaime Allen

## APPENDIX A

### PRIMARY GOALS OF THE FIRE DEPARTMENT

The goal of the fire department is to provide fire protection services through a range of programs designed to protect the lives and property of the inhabitants from the adverse effects of fires, or exposure to dangerous conditions created by man or nature, first to their municipality, secondly to those municipalities requiring assistance through authorized emergency fire services plan and program (mutual aid) activities and third to those municipalities or highway corridors which are provided fire protection by the fire department via authorized agreement.

### PRIMARY OBJECTIVES OF THE FIRE DEPARTMENT

In order to achieve the goal of the fire department, necessary funding must be in place and the following objectives met:

1. Identify and review the fire services requirements of the municipality.
2. Provide an administrative process consistent with the needs of the department.
3. Ensure that firefighting equipment and operating personnel are available within the municipality to provide adequate response to a citizen's call within a reasonable length of time.
4. Provide departmental training to an accepted standard which will ensure the continuous up-grading of all personnel in the latest techniques of fire protection, fire fighting and control of emergency situations and to co-operate with other municipal departments with respect to management training and other programs.
5. Provide a maintenance program to ensure all fire protection apparatus, including allied equipment, is ready to respond to all emergency calls.
6. Provide an effective fire protection program to:
  - (A) Reduce and or eliminate fire hazards.
  - (B) Ensure compliance with applicable municipal, provincial and federal fire prevention legislation, statutes, codes and regulations in respect to fire safety.
7. Develop and maintain an effective public information system and educational program, with particular emphasis on commercial, industrial and institutional staff training.
8. Ensure in the event of a major catastrophe in the municipality, assistance to cope with the situation is available from outside departments and other agencies.
9. Develop and maintain a good working relationship with all federal, provincial and municipal departments, utilities and agencies, related to the protection of life and property.
10. Interact with the other municipal departments respecting the aspects of fire on any other program.
11. Ensure these objectives are not in conflict with any other municipal department.



## **FIRE DEPARTMENT MISSION STATEMENT**

The primary mission of the Latchford Volunteer Fire Department is to provide a range of programs to protect the lives and property of the inhabitants of Latchford from adverse effects of fires, or exposure to dangerous conditions created by man or nature.

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