

The Corporation of the Township of Huron-Kinloss



BY-LAW

2017- 43

Being a by-law to Establish and Regulate the Ripley-Huron Fire
Department
for the Township of Huron-Kinloss

WHEREAS section 8 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS section 5(0.1), of the Fire Protection and Prevention Act, 1997, S.O. 1997, Chapter 4, as amended, provides that the Council of a municipality may establish, maintain and operate a Fire Department for all or any part of the municipality;

AND WHEREAS The Township of Huron-Kinloss deems it expedient to enact a by-law to govern the affairs of the Ripley-Huron Fire Department.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF HURON-KINLOSS ENACTS AS FOLLOWS:

1.0 Definitions for the purpose of this By-Law:

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| 1.1 "Approved" | means Approved by the Council of The Corporation of the Township of Huron-Kinloss. |
| 1.2 "Auxiliary Firefighter" | means a person appointed by the Fire Chief as an Auxiliary Firefighter. |
| 1.3 "Chief Administrative Officer" | means the person appointed as the Chief Administrative Officer for the Corporation of the Township of Huron-Kinloss. |
| 1.4 "Clerk" | means the person appointed as the Clerk for The Corporation of the Township of Huron-Kinloss; |
| 1.5 "Corporation" | means The Corporation of the Township of Huron-Kinloss; |
| 1.6 "Council" | means the Council of The Corporation of the Township of Huron-Kinloss; |
| 1.7 "Deputy Fire Chief" | means the person appointed by Council to act on behalf of the Fire Chief of the Fire Department in the case of an absence or a vacancy in the office of the Fire Chief; |

- 1.8 “Division”** means the Fire Department is divided into separate groups and each group is under the direction of an Officer. Divisions may include, but are not limited to; Administration, Operations, Training, Maintenance, Equipment, Logistics and Health and Safety;
- 1.9 “Fire Chief”** means the person appointed by By-law of the Council to act as the Fire Chief for the Corporation and is ultimately responsible to council as defined in the Fire Protection and Prevention Act;
- 1.10 “Fire Code”** means Ontario Regulation 213/07 under the Fire Protection and Prevention Act;
- 1.11 “Fire Department”** means a group comprised of those individuals outlined in Section 3.0 of this By-Law which has been established pursuant to section 2.0 of this By-Law;
- 1.12 “Fire Protection Services”** Also referred to as core services; means a range of programs designed to protect the lives and property of the inhabitants of the Township of Huron-Kinloss from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature, and includes fire prevention, fire safety and public education, communications, training of firefighters, emergency services, rescue and fire suppression services as described in Appendix “D” attached hereto and forming part of this By-law;
- 1.13 “Firefighter”** means a person or Fire Department Member who provides Fire Protection Services as outlined in this by-law under the direction of the Fire Chief or delegate and is appointed by the Fire Chief;
- 1.14 “Limited Services”** means a variation of services significantly differentiating from the norm as a result of extenuating circumstances, such as environmental factors, obstructions, remote properties, private road ways, lanes, and drives
- 1.15 “Member”** means any person employed by or appointed to the Fire Department and assigned to undertake fire protection services and includes the Fire Chief, Deputy Fire Chief, Assistant Chiefs, Captains, Officers, Firefighters and Auxiliary Firefighters;
- 1.16 “Officer”** Shall mean a Fire Chief, Deputy Fire Chief, Assistant Deputy Chief, Captain, Training Officer and/or Lieutenant;
- 1.17 “Private Road”** means a road, lane or driveway on privately owned property, limited to the use of the owner or a group of owners who share the use and maintenance cost of the road;
- 1.18 “Treasurer”** means the person appointed as the Treasurer for The Corporation of the Township of Huron-Kinloss; and,

1.19 "Township"

means The Corporation of The Township of Huron-Kinloss.

2.0 Fire Chief and Deputy Fire Chief

- 2.1 That a Fire Department is continued under this By-Law to provide Fire Protection Services for the Township and shall be known as the "Ripley-Huron Fire Department" and the head of the Fire Department shall be known as the Fire Chief.
- 2.2 The Fire Chief shall implement all approved policies and shall develop such standard and safe operating procedures and guidelines, general orders and departmental rules as necessary to implement this By-law and the approved policies and to ensure the appropriate care and protection of all fire department personnel and fire department equipment.
- 2.3 The Fire Chief shall review periodically all policies, orders, rules, procedures and guidelines 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.
- 2.4 The Fire Chief shall submit to the Chief Administrative Officer and Council for approval, the annual budget estimates for the fire department; an annual report, a monthly report and any other specific reports requested by the Chief Administrative Officer or Council.
- 2.5 In addition to the Fire Chief, the Council shall appoint a Deputy Fire Chief and such number of other Officers and Members as may be deemed necessary by the Council.

3.0 Fire Department Organization

- 3.1 The Fire Department shall be structured in conformance with the approved Organizational Chart, Appendix "A", attached hereto and forming part of this bylaw and such number of Officers and Members as may be deemed necessary by Council.
- 3.2 The Fire Department Members shall be required to fulfill the Duties contained within the approved Position Description as established in Schedule "B" attached hereto and forming part of this by-law.
- 3.3 The goals and mission statement of the Fire Department shall be those set out in Appendix "C" attached hereto and forming part of this by-law.
- 3.4 The Fire Department shall perform such duties as required to fulfill the Fire Protection Services as outlined in Appendix "D" attached hereto and forming part of this by-law.
- 3.5 The Fire Chief may recommend to Council the appointment of any qualified person as a Member of the Fire Department when a vacancy exists, subject to the approved hiring policy of the Township of Huron-Kinloss as amended from time to time.
- 3.6 A person appointed as a Member of the Fire Department for firefighting and Fire Protection Services shall be on probation for a period of six months during which time he/she will take such training and examinations as may be required by the Fire Chief.
- 3.7 The remuneration of all Members of the Fire Department shall be as determined by Council.
- 3.8 The Fire Chief shall abide by the Discipline and Dismissal Policy of The Township of Huron-Kinloss for all members.
- 3.9 The Fire Chief is responsible to Council, through the Chief Administrative Officer for the proper administration and operation of the Fire Department, including the delivery of Fire Protection Services.
- 3.10 The Fire Chief may appoint to the Fire Department an Auxiliary Firefighter under the approved Auxiliary Firefighter Program on an as needed basis. The Auxiliary Firefighter Program shall consist of a maximum of 2 Auxiliary Firefighters. Auxiliary Firefighters are responsible for attendance at training, meeting and support activities only until such time as they are appointed to the position of "Firefighter".

4.0 Fire Department Authorities and Jurisdiction

4.1 The Fire Department shall:

- a) Take all proper measures for fire 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 them by the Fire Protection and Prevention Act. The Fire Chief of the Fire Department or their designate shall be empowered to authorize Fire Department Members to obtain the required services to:
 - i. pull down or demolish any building or structure to prevent the spread of fire;
 - ii. all necessary actions which 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.
- b) adhere and abide by any applicable municipal by-laws, standard operating guidelines or policies;
- c) report all fires to the Office of the Fire Marshal of Ontario as required by the Fire Protection and Prevention Act;

4.2 The Fire Department shall *not* respond to a call with respect to a fire or emergency outside the limits of the Township and approved response district except with respect to a fire or emergency:

- a) that, in the opinion of the Fire Chief or designate Fire Chief 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) at the discretion of the Fire Chief or designate to a municipality authorized to participate in any County, District or Regional fire service mutual aid plan and program established by a fire coordinator appointed by the Office of the Fire Marshal of Ontario or any other similar reciprocal plan or program, and may include automatic aid;
- d) on property beyond the municipal boundary where the Fire Chief or designate determines immediate action is necessary to preserve and protect life and/or property and the appropriate Fire Department is notified and/or assumes command. The Fire Chief shall notify the Chief Administrative Officer of such response;
- e) on property with which an approved agreement has been entered into with any person or corporation to provide Fire Protection Services.

4.3 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 matters and activities under their supervision and shall carry out all orders of the Fire Chief.

4.4 The Deputy Fire Chief has all the same authority and responsibility as the Fire Chief and shall perform all the duties of the Fire Chief in the Fire Chief's absence.

- 4.5 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 the powers and shall perform duties of the Officer replaced.
- 4.6 For purposes of determining the origin, cause, or circumstances of any fire or explosion, if it is deemed necessary to retain a private contractor, rent/lease heavy and or specialized equipment, specialized services, and associated persons then those costs may be billed to the property owner and collected by the Township by means as determined in this by-law.

5.0 Fire Department Budget

- 5.1 All Revenues and Expenses of the Fire Department shall be handled by the Township of Huron Kinloss Treasurer.
- 5.2 This By-law hereby establishes the Ripley-Huron Firefighters Association, a not for profit association of the Ripley Huron Fire Department membership created for the purpose of fundraising for the betterment of the Fire Department and the services provided to the applicable ratepayers of the Township.
- a) The Ripley-Huron Firefighters Association shall be comprised of an elected executive and shall consist of a President, Vice-President, Treasurer and Secretary. The election for the above named positions shall be conducted on an as needed basis.
 - b) The Ripley-Huron Firefighters Association shall conduct, at a minimum, one monthly meeting in which the Secretary shall record and complete the minutes of such meeting and submit to the Fire Chief a copy of the official minutes of the meeting.
 - c) The Fire Chief shall submit to the Ripley-Huron Fire Department Association Treasurer a copy of the current balances in relation to monies raised by the Association for review at the monthly meetings.
 - d) The Full Time Fire Chief of the Ripley-Huron Fire Department employed by the Township of Huron-Kinloss shall be the only Fire Department position not considered a member of the Ripley-Huron Firefighters Association.
- 5.3 All Funds, Sponsorships and/or Donations raised by the Ripley-Huron Firefighters Association on behalf of the Ripley-Huron Fire Department shall be delivered to the Township of Huron Kinloss Treasurer, and shall remain the property of the Township; the Ripley Huron Firefighters Association may, within the parameters of the Township of Huron-Kinloss Purchasing Policies and/or through a proper budgeting process and with the approval of the Chief Administrative Officer and/or Council, make recommendations and requests on the use of the monies for equipment purchases, fire hall décor and improvements, charitable donations, antique fire apparatus upgrades and repairs, departmental family social activities and other purposes that will provide benefit to the surrounding community, retention of the Fire Department Membership and the residents of the Ripley-Huron Fire Department response areas.
- a) Funds, Sponsorships and/or Donations raised by the Ripley-Huron Firefighters Association on behalf of the Ripley-Huron Fire Department are not permitted to be used for the purchase of personal items, including but not limited to; t-shirts, sweat shirts, jackets, hats or any alcoholic beverages.
 - b) The Ripley-Huron Fire Department may establish a system of annual dues paid by each individual member to the Association. All monies collected as association dues shall be managed by the Association Treasurer and kept in a bank account of which the balance and transactions shall be made transparent through financial reporting during the association monthly meetings and recorded in the meeting minutes. Association dues may be used to cover costs in relation to those items listed in Section 5.3 (a).

- 5.4 All property and equipment purchased with donated funds and used by the Ripley-Huron Fire Department remains the Property of the Township of Huron-Kinloss, unless the Township has entered into an agreement with another municipality or another person otherwise.

6.0 Fire Department Training

- 6.1 The Council of the Township of Huron-Kinloss shall endeavor to provide each Fire Department Member with the appropriate, current and applicable training and fire service certification opportunities.
- 6.2 The Council of the Township of Huron-Kinloss shall set the minimum training and certification standards expected of each Fire Department Member.
- 6.3 The minimum training and certification standards shall be a recognized National Fire Protection Association (NFPA) program with an accompanying International Fire Service Accreditation Congress (IFSAC) or National Board on Fire Service Professional Qualifications (ProBoard) Certification Seal and at the discretion of the Fire Chief may consist of the following or any portion thereof and shall be consistent with any approved training policy of the Township:

For the Fire Chief, Deputy Fire Chief and Assistant Deputy Fire Chief;

- (a) NFPA 1001 Firefighter Level Two Certification
- (b) NFPA 472 Hazardous Material Operations Level Certification
- (c) NFPA 1521 Incident Safety Officer Certification
- (d) NFPA 1041 Fire Service Instructor Level Two Certification
- (e) NFPA 1021 Fire Officer Level Two Certification
- (f) NFPA 1006 Technical Rescue Certifications – Awareness Levels
- (g) Standard or Advanced First Aid with CPR and AED Certification
- (h) Incident Command Levels 100 through 400

For a Fire Captain and Lieutenant;

- (a) NFPA 1001 Firefighter Level Two Certification
- (b) NFPA 472 Hazardous Material Operations Level Certification
- (c) NFPA 1041 Fire Service Instructor Level One Certification
- (d) NFPA 1521 Incident Safety Officer Certification
- (e) NFPA 1021 Fire Officer Level One Certification
- (f) NFPA 1006 Technical Rescue Certifications – Awareness Levels
- (g) Standard or Advanced First Aid with CPR and AED Certification
- (h) Incident Command Levels 100 through 200

For a Firefighter;

- (a) NFPA 1001 Firefighter Level Two Certification
- (b) NFPA 472 Hazardous Material Operations Level Certification
- (c) NFPA 1006 Technical Rescue Certifications – Awareness Levels
- (d) Standard or Advanced First Aid with CPR and AED Certification
- (e) Incident Command Level 100

- 6.4 The Council of the Township of Huron-Kinloss recognizes that training and certification of Fire Department Members who are volunteers is a costly, lengthy and in depth process.
- 6.5 No unreasonable expectation shall be placed on a Fire Department Member to obtain the recommended training certifications.
- 6.6 Each Fire Department Member must be willing to work towards their applicable certifications at a rate that is reasonable, prudent and at a rate that does not cause personal stress to any Fire Department Member or any financial hardship to the Township or a Fire Department Member.
- 6.7 The Fire Chief or the Deputy Fire Chief may allow any Fire Department Member to participate in any training level above the minimum standard contained within this

By-law or an approved training policy for the purposes of professional development and succession planning.

- 6.8 The Fire Chief or the Deputy Fire Chief shall endeavor to provide the recommended training and certifications to the Fire Department Members during Fire Practice wherever and whenever practicable. Nothing in this section shall prohibit any Fire Department Member from attending external fire training courses when they become available.

7.0 Fire Department Health and Safety

- 7.1 All Fire Department Members shall perform Fire Protection Services in a safe manner, according to this By-law, Provincial Occupational Health and Safety Legislation and Regulations and to the training standards as set within the Fire Department Policies and/or Standard Operational Guidelines and this By-law.
- 7.2 The Fire Department shall establish a Joint Health and Safety Committee and conduct the appropriate Health and Safety Inspections and meetings as required by any law in the Province of Ontario.
- 7.3 All Fire Department Members shall endeavor to report unsafe conditions and reduce the incidence of unsafe conditions.

8.0 Legal

- 8.1 This by-law shall come into force and effect on the date of passing thereof.
- 8.2 If for any reason, any section, clause or provision of this by-law is declared to be inconsistent or is declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof and shall be deemed to be severed from this by-law.
- 8.3 That By-Law 2016-137 is hereby repealed and replaced with this by-law and any by-law inconsistent with this by-law is hereby rescinded.
- 8.4 That this By-Law may be cited as the "Ripley-Huron Fire Department Establishing & Regulating By-Law".

Read, Enacted, Signed and Sealed this 20th day of March, 2017.

Original signed by Mitch Twolan

Mitch Twolan, Mayor

Original signed by Sonya Watson

Sonya Watson, Clerk

Appendix “B” to By-Law Number 2017-43

Position Descriptions

All positions must be cognisant of provincial legislation relating to the *Municipal Act*, the *Fire Protection and Prevention Act*, the *Building Code Act* and the *Occupational Health and Safety Act*, as amended.

Job Description – Fire Chief

The Fire Chief for the Township of Huron Kinloss is a permanent full time employee of the Township. The Position Description for the Fire Chief shall be a document that is created separate from this By-law made under the Township of Huron Kinloss Human Resources policies and amended from time to time as required by the Chief Administrative Officer.

Job Description – Fire Officers

The Fire Officers for the Ripley Huron Fire Department may include any of the following ranks: Deputy Fire Chief, Assistant Deputy Fire Chief, Chief Training Officer, Training Officer, Captain and Lieutenant. The Position Descriptions for the Fire Officers appointed under this By-law shall be a document that is created separate from this By-law made under the Township of Huron Kinloss Human Resources policies and may be amended from time to time as required by the Chief Administrative Officer and/or Fire Chief.

Job Description - Firefighter

The Position Descriptions for the Firefighters appointed under this By-law shall be a document that is created separate from this By-law made under the Township of Huron Kinloss Human Resources policies and may be amended from time to time as required by the Chief Administrative Officer and/or Fire Chief.

Job Description – Auxiliary Firefighter

The Position Descriptions for the Auxiliary Firefighters appointed under this By-law shall be a document that is created separate from this By-law made under the Township of Huron-Kinloss Human Resources policies and may be amended from time to time as required by the Chief Administrative Officer and/or Fire Chief.

Appendix “C” to By-Law Number 2017-43

A: Primary Goal of the Ripley-Huron Fire Department

The goal of the Ripley-Huron 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, sudden medical emergencies or exposure to dangerous conditions created by man or nature; first to their municipality; second, to those municipalities requiring assistance through authorized emergency fire service plan and program (mutual aid) activities; and third, to those municipalities which are provided fire protection by the Fire Department via an authorized agreement or legislation.

B: Ripley-Huron Fire Department Mission Statement

The primary mission of the Ripley-Huron Fire Department is to provide a range of programs to protect the lives and property of the inhabitants of the Township of Huron-Kinloss from the adverse effects of fires, accident, medical emergency, disaster or any other event which may threaten the public welfare created by man or nature. We shall serve the community through fire and accident prevention, public education and immediate response to emergencies.

Appendix “D” to By-Law Number 2017-43

Fire Department Core Services

Fire Protection Services shall include the following:

Fire Prevention and Inspections

- Fire Safety Education
- Fire Suppression
- Fire Rescue
- Fire Department Communications
- Motor Vehicle Collision Response
- Vehicle Rescue/Extrication
- Medical First Response/First Aid
- Defibrillation
- Hazardous Materials Response - Awareness Level Only
- Technical Rescue-Awareness Level Only (Rope, Confined Space, Trench etc.)
- Water and Ice Rescue – Shore based – Awareness Level Only
- Critical Incident Stress Management (CISM)

1. Fire Suppression and Emergency Response

Fire suppression services shall be delivered in both an offensive and defensive mode and shall include search and rescue operations, forcible entry, ventilation, protecting exposures, salvage and overhaul as appropriate.

Emergency pre-hospital care responses and medical acts such as defibrillation, standard first aid, CPR, and the Emergency Medical Responders Program shall be maintained to Base Hospital protocols as agreed.

Special technical and/or rescue services shall include performing extrication using hand tools, air bags and heavy hydraulic tools as required and water/ice rescue services up to and including the land-based level, in accordance with available resources. Confined space rescue, trench rescue, high angle rescue, ground or urban search and rescue, hazardous materials responses or other highly specialized technical and/or rescue services shall not be provided by the Ripley-Huron Fire Department beyond the awareness level as per the appropriate NFPA Standards.

The Ontario Firefighters Curriculum, National Fire Protection Association (NFPA) Standards, International Fire Service Training Association “Essentials of Fire Fighting,” Ontario Fire Service Standards and other related industry training standards and reference materials may be used as reference guides for Ripley-Huron Fire Department training as approved by the Fire Chief. All training shall comply with the Occupational Health and Safety Act and applicable provincial legislation.

2. Fire Prevention

Inspections arising from complaint, request, retrofit, or self-initiated and fire investigations shall be provided in accordance with the Fire Protection and Prevention Act and any approved Fire Prevention By-law and Fire Prevention Policies of the Township.

New construction inspections and plan reviews of buildings under construction in matters respective of fire protection systems within buildings shall be conducted in accordance with the applicable By-laws, Policies and Standard Operating Procedures or Guidelines.

The Ontario Fire Service Standard for Fire Prevention Officers and the Ministry of Municipal Affairs and Housing Standards shall be used as a reference guide for fire prevention training.

3. Fire Safety Education

Distribution of fire and life safety information and public education programs shall be administered in accordance with the Fire Protection and Prevention Act and any approved Fire Prevention By-law and Fire Prevention Policies of the Township.

A residential home fire escape planning and safety awareness program shall be ongoing.

A residential Smoke and Carbon Monoxide Alarm program shall be ongoing. Smoke and Carbon Monoxide alarms for residential occupancies shall be provided to those in need; within the budgetary constraints of the Township.

Applicable Fire and Life safety communiqués shall be distributed to the media on a regular basis.

The Fire Department shall maintain at least one Public Fire and Life Safety Educator certified to the Ontario Fire Service Standard.

4. Emergency Dispatching and Communications

The Ontario Fire Service Communications Standard shall be used as a reference guide for emergency dispatching and communications and shall provide the following minimum services;

Provide emergency call taking and dispatching of emergency vehicles.

Provide dispatching services to the Township of Huron-Kinloss, Ripley-Huron Fire Department in accordance with the current applicable By-law.

Provide after hour's emergency and non-emergency call taking for the Ripley-Huron Fire Department.

5. Critical Incident Stress Management

Critical Incident Stress Management Services provided by the Ripley-Huron Fire Department shall be done in accordance with the approved Bruce County Fire Chiefs Association CISM program and within the parameters of the Ripley-Huron Fire Department CISM Standard Operating Guideline.

Note:

Core Services Statement

The Township of Huron Kinloss, Ripley-Huron Fire Department shall provide such approved services as specified and listed in Appendix "D".

Due to the fire department's reliance upon volunteer firefighters, the topographic and geographic configuration of the Township, the level and amount of equipment at the department's disposal, and other budgetary constraints, the services listed in Appendix "D", although approved, may be provided as "limited services" as defined in section 1.0 of this by-law.

The Township of Huron Kinloss accepts no liability for the delay or inability to supply the services set out in Appendix "D" of this By-law due to the provision of its approved services as limited services or due to the existence of unsafe conditions encountered enroute, environmental factors and impeded access.

Private Roads

Fire Protection Services to those properties accessed via private roads are subject to the following limitations:

Emergency response to properties accessed via Private Roads, may be limited by the condition of such road, lane or driveway. Response times may vary due to the condition of the Private Road.