

THE CORPORATION OF THE TOWNSHIP OF BALDWIN

BY-LAW NO. 760

**BEING** a By-law to rescind By-Law NO. 592, to establish a Fire Department.

**WHEREAS** the Fire Prevention and Protection Act, 1997, S.O., c 4 as amended, requires every municipality to a) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and b) provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances;

**NOW THEREFORE BE IT ENACTED** by the Municipal Council of the Corporation of the Township, as follows:

1. In this by-law, unless the context requires,
  - a) *approved* means approved by *council*
  - b) *chief administrative officer* means the person appointed by *council* to act as chief administrative officer for the *corporation*
  - c) *company* means compliment of personnel operating one or more pieces of equipment
  - d) *corporation* means the Corporation of the Township of Baldwin
  - e) *council* means the council of the *Corporation* of the Township of Baldwin
  - f) *deemed* means determined by first arriving *company*
  - g) *fire area* as described in Appendix C, forming part of this by-law
  - h) *deputy 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*
  - i) *fire chief* means the person appointed by *council* to act as fire chief for the corporation
  - j) *fire department* means the Township of Baldwin Fire Department
  - k) *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 as described in Appendix B and D forming part of this by-law
  - l) *member* means any persons employed in, or appointed to, a *fire department* and assigned to undertake *fire protection services* and includes officers and *volunteer firefighters*
  - m) *volunteer firefighter* means a firefighter who provides *fire protection services* either voluntarily or for a nominal consideration, honorarium, training or activity allowance
2. A *fire department* for the Township of Baldwin to be known as the Township of Baldwin Fire Department is hereby established and the head of the *fire department* shall be known as the *fire chief*.
3. The *fire department* shall be structured in conformance with the *approved* Organizational Chart, Table 1. The Mission Statement and Primary Goals of the fire department are found in Appendix A.
4. 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*.

5. The *fire chief* may recommend to the *council* the appointment of any qualified persona as a *member* of the *fire department*, subject to the *approved* hiring policies of the Township of Baldwin.
6. 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*.
7. If a probationary *member* appointed to provide *fire protection services* fails any such examinations, the *fire chief* may recommend to the *council* that he/she be dismissed.
8. The remuneration of the volunteer *members* shall be as determined by *council*.
9. The *fire chief* is responsible to *council*, through the clerk for proper administration and operation of the *fire department* including all *fire department* functions and programs.
10. The *fire chief* shall implement all *approved* policies and shall develop such operating 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 *fire department* equipment.
11. The *fire chief* shall review periodically all policies, orders, rules and operating 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.
12. The *fire chief* shall submit to the clerk and *council* for *approval*, the annual budget estimates for the *fire department*, a monthly report and any other specific reports requested by the clerk or *council*.
13. 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*.
14. 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 the duties of the officer replaced.
15. 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*.
16. Following the suspension of a *member*, the *fire chief* shall immediately report, in writing, the suspension and recommendation to the clerk and *council*.
17. A *volunteer firefighter* shall not be dismissed without the opportunity for a review of termination, if he/she makes a written request for such a review within seven 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.
18. The *fire 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 *fire 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 danger, 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 and the Fire Protection and Prevention Act.

19. The *fire department* shall not respond to a call with respect to a fire or emergency outside the limits of the municipality with respect to a fire or emergency:

- a) that 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*
- 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 Marshall 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

This by-law shall come into force and take effect on the date of its passing

Read a FIRST, and SECOND time and deemed to be read a THIRD time and passed in open Council this 13<sup>th</sup> day of November 2012.

---

REEVE

---

CLERK-TREASURER

## **Appendix "A"**

### **FIRE DEPARTMENT GOALS AND MISSION STATEMENT**

#### **MISSION STATEMENT**

The primary mission of the Fire Department is to provide a range of programs to protect the lives and property of the inhabitants of the Township of Baldwin from the adverse effects of fires or exposure to dangerous conditions created by man or nature. These programs include, but are not limited to, fire prevention, public safety education, rescue and fire suppression services.

#### **PRIMARY GOALS OF THE FIRE DEPARTMENT**

The goal of the fire department is to provide fire protection and prevention services through a range of programs. These programs are 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. The order of priority is first to their municipality; second, to those municipalities requiring assistance through authorized Mutual Aid activities; and third, to those municipalities that 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 protection services requirements of the municipality
- 2) Provide an administrative process consistent with the needs of the department
- 3) Ensure that firefighting equipment and adequate personnel are available within the municipality to provide an uninterrupted response to a citizen's call within the department's jurisdiction, on a 24 hours/day, seven days/week basis
- 4) Provide departmental records to an accepted standard which will ensure the continuous upgrading of all personnel in the latest techniques of fire prevention firefighting and control of emergency situations and to co-operate with other departments of the corporation 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 emergency calls.
- 6) Provide an effective fire prevention program to:
  - ensure compliance with applicable legislation, statutes, codes and regulations.
  - educate the residents of the community in fire safety.
  - Reduce and/or eliminate fire hazards.
- 7) Ensure that in the event of a major catastrophe in the community, assistance to deal with the situation is available from outside services and agencies.
- 8) Develop and maintain a good working relationship with the Office of the Fire Marshal and other agencies related to the protection of life and property.

## **Appendix "B"**

### **FIRE PREVENTION/EDUCATION POLICY**

#### **General**

This fire prevention policy has been reviewed and approved by Municipal Council and is applicable in its entirety for the whole of the community.

This policy will detail fire prevention and public education programs which will assist in reducing or eliminating concerns by members of the fire department and the public relating to fire prevention/education objectives.

The fire department will ensure that accurate fire loss data is collected, submitted to the OFM and managed in a database or other form of file retention for future use.

Upon request, copies of this policy are available for the public through the municipal office.

#### **Annual Compliance Report**

Every municipality/fire department in Ontario has received a certificate from the Office of the Fire Marshal (OFM) confirming that it was in compliance with clause 2.(1)(a) of the Fire Protection and Prevention Act, 1997 (FIPPA) at the time the certificate was given.

For a municipality/fire department to be deemed in continued compliance with clause 2.(1)(a), it has to complete the self-assessment form provided by OFM, that covers the four key requirements: simplified risk assessment; smoke alarm program, including home escape planning; distribution of public education information and implementation of public education programs; and, fire prevention inspections upon complaint or request.

Completing the Annual Compliance Report entails:

- reviewing/revising the simplified risk assessment;
- filling out a form entitled Compliance Self-Assessment Form;
- signing the Declaration of Compliance; and
- returning the Report to the OFM on or before the compliance date.

#### **Simplified Risk Assessment**

Conducting and maintaining a simplified risk Assessment (SRA) is a practical information gathering and analyzing exercise intended to create a community fire profile that will aid in identifying appropriate programs or activities that can be implemented to effectively address the community's fire safety needs based upon local needs and circumstances. Reference OFM Public Fire Safety Guideline (PFSG) 04-40A-03.

#### **Smoke Alarm Program**

The fire chief and the members of the fire department shall develop a smoke alarm program suitable for their communities and which meets the needs of their community. The Alarmed for Life program, which can be used in whole or in part, should be used as a best practice example of a smoke alarm program. It is important that the fire department track and maintain their smoke alarm program activities. Reference PFSG 04-40B-03.

#### **Public Education/Awareness Programs**

The fire chief and the members will provide a variety of fire safety education programs for members of the community as requested and in accordance to areas identified in the community's simplified risk assessment.

In addition to the school program, social service and special interest groups may request specific programs including, but not limited to, Alarmed for Life, Older & Wiser, Remembering When, Kitchen Safety, Risk Watch or any other program which meets the needs of the group and the fire department.

The public may also request tours of the fire station through the fire chief. The fire chief will make the necessary arrangements and assign personnel. The station tour should include an educational

component during the tour. For example: demonstrating how a smoke alarm works, what it sounds like and what to do when the alarm activities including fire escape planning. The fire department to track all activities related to public education/awareness programs for evaluating purposes.

### **Distribution of Public Education Material**

Fire safety education material will be distributed to residents and/or occupants consistent with the community's needs and circumstances in various ways. Distribution of fire safety education material will be on-going throughout the year on various topics and made available to the residents at any community event, building or fire station. It is important for the fire department to track the distribution of materials. Reference PFSG 04-40C-03.

### **Inspections**

It is the policy of the fire department to conduct fire prevention inspections of occupancies upon request to comply with the Ontario Fire Code (OFC) or when a written complaint is received. The OFM will provide advice and assistance to the fire department when the assigned personnel do not have the experience and knowledge to perform the inspection. During any residential occupancy inspection, the fire department will ensure that the smoke alarm(s) are properly placed and are in working order. All inspections conducted must ensure compliance with the OFC via required follow-up inspection and/or enforcement of OFC. The fire department must track all activities related to the inspection program. Reference PFSG 04-40D-03 & 04-50-12.

***Note: regular/annual inspections conducted on "high risk" buildings as identified in the community SRA to be listed by occupancy type and frequency of inspections.***

### **Open Air Burning**

Open air burning on private land is only permitted with the approval of the fire chief and on crown land with the approval of the Ministry of Natural Resources. All burning will be conducted in accordance with the Forest Fires Prevention Act, R.S.O., and the Ontario Fire Code, which prescribes limitations for such burning.

### **Fireplaces and Woodstoves**

These appliances will be inspected upon request, however, where they are existing fixtures; comments will be limited to only the visible portions of the unit at time of inspection. Inspections will not be conducted for the purpose of insurance approvals but the owner will be advised to contact a WETT certified technician.

### **Change of Occupancy or Ownership**

These inspections may be conducted when requested by the purchaser's solicitor only when written permission has been obtained from the owner or the owner's agent to release information.

A fee may be charged for any or all of the above referenced inspections.

A fee schedule shall be developed by the fire department and made available upon request.

### **Investigation of Fires**

The fire chief or designated officer will investigate the origin and cause of all fires within the community. The OFM will be notified for the following reasons: Large loss fire (\$500,000), suspicion of arson, fatality, serious injury, a gaseous explosion, marihuana grow operations (MGOs), and clandestine drug laboratories. The fire chief or designated officer will assist the OFM investigator as requested.

### **Conclusion**

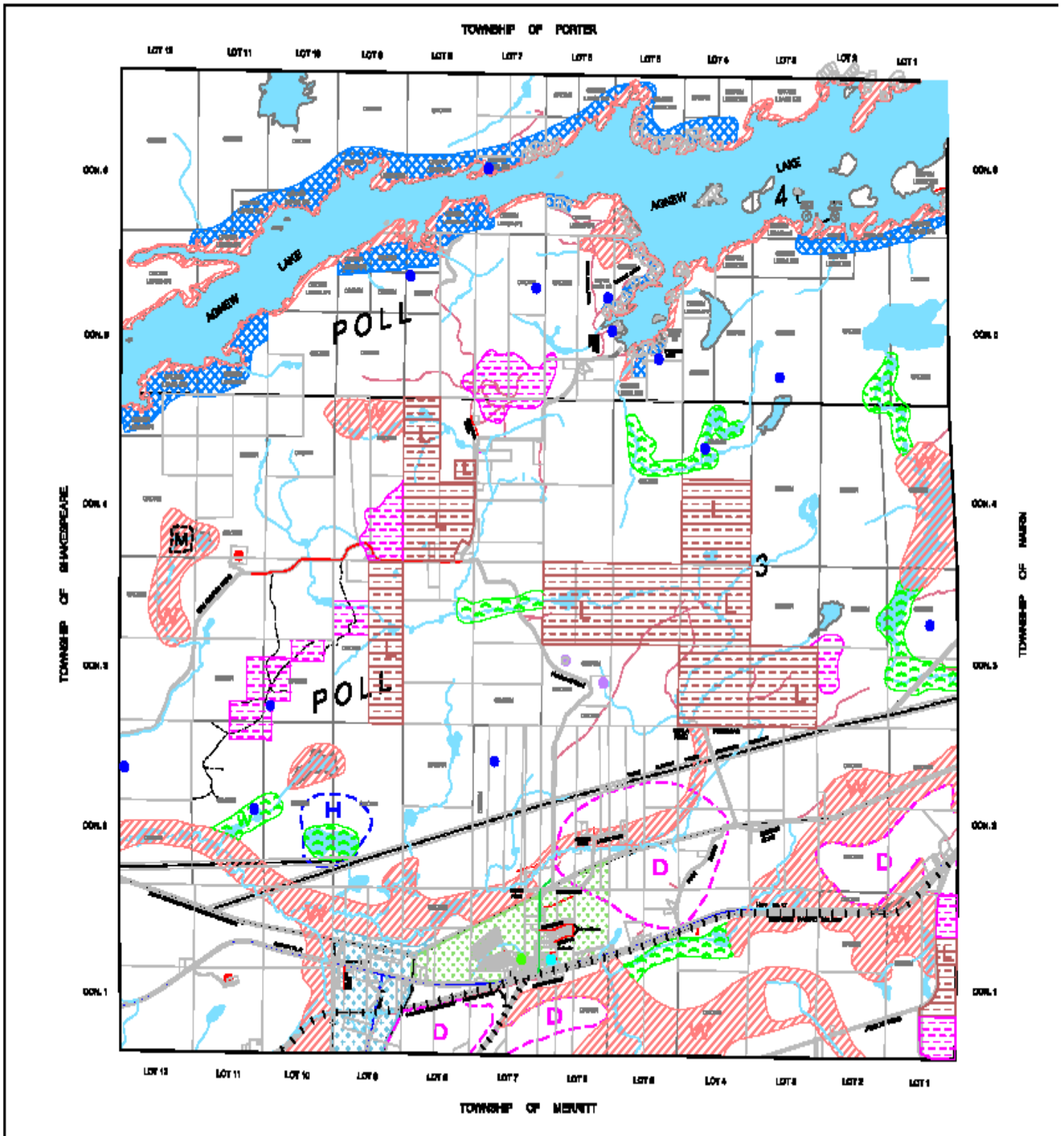
This fire prevention policy provides for the participation of all members of the department in fire prevention and public education activities. It also addresses request and complaint inspections and its intended as affirmative direction to the fire chief, members and the public.

All activities shall be tracked on forms, which will include the minimum same information as the examples attached to this policy.

Appendix "C"

FIRE AREA

Accessible areas in the geographic township of Baldwin in the District of Sudbury.



## Appendix "D"

### SCOPE OF EMERGENCY SERVICES PROVIDED

#### Definitions

"Fire protection Services" includes fire suppression, fire prevention, fire safety education, communications, training of persons involved in the provision of fire protection services, rescue and emergency services and the delivery of all those services.

"Deemed accessible" means as determined by the first arriving company.

"Fire area" means the area of response as defined in the agreement.

#### General

Fire protection services are intended to provide assistance for the protection of life and property to the level of training and equipment available to the fire department. This appendix provides guidance on the expected level of service provided to the public in the fire area.

If a fire chief and or incident commander decide to exceed the listed level of service based on the number of adequately trained firefighters and appropriate equipment/resources available on scene, he or she is ultimately responsible for the decision.

Provisions of services shall be commensurate with the emergencies location and accessibility. Due to the fire department's reliance upon volunteer firefighters, the fire area and the level of training and the equipment at the department's disposal similar services will be provided in similar circumstances.

It is the objective of the fire department to meet the emergency needs in locations deemed accessible as quickly and as safely as possible.

In ALL cases, services cannot be delivered without an adequate number of trained and capable firefighters that have appropriate supervision, resources and equipment.

The fire department shall inform the community of the type and level of services provided.

#### Core Services

##### Fire Suppression

##### Structural Fire Suppression

Shall consist of:

1. Structural firefighting with full interior firefighting and rescue.  
**NOTE:** interior operations will only be considered when the Incident Commander has completed an incident size-up, a minimum number of ten (10) firefighters are available on scene with an adequate level of training and the equipment required to safely address the situation. In addition an Incident Management System must be implemented at all emergency scenes.
2. Vehicle fires
3. Wildland firefighting subject to the Ministry of Natural Resources Agreement that may be in effect at the time.

##### Rescue

Shall consist of:

1. Vehicle accidents
2. Vehicle extrication



3. Water rescue – shore based

4. Ice rescue – shore based

**Hazardous Materials Incidents**

Shall consist of:

1. Awareness level only.

**Other Incidents**

Shall consist of:

1. Ambulance/medical assistance response based on signed agreement.

**NOTE: At no time will fire department personnel participate in emergency operations at a level that they are not trained and equipped to carry out safely.**

Appendix "E"

ORGANIZATIONAL CHART

