

TOWN OF FORT FRANCES

BY-LAW NO. 58/18

Being a By-Law to establish and regulate the Town of Fort Frances Fire & Rescue Service, and to repeal By-Law 31/10.

WHEREAS paragraph 8 of subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended, permits a single tier municipality to pass a by-law with respect to protection of persons and property, and subsection 2(2)(b) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended, permits Council to enact a by-law to establish, regulate and continue a fire department,

AND WHEREAS subsection 5(1) of the *Fire Protection and Prevention Act, 1997* requires a fire department to provide fire suppression services and other such fire protection services as required by the Act,

AND WHEREAS Directives are issued by the Fire Marshal under the authority of clause 9.(1)(b) in the Fire Protection and Prevention Act, 1997 (FPPA) when there is a need to achieve consistency in the application of certain technical or administrative requirements. Directives are issued to “assistants to the Fire Marshal” designated in subsection 11.(1) of the FPPA and it is the responsibility of every ‘assistant to the Fire Marshal’ to follow Fire Marshal's Directives,

AND WHEREAS on November 13, 2018 Council approved a recommendation from the Administration & Finance Executive Committee and the Fire & Rescue Service Steering Committee that this by-law be enacted.

NOW THEREFORE, Council of the Corporation of the Town of Fort Frances HEREBY ENACTS as follows:

DEFINITIONS:

In this by-law, unless the context otherwise requires,

Approved means approved by the Council of the Town of Fort Frances

Chief Administrative Officer means the person appointed by *Council* to act as the chief administrative officer for the *Corporation*

Corporation means the Corporation of the Town of Fort Frances

Council means the Council of the Town of Fort Frances

Fire Chief means the person appointed by *Council* to act as fire chief for the *Corporation*

Fire department means the Fort Frances Fire and Rescue Service

FPPA means the *Fire Protection and Prevention Act*

Fire protection services include 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

Member means any person employed in, or appointed to, the *fire department* and assigned to undertake *fire protection services*, and includes *career, part time, and volunteer fire fighters*.

NFPA means *National Fire Protection Association*

Officer means a career *member* 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 *Fire Chief*.

Part-time fire fighter means a fire fighter who provides *fire protection services* in the absence of a career officer and has the same authority as an officer

Volunteer fire fighter means a fire fighter who provides *fire protection services* under the direction of an *Officer* and/or *Part-time fire fighter*

Motto means a short phrase chosen, which expresses beliefs of the organization.

Core values means the fundamental beliefs of the organization.

Mission means a declaration of the core purpose and focus.

Objectives means a specific result to achieve.

ESTABLISHMENT:

1. A *fire department* for the Town of Fort Frances to be known as the Fort Frances Fire and Rescue Service is hereby established, and the head of the *fire department* shall be known as the *Fire Chief*.
2. The *fire department* shall be structured in conformance with the *approved* Organizational Chart, being Schedule A attached hereto and forming part of this by-law.

CORE SERVICES:

3. The services provision of the Fort Frances Fire and Rescue Service are included in Schedule "B" attached hereto and forming part of this by-law. The services provision commitments outlined will identify specifics of the following:
 - a) Fire prevention activities including inspection and public education consistent with the requirements of subsection 2.(1)(a) of the *Fire Protection and Prevention Act, 1997* as amended.
 - b) Fire suppression activities defined by local needs and circumstances meeting the intent of subsection 2.(1)(b) of the *Fire Protection and Prevention Act, 1997* as amended.
 - c) Rescue functions defined by local needs and circumstances meeting the intent of Section 2.(1)(b) of the *Fire Protection and Prevention Act 1997* as amended.

TERMS & CONDITIONS OF EMPLOYMENT:

4. In addition to the *fire chief*, the *Council* shall appoint such 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 person as a *member* of the *fire department*, subject to the *approved* hiring policies of the Town of Fort Frances.
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 examinations 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 *Council* that his/her appointment be terminated.
8. The remuneration of the *part time* and *volunteer* members shall be as determined from time to time by *Council*.
9. Working conditions and remuneration for all fire fighters defined in Part IX of the *Fire Protection and Prevention Act* shall be determined by *Council* in accordance with the provisions of Part IX of the *Fire Protection and Prevention Act*, and applicable sections of the *Employment Standards Act*.
10. It is expected that all members of the Fort Frances Fire & Rescue Service will maintain a fitness level consistent with the expectations of NFPA 1582. The Fire Chief may request a certificate of fitness from a member.
11. Volunteer / Part-time members employment is governed by the current Volunteer Firefighter Policy.
12. Career members employment is governed by the current collective agreement between the Corporation of the Town of Fort Frances and the Fort Frances Professional Firefighters Association.

GENERAL DUTIES & RESPONSIBILITIES:

13. The *fire chief* is ultimately responsible to *Council*, through the *Chief Administration Officer* for proper administration and operation of the *fire department* including the delivery of *fire protection services*.
14. The *fire chief* shall implement all *approved* policies pertaining to the administration and operation of the *fire department* and shall develop such policy documents, operational guidelines, fire chief's directives and departmental rules as necessary to ensure the appropriate direction, care and protection of all *fire department* personnel and *fire department* equipment.
15. The *fire chief* shall periodically review all policy documents, operational guidelines, fire chief's directives 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.
16. The *fire chief* shall submit to the *Chief Administration Officer* and *Council* for approval, the annual budget estimates for the *fire department*, statistical reports and any other specific reports requested by the *Chief Administration Officer* or *Council*.
17. Each *member* 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 and/or members shall report to the *fire chief* on divisions and activities under their supervision and shall carry out all orders of the *fire chief*.
18. Where the *fire chief* designates a member to act in the place of an officer or the *fire chief* in the *fire department*, such member, when so acting, has all of the powers and shall perform all duties of the officer replaced.
19. The *fire chief* may reprimand, suspend or recommend dismissal of any member for infraction of any provisions of this by-law, policies, operational guidelines, 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*.

20. Following the suspension of a member, the *fire chief* shall immediately report, in writing, the suspension or recommendation of dismissal to the *Chief Administration Officer and Council*.
21. The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all firefighters defined in Part IX of the Fire Protection and Prevention Act.
22. The *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, 1997* 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, 2001* and the *Fire Protection and Prevention Act, 1997*.
 - d) For the purposes of determining 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 to complete fire cause determination by the Fire Chief or delegate as described in Section 14 of the FPPA.
23. The *fire department* shall not respond to a call with respect to a fire or emergency outside the limits of the municipality except with respect to a fire or emergency:
- 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 co-ordinator 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.
 - f) A firefighter or such other person as may be authorized by the fire chief may, without a warrant, enter on lands or premises that are outside the territorial limits of the municipality of the fire department that employs the firefighter or fire chief for the purposes of fighting a

fire or of providing rescue or emergency services on such lands or premises if, in the opinion of the fire chief / incident commander, the fire or emergency threatens persons, property or the environment within the territorial limits of the municipality served by the fire department; or there is no fire department or other emergency response capability for the area in which the lands or premises are situated.

24. Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to the penalty provided by the *Provincial Offences Act*, R.S.O. 1990, c.P.33 as may be amended from time to time.
25. Where the provisions of this by-law conflict with any other by-law of the Corporation, the provisions of this by-law shall supersede and prevail over that other by-law on the extent of the conflict.
25. If any part or clause of this by-law is found to exceed the authority of the Corporation, or is otherwise found to be unenforceable, such section or part or item shall be deemed to be severed from this by-law and all other sections or parts of this by-law shall be deemed to be separate and independent and to be enacted as such.
26. Town of Fort Frances By-Law No. 31/10 is repealed.

This by-law shall come into force and take effect on the final passing thereof.

READ THREE TIMES and finally passed in open Council this 26th day of November 2018.

Original signed by R. Avis

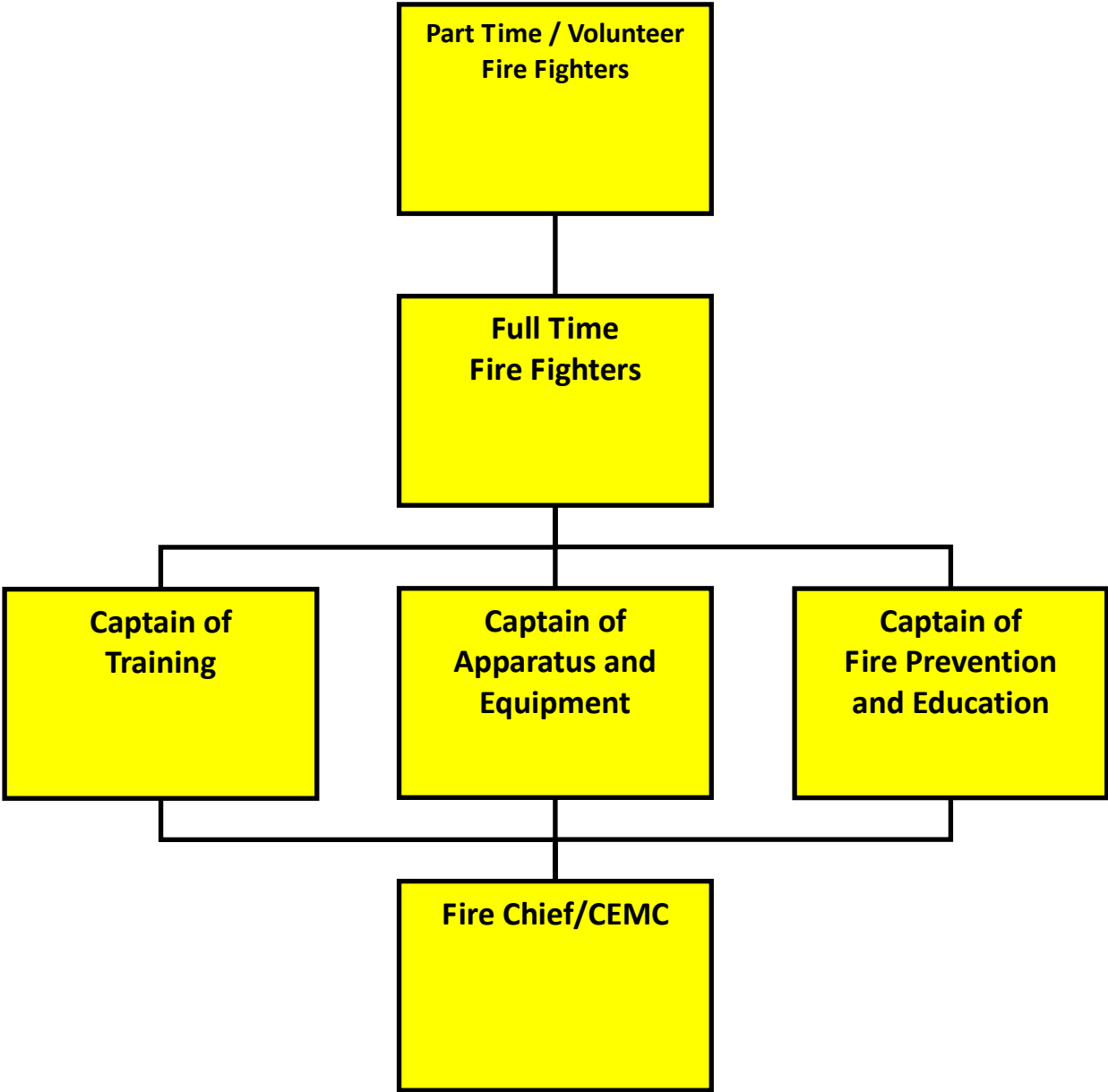
R. Avis, Mayor

Original signed by E. Slomke

E. Slomke, Clerk

TOWN OF FORT FRANCES BY-LAW NO. 58/18 SCHEDULE “A”

FORT FRANCES FIRE & RESCUE SERVICE
ORGANIZATIONAL CHART



TOWN OF FORT FRANCES BY-LAW NO. 58/18 SCHEDULE “B”

Fire Protection Services for Town of Fort Frances

- I. The Fort Frances Fire and Rescue Service will provide fire protection and prevention services to the community in the following manner:

To meet the mandatory requirements of the *Fire Protection and Prevention Act, 1997*, (the Act), the Fort Frances Fire and Rescue Service:

1. Shall provide fire service inspections on the basis of request and complaint as per the requirements of Section 2.(1)(a) of the FPPA and the departmental operating guideline for fire prevention.
 2. Shall provide annual inspections and witnessed fire drills in designated vulnerable occupancies as described in Part 9 of the Ontario Fire Code and the departmental fire prevention policy.
 3. Endeavor to provide an in-service inspection program where all of the commercial occupancies are visited at least once every two years to ensure compliance with the *Ontario Fire Code* in accordance with section 2.(1)(a) of the FPPA and the departmental operating guideline for fire prevention.
 4. Shall provide annual fire inspections, and plan review of assembly, institutional, and high-density residential occupancies in accordance with the intent of section 2.(1)(a) of the FPPA and the departmental guideline for fire prevention.
 5. Shall provide public education in accordance with the intent of section 2.(1)(a) of the FPPA and the departmental operating guideline for fire prevention.
 6. Endeavor to establish and maintain a smoke alarm program in accordance with the intent of section 2.(1)(a) of the FPPA and the departmental operating guideline for fire prevention.
 7. Endeavor to provide regular fire safety information to be available at the various public establishments in accordance with the intent of section 2.(1)(a) of the FPPA and the departmental operating guideline for fire prevention.
 8. Endeavor to work with district partners to provide and enhance fire and life safety education to service users.
 9. Shall provide all of the prior listed services to areas within the jurisdictional boundaries of Fort Frances, the area identified in the Fort Frances Airport Emergency Plan, and properties outside the municipal boundaries of Fort Frances that are owned by the Town of Fort Frances or have contracted with the Corporation of the Town of Fort Frances to have the Fort Frances Fire and Rescue Service provide fire prevention services.
- II. To meet the requirements of the local needs and circumstance as defined by the intent of the FPPA in Section 2.(1)(b), the Fort Frances Fire and Rescue Service shall provide fire protection and rescue services in the following format.
1. Shall provide interior structural fire fighting service with rescue if adequately trained resources are available as established by the departmental operating guidelines.

2. Shall provide exterior structural fire fighting services with no expected rescue in circumstances where adequate resources are not available to provide interior services with rescue, or when fire has progressed beyond a tenable environment for fire fighters to enter. Direction is provided in the established departmental operating guideline.
3. Shall provide fire suppression services on road, rail, air, and marine transportation systems in accordance with the departmental operating guideline.
4. Will respond to motorized vehicle crashes in the Town of Fort Frances. Shall provide vehicle extrication and rescue services in accordance with the departmental guideline. These services to be provided within the Town of Fort Frances. These services to be provided outside the Town of Fort Frances when requested by other agencies.
5. Shall provide support functions for motor vehicle crashes as identified by the departmental operating guidelines.
6. Endeavor when requested to provide scene protection including, scene isolation, scene security, and traffic control as allowed by the Act, the *Occupational Health and Safety Act*, and the *Highway Traffic Act* and the departmental operating guideline.
7. Shall provide wild land fire protection as identified in the departmental operating guideline and any subsisting agreement for that purpose with the Queen in Right of Ontario as represented by the Ministry of Natural Resources and Forestry.
8. Will try to conscientiously establish the origin and cause of every fire based on the availability of resources as defined by departmental operating guidelines.
9. Shall provide nuisance fire suppression. This will include landfill fires, dumpster fires, and farm product fires that cannot be treated as wild land fires and require respiratory equipment. Response to these incidents will be in accordance with the departmental operating guideline.
10. Shall provide medical tiered response services in accordance with the Tiered Response Agreement with Rainy River District Social Services Administration Board (RRDSSAB).
11. Endeavor to provide hazardous materials response to an awareness level, consistent with the NFPA 472 standard, which will allow for initial response to all incidents, to recognize and detect the presence of hazardous materials/weapons of mass destruction (WMD), protect all Fort Frances Fire and Rescue Service personnel, call for trained personnel, and secure the area as identified in the departmental operating guideline, and if adequately trained resources are available.
12. Endeavor to provide water and ice rescue response to a shore base, and craft base level consistent with the NFPA 1006 Chapters 11 and 14, level I & II professional qualifications and/or the departmental operating guideline, and if adequately trained resources are available.

13. Shall provide ladder / aerial ladder rescue as defined by the departmental operating guideline, and if adequately trained resources are available.
14. Shall provide elevator rescue services in accordance with the departmental operating guideline.
15. Endeavor to provide assistance and support to other agencies that is consistent with the departmental operating guideline, and if adequately trained resources are available. This may include assistance to Operations & Facilities Division, Fort Frances Power Corporation, the OPP, Hydro One, MNRF, MOE, MTO, MOL, or other applicable public agencies.
16. Shall provide all of the prior listed services to areas within the jurisdictional boundaries of Fort Frances, the area identified in the Fort Frances Airport Emergency Plan, and properties outside the municipal boundaries of Fort Frances that are owned by the Corporation. This clause extends to responses, which the owner of the property has contracted with the Corporation to have the Fort Frances Fire and Rescue Service provide specific identified services. This clause includes the Ministry of Transportation in Ontario for highway responses for vehicle extrications, and response will only be initiated if adequate personnel are available to maintain service levels in the Town of Fort Frances.
17. Due to the fire rescue services reliance upon part-time / volunteer firefighters, the topographic and geographic configuration of the Town, the level of firefighters training, the level and amount of equipment at the fire rescue services disposal, available resources, and other budgetary constraints, the services listed in Schedule “B”, although approved, may be provided as “Limited Services” as defined in this By-law.
18. The Town of Fort Frances accepts no liability for the delay or inability to supply the services set out in Schedule “B” of this By-law due to the provision of its approved services as limited services or due to the existence of unsafe conditions encountered on route, environmental factors and impeded access.

Town of Fort Frances Fire & Rescue Service Motto

PRIDE AND HONOUR

Town of Fort Frances Fire & Rescue Service Core Values

- **PROFESSIONALISM:** The Fort Frances Fire & Rescue Service demands the highest standards of excellence, integrity, commitment, and dedication from all its employees. As professionals, we must treat all others with respect and dignity. The public and taxpayers deserve nothing less.
- **INTEGRITY:** The Fort Frances Fire & Rescue Service is entrusted with protecting the public and enforcing fire and other related codes. Each member has a personal responsibility to demonstrate the highest ethical standards to inspire confidence and trust in each other and in the public, we serve.
- **RESPECT:** Each member of our fire and rescue service should be treated with consideration and respect. Personnel must be free to contribute fully to this fire and rescue service without any fear or disrespect. All employees must respect the dignity and rights of co-workers and the public they serve.
- **ACCOUNTABILITY:** In carrying out our mission, and objectives ... all employees must hold themselves accountable to the public, taxpayers and personally for their actions.
- **PARTNERSHIP:** The Fort Frances Fire & Rescue Service recognizes that its success requires a diverse, coordinated team committed to the highest standards of trust, hard work, co-operation, and communication working together with external stakeholders to achieve common goals.
- **INNOVATION:** The Fort Frances Fire & Rescue Service Team strives to work creatively, proactively, and effectively in providing services to the public. We are committed to finding flexible, efficient, and innovative approaches to providing fire safety.

Town of Fort Frances Fire & Rescue Service Mission

Committed to the protection of lives, property, the environment, and the economy in the Town of Fort Frances through Fire Prevention, Public Education, and Emergency Response, utilizing available resources in an efficient and effective manner.

Town of Fort Frances Fire & Rescue Service Objectives

- Aim for the highest professional standards in service delivery and internal management.
- Develop a comprehensive life and property protection service with continuous review to identify the municipality's changing fire service requirements.
- Promote the coordinated effort of all staff and resources in the fires service to ensure the effectiveness of our fire and public safety mission.
- Maintain a comprehensive training program to adequately educate personnel in the latest knowledge and techniques in performing their duties.
- Develop and maintain good working relations with all federal, provincial, district, and municipal departments, utilities and agencies.
- Prepare maintenance programs to ensure the preparedness of all equipment required in the delivery of fire and public safety.
- Maintain a comprehensive fire prevention and public education program to ensure community needs are met.