

THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE

BY-LAW NO. 46 OF 2023

Being a By-Law to Establish and Regulate the Township of Adelaide Metcalfe Fire Department

WHEREAS the *Fire Protection and Prevention Act*, (FPPA) 1997, S.O., c 4, as amended, 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; and

WHEREAS the *Fire Protection and Prevention Act* permits a municipality, in discharging these responsibilities, to establish a Fire Department; and

WHEREAS the *Fire Protection and Prevention Act* permits a Council of a municipality to establish, maintain and operate a Fire Department for all or any part of the municipality; and

WHEREAS the *Fire Protection and Prevention Act* requires a Fire Department to provide fire suppression services and permits the Fire Department to provide other Fire Protection Services in the municipality.

NOW THEREFORE the Council of the Corporation of the Township of Adelaide Metcalfe enacts as follows:

1. DEFINITIONS

In this By-Law, unless the context otherwise requires,

- a) "Approved" means approved by Council.
- b) "CAO" means the Chief Administrative Officer appointed by Council to act as Chief Administrative Officer for the Corporation
- c) "Council" means the Council of the Corporation of the Township of Adelaide Metcalfe.
- d) "Department" means the Adelaide Metcalfe Fire Department
- e) "Deputy Fire Chief" means person appointed by By-Law by Council to act in place of the Fire Chief in his/her absence, or in the case of a vacancy in the position of Fire Chief.
- f) "Fire Chief" means the person appointed by Bylaw by Council to act as Fire Chief for the Township and to be ultimately responsible to Council as defined in the *Fire Protection and Prevention Act*, 1997.

- g) "Fire Protection" means a range of programs designed to protect the lives and property of the inhabitants of the fire department response area from the adverse effects of fires, sudden medical emergencies, hazardous material emergencies or exposure to dangerous conditions created by man or nature and includes fire prevention and public education, rescue and suppression services.
- h) "Firefighter" means Volunteer Firefighter as defined below.
- i) "FPPA" means the *Fire Protection and Prevention Act*, 1997, S.O. c 4 as may be amended time to time, or any successor legislation, and any regulation made thereunder
- j) "Full-time Firefighter" means a person regularly employed in the fire department on a full-time salaried basis and assigned exclusively to fire protection or fire prevention duties, and includes officers and technicians.
- k) "Member" means any firefighter, as defined in Part IX of the *Fire Protection and Prevention Act* 1997.
- l) "Township" means the Corporation of the Township of Adelaide Metcalfe.
- m) "Volunteer Firefighter" means a person who voluntarily acts as a firefighter for a nominal consideration or honorarium.

2. ESTABLISHMENT

- a) The fire service for the Township of Adelaide Metcalfe is to be known as the Adelaide Metcalfe Fire Department. The Adelaide Metcalfe Fire Department is hereby established and the head of the department shall be known as the Fire Chief.
- b) The provisions of this By-Law are subject to the FPPA and all other applicable legislation and By-Laws.
- c) The mission statement and the primary goals and objectives shall be as those contained in Appendix 'A' of this By-Law

3. COMPOSITION

- a) The Fire Department shall consist of the Fire Chief, Deputy Fire Chief, Captains, Fire Prevention Officer, Volunteer Firefighters, and any other person as may be authorized or considered necessary from time to time by Council or by the CAO for the Fire Department to perform Fire Protection Services.
- b) The Fire Chief shall be appointed by By-Law of the Council

- c) The Deputy Fire Chief shall be appointed by By-Law of the Council
- d) The Fire Prevention Officer shall be appointed by By-Law of the Council

4. EMPLOYMENT

- a) The Fire Chief, from time to time may recommend to the CAO the employment in or the appointment to the Fire Department, as the case may be, of any person, as an officer or member or as administrative support staff, who meet the qualifications and, if applicable, successfully completes criteria (including without limitation training courses and physical, skills and other examinations) and otherwise satisfies any hiring policies, practices or procedures established or approved by Council for such employment or appointment.
- b) The hiring of Volunteer Firefighters shall be in accordance with the Fire Department Recruitment Program.
- c) Persons appointed to the department shall have a probation period of twelve months during which time the firefighter must undergo such training and examinations as required by the department. If a firefighter fails any such requirement, the Fire Chief may dismiss the firefighter with cause or extend the probation period for the time as required.
- d) It is recognized that firefighting operations are dangerous and further that firefighters can be exposed to situations that can be dangerous to their health in both sudden onset and prolonged exposure intervals. Due to the dangers that are associated with the occupation, firefighters must undergo a medical screening process as prescribed by the department for the purposes of baseline medical testing and monitoring the general health conditions of staff on an ongoing basis.
- e) At the discretion of the Fire Chief, retired members who wish to remain involved in an honorary/social capacity may do so in a voluntary capacity where the commitment/ expectation levels are established via the volunteer firefighter association. There is no remuneration in this role/capacity. The retired member would be required to have VFIS Insurance (Volunteer Fire Insurance) that covers the retired member during participation in social/charity events.
- f) Subject to the *Fire Protection and Prevention Act*, the remuneration and other terms or conditions of employment or appointment of the members that comprise the Fire Department shall be determined by Council or by the CAO acting in accordance with policies and programs established or approved by Council.

5. Responsibility & Authority of the Fire Chief

The Fire Chief of the Department is responsible, through the CAO to Council, for the proper administration and operation of the department, for the discipline of its members, and

- a) Shall develop, and publish such written operating guidelines, procedures, general orders as may be necessary for the care and protection of the department, equipment and personnel for the efficient operation of the department, provided that such general orders and rules do not conflict with the provisions of any bylaws of the Township;
- b) shall review periodically the policies and procedures of the department and may establish an advisory committee consisting of such members, and other persons as he/she may determine from time to time to assist him/her in these duties;
- c) shall take proper measures for the prevention, control and extinguishments of fires and for the protection of life and property, and shall enforce all Township bylaws respecting fire prevention, and exercise the powers imposed on him/her by the *Fire Protection and Prevention Act* 1997, and the Fire Chief or his/her designate shall be empowered to authorize fire department members to:
 - i. pull down or demolish any building or structure to prevent the spread of fire;
 - ii. enter and inspect any building within the Township of Adelaide Metcalfe and direct such alterations to be made and such precautions to be taken as deemed necessary for the purpose of complying with any statutes or legislation or regulations made for the better protection of life and property and when unable to contact the property owner, to take such necessary action which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident;
 - iii. the Township 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 fires to the Fire Marshal as required by the *Fire Protection and Prevention Act* 1997.
- f) shall submit to the CAO for its consideration and potential approval by Council, the annual budget for the department;
- g) The Deputy Fire Chief has the same authority and responsibility as the Fire Chief when assigned, and shall perform all the duties of the Fire Chief in the Fire Chief's absence;

- h) Where the Fire Chief of the department designates a member to act in the place of a member in the department, such member when so acting, has all the powers and shall perform all the duties of the member replaced.

6. Department Divisions

- a) The Department is composed of the following Divisional functions:
 - i. Division of Administration and Communications
 - ii. Division of Fire Prevention and Public Education
 - iii. Division of Fire Suppression, Training and Rescue
- b) The Department is responsible for the following internal functional area,
 - i. Training and Education
 - ii. Apparatus, Equipment and Communication Systems
- c) The Fire Chief is responsible for the duties of each Division and functional area, and may assign responsibilities in whole, or in part, for any division or functional area to a member(s).

6.1 The Division of Administration and Communications functions as noted in 6.a.i shall include the following activities:

- a) establishing goals and objectives for the Department that are consistent with the Township's goals and objectives;
- b) providing appropriate and adequate facilities for the personnel, apparatus and equipment of the department;
- c) establishing procedures for receiving alarms or other communications, dispatching of apparatus, and radio-telephone operations;
- d) preparation of the departmental budget and annual report and the control of the same;
- e) preparation and submission of specific payroll or honorarium information to the Treasurer;
- f) initiation of requisitions for materials and services and certification of all accounts of the department;
- g) maintenance of all personnel and departmental records in accordance with the Township's records retention bylaw and policies;
- h) maintain fire loss records;
- i) arranging for the provision of medical services;

- j) recommending the provision of new buildings;
 - k) provide liaison with the local Mutual Aid Association;
 - l) carry out the general administration duties of the Department;
 - m) provide liaison with the County Fire Coordinator(s);
 - n) assist the County Fire Coordinator in the preparation of County Mutual Aid and emergency fire department plans and programs;
 - o) assist in the preparation of Municipal Emergency Plans and training programs as Community Emergency Management Coordinator Alternate;
 - p) act as liaison with other Municipal Departments.
- 6.2 The Division of Fire Prevention and Public Fire Safety Education functions as noted in 6.a.ii) are as those contained in Appendix B.
- 6.3 The Division of Fire Suppression, Training and Rescue functions as noted in 6.a.iii) are as those contained in Appendix B.
- 6.4 The Training and Education function as noted in 6.b.i) shall include the following activities:
- a) training of Fire Department personnel in administration, fire prevention and fire suppression as required per National Fire Protection Association Standards;
 - b) preparation of all training records and report;
 - c) preparation of and conducting examinations of members as required;
 - d) planning, implementing and analyzing a personnel development program for members;
 - e) prepare department operations guidelines/procedures;
 - f) planning and locating external programs and resources to provide for the training and education of members outside the department.
- 6.5 The Apparatus, Equipment and Communication Systems functions as noted in 6.b.ii) shall include the following activities:
- a) preparation of specifications for the purchase or modification of apparatus, equipment of communication systems;

- b) maintenance and repair all existing department buildings, apparatus, equipment and communications systems;
- c) modification of apparatus and equipment to ensure that such modifications are consistent with recognized practices and standards;
- d) checking, testing, repairing or recharging of apparatus equipment and communications systems to recognized practices and standards;
- e) providing liaison with the waterworks authority to ensure adequate flows of water in new waterworks projects and the adequate maintenance of existing waterworks facilities for the use of the department;
- f) issuing clothing, equipment and cleaning supplies;
- g) maintain records on the maintenance and testing of apparatus and equipment.

7. Approved Core Services

For the purposes of this By-Law approved core services provided by the Fire Department are those contained in Appendix C.

8. Succession Planning

The Fire Chief shall develop an approved fire department promotional policy based on such evaluations, written, practical and oral examinations as deemed necessary.

As part of the approved promotional policy, the Fire Chief of the department and the Deputy Fire Chief shall evaluate all members of the department who are participating in an examination for promotion.

9. Property

- 9.1 No person shall supply any apparatus, equipment or other property of the Fire Department for any personal or private use.
- 9.2 No person shall willfully damage or render ineffective or inoperative any apparatus equipment or other property belonging to or used by the Fire Department.

10. Additional Expenses

If as a result of Fire and Emergency Services response to an emergency including a motor vehicle accident, a motor vehicle fire, false alarms, unauthorized open fire, or carrying out any of its duties or functions, the Fire

Chief or Deputy Fire Chief determines that it is necessary to incur additional expenses, retain a private contractor, rent or procure special equipment not normally carried on a fire apparatus or use more materials than are carried on a fire apparatus in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, control and eliminate an emergency, carry out or prevent damage to equipment owned by the Corporation or otherwise carry out the duties and functions of Fire and Emergency Services, the owner of the property requiring or causing the need for the Additional Service shall be charged the costs to provide the additional service including all applicable taxes.

11. Emergency Responses Outside Limits of the Township

The department shall not respond to a call with respect to a fire or emergency outside the limits of the Township except with respect to a fire or emergency;

- a) that in the opinion of the Fire Chief of the department threatens property in the Township or property situated outside the Township that is owned or occupied by the Township;
- b) in a municipality with which an agreement has been entered into with any person or corporation to provide fire protection;
- c) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection thereto;
- d) at the discretion of the Fire Chief to a municipality authorized to participate in the Middlesex County Mutual Aid plan and program or any other organized plan or agreement or program on a reciprocal basis;
- e) on property beyond the response area where the Fire Chief or his designate determines that immediate action is necessary to preserve and protect life and/or property and the correct department is notified and/or assumes command. The Fire Chief shall notify the CAO or his/her designate, on invocation of this clause as soon as practicable;
- f) where a request for help or assistance has been made through a declared emergency and the Province or the municipality has made a specific request for assistance through the Office of the Fire Marshal and Emergency Management and assistance can be offered without jeopardizing the protection of the Township.

12. Interference

No person shall impede or interfere with or hinder the Fire Department in the performance of its duties.

13. Fire Alarm

No person shall prevent, obstruct or interfere in any manner whatsoever with the communication of a fire alarm to the Fire Department or with the Fire Department responding to a fire alarm that has been activated.

14. Offences

Every person who contravenes any provisions of this By-law is guilty of an offence and on conviction is liable to the penalty established by the Provincial Offences Act, R.S.O. 1990, c. P.33, as may be amended or replaced from time to time, inclusive of costs.

15. Conflict

Where this By-law may conflict with any other By-law of the Corporation, this By-law shall supersede and prevail over that other By-law to the extent of the conflict.

16. Severability

If any section or part of this By-law is found to be illegal or beyond the power of the Corporation, such section or part or item shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent there from and to be enacted as such.

17. Repeal

THAT Bylaw No. 10 of 2001, and any amendments thereto, be hereby repealed.

18. Force and Effect

This By-law comes into effect the day it is passed by Council.

Read a First, Second and Third Time

IN OPEN COUNCIL

This 9th day of August, 2023



Sue Clarke, Mayor



Michael Barnier, Clerk

ESTABLISHING & REGULATING A FIRE DEPARTMENT BY-LAW

Appendix A

To By-Law No. 46 of 2023

MISSION STATEMENT

The primary mission of the Adelaide Metcalfe Fire Department (Kerwood Station) is to provide a range of programs to protect the lives and property of the inhabitants of the Township of Adelaide Metcalfe from the adverse effects of fires, or exposure to dangerous conditions created by man or nature.

PRIMARY GOALS AND OBJECTIVES

The goal of the 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 emergencies or exposure to dangerous conditions created by man or nature; first to the Township; second, to those municipalities requiring assistance through authorized emergency fire service plans and programs (Mutual Aid); and third, to those municipalities that are provided fire protection by the fire department via authorized agreement.

ESTABLISHING & REGULATING A FIRE DEPARTMENT BY-LAW

Appendix B

To By-Law No. 46 of 2023

Level of Service Description

Fire protection services provided by this department will include, but not be limited to the following:

1. Division of Fire Prevention and Public Education Functions

- Conduct active and efficient fire prevention and public education programs to actively reduce the threat to the lives and property of the residents of the Township.
- Carry out enforcement of the Ontario Fire Code and all Township Fire Prevention bylaws
- Fire inspection arising from complaints, requests, retrofit, self-initiated or a Divisional approach will be conducted to enforce provincial fire legislation, statutes, codes, regulations and township bylaws
- Fire and life safety information and public education materials will be disseminated through public appearances, school visits, residential smoke alarm programs and fire hall tours in accordance with the *Fire Protection & Prevention Act 1997*.
- Fire and life safety messages shall be distributed regularly to the media and will be featured on the Township of Adelaide Metcalfe Communication channels (Print/Newsletter/Social Media)

2. Division of Fire Suppression, Training and Rescue Functions

- Emergency Plan preparation and all related emergency planning to be conducted in accordance with Ontario Fire Marshal and Emergency Management (OFMEM) goals and guidelines, and the *Emergency Management and Civil Protection Act 1990*.
- Fire suppression services shall be delivered in both offensive and defensive mode and shall include search and rescue operations, forcible entry, ventilation, protection of exposures, salvage and overhaul. Fire investigations shall be conducted in accordance with the *Fire Protection & Prevention Act 1997* and departmental policies and guidelines.
- Emergency pre-hospital care responses will be delivered at the Health Care Professional (HCP) for volunteer firefighters and will include medical acts such as defibrillation, standard first aid, C.P.R.
- Rescues from motor vehicle accidents and other emergencies may include extrication by hand tools, air bags or the use of heavy hydraulic or edraulic tools.
- Hazardous Materials Spills and Containment will be at operations level – NFPA Standard 472

- Confined Space Rescue will be limited to awareness level only – NFPA Standard 1006, 1670
- Trench Rescue will be limited to awareness level only – NFPA Standard 1006, 1670
- Training of department personnel will be conducted in a safe, effective and professional manner and will comply with the *Occupational Health & Safety Act*, associated NFPA standards and applicable provincial legislation, using both in-house and outside resources.
- Fire service communications and 9-1-1 PSAP will be provided by Strathroy-Caradoc Fire Dispatch.

ESTABLISHING & REGULATING A FIRE DEPARTMENT BY-LAW

Appendix C

To By-Law No. 46 of 2023

Approved Delivery of Core Services

YES	Service approved by Council – Presently trained, equipped, and providing service
NO	Service not approved by Council
LLS	Limited Level of Service approved by Council

Purpose:	To provide a summary of the core services that The Adelaide Metcalfe Fire Department provides	
Emergency Response:		
Basic Firefighting – no expected rescue component		YES
Structural Firefighting – Including Rescue		YES
Vehicle Firefighting		YES
Wildland Firefighting		YES
Marine Firefighting – Shore Based		YES
Automatic/Mutual Aid		YES
Tiered Medical Response		YES
Hazardous Materials Response – Awareness Level		YES
Hazardous Materials Response – Operations Level		LLS
Hazardous Materials Response – Technician Level		NO
Vehicle Accidents – including Extrication		YES
Transportation Incidents – including Aircraft, Trains, and Watercraft		YES
Water & Ice Rescue – Awareness Level		YES
Water & Ice Rescue – Operations Level (Shore Base)		YES
Water & Ice Rescue – Technician Level (Water Entry)		NO
Other Public Assistance		YES
Ambulance Assistance		YES
Police Assistance		YES
Public Utilities Assistance		YES
Urban Search and Rescue		YES
Rope Rescue – Awareness Level		YES
Rope Rescue – Operations Level		NO

Rope Rescue – Technician Level	NO
Confined Space Rescue/Farm & Silo Rescue	LLS
Fire Prevention and Public Fire Safety Education:	
Complete Inspection on Complaint or Request	YES
Complete Routine Inspections	YES
Issue/Revoke Open Air Burning	YES
Prepare Reports and Written Responses to Inspections	YES
Develop, Deliver, and Maintain a Smoke Alarm Program	YES
Provide Public Education Programs	YES
Provide Media Releases and Media Access	YES
Liaise with Municipal Departments to Ensure Code Compliance	YES
Develop, Deliver, and Maintain Educational Programs Unique to the Needs of the Township of Adelaide Metcalfe	YES
Develop and Maintain a Residential Home Inspection Program	YES
Fire Investigations:	
Determine Fire Cause and Origin for all Fires	YES
Determine Fire Code Compliance	YES
Determine Fire Suppression Effectiveness	YES
Liaison with Ontario Fire Marshal Investigators	YES
Liaison with Law Enforcement and Other Agencies	YES
Support Criminal Prosecutions	YES
Prepare for and Testify in Legal Proceedings	YES