

**THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS****BYLAW 2020-012****ESTABLISHING AND REGULATING A FIRE DEPARTMENT**  
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**WHEREAS** the Municipal Act, 5.0. 2001, c.25, as amended, and the Fire Protection and Prevention Act, 1997, 5.0. 1997, c.4 as amended, permits the Council to enact a bylaw to establish and regulate a Fire Department.

**NOW THEREFORE** the Council of the Corporation of the Municipality of Hastings Highlands enacts as follows:

**Definitions:**

1. In this Bylaw, unless the context otherwise requires,
  - a) **Approved**  
Means approved by the Council.
  - b) **Chief Administrative Officer (CAO)**  
Means the person appointed by Council to act as Chief Administrative Officer for the Corporation.
  - c) **Corporation**  
Means the Corporation of the Municipality of Hastings Highlands.
  - d) **Council**  
Means the Council of Municipality of Hastings Highlands.
  - e) **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 Fire Chief.
  - f) **Fire Chief**  
Means the person appointed by Council to act as Fire Chief for the corporation and is ultimately responsible to Council as defined in the *Fire Protection and Prevention Act*.

**g) Fire Department**

Means the Municipality of Hastings Highlands Fire Department.

**h) Firefighter**

Means a Fire Chief and any other person employed in, or appointed to, a Fire Department and assigned to undertake fire protection services, and includes a Volunteer Firefighter.

**i) Apparatus**

Means Pumpers, Tankers, Equipment Vans, Pick-up Trucks, ATVs, Snowmobiles and/or Rescue Sleighs.

**j) Fire Protection Services**

- a) fire suppression, fire prevention, and fire safety education;
- b) mitigation and prevention of the risk created by the presence of unsafe levels of carbon monoxide and safety education related to the presence of those levels;
- c) rescue and emergency services;
- d) communication in respect of anything described in clauses (a) to (c);
- e) training of persons involved in providing anything described in clauses (a) to (d), and
- f) the delivery of any service described in clauses (a) to (e).

**k) Limited Services**

Means a variation of services significantly differentiating from the norm as a result of extenuating circumstances, such as environmental factors, obstructions, remote and/or island properties, private road ways, lanes, and drives.

**l. Member**

Means any persons employed in, or appointed to, a Fire Department and assigned to undertake fire protection services, and includes officers, full time, part time 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

**Fire Department Establishment**

2. The Fire Department for the Municipality of Hastings Highlands to be known as the Hastings Highlands Fire Department (HHFD) is hereby established and the head of the Fire Department shall be known as the *Fire Chief*.
  - a) The Fire Department "Mission Statement and Goals" are as stated in **Appendix "C"**, forming part of this Bylaw.

**Structure**

3. The Fire Department shall be structured in conformance with the approved Organizational Chart, **Appendix A**, forming part of this Bylaw.
4. *Firefighters* of the Hastings Highlands Fire Department for the purposes of Workplace Safety Insurance Board (WSIB) shall be defined as *Volunteer Firefighters*.
5. In addition to the *Fire Chief*, the Council may appoint a Deputy Fire Chief and such number of other officers and members as may be deemed necessary by Council.
6. The *Fire Chief* may appoint any qualified volunteer persons as a member of the Fire Department subject to the approved hiring policy of the Municipality of Hastings Highlands.
7. 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*.
8. The remuneration of the *Volunteer Firefighters* shall be as determined by *Council and reviewed on an annual basis*.

9. If a probationary member appointed to provide *fire protection services* fails any such special training and examination, the Fire Chief may take the steps to reprimand or dismiss the firefighter.
10. The *Fire Chief* may reprimand, suspend or dismiss any member for infraction of any provisions of this Bylaw and department rules that, in the opinion of the *Fire Chief*, would be detrimental to the efficiency and effectiveness of the *Fire Department*.
11. Disciplinary action or dismissal of a volunteer firefighter shall be conducted in accordance with the *approved* policies of the Municipality of Hastings Highlands.

#### **Duties and Responsibility**

12. The *Fire Chief* is the person who is ultimately responsible to *Council* of a municipality that appointed him or her for the delivery of *fire protection services*.
13. Each function or 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 the activities under their supervision and shall carry out all orders of the *Fire Chief*.

#### **Policies and Procedures**

14. The *Fire Chief* shall implement all *approved* Hastings Highlands policies and shall develop such procedures, Fire Department rules, directives and operational guidelines, as necessary to implement the *approved* policies and to ensure the appropriate care and protection of all Fire Department personnel, apparatus and equipment.
15. The *Fire Chief* shall review periodically all policies, procedures, directives, Fire Department rules and operational guidelines of the Fire Department and shall establish monthly officers meetings as the Fire

Chief may determine from time to time to assist in these duties. (The meetings may be held quarterly if there is not enough business on the agenda to warrant a meeting).

### **Budgets and Reports**

16. The *Fire Chief* shall work with the CAO and Treasurer to prepare the annual operating and capital budget and submit to the Council for approval. A budget to actual report shall be provided to Council quarterly as part of the Treasurer's quarterly report.

### **Powers**

17. 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 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* and the *Fire Protection and Prevention Act 1997*.

### **Emergency Response Outside of Municipal Boundaries**

18. 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 *automaticaid*;
  - 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.

### **Levels of Service**

- 19.** The Hastings Highlands Fire Department shall provide such *approved* services as specified and listed in **APPENDIX "B"**
- a) Due to the Fire Department's reliance upon Volunteer Firefighters, the topographic and geographic configuration of the municipality, the level and amount of equipment at the **departments** disposal, and other budgetary constraints, the services listed in Appendix "B", although approved, may be provided as "*limited services*" as defined in section 1 of this Bylaw;
  - b) The Municipality of Hastings Highlands accepts no liability for the delay or inability to supply the services set out in Appendix "B" of this Bylaw due to the provision of its *approved* services as limited services or due to the existence of unsafe conditions encountered on route, impeded access to property, and/or environmental factors/constraints;

**AN APPROVED ORGANIZATIONAL CHART FORMS PART OF THIS BYLAW AS APPENDIX "A"**

**AN APPROVED LIST OF SUPPLIED SERVICES FORMS PART OF THIS BYLAW AS APPENDIX "B"**

**AN APPROVED MISSION STATEMENT AND LIST OR PRIMARY GOALS AND OBJECTIVES OF THE FIRE DEPARTMENT FORMS PART OF THIS BYLAW AS APPENDIX "C"**

**20. THAT** any bylaws pertaining to this matter, including bylaw 2011-059 be rescinded;

**21. THAT** the Deputy Mayor and Clerk are hereby authorized to sign this Bylaw and affix the corporate seal thereto;

**22. THAT** this Bylaw shall come into force and take effect on February 19, 2020.

**ENACTED** and **PASSED** IN COUNCIL on February 19, 2020.

'Tracy Hagar'

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Tracy Hagar, Deputy Mayor

'Suzanne Huschilt'

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Suzanne Huschilt, Municipal Clerk