

THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS

BYLAW 2020-012

ESTABLISHING AND REGULATING A FIRE DEPARTMENT

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 *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.

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.

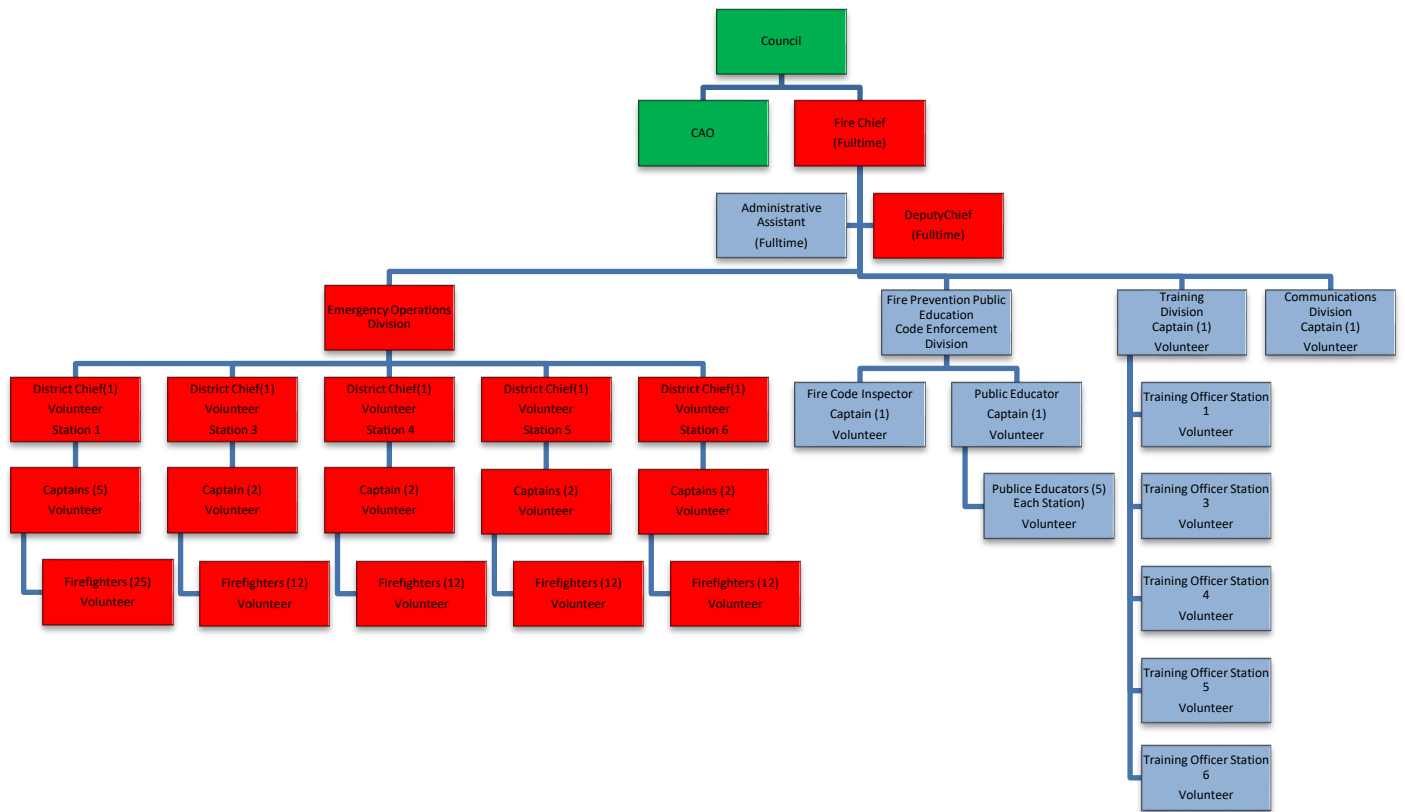
'Tracy Hagar'

Tracy Hagar, Deputy Mayor

'Suzanne Huschilt'

Suzanne Huschilt, Municipal Clerk

Municipality of Hastings Highlands APPENDIX "A" TO BYLAW 2020-012 Hastings Highlands Fire Department ORGANIZATIONAL CHART



Municipality of Hastings Highlands
APPENDIX “B” TO BYLAW 2020-012
Hastings Highlands Fire Department
Core Services Provided

Core Services Provided (Response and Support):

1. Emergency Response

- a. Structural firefighting including limited internal rescue & fire attack in accordance with the Fire Departments level of training, operational guidelines, Ministry of Labour Occupational Health & Safety Guidance Notes and the number and types of personnel and equipment available to the department on each specific emergency response;
 - b. Emergency responses to water access properties including islands are not provided by HHFD;
 - c. Those properties accessed via private roads, private lanes or private driveways subject to the following limitations:
 - i. The ability of such road, lane or driveway to support and accommodate Fire Department equipment, vehicles and apparatus; and
 - ii. The failure of the owner of the lands upon which the road, lane or driveway is located or the user of such road, land or driveway to maintain such road, lane or driveway in a condition that is passable by Fire Department equipment, vehicles and apparatus.
2. If in the opinion of the Fire Chief or his/her designate, unsafe environmental conditions exists **no** services shall be provided. Fire Department apparatus shall not enter onto frozen bodies of water (i.e. Lakes, rivers, streams) at anytime.
- a. Vehicle firefighting
 - b. Grass, brush and wild fire fighting
 - c. Marine firefighting - defensive only- shore based
 - d. Standard First-Aid/CPR with AED
 - e. Hazardous materials-Awareness Level Only
 - f. Vehicle accidents

- g.** Traffic Control
- h.** Transportation incidents involving vehicles, aircraft and watercraft, ATV, & snowmobile
- i.** Water rescue - shore based
- j.** Public assistance
- k.** Other agencies assistance
- l.** High angle rescue - awareness only
- m.** Confined space rescue - awareness only
- n.** Trench rescue - awareness only
- o.** Mutual aid
- p.** Automatic aid
- q.** Participation in community emergency plan
- r.** Fire protection agreements
- s.** Joint service agreements
- t.** Ice rescue - awareness only

3. Fire Prevention and Public Education

Fire prevention and public education activities shall be provided in accordance with the approved fire prevention policies.

Municipality of Hastings Highlands
APPENDIX “C” TO BYLAW 2020-012
Hastings Highlands Fire Department
Mission Statement

MISSION STATEMENT

The Mission of the Hastings Highlands Fire Department is to take action to protect and/or rescue citizens and/or property from threats of health, the effects of natural or man-made disasters, and in particular the risk that a fire, if started, would seriously endanger the health and safety of any person or quality of the natural environment for any use that can be made of it.

PRIMARY GOALS of the Municipality of Hastings Highlands Fire Department

The primary goal of the Municipality of Hastings Highlands Fire Department is to provide fire protection and rescue services through a range of programs designated to protect the lives and property of the inhabitants from the adverse affects of fire, basic medical emergencies, or exposure to dangerous conditions created by man or nature; 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 Municipality of Hastings Highlands Fire Department via authorized agreement.

PRIMARY OBJECTIVES of the Municipality of Hastings Highlands Fire Department

In order to achieve the goal of Municipality of Hastings Highlands Fire Department, the municipality will endeavor to provide the resources necessary to meet the following objectives:

1. Identify and review the Municipality of Hastings Highlands Fire Department requirements of the Municipality;
2. Provide an administrative process consistent with the needs of the Department;
3. Ensure that firefighting equipment and operating personnel is available within the Municipality to provide adequate response to a citizen's call

within a reasonable length of time;

4. Provide department training, to an accepted standard, which will ensure the continuous up-grading of all personnel in the latest technique of fire prevention, firefighting and control of emergency situations and to co-operate with other Municipal departments with respect to management training and other programs;
5. Provide a maintenance program to ensure all fire protection apparatus, involving all equipment, is ready to respond to emergency calls;
6. Provide an effective Fire Prevention Program to:
 - a. Ensure, through plan examination and inspection, that required fire protective equipment is installed and maintained within buildings;
 - b. Reduce and/or eliminate fire hazards;
 - c. Ensure compliance with applicable Municipal, Provincial and Federal fire prevention legislation, statutes, codes and regulations in respect to fire safety.
7. Develop and maintain an effective public information system and educational program, with particular emphasis on school fire safety programs and commercial, industrial and institutional staff training;
8. Ensure in the event of a major catastrophe in the Municipality, assistance to cope with the situation is available from outside departments and other agencies;
9. Develop and maintain a good working relationship with all Federal, Provincial and Municipal departments, utilities and agencies, related to the protection of life and property;
10. Interact with other Municipal departments respecting the aspects of fire or any given programs;
11. Ensure these objectives are not in conflict with any other Municipal department.