

THE CORPORATION OF THE TOWNSHIP OF NORTH FRONTENAC

**BY-LAW # 76-18**

**BEING A BY-LAW TO ESTABLISH AND REGULATE THE NORTH FRONTENAC  
FIRE DEPARTMENT AND REPEAL BY-LAW #17-16**

**WHEREAS** the Fire Protection and Prevention Act, S.O. 1997, Chapter 4, as amended, Section 5 provides the Council of a municipality may establish, maintain and operate a fire department for all or any part of the municipality;

**AND WHEREAS** The Corporation of the Township of North Frontenac and The Corporation of the Township of Addington Highlands established the Kaladar/Barrie Fire Department pursuant to a Joint Management Agreement and an Establishing and Regulating By-law allowing for the operation of a Fire Department in the balance of the Township of North Frontenac (Ward One);

**NOW THEREFORE** the Council of The Corporation of the Township of North Frontenac hereby enacts as follows:

**1. DEFINITIONS**

In this By-law, unless specifically stated otherwise:

- 1.1 "Assistant Fire Chief" means the person appointed in accordance with the North Frontenac Personnel and Employment Policies and Procedure Manual as amended, and will assist the Fire Chief in the operations of the North Frontenac Fire Department (NFFD) in accordance with this position's Role Description as amended, and will act on behalf of the Fire Chief in the case of an absence or a vacancy in the office of the Fire Chief.
- 1.2 "Automatic Aid" means any Agreement between two or more Fire Departments for immediate joint response on first alarm. Where a municipality agrees to provide an initial response to fires, rescues and emergencies that may occur in a part of another municipality where a Fire Department is capable of responding more quickly than any Fire Department situated in the other municipality; or a municipality agrees to provide a supplemental response to fires, rescues and emergencies that may occur in a part of another municipality where the department in the municipality is capable of providing the quickest supplemental response to fires, rescues and emergencies occurring in the part of another municipality.
- 1.3 "Chief Administrative Officer" means the person appointed by Council By-law to be the Chief Administrative Officer (CAO) for the Township of North Frontenac.
- 1.4 "Core Services" shall mean those as defined in Schedule "A" of this By-law.
- 1.5 "Corporation" means the Corporation of the Township of North Frontenac.
- 1.6 "Council" means the Council for the Township of North Frontenac.

- 1.7 "Emergency Operations" Activities of the Fire Department relating to rescue, fire suppression, emergency medical services, and special operations, including response to the scene of the incident and all functions performed at the scene.
- 1.8 "Emergency Response Area" means the geographic Townships of Clarendon Miller (Ward 2); and means the geographic Townships of Palmerston, North Canonto and South Canonto (Ward 3).
- 1.9 "Fire Chief" means the person appointed under Sub-Section 6 (1) of the FPPA by Council By-law to be Director of Emergency Services/Fire Chief in accordance with this position's Role Description as amended.
- 1.10 "Fire Department" means the North Frontenac Fire Department established by By-law and comprised of those individuals as set out in the North Frontenac Personnel and Employment Policies and Procedure Manual, as amended.
- 1.11 "Firefighter" means the Fire Chief and any other person employed in, or appointed to, the Fire Department and assigned to undertake Fire Protection Services, and includes a volunteer Firefighter.
- 1.12 "FPPA" means the Fire Protection and Prevention Act, 1997, S.O. 1997, c 4, as may be amended from time to time, or any successor legislation, and any regulation made there under.
- 1.13 "Fire Protection Services" the measures taken to prevent and reduce the impact of fire, to protect life and the safety of persons and property from fire. It involves the implementation of safety planning practices and drills, and includes education on fire, research, investigation, safety planning, building construction, safe operations, training and testing of mitigating systems.
- 1.14 "Limited Services" means a reduced level of Fire Protection Services deviating from the approved level of service as a result of extenuating circumstances such as, environmental factors, obstructions, remote and/or island properties, private roadways, lanes, and drives or other factors that, in the sole discretion of the Fire Chief, requires a reduction in the level of otherwise approved Fire Protection Services.
- 1.15 "Medical Response" shall mean emergency pre-hospital care response and medical acts or other first aid/cardio pulmonary resuscitation services.
- 1.16 "Municipality" means the Corporation of the Township of North Frontenac.
- 1.17 "Mutual Aid" means a program to provide/receive assistance in the case of a major emergency in a municipality, community or area where resources in a municipality, community or area have been depleted, but does not include Automatic Aid.
- 1.18 "NFPA" means codes, standards, recommended practices, and guides as developed and amended by the *National Fire Protection Association*.

1.19 "Officer" means those persons appointed in accordance with North Frontenac's Personnel and Employment Policies and Procedure Manual, as amended that meet the qualifications and, if applicable, completes successfully criteria for such employment, including but not limited to, Captains, Fire Prevention Officers, Training Officers, Safety Officer.

1.20 "Search and Rescue" shall mean response and rescue to vehicle extrication, wilderness rescue and watercraft rescue.

## **2. ESTABLISHMENT**

2.1 The Fire Department is continued under this By-law to provide Fire Protection Services for the Corporation and shall be known as the North Frontenac Fire Department.

2.2 The Primary Goal of the Fire Department shall be as set out in attached Schedule "B" forming part of this By-law.

## **3. TERMS AND CONDITIONS OF EMPLOYMENT**

3.1 Subject to the FPPA, the terms and conditions of employment of the Firefighters that comprise the Fire Department shall be determined by Council acting in accordance with the policies and programs established by Council.

3.2 Employment shall be in accordance with North Frontenac's Personnel and Employment Policies and Procedure Manual, as amended.

3.3 The remuneration of all active Firefighters shall be as determined by Council, in consultation with the Fire Chief as set out in the annual budget, approved by Council.

## **4. ORGANIZATION**

4.1 The North Frontenac Fire Department shall be organized as set out in the "North Frontenac's Fire Department Organization Chart" in the North Frontenac Personnel and Employment Policies and Procedures Manual as amended.

## **5. CORE SERVICES**

5.1 For the purposes of this By-law, Core Services provided by the Fire Department shall be as set out in Schedule "A" entitled "Core Services", attached to and forming an integral part of this By-law.

5.2 Due to the Fire Department's reliance upon volunteer Firefighters, the topographic and geographic configuration of the Response Area, the level and amount of equipment at the Fire Department's disposal, and other budgetary constraints, the Core Services listed in Schedule "A", although approved, may be provided as "Limited Services" at the sole discretion of the Fire Chief.

5.3 The Corporation of the Township of North Frontenac accepts no liability for any delay or inability to supply the services set out in Schedule "A" of this By-law due to the provision of its Core Services as Limited Services or due to the existence of unsafe conditions encountered on route, impeded access to property, and/or environmental factors/constraints or other similar factors.

## **6. RESPONSIBILITIES AND AUTHORITY OF FIRE CHIEF**

6.1 The Fire Chief is responsible to Council, through the Chief Administrative Officer (CAO) for the proper administration and operation of the Fire Department including the delivery of Fire Protection Services.

6.2 The Fire Chief shall carry out the statutory duties of the Fire Chief in accordance with the FPPA, other Acts of the Legislature, By-laws of Council and guidelines established by policy of Council and/or the CAO, in accordance with this position's Role Description as amended.

6.3 The Fire Chief shall be authorized to draft policies for Council's approval and the Fire Chief is authorized to create and approve Standard Operational Guidelines (SOGs) and to take such other measures as the Fire Chief may consider necessary for the proper administration and efficient operations of the Fire Department and effective management of Fire Protection Services without restricting the generality of the foregoing:

- 6.3.1 For the care, maintenance and protection of all property belonging to the Township of North Frontenac;
- 6.3.2 For arranging for the provision of necessary and proper facilities, apparatus, equipment, services and supplies for the Fire Department;
- 6.3.3 For determining and establishing the qualifications and criteria for employment or appointment and the duties of all Firefighters and Officers of the Fire Department;
- 6.3.4 For the conduct and the discipline of Firefighters and Officers of the Fire Department in accordance with the North Frontenac's Personnel and Employment Policies and Procedures Manual, as amended;
- 6.3.5 For keeping an accurate record, in convenient form for references, of all fires, rescues, suppression, public education, training and emergencies conducted by the Fire Department;
- 6.3.6 For keeping such other records as may be required by Council and the FPPA;
- 6.3.7 For preparing and presenting the annual report of the Fire Department to Council;
- 6.3.8 For preparing and presenting the annual budget estimates of the Fire Department to Council and for exercising control over the budget approved by Council for the Fire Department; and
- 6.3.9 The Fire Chief shall develop SOGs to implement the Policies established by Council. The SOGs shall be completed and maintained to meet legislation and shall be communicated to the Firefighters. All Firefighters shall sign an Acknowledgement Form and/or confirm receipt of the SOG by email to the Chief; that shall be retained in the applicable Firefighter's confidential Personnel File.

- 6.4 The Fire Chief shall have all powers, rights and duties assigned to a Fire Chief under the FFPA, including without limitations the authority to enforce compliance with the Ontario Fire Code.
- 6.5 The Fire Chief may liaise with the Office of the Fire Marshal of Ontario and any other office or organization as required by Council or as considered necessary or advisable by the Fire Chief for the proper administration and efficient operation of the Fire Department and the effective management of the Fire Protection Services for the Corporation.
- 6.6 The Fire Chief may utilize such Firefighters of the Fire Department as the Fire Chief may determine, from time to time, to assist in the performance of his or her duties.
- 6.7 The Fire Chief:
- 6.7.1 Shall review, every 2 years, with the Officers the Policies and SOGs of the Fire Department and report back to the Chief Administrative Officer;
  - 6.7.2 Shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property;
  - 6.7.3 Shall enforce all municipal by-laws respecting fire prevention;
  - 6.7.4 Shall adhere to the provisions of the FPPA.
- 6.8 The Fire Chief is responsible for the enforcement of this by-law, the policies of the Fire Department, the SOGs of the Fire Department and Fire Department rules.
- 6.9 The Assistant Fire Chief is the Fire Chief's designate. The designate shall have the same authority and responsibilities of the Fire Chief and shall perform all of the duties of the Fire Chief in the Fire Chief's absence. The Fire Chief shall designate, in writing, in the absence of himself and the Assistant Fire Chief for an extended period, a Captain to be his/her designate, and the Fire Chief shall report such designation to the Chief Administrative Officer.
- 6.10 The Fire Department, under the supervision of the Fire Chief and direction of Council, shall perform the following functions:
- 6.10.1 Administration;
  - 6.10.2 Apparatus, Equipment and Communications maintenance;
  - 6.10.3 Emergency Operations;
  - 6.10.4 Fire Prevention and Public Education;
  - 6.10.5 Fire Protective Services;
  - 6.10.6 Training.

The responsibility for the performance of such functions may be delegated in writing, by the Fire Chief, to a Firefighter of the Fire Department.

The Fire Chief is responsible for ensuring that the functions are carried out in accordance with all applicable laws, policies as adopted by Council and SOGs.

## **7. SUPERVISION**

- 7.1 The Firefighters of the Fire Department while on duty shall be under the directions and control of the Fire Chief or the next ranking officer present in any place.

## **8. GENERAL DUTIES AND RESPONSIBILITIES**

- 8.1 Every Firefighter shall conduct themselves in accordance with policies, procedures, rules, guidelines and regulations made by the Fire Chief and shall give their whole and undivided attention while on duty to the efficient operation of the Fire Department and shall perform the duties assigned to them to the best of their ability in accordance with the FPPA and other Acts of the Legislature, or other written Agreement that may be applicable and/or policies, guidelines, rules and procedures established by Council.

## **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. FIRE SUPPRESSION**

- 10.1 The Fire Chief shall take all appropriate measures for the prevention, control and extinguishment of fires and the protection of life and property and shall exercise all powers mandated by the FPPA, and the Fire Chief shall be empowered to authorize:
- 10.1.1 pulling down or demolishing any building or structure to prevent the spread of fire;
  - 10.1.2 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;
  - 10.1.3 recovery of expenses incurred by such necessary actions for The Corporation of the Township of North Frontenac in the manner provided through the Municipal Act and the Fire Protection and Prevention Act
- 10.2 The Fire Chief shall ensure structural firefighting including limited internal rescue and fire attack are in accordance with the Fire Department's level of training, SOGs, Occupational Health and Safety Guidelines and the number and type of personnel and equipment available to the Fire Department on each specific emergency response.

## **11. ADDITIONAL EXPENSES**

- 11.1 If as a result of the Fire Department's(i) response to an emergency including a motor vehicle incident, or (ii) carrying out of any of its duties or functions, the Fire

Chief or Assistant Fire Chief determines that it is necessary to incur additional expenses, retain a private contractor, rent 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 the Fire Department, the owner of the property requiring or causing the need for the additional services shall be charged the costs to provide the additional services including all applicable taxes. Property shall mean personal and real property.

## **12. EMERGENCY RESPONSE OUTSIDE THE LIMITS OF THE MUNICIPALITY**

- 12.1 The Fire Department shall not respond to a call with respect to a fire or emergency outside the territorial limits of the Fire Department's Response Area as identified in the attached Schedule "C" forming part of this By-law, except with respect to a fire or emergency:
- 12.1.1 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;
  - 12.1.2 In a municipality with which an approved Automatic Aid or Mutual Aid Agreement has been entered into to provide Fire Protection Services;
  - 12.1.3 On property with which an approved Agreement has been entered into with any person or corporation to provide Fire Protection Services;
  - 12.1.4 At the discretion of the Fire Chief, to a municipality authorized to participate in any mutual aid plan established by a fire coordinator appointed by the Fire Marshal or any other similar reciprocal plan or program; and
  - 12.1.5 On property beyond the territorial limits of the Fire Department where the Fire Chief or designate determines immediate action is necessary to preserve life and/or property and the correct fire department is notified and/or assumes command or establish alternative measures, acceptable to the Fire Chief or designate.

## **13. SCHEDULES**

- 13.1 The following shall form an integral part of the By-law and shall be attached as Schedules:
- Schedule "A" - Core Services;
  - Schedule "B" - Primary Goals;
  - Schedule "C" - Emergency Response Area.

## **14. CONFLICT**

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

## 15. SEVERABILITY

15.1 If any part of this By-law is found to be illegal or beyond the power of the Corporations, 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 enacted as such.

## 16. FORCE AND EFFECT

16.1 This by-law shall come into effect on the day it is passed.

## 17. REPEAL

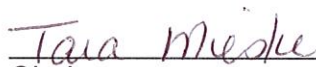
17.1 That By-law#17-16 is hereby repealed.

17.2 All Resolutions, By-laws or parts of By-laws, which are contrary to or inconsistent with this by-law, are hereby repealed.

Read a first and second time this 5<sup>th</sup> day of October, 2018.

Read a third time and adopted this 5<sup>th</sup> day of October, 2018.

  
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Mayor

  
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Clerk



## **Schedule "A" to By-law #76-18 Core Services**

Core Services may be limited or reduced due to the Fire Department's reliance upon volunteer Firefighters, the topographic and geographic configuration of the Response Area, the level and amount of equipment at the Fire Department's disposal, and other budgetary constraints. The Fire Chief may, in his/her sole professional discretion, limit the level of Core Services that will be provided in certain circumstances. The decision to provide Limited Services shall be made after assessing the individual circumstance and determining whether the Core Services can be delivered safely, recognizing all relevant limitations, including those listed above.

The Municipality accepts no liability for the delay or inability to supply Core Services listed below due to the existence of unsafe conditions encountered on route, impeded access to property, environmental factors/constraints and/or the limitations described above.

The Ontario Firefighter's Curriculum, International Fire Service Training Association "Essentials of Firefighting". Ontario Fire Service Standards, NFPA and other related industry training standards and reference materials may be used as reference guides for the North Frontenac Fire Department for Emergency Response and training as approved by the Fire Chief. All Emergency Response and training will comply with the Occupational Health and Safety Act and applicable provincial legislation.

### **1. Fire Prevention and Education**

- 1.1 Shall include the distribution of fire and life safety information and public education programs in accordance with the FPPA and the Township's Fire Prevention Policy.
- 1.2 A residential home fire safety and smoke & carbon monoxide alarm awareness programs shall be ongoing.
- 1.3 Smoke and carbon monoxide alarms for residential occupancies shall be provided to those in need.
- 1.4 Fire and life safety communications shall be distributed using media tools and other outlets as appropriate.
- 1.5 The Ontario Fire Service Standards the NFPA 1031, the NFPA 1035, and other applicable NFPA codes and standards and the Township's Fire Prevention Policy shall be used as a reference guide for Fire Prevention training and Public Education.

### **2. Fire Code Enforcement**

- 2.1. Shall include, Inspections arising from complaint, request, retrofit, or self-initiated and fire investigations shall be provided in accordance with the FPPA and the Township's Fire Prevention Policy.

### **3. Structural Firefighting: Offensive and Defensive**

- 3.1. Structural Firefighting shall include a comprehensive, coordinated arrangement of resources and functions which are organized to respond in a timely, staged manner to targeted fire emergencies, regardless of the cause, and to minimize the impact on persons or property.

- 3.2. Fire suppression services shall be delivered in both an offensive and defensive mode and shall include search and rescue operations, forcible entry, ventilation, protecting exposures, salvage and overhaul as appropriate.
  - 3.3. Whereas the goal of NFPA 1720 is to outline how to conduct operations safely and effectively while minimizing threats to rescuers. Performance of each responding Firefighter must be in accordance with NFPA 1720, (Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Volunteer Fire Departments) (2014 Edition) as amended and Occupational Health and Safety Regulations.
4. Wildland Firefighting
    - 4.1. Wildfire services shall include a comprehensive, coordinated arrangement of resources and functions which are organized to respond in a timely, staged manner to targeted wildland fire emergencies, regardless of the cause, and to minimize the impact on persons or property.
    - 4.2. A wildfire or wildland fire is a fire in an area of combustible vegetation that occurs in the countryside or rural area.
    - 4.3. Wildland fires are uncontrolled fires based on the combination of factors such as available fuels, physical setting and weather.
    - 4.4. Performance of each responding Firefighter shall be in accordance with the Ministry of Natural Resources and Forestry, SP103 (Fire Department Wildland Fire Fighting) and Occupational Health and Safety Regulations.
5. Medical Response
    - 5.1. Medical Response shall include Emergency pre-hospital care response and medical acts or other first aid/cardio pulmonary resuscitation (CPR) services.
    - 5.2. These Services shall be maintained as per the Chief's approved Standard Operating Guidelines as appropriate and instituted as per the latest Emergency Services Agreement (Tiered Response Agreement) and appropriate to the needs of the municipality as recommended by the Fire Chief and as agreed.
    - 5.3. Performance of each responding Firefighter must be in accordance with the applicable NFPA 1720, (Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Volunteer Fire Departments) (2014 Edition) as amended and Occupational Health and Safety Regulations.
6. CPR/Automated External Defibrillator (AED) Response
    - 6.1. The Emergency First Responders, Officers and Volunteer Firefighters shall have current CPR/AED Certification. Certification shall remain current where a proper training record is logged.
7. Vehicle Extrication - Search and Rescue
    - 7.1. Search and Rescue operations shall include performing vehicle extrication and disentanglement operations involving packaging, treating and removing victims trapped in common passenger vehicles through the use of hand and power tools.
    - 7.2. Whereas the goal of NFPA 1670 is to outline how to conduct operations safely and effectively while minimizing threats to rescuers. Performance of each responding Firefighter must be in accordance with NFPA 1670 (Standard of

Operations and Training for Technical Search and Rescue Incidents) (2017 edition) as amended (chapter.8, and the requirements specified in 8.1 through 8.3.5) and Occupational Health and Safety Regulations.

8. Wilderness - Search and Rescue

8.1. Search and Rescue operations shall include performing wilderness search and rescue to locate, access, provide treatment and extricate individuals whose exact location is unknown, using available resources.

8.2. Whereas the goal of NFPA 1670 is to outline how to conduct operations safely and effectively while minimizing threats to rescuers. Performance of each responding Firefighter must be in accordance with NFPA 1670 (Standard of Operations and Training for Technical Search and Rescue Incidents) (2017 edition) as amended (chapter.10, and the requirements specified in 10.1 through 10.3.4) and Occupational Health and Safety Regulations.

9. Watercraft Operations - Search and Rescue

9.1. Search and Rescue operations shall include performing watercraft-assisted and watercraft based operations to locate, access, provide treatment and extricate individuals as required.

9.2. North Frontenac Firefighters are trained to perform Surface Water Rescue only whereas they do not enter the waterbody as not to endanger themselves. The safety of the Firefighter is first and foremost.

9.3. Whereas the goal of NFPA 1670 is to outline how to conduct operations safely and effectively while minimizing threats to rescuers. Performance of each responding Firefighter must be in accordance with NFPA 1670 (Standard of Operations and Training for Technical Search and Rescue Incidents) (2017 edition) as amended (chapter. 21, and the requirements specified in 21.1 through 21.3.5), and Occupational Health and Safety Regulations.

## **Schedule "B" to By-law #76-18 Primary Goals of the Fire Department**

The goal of the Fire 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 medical emergencies or exposure to dangerous conditions created by man or nature; first to their municipality; second to those municipalities requiring assistance through authorized emergency fire service plans and programs (mutual aid activities) and third; to those municipalities which are provided fire protection by the fire departments via authorized agreement.

In order to achieve the goals of the Fire Department, necessary funding must be in place and the following objectives met:

1. Identify and review the fire service protection needs of the municipality and develop a master fire safety plan for the Municipality.
2. Provide an administrative process consistent with the needs of the Fire Department.
3. Ensure that firefighting equipment and operating personnel are available within the municipality, or are very close to, to provide adequate response to a citizen's call within a reasonable length of time.
4. Provide departmental training to an accepted standard which will ensure the continuous up-grading of personnel in fire prevention, firefighting, auto extraction, medical emergencies and control of emergency situations and to cooperate 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.

# Schedule "C" to By-law #76-18 Emergency Response Area

