

# THE CORPORATION OF THE TOWNSHIP OF RYERSON

## By-law # 38 -14

Being a By-law to Establish a Fire Department

**WHEREAS** Section 5 (0.1) (4), of the Fire Protection and Prevention Act, 1997, S.O 1997, Chapter 4, as amended (2001, c. 25, s.475 (2)) provides that the Councils of two or more municipalities may establish, maintain and operate one or more fire departments for all or any part of the municipalities;

**AND WHEREAS** Section 8 of the Municipal Act, S.O.2001, c. 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 9 of the Municipal Act, 2001, provides that Section 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

**AND WHEREAS** the Fire Protection and Prevention Act, 1997, Part II, section 5 (1.0), as amended, permits the Council to establish and regulate a fire department;

**BE IT THEREFORE ENACTED** by the Municipal Council of the Corporation of the Township of Ryerson as follows:

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

**Approved** means approved by Council

**Council** means the Council of the Township of Ryerson

**Deputy Chief** means the person appointed by Council to act on behalf of the Fire Chief of the Fire Department in case of an absence or a vacancy in the office of the Fire Chief

**Fire Chief** means the person appointed by Council to act as a Fire Chief for the Corporation and is ultimately responsible to the Fire Committee /Council as defined in the Fire Protection and Prevention Act

**Fire Department** means the Burk's Falls and District Fire Department

**Fire Protection Services** includes fire suppression, fire prevention, fire safety education, communication, training of persons involved in the provision of fire protection services, rescue and emergency services and the delivery of those services

**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/water access properties, private roadways, lanes, and drives

**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, and Radio dispatchers

**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. A Fire Department for the Township of Ryerson to be known as the Burk's Falls and District Fire Department is hereby established and the head of the Fire Department shall be known as the Fire Chief of the Department and shall be appointed by by-law.
3. The Fire Department "Mission Statement and Goals" are stated in **Appendix "C"**, forming part of this by-law.

## **STRUCTURE**

4. The Fire Department shall be structured in conformance with the approved Organizational Chart, **Appendix "A"**, forming part of this by-law.
5. In addition to the Fire Chief, the Council shall appoint a Deputy Chief and such number of other officers and members as may be deemed necessary by the Fire Committee in consultation with the Fire Chief.
6. The Fire Chief may appoint any qualified person as a member of the Fire Department.
7. Persons appointed as members of the Fire Department to provide fire protection services shall be on a probation period of 12 months, during which period they shall take such special training and examination as may be required by the Fire Chief including the Volunteer Firefighter course modules A & B at the Ontario Fire College or Equivalent.
8. If a probationary member appointed to provide fire protection services fails any such examinations or courses, the Fire Chief **may** recommend to the Fire Committee that he/she be dismissed.
9. The remuneration of the volunteer members shall be determined by the Fire Committee in consultation with the Fire Chief.
10. Working conditions and remuneration for all firefighters 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.
11. If a medical examiner finds a member is physically unfit to perform assigned duties and such condition is attributed to, and as a result of employment in the Fire Department, Council may assign them to another position or may retire him/her. Council may provide retirement allowances to members, subject to the Municipal Act.

## **DUTIES AND RESPONSIBILITY**

12. The Fire Chief is ultimately responsible to Council, through the Fire Committee for proper administration and operation of the Fire Department including the delivery of fire protection services.
13. The Fire Chief shall implement all approved policies and shall develop such operating procedures and guidelines, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all Fire Department Personnel and Fire Department equipment.
14. The Fire Chief shall review periodically all policies, orders, rules and operating procedures 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.

15. The Fire Chief shall submit to the Fire Committee and Tri Committee, the annual budget estimates for the Fire Department; an annual report and any other specific reports requested by the Fire Committee or Councils.
16. Each 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 Chief. Designated members shall report to the Fire Chief on Divisions and Activities under their supervision and shall carry out all orders of the Fire Chief.
17. Where the Fire Chief designates a member to act in the place of an officer in the Fire Department, such member, when so acting, has all the powers and shall perform all duties of the officer replaced.
18. The Fire Chief may reprimand, suspend or recommend dismissal of any member for infraction of any provisions of this by-law, policies, general orders and departmental rules that, in the opinion of the Fire Chief, would be detrimental to the discipline or the efficiency of the Fire Department.
19. Following the suspension of a member, the Fire Chief shall immediately report, in writing, the suspension and recommendation to the Fire Committee.
20. 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.
21. A volunteer firefighter shall not be dismissed without the opportunity for a review of termination, if he/she makes a written request for such a review within seven working days after receiving notification of the proposed dismissal. A person appointed by the Municipality, who is not employed in the Fire Department, shall conduct the interview.

## **POWERS**

22. 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, 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.
23. The Fire Department shall not respond to a call with respect to a fire or emergency outside the limits of the Townships 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 Township or property situated outside the Township that is owned or occupied by the Township.
  - b) in a Municipality/Township 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 service,

- 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/Township 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

- 24. The Fire Department shall provide such **approved** services as specified and listed in **Appendix “B”**.
- 25. Due to the Fire Department’s reliance upon volunteer firefighters, the topographic and geographic configuration of the Townships, the level and amount of equipment at the Fire Department’s 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 by-law.
- 26. The Townships of Armour, Ryerson and the Village of Burk’s Falls accepts no liability for the delay or inability to supply the services set out in **Appendix “B”** of this By-law due to the provisions of its **approved** services as **limited services** or due to the existence of unsafe conditions encountered en route, impeded access to property, and/or environmental factors/constraints.

An approved organizational chart forms part of this by-law as Appendix A

An approved list of supplied services forms part of this by-law as Appendix B

An approved mission statement and list of primary goals & objectives of the Fire Department forms part of this by-law as Appendix C

This by-law comes into effect the day it is passed by Councils, in the manner appropriate to the Townships of Armour, Ryerson and the Village of Burk’s Falls.

That by-law # 27-13 or any by-laws or parts thereof and all resolutions of Council which are inconsistent herewith are hereby repealed.

Read a First, Second and third time,  
and finally passed this 17 day of  
June, 2014

Original signed by Glenn Miller

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REEVE

Original signed by Judy Kosowan

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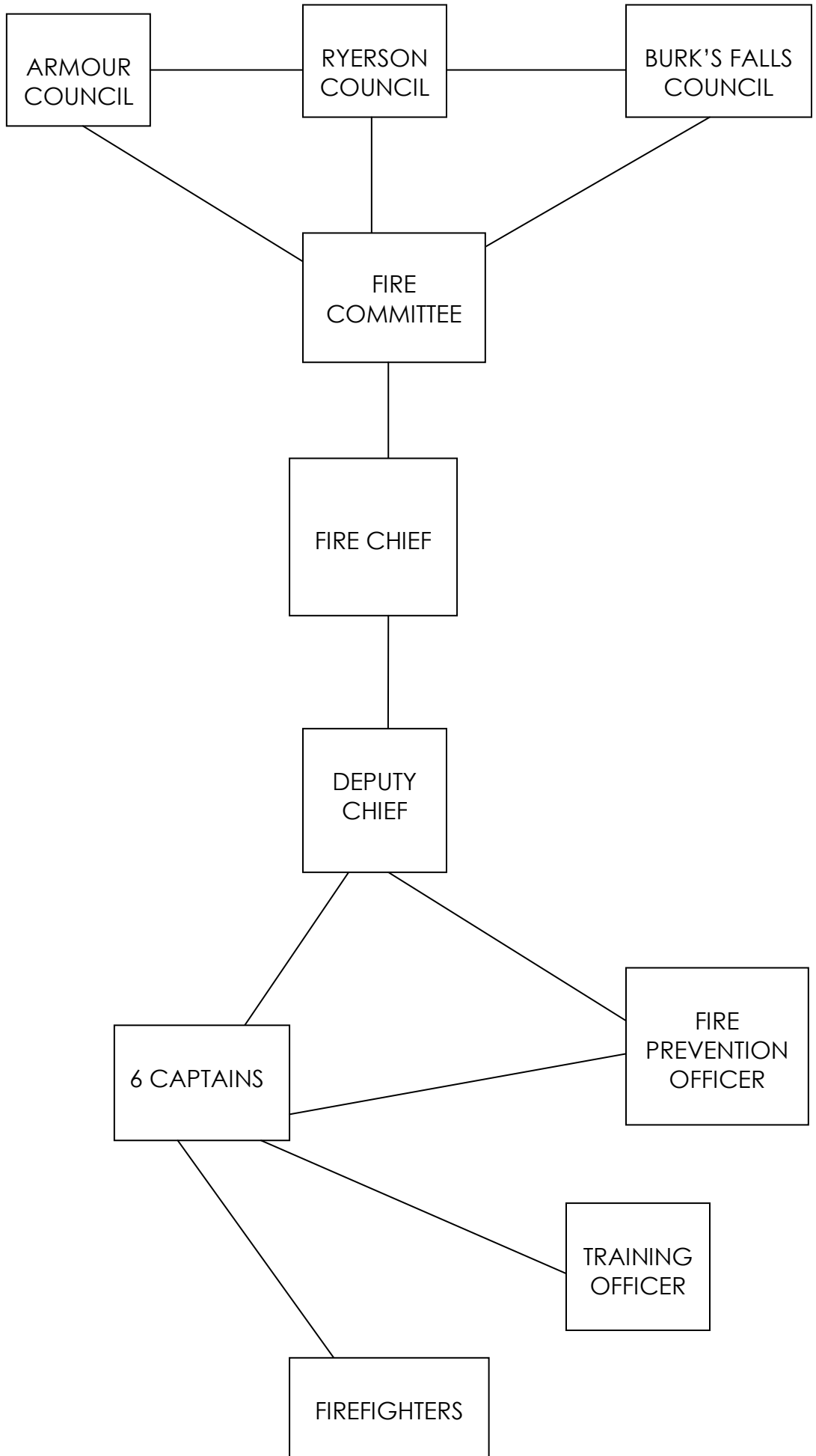
CLERK

**TOWNSHIP OF RYERSON**

**BY-LAW # 38 -14**

**APPENDIX "A"  
BURK'S FALLS & DISTRICT FIRE DEPARTMENT**

**ORGANIZATIONAL CHART**



**TOWNSHIP OF RYERSON**

**BY-LAW # 38 -14**

**APPENDIX "B"**

**BURK'S FALLS & DISTRICT FIRE DEPARTMENT**

**Core Services Provided (Response and Support)**

**A) Emergency Response**

1. Fire protection services including limited internal rescue & fire attack in accordance with the fire department's level of training, standard operating guidelines, Occupational Health and Safety Guidelines and the number and type of personnel and equipment available to the department and on each specific emergency response.
2. Emergency Response to water access properties including islands and to those properties accessed via private roads, private lanes or private driveways subject to the following limitations.
  - a) Emergency Response to water access properties will be limited to safe travel and environmental conditions. Response times during acceptable safe conditions may range from thirty to forty five minutes or longer. If in the opinion of the Fire Chief or designate unsafe environmental conditions exist NO services shall be provided. Fire Department apparatus shall not enter onto frozen bodies of water (i.e. Lakes, Rivers, Streams) at anytime with the exception of the snowmobile & sleigh .Discretion will be used by the Chief or designate in regards to the snowmobile & sleigh.
  - b) Emergency response to properties accessed via private roads, private lanes or private driveways may be limited by the condition of such road, lane or driveway including:
    - (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, lane or driveway to maintain such road, lane or driveway in a condition that is passable by fire department equipment, vehicles and apparatus.
3. Vehicle firefighting
4. Grass, brush firefighting
5. Basic medical assist with defibrillation
6. Hazardous Materials – awareness level
7. Vehicle accidents
8. Vehicle extrication
9. Transportation incidents involving vehicles, trains, aircraft and watercraft.
10. Ice water Rescue – shore based, water entry
11. Public assistance

12. Other agency assistance
13. Mutual aid
14. Automatic aid
15. Participation in EMO
16. Fire protection agreements
17. Joint service agreements
18. Review of Propane Facility “ risk and Safety Management Plans’ as set out in Ontario Regulation 440/08

**B) Fire Prevention and Public Education**

Fire Prevention and Public Education activities shall be provided in accordance with the approved fire department Fire Prevention/Public Education, Smoke Alarm and Carbon Monoxide Policies.

**TOWNSHIP OF RYERSON**

**BY-LAW # 38 -14**

**APPENDIX “C”  
BURK’S FALLS & DISTRICT FIRE DEPARTMENT**

**MISSION STATEMENT**

The Mission of the Burk’s Falls & District Fire Department is to take action to protect and/or rescue citizens and/or property from threats of health, the effects of natural or manmade disaster, 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 Burk’s Falls & District Fire Department**

The primary goal of the Burk’s Falls & District Fire Department is to provide fire protection and rescue services through a range of programs designed to protect the lives and property of the inhabitants from the adverse effects of fire, sudden medical emergencies, or exposures 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 through an authorized agreement (automatic aid).

**Primary Objectives of the Burk’s Falls & District Fire Department:**

In order to achieve the goals of the Burk’s Falls & District Fire Department, necessary funding must be in place and the following objectives met:

1. Identify and review the Fire Department’s requirements of the Municipalities/Townships.
2. Provide an administrative process consistent with the needs of the Department.
3. Ensure that firefighting equipment and operating personnel is available within the District 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 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.



8. 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.
9. Interact with other Municipal departments respecting the aspects of fire or any given programs.
10. Ensure these objectives are not in conflict with any other Municipal Department.