

The Corporation of the Township of Pelee

By-law Number 1640

Being a By-law to establish and/or continue a Fire Department

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 Sections 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 Pelee, as follows:

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

- a) *"Approved"* means approved by the municipal *council*,
- b) *"Corporation"* means the Corporation of the Township of Pelee,
- c) *"Council"* means the Council of the Township of Pelee,
- d) *"Department"* meant the Pelee Island Fire Department,
- e) *"Deputy Fire Chief"* means the person(s) appointed by the *council* of the municipality to act in the place of the *fire chief* in the *fire chief's* absence, or in the case of a vacancy in the position of *fire chief*, or as *second in command*,

- f) *"Fire chief"* means a *fire chief* appointed under subsection 6 (1), (2), or (4) of the Fire Protection and Prevention Act,
 - g) *"Fire Department"* means a group of volunteer firefighters authorized to provide *fire protection* services by a municipality, and/or group of municipalities, and/or by agreement under Section 3 of the Fire Protection and Prevention Act,
 - h) *"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 fire, sudden medical emergency or exposure to dangerous conditions created by man or nature and 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 all those services,
 - i) *"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*,
 - j) *"Member"* means any defined firefighter or employee of the department,
 - k) *"Volunteer firefighter"* means a *firefighter* who provides *fire protection* services either voluntarily or for a nominal consideration, honorarium, training or activity allowance
2. a) A *department* for the Township of Pelee to be known as the Pelee Island Volunteer Fire Department is hereby established and the head of the *fire department* shall be known as the *fire chief*,
- b) The goals statement of the *department* shall be those contained in Appendix "A" of this by-law,
- c) The *department* shall be organized as per Table 1 forming part of this by-law.

3. In addition to the *fire chief*, the *department* personnel shall consist of a *deputy fire chief* and such number of officers, and *members* as from time to time may be deemed necessary by the *council*.

4.
 - a) The *fire chief* may recommend to the *council* the appointment of any qualified person as a *member* of the *fire department* subject to the *approved* hiring policies of *corporation*,

 - b) A person appointed as a *member* of the *department* shall be on probation for a period of 12 months during which period the probationary *member* shall take such special training and examinations as may be required by the *fire chief*,

 - c) If a probationary *member* fails any such examination, the *fire chief* must recommend appropriate action to *council*.

5.
 - a) The *fire chief* may reprimand, suspend or recommend dismissal of any *member* for non-compliance with any of the provisions of this by-law or general orders and departmental rules, that in the opinion of the *fire chief*, would be detrimental to the discipline and efficiency of the *department*.

 - b) Following the suspension of any *member* the *fire chief* shall immediately report, in writing, the suspension and recommendations to *council*, and,

 - c) A *member* shall not be dismissed without being afforded the opportunity for a hearing before *council*, if the *member* makes a written request for such hearing within seven working days after receiving the proposed dismissal.

6. The remuneration of all *members* of the *department* shall be as determined by the *council*.

7. The *fire chief* is responsible to *council* for the proper administration and operation of the *department*. The *fire chief* is under the general direction of the *Clerk*, and:

- a) Shall have developed, and published such *council* approved policies, written operational guidelines, general orders and departmental rules as may be necessary for the care and protection of the *department*, *department* equipment and personnel, and for the efficient operation of the *department*, provided that such policies, orders and rules do not conflict with the provisions of any by-laws of the municipality,
- b) Shall review periodically the policies and procedures of the *department* and may establish an Advisory Committee consisting of such *members* of the *department* as may be determined from time to time to assist in these duties,
- c)
 - i) Shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property,
 - ii) Shall enforce all municipal by-laws respecting fire prevention,
 - iii) Shall adhere to the provisions of the Fire Protection and Prevention Act.
- d) Is responsible for the enforcement of this by-law and the general orders and departmental rules.

8. The *deputy fire chief* shall have the same authority and responsibilities as the *fire chief* and shall perform all the duties of the *fire chief* in the *fire chief's* absence.

9. The *fire chief* is responsible for ensuring that the following duties pertaining to the function of the Administration of the *department* are carried out:

- a) Prepare the departmental budget,
- b) Maintain personnel records in accordance with the policy of the *Corporation*,
- c) Provide liaison with the local *firefighters' association*, and
- d) Prepare the annual report of the *department*.

10. The *fire chief* is responsible for ensuring that the following duties pertaining to the function of Apparatus, Equipment and Communications are carried out:

- a) Prepare specifications for the purchase of apparatus and equipment,
- b) Maintain and keep in good repair all existing buildings, apparatus and equipment of the *department*, and
- c) Prepare the annual report and budget of Apparatus, Equipment and Communications to the *council*.

11. The *fire chief* is responsible for ensuring that the following duties pertaining to the function of the Fire Suppression are carried out:

- a) Prevent, control and extinguish fires,
- b) Conduct investigations of fire in order to determine cause and origin, and where required, to request appropriate agencies to assist with the investigation,
- c) Respond and assist at such emergencies as may be deemed necessary by the *fire chief*,

- d) Perform pre-emergency planning,
- e) Perform apparatus and equipment maintenance and cleaning duties, and
- f) Where the *fire chief* designates a *member* to act in the position of an *officer*, such *member* when so acting, has all the authority and responsibility of such officer and shall perform all the duties of the *officer* replaced.

12. The *fire chief* is responsible for ensuring that the following duties pertaining to the function of Fire Prevention are carried out:

- a) Develop approved fire prevention and public safety education policies,
- b) Ensure compliance with the Fire Protection and Prevention Act,
- c) Maintain fire loss records, and
- d) Prepare the annual report and budget of Fire Prevention to be submitted to the *council*.

13. The *fire chief* is responsible for ensuring that the following duties pertaining to the function of Training are carried out:

- a) Establish a fire *department* training program, and conduct training for all *members* in accordance with the *approved* training program,
- b) Administer training programs,
- c) Prepare and conduct examinations of *members* as required, and

- d) Prepare an annual report and budget of Training to be submitted to council.

14. The *department* shall not respond to a call with respect to a fire or other emergency outside the *approved* response areas of the municipality except with respect to a fire or emergency that in the opinion of the *fire chief*, or designate, threatens property in the municipality.

AN APPROVED GOALS STATEMENT OF THE FIRE DEPARTMENT FORMS PART of THIS BY-LAW AS APPENDIX A

AN APPROVED ORGANIZATIONAL CHART FORMS PART of THIS BY-LAW AS APPENDIX B

15. This by-law comes into effect the day it is passed by council.


Passed this 1st day of May, 2006

Clerk's Certificate

I, Heather Marchand, Clerk-Treasurer of the Township of Pelee, DO HEREBY CERTIFY the foregoing to be a true and complete copy of the By-law No. 1640 of the Township of Pelee in the Province of Ontario, duly passed at a meeting of the Council of the Corporation of the Township of Pelee, on the 1st day of May, 2006 and that this By-law is in full force and effect on passing.

CERTIFIED THIS th day of , 2006

Heather Marchand, AMCT, AMTC
Clerk-Treasurer



Mayor



Clerk

Primary Goals of the Township of Pelee Volunteer 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 adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature.

In order to achieve the goal of the fire department, necessary funding must be in place and the following objectives met:

1. Identify and review the fire services requirements of the municipality,
2. Provide an administrative process consistent with the needs of the department,
3. Ensure that fire suppression apparatus, equipment and personnel are available within the municipality to provide adequate response to 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 techniques of fire prevention, fire suppression and control of emergency situations, and to co-operate with other departments of the corporation with respect to management training and other programs,
5. Provide a maintenance program to ensure fire protection apparatus, including allied equipment, is ready to respond to emergency calls.

6. Provide an effective fire prevention program to:
 - a) Ensure, through plan examination and inspection, compliance with applicable by-laws, legislation, statutes, codes and regulations,
 - b) Reduce and/or eliminate fire hazards.
7. Develop and maintain an effective public education system and educational program, with particular emphasis on children and seniors fire safety programs; and commercial, industrial and institutional staff training.
8. Ensure in the event of a major incident 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 departments of the corporation respecting the aspects of fire on any given program.
11. Ensure these objectives are not in conflict with any other department of the corporation.

ORGANIZATIONAL CHART

