

Protection

Chapter 0792 Fire Department - Regulations

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Article 1 - Short Title

792.1.1 Citation

The short title of this Chapter is the "Fire Department Establishing, Continuing and Regulating By-law."

Article 2 - Interpretation

792.2.1 Approved – defined

"Approved" means approved by the council.

792.2.2 Automatic aid – defined

"Automatic aid" means a formal agreement for a fee or other consideration under which a municipality agrees to provide an automatic initial or supplemental response to fires, rescues and emergencies that may occur in part of another municipality where a fire department in the municipality is capable of responding more quickly in the other municipality; or a formal agreement for a fee or other consideration under which equipment and personnel, which are neither practical nor reasonable for municipalities to provide for themselves due to financial demands inherent with their provision, may be made available to municipalities.

792.2.3 Chief Administrative Officer – defined

"Chief Administrative Officer" means the person appointed by council to act as Chief Administrative Officer for the corporation.

792.2.4 Corporation – defined

"Corporation" means the Corporation of the City of Woodstock.

792.2.5 Council – defined

"Council" means the council of the City of Woodstock.

792.2.6 Department – defined

"Department" means the City of Woodstock Fire Department.

792.2.7 Deputy Fire Chief – defined

"Deputy Fire Chief" means the person appointed by council to act on behalf of the Fire Chief of the department in the case of an absence or a vacancy in the office of Fire Chief.

792.2.8 Fire Chief – defined

"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 FPPA.

792.2.9 Fire Coordinator – defined

“Fire Coordinator” means the person appointed by the Fire Marshal of Ontario, under the authority of the FPPA.

792.2.10 FPPA – defined

“FFPPA” means the Fire Protection and Prevention Act, 1997, S.O. 1997, Chapter 4 as amended, revised and enacted and/or consolidated from time to time and any successor statute thereto.

792.2.11 Fire protection services – defined

“Fire protection services” means and includes the activities defined in the FPPA, generally described as fire suppression, fire prevention, fire safety education, communications, training of persons involved in the provision of fire protection services, rescue and emergency services and the delivery of all those services.

792.2.12 Fire protection services agreement – defined

“Fire protection services agreement” means the provision of approved services to another municipality for a fee or other consideration, or the purchase of fire protection services for non-approved services from another municipality or service provider for a fee or other consideration in the form of a formal contract between the corporation and other municipality, agency, individual, or a company that clearly defines the responsibilities, terms, conditions and all other aspects of fire protection services purchased, provided and/or required.

792.2.13 Limited services – defined

“Limited services” means a variation of approved fire protection services significantly different from the norm as a result of extenuating circumstances, such as fire safety impacts of minor variances, obstructions, limited or reduced access to private roadways, lanes and drives, number of department personnel, level of training, types of equipment, water supply, environmental factors and structural integrity.

792.2.14 Member – defined

“Member” means any persons employed in, or appointed to, a fire department and assigned to undertake fire protection services.

792.2.15 Mutual aid – defined

“Mutual aid” means a reciprocal, no-fee program in which participating fire departments that serve a designated area formally agree to assist each other upon a request for help or cover in the case of a major emergency which requires resources exceeding its day-to-day operations.

792.2.16 Officer – defined

“Officer” means any firefighter with the rank of Lieutenant or higher.

Article 3 – Establishment

792.3.1 Established – continued – Chief

A fire department for the City of Woodstock to be known as the City of Woodstock Fire Department is hereby established and continued and the head of the department shall be known as the Fire Chief.

792.3.2 By-law – legislation – agreement

The provisions of this by-law are subject to the FPPA and all other applicable legislation and by-laws and to the provisions of any agreement between the corporation and association.

Article 4 – Composition

792.4.1 Department – composition – personnel

In addition to the Fire Chief, the department shall consist of a Deputy Fire Chief, Training Officer, Fire Prevention Officer, Inspectors, Public Information Coordinator, Captains, Lieutenants, Firefighters and administrative support staff and any other personnel position that may be established from time to time.

Article 5 – Approved fire protection services

792.5.1 Approved – protection services – listed

The approved fire protection services of the department shall be those contained in Schedule "A".

792.5.2 By-law – restrictions – protection services

Nothing in this by-law will restrict the department to providing only approved fire protection services or limit the provision of fire protection services.

Article 6 – Limited services

792.6.1 Services – limited – department

Limited services may be provided by the department.

Article 7 – Fire Chief – Responsibilities - Authority

792.7.1 Fire Chief – legislative duties

The Fire Chief shall exercise all powers and duties mandated by the FPPA and any applicable legislation.

792.7.2 Fire Chief – reporting structure

The Fire Chief is ultimately responsible to council, reporting through the Chief Administrative Officer for proper administration and operation of the department including the provision of fire protection services.

792.7.3 Fire department – annual budget

The Fire Chief shall submit to the Chief Administrative Officer and council for approval, the annual budget estimates for the department.

792.7.4 Annual report – other – upon request

The Fire Chief shall submit to the Chief Administrative Officer and council an annual report and any other specific reports requested by the Chief Administrative Officer or council.

792.7.5 Appointment – personnel

The Fire Chief shall authorize the appointment of any qualified person as a member of the department, as approved and subject to the approved hiring policies of the corporation.

792.7.6 Departmental policies – procedures – regulations

The Fire Chief shall implement policies and shall develop and implement such safe operating procedures, general orders, departmental rules and regulations and take such other measures as may be considered necessary for the proper administration and effective and efficient operation of the department, without restricting the generality of the following:

- a. For the health and safety of all department personnel;
- b. For the care and protection of all department equipment, vehicles and facilities;
- c. For arranging the provision and allotment of strategic staffing and proper facilities, apparatus, equipment, materials, services and supplies for the department;
- d. For arranging and implementation of automatic aid, mutual aid and other negotiated fire protection and emergency service agreements within the borders of the corporation and/or within the municipal borders of adjoining municipalities;
- e. For determining and establishing the qualifications and criteria for employment or appointment and the duties of all members and administrative support staff for the department;
- f. For the conduct and discipline of members and administrative support staff of the department;
- g. For researching, recommending and upon approval, implementing and maintaining approved fire protection services;
- h. For assistance, as a contributing participant of the Community Emergency Management Planning Committee, in the preparation,

implementation and maintenance of any emergency plans, organizations, services or measures established or to be established by the corporation;

- i. For reporting to the appropriate crown attorney, other prosecutor, Office of the Fire Marshal investigator, law enforcement officer or other officer the facts upon the evidence in any case in which there is reason to believe that a fire has been the result of criminal intent or negligence or in which there is reason to believe an offence has been committed under the FPPA;
- j. For keeping an accurate record, in convenient form for reference, of all fires, rescues and emergencies responded to by the department and reporting of same to the Office of the Fire Marshal;
- k. For keeping such other records as may be required by council, the corporation and the FPPA;
- l. For preparing and presenting the annual estimates of the department to council and for exercising control over the budget as approved for the department;
- m. Provide general orders, policies, procedures, rules and regulation and other measures do not conflict with the provisions of this by-law or any other by-law of the corporation, including, without limitation, those requiring the prior approval of or notice to council or the satisfaction of certain conditions, general or otherwise, specified by council before such measures can be implemented, or with the provision of the FPPA or with the provision of any collective agreement or other written agreement that may be applicable.

792.7.7 By-laws – administration – enforcement

The Fire Chief shall be responsible for the administration and enforcement of this by-law and for the enforcement of any other by-laws of the corporation respecting fire protection services, and shall review periodically such by-laws, including this by-law, and recommend to council such amendments as the Fire Chief considers appropriate.

792.7.8 Department - administration – enforcement

The Fire Chief shall be responsible for the administration and enforcement of all general orders, policies, procedures, rules and regulations of the department made under this by-law and revise or terminate any of them as the Fire Chief considers appropriate.

792.7.9 Fire Chief – powers – rights – duties

The Fire Chief shall have all powers, rights and duties assigned to a Fire Chief under the FPPA including, without limitation, the authority to enforced compliance the Fire Code and to delegate his or her powers or duties in accordance with Section 6.(6) of the Act to any firefighter or class of

firefighters. Further, the Fire Chief shall be afforded the ability to take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall be able to enforce all municipal by-laws respecting fire prevention.

792.7.10 Coordination – liaison – operations

The Fire Chief may liaise with the Office of the Fire Marshal of Ontario and any other office or organization (local, regional, provincial or federal) as required by council or as considered necessary or advisable by the Fire Chief for the proper administration and efficient operation of the department and the effective management of fire protection services for the corporation.

792.7.11 Service agreements – mutual aid – automatic aid

The Fire Chief is authorized to develop and maintain mutual aid, automatic aid and fire protection service agreements or response plans with other emergency agencies and further, is authorized by council to perform the duties of regional Fire Coordinator, as required.

792.7.12 Departmental divisions – reporting structure

Each division of the 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 divisions and activities under their supervision and shall carry out all orders of the Fire Chief.

792.7.13 Members – administrative support staff – duties

The Fire Chief may utilize such members and administrative support staff of the department as the Fire Chief may determine, from time to time, to assist in the performance of his duties and/or perform the role as required of a designate.

792.7.14 Measures – prevention – control – powers

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 FPPA and the Fire Chief shall be empowered to authorize:

- a. pulling down or demolishing any building or structure to prevent the spread of fire or protect the safety of the public or member;
- b. performing all necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident and to generally make "safe" an incident or real or personal property when unable to contact the property owner;
- c. retaining 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 real

or personal property, prevent a fire from spreading, control and eliminate an emergency, assist in or otherwise conduct fire cause investigation or determination, or otherwise carry out the duties and functions of the department; and

- d. recovery of expenses incurred by such necessary actions for the corporation in the manner provided through the Municipal Act, 2001 and FPPA, as amended.

792.7.15 Response – outside limits – exceptions

The 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 and mutual 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 Coordinator 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 municipality's fire service is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate; or
- f. response due to a request for special assistance as required through a declaration of a provincial or federal emergency and such request has been approved.

Article 8 – Recovery of Costs – Additional Expenses

In addition to the recovery of costs provision in Part VIII of the FPPA:

792.8.1 Fees – recovery

The Fire Chief may require the owner of the property or the person having control of the property within or outside the corporation to pay costs or fees for false fire alarms or other administrative services provided to them.

Invoicing for costs or fees recovery will be conducted in accordance with the corporation's By-laws as amended from time to time.

792.8.2 Fire – emergency – additional expenses

If as a result of a department response to a fire or emergency incident, the Fire Chief or designate 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 damage to equipment owned by or contracted to the corporation, assist in or otherwise conduct fire cause investigation or determination or otherwise carry out the duties and functions of the department and/or to generally make "safe" an incident or personal or real property, the owner of the property or the person having control of the property within or outside the corporation requiring or causing the need for additional service or expense shall be charged the full costs to provide the additional service including all applicable taxes in accordance with the corporation's By-law.

Article 9 - Repeal

792.9.1 By-laws – previous

By-laws 4387-69, 4740-72, 6736-90 and 6934-92 are hereby repealed. By-law 8902-14, February 20, 2014.

Schedule "A"

Approved Fire Protection Services

A) Fire Prevention and Public Education

1. Prepare and issue media releases and public safety announcements;
2. Maintenance and content provision of department website and social media outlets;
3. Distribution of fire and life safety materials at public events and displays;
4. Provide general fire and life safety awareness which promote a safe community on such topics as:
 - a. smoke alarms,
 - b. home escape planning,
 - c. cooking,
 - d. smoking,
 - e. candles,
 - f. alcohol,
 - g. heating safety, and
 - h. carbon monoxide detectors;
5. Provide targeted fire and life safety education programs to specific audiences such as students, seniors, high rise tenants and vulnerable occupants;
6. Deliver fire extinguisher training for the general public and businesses;
7. Provide arson prevention programs for children;
8. Utilize risk assessment information to develop and assess fire prevention and education programs;
9. Participation in Oxford County Injury Prevention Team (OCIPT) and Parachute (formerly Safe Communities);
10. Provide Fire Prevention Week and Emergency Management Week educational displays and activities.

B) Inspection, Investigation and Enforcement

1. Perform fire and life safety inspections, including inspections upon complaint or request and as required by the FPPA;
2. Manage in-service fire safety inspection and home smoke alarm programs;
3. Enforce contraventions of the Ontario Fire Code through citations, laying of information and/or written orders as per the FPPA;
4. Liaise as requested by the building department for life safety systems, suppression systems, fire routes, water supply and fire department connections for new construction and renovations;

5. Conduct fire investigations to determine area of origin and cause of fires;
6. Notify the Office of the Fire Marshal of any event meeting the criteria of the Fire Marshal's Directive;
7. Provide assistance to Office of the Fire Marshal investigators and local law enforcement, for fire investigations and fire safety inspections, as requested;
8. Utilize fire investigation findings to develop and assess fire inspection strategies and education programs;
9. Perform role of Chief Fire Official as designated by the Fire Chief;
10. Conduct Fire Safety Plan examinations, approvals, monitoring and revocations for required occupancies;
11. Conduct Risk and Safety Management Plans examinations, approvals, monitoring and revocations for propane distribution, storage and handling;
12. Issuance and revocation of open air burn permits.
13. Determine the municipality's hazard risk profile through an Integrated Risk Management Plan (IRMP).

C) Emergency Response

The following definitions are provided for clarification:

Technician level – evaluate existing and potential conditions, protect persons, property or the environment, control and mitigate the emergency using specialized training, resources and equipment as provided.

Operations level – identify and assess existing and potential conditions, recognize unique hazards, conduct limited operations to minimize negative impact on persons, property or the environment using additional equipment and techniques. Additional specialized training, resources and equipment may be required to completely mitigate the emergency.

Awareness level – recognize the presence of hazards, identify needed resources, protect responders, notify trained personnel, isolate the area. Additional specialized training, resources and equipment will be required to completely mitigate the emergency.

1. Structure fires:

- a. Offensive interior search and rescue with fire containment operations to affect rescue of trapped persons when staffing, fire conditions and building integrity permit entry;
 - b. Offensive interior fire control and extinguishment operations to prevent further dollar loss when staffing, fire conditions and building integrity permit entry;
 - c. Defensive exterior fire suppression operations to reduce loss to surrounding area when there is insufficient staffing, severe fire conditions and/or structural instability which prohibits entry;
2. Explosions and deflagrations involving over-pressurizations, chemicals and flammable gases;
 3. General alarm conditions and specific fire alarm, water flow alarm, smoke alarm and carbon monoxide detector activations;
 4. Complaints of open air burning;
 5. Uncontrolled burning of grass, brush, agricultural materials and refuse containers;
 6. Vehicle firefighting on city roads, highways, laneways, parking lots, garages and other private or public properties;
 7. Isolation and/or mitigation of public hazards such as, but not limited to downed electrical wires, flooding, evacuations, unknown and noxious odors;
 8. Elevator rescue of occupants in medical distress based on level of rescue training and type of rescue equipment available;
 9. Advanced medical assist with defibrillation (as approved in the Tiered Response Agreement with Southwestern Public Health and Emergency Services);
 10. Administration of Naloxone (as outlined in the Letter of Agreement with Southwestern Public Health – Woodstock and approved medical direction)
 11. Motor vehicle collision scene stabilization, hazard mitigation of compressed bumper systems, airbags, charged electrical systems, compressed cylinders, fuel leaks, traffic control and environmental protection from fluid spills;
 12. Patient extrication using hydraulics, battery and electric-powered equipment, air bags, cribbing, struts and various hand tools to gain access to and extricate entrapped or entangled persons from industrial machinery, agricultural equipment and vehicles such as automobiles, trucks, buses, aircraft, passenger trains and watercraft;
 13. Transportation incidents involving trains, aircraft and watercraft requiring scene stabilization, hazard mitigation or environmental protection;
 14. Water and ice rescue technician level response, but not swift water rescue;

15. Transportation of dangerous goods, pipeline or fixed site hazardous materials awareness level response;
16. High angle rescue awareness level response;
17. Confined space rescue awareness level response;
18. Trench rescue awareness level response;
19. Structural collapse awareness level response;
20. Defensive watercraft firefighting;
21. Mutual aid, automatic aid, fire protection agreements and shared service agreements;
22. Participation in community emergency planning, training, exercises and response;
23. Assistance to police, other agency, or utility.

D) Training

1. Develop, coordinate, manage, implement and evaluate training programs consistent with NFPA Standards for approved fire protection services.
2. Ensure training is in compliance with the Occupational Health and Safety Act and other applicable provincial and federal legislation and regulations.
3. Emergency response as Incident Safety Officer and/or Accountability Officer.
4. Maintain currency with industry standards and emerging trends.
5. Evaluate, recommend and implement new equipment and/or procedures.
6. Identify, evaluate and recommend solutions to deficiencies in fire protection services.
7. Ensure accurate completion of training documents and secure retention for inspection by the Ministry of Labour and/or audit by the Office of the Fire Marshal.
8. Liaise with private and public stakeholders, including other governmental, public safety agencies and other organizations.