

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 3256-2013

BEING A BY-LAW TO ESTABLISH, MAINTAIN AND OPERATE A FIRE DEPARTMENT

WHEREAS the Municipal Act, R.S.O. 1990 c., as amended, and Fire Protection and Prevention Act, 1997, S.O. 1997, provides that the Council of a Municipal Corporation may establish, maintain and operate a Fire Department; and

WHEREAS By-law No. 10 passed on December 9, 1997 established a Fire Department for the Corporation of County of Prince Edward; and

WHEREAS there is a need to update the functions of the Fire Departments;

NOW THEREFORE the Council of the Corporation of the County of Prince Edward enacts as follows:

1. In this By-law, unless the context otherwise requires:
 - (a) "**Approved**" means approved by Council;
 - (b) "**Company**" means a complement of personnel operating one or more pieces of apparatus or equipment;
 - (c) "**Collective Agreement**" means;
 - (i) an agreement between the Corporation and the Firefighters Association made under the provisions of the Fire Prevention and Protection Act, and/or;
 - (ii) any other such agreement between members of the Fire Department and the Corporation.
 - (d) "**Corporation**" means the Corporation of the County of Prince Edward;
 - (e) "**Council**" means the Council of the Corporation;
 - (f) "**Deputy Fire Chief**" means the one person appointed by By-law and has the same authority and responsibility as the Fire Chief and shall perform all the duties of the Fire Chief in the Fire Chief's absence;
 - (g) "**Division**" means a geographical area of the municipality;
 - (h) "**Division Commander**" means an individual that manages firefighters, in a geographical area of the municipality versus a functional assignment of the Fire Department;

- (i) "**Fire Chief**" is the person who is ultimately responsible to the Council of a municipality that appointed him or her for the delivery of fire protection services;
 - (j) "**Fire Department**" means the Prince Edward County Fire Department;
 - (k) "**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 all these services;
 - (l) "**Firefighter**" means a person employed in, or appointed to, the Fire Department and assigned to undertake fire protection services, and includes a volunteer firefighter;
 - (m) "**Firefighters Association**" means the Prince Edward County Professional Firefighters Association, an organization representing the full-time firefighters;
 - (n) "**Full-time Firefighter(s)**" means a person regularly employed on a salaried basis and assigned to fire protection services including the firefighter/mechanic but does not include volunteer firefighters and whereas Part IX of the *Fire Protection and Prevention Act* would apply;
 - (o) "**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 roadways lanes, and drives,
 - (p) "**Member(s)**" means any employee of the Fire Department, including the Fire Chief, Deputy Chief, Division Commander, Full-time Firefighter(s) and Volunteer Firefighter; and
 - (q) "**Volunteer Firefighter**" means a person who voluntarily acts as a firefighter for a consideration or honorarium.
2. The Prince Edward County Fire Department is hereby continued under the direction of the Fire Chief. The mission statement, goals and objectives are included as Schedule "C", forming part of this By-law.
 3. In addition to the Fire Chief, the Fire 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, and/or as provided for in a collective agreement. (See Schedule "A")
 4. The Fire Chief is responsible for staffing the department and as such may recommend to the Council, subject to the approved hiring policies of the Corporation, the appointment of any qualified person as a member of the Fire Department:

- (a) a person appointed as a member of the Fire Department shall be on probation for a period of one year, during which period the probationary member shall take such special training and examinations as may be required by the Fire Chief; and
 - (b) if a probationary member fails any such examinations or requirements, the Fire Chief must recommend appropriate action to the Commissioner of Corporate Services & Finance and the Chief Administrative Manager.
 - (c) 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 Fire Department;
 - (d) the remuneration of all Full-Time Firefighters shall be determined by the collective agreement between the Corporation and the Firefighters Association;
 - (e) the remuneration of all members of the Fire Department, except Full-Time Firefighters included under (a) above, shall be as determined by Council; 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 to such officer and shall perform all the duties of the officer replaced.
5. The Fire Department shall be organized into the following functions:
- (a) fire prevention and public safety;
 - (b) fire suppression;
 - (c) training;
 - (d) communications; and
 - (e) administrative services.
6. With respect to the Fire Suppression:
- (a) the Fire Chief, with prior approval of the Commissioner of Corporate Services and Finance, may re-organize, establish or eliminate Divisions as may be required to ensure the proper administration and efficient operation of the Fire Department and the effective delivery of Fire Protection Services for the Corporation, as noted in Schedule "A"; and
 - (b) the Fire Chief may assign or re-assign any members to a Division to assist in the effective operating and administration of the Division.

7. The Fire Chief is responsible to Council for the proper operation and administration of the Fire Department. The Fire Chief is under the general direction of the Commissioner of Corporate Services and Finance and:
 - (a) shall have developed, and published such written operational guidelines and departmental rules as may be necessary for the care and protection of the Fire Department, equipment and personnel, and for the efficient operation of the Fire Department, provided that rules and regulations do not conflict with the provisions of any by-laws of the Corporation, or the collective agreement between the Firefighters Association and the Corporation;
 - (b) shall review periodically the policies and procedures of the Fire Department and may establish an Advisory Committee consisting of such Members of the Fire Department as may be determined from time to time to assist in these duties;
 - (c) the Fire Chief or designate shall:
 - (i) take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property;
 - (ii) enforce all Corporation by-laws respecting fire prevention;
 - (iii) adhere to the provisions of the *Fire Protection & Prevention Act*;
 - (iv) have Members of the Fire Department:
 - a. pull down or demolish any building or structure to prevent the spread of fire;
 - b. when unable to contact the property owner, to take such necessary action (under (i) above) which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident;
 - c. shall recover expenses incurred by such necessary action in a manner provided by the Fire Protection and Prevention Act; and
 - d. shall be responsible for the enforcement of this By-law and departmental rules.
8. The Fire Chief is responsible for ensuring that the following duties pertaining to the function of Administration are carried out:
 - (a) providing administration facilities for the Fire Department;
 - (b) preparing the annual departmental operating and capital budget for all functions supporting the core services outlined in Schedule "B";


- (c) exercising control of the operating and capital budget;
 - (d) preparing the payroll of the Fire Department and initiate requisitions for materials and services and certify all accounts of the Fire Department;
 - (e) maintaining personnel records in accordance with the policy of the Corporation;
 - (f) arranging for the provision of Fire Department medicals;
 - (g) arranging for the provision of new buildings, as approved;
 - (h) providing liaison with the local Firefighters Association;
 - (i) carrying out the general administrative duties of the Fire Department;
 - (j) providing liaison with the Hastings and Prince Edward Counties Fire Coordinator; and
 - (k) assisting the Hastings and Prince Edward Counties Fire Coordinator in preparation of a Mutual Aid Plan and Program.
9. The Fire Chief is responsible for ensuring that the following duties pertaining to the function of Apparatus, Equipment and Communications are carried out:
- (a) preparing specifications for the purchase of apparatus and equipment; and
 - (b) maintaining and keeping in repair all existing buildings, apparatus and equipment of the Fire Department.
10. The Fire Chief is responsible for ensuring that the following duties pertaining to the function of Fire Suppression are carried out:
- (a) preventing, controlling and extinguishing fires;
 - (b) conducting investigations of fire in order to determine cause, origin and where required, to request appropriate agencies to assist with the investigation;
 - (c) responding and assisting at such emergencies as may be deemed necessary by the Fire Chief;
 - (d) performing pre-emergency planning; and
 - (e) performing apparatus maintenance and cleaning duties.
11. The Fire Chief is responsible for ensuring that the following duties pertaining to the function of Fire Prevention are carried out:

- (a) maintaining fire loss records; and
 - (b) carrying out the duties and activities outlined in the fire prevention, fire safety and public education policies.
12. The Fire Chief is responsible for ensuring that the following duties pertaining to the function of Training are carried out:
- (a) establishing a Fire Department training program and conduct training for all members in accordance with the approved training program;
 - (b) administrating training programs; and
 - (c) preparing and conducting examinations of members as required.
13. The Fire Chief shall develop an approved Fire Department promotional policy based on such evaluations, written, practical and oral examinations as deemed necessary.
14. The Fire Department shall provide such approved core services as specified and listed in "Schedule B" with the following caveats:
- (a) due to the Fire Department's reliance upon volunteer firefighters, the topographic and geographic configuration of the County, the level and amount of equipment at the Fire Department's disposal, and other budgetary constraints, the services listed in "Schedule B", although approved, may be provided as "limited services" as defined in Section 1 of this By-law; and
 - (b) The Corporation accepts no liability for the delay or inability to supply the services set out in "Schedule B" of this By-law due to the provision 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.
15. The Fire 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:
- (a) that in the opinion of the Fire Chief, or designate, threatens property in the municipality or property situated outside the municipality that is owned or occupied by the municipality;
 - (b) in another municipality with which an agreement has been entered into to provide fire protection;
 - (c) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefore;
 - (d) at the discretion of the Fire Chief, to a municipality authorized to participate in the Hastings and Prince Edward Counties Mutual Fire Aid

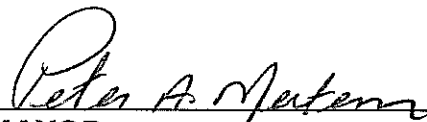
Plan and Program or any other organized plan or program on a reciprocal basis; and

- (e) on property beyond the Corporation boundary where the Fire Chief, or designate, determines that immediate action is necessary to preserve and protect life and/or property and the correct Fire Department is notified and/or assumes command. The Fire Chief shall subsequently inform the Head of Council of such response.
- 16. For purposes of determining the origin, cause or circumstances of an fire or explosion, if it is deemed necessary to retain a private contractor, rent/lease heavy and or specialized equipment, specialized services, and associated persons then those costs may be billed to the property owner and collected by the municipality by means as determined in this By-law.
- 17. The following schedules shall form part of this By-law:
 - Schedule "A" – Fire Department Organization Chart
 - Schedule "B" – Fire Department Core Services
 - Schedule "C" – Fire Department Mission Statement and List of Primary Goals and Objectives
- 18. The provisions of this By-law shall come into force and effect on the 28th day of final passing thereof.
- 19. By-law No. 1641-2005 be and is hereby repealed.

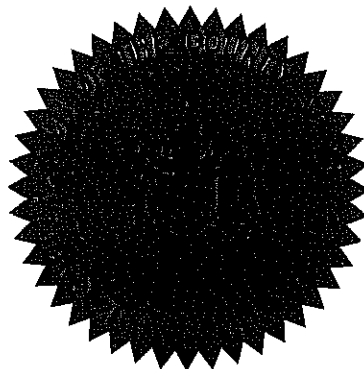
Read a first, second, and third time and finally passed this 28th day of May, 2013.



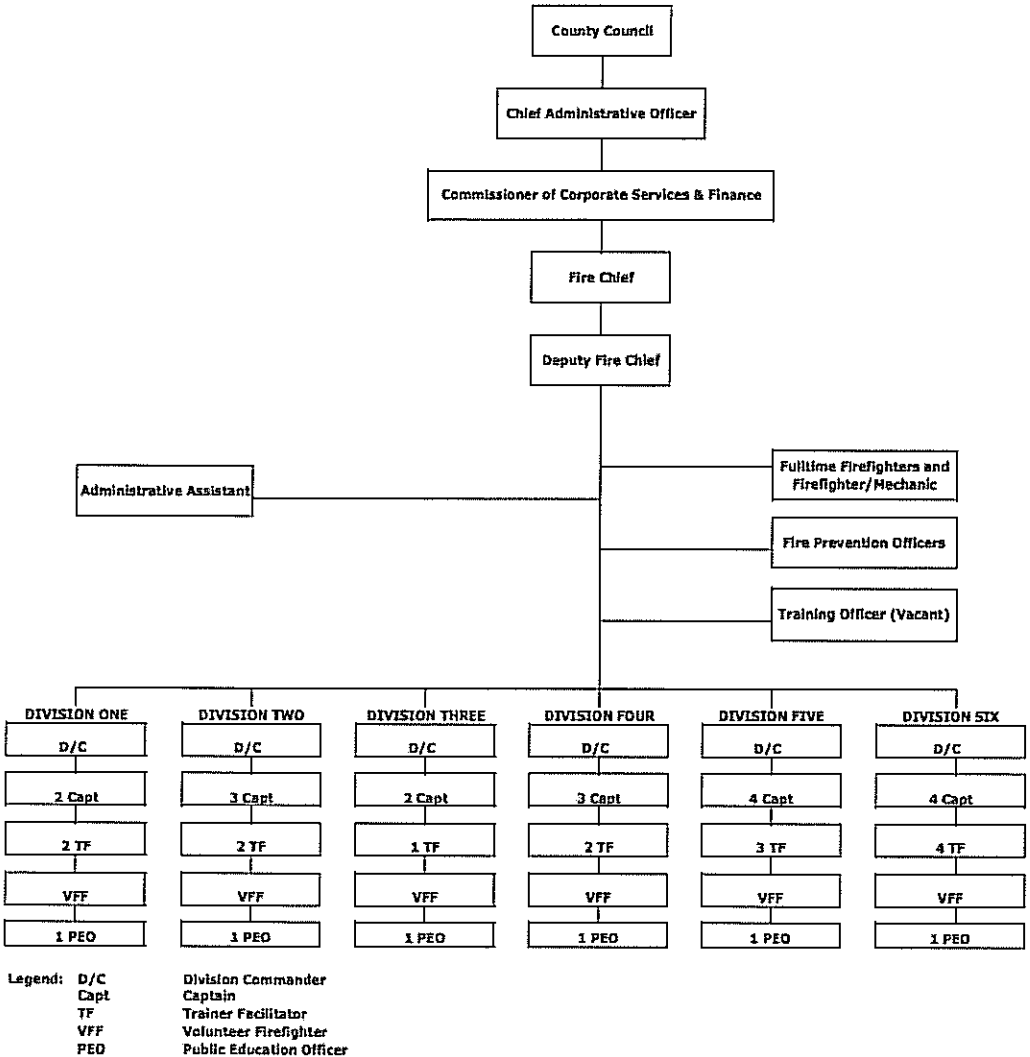
CLERK
Victoria Leskie



MAYOR
Peter Mertens



Schedule "A" to By-law 3256 - 2013 Fire Department Organization Chart



Schedule "B" to By-law 3256 - 2013

Fire Department Core Services

Emergency Response

1. Structural firefighting including limited internal rescue and fire attack is carried out 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 Fire Department on each specific emergency response.
2. Emergency responses 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.

If in the opinion of the Fire Chief or his/her designate unsafe environmental conditions exists no services shall be provided. Fire Department vehicles shall not enter onto frozen bodies of water (example: lakes rivers, streams) at any time.

- (b) Emergency response to properties accessed via private roads, private lanes or private driveways (refer to By-Law No. 3121-2012) may be limited by the condition of such road, land 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, land 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. Marine firefighting (shore-based only).
6. Medical First Response (refer to By-Law No. 2505-2009).
7. Awareness level hazardous materials.
8. Vehicle accidents.
9. Vehicle extrication.
10. Transportation incidents involving vehicles, aircraft and watercraft.

Schedule "B" to By-law 3256 - 2013

Fire Department Core Services

11. Water and ice rescue.
12. Public assistance.
13. Other agencies assistance.
14. Mutual aid per Hastings & Prince Edward Mutual Aid Association.
15. Automatic aid - Quinte West.
16. Participation in community emergency plan.

Fire Prevention and Public Education

Fire Prevention and Public Educations activities shall be provided in accordance with the approved Fire Department Fire Prevention/Public Education and Smoke Alarm Policies.

Schedule "C" to By-law 3256 - 2013

Fire Department Mission Statement and Primary Goals

MISSION STATEMENT

The primary mission of the Prince Edward County Fire Department is to provide a range of programs to protect the lives and property of the inhabitants of Prince Edward County from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature.

PRIMARY GOALS OF THE FIRE DEPARTMENT

The primary goal of the 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 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 Department of Fire and Emergency Services via authorized agreement.

PRIMARY OBJECTIVES OF THE FIRE DEPARTMENT:

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 Department of the Municipality.
2. Provide an administrative process consistent with the needs of the Fire 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 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; and
 - (c) Ensure compliance with applicable Municipal, Provincial and Federal fire prevention legislation, statutes, codes and regulations in respect to Fire safety.

Schedule "C" to By-law 3256 - 2013

Fire Department Mission Statement and Primary Goals

7. Develop and maintain an effective public information system and educational program.
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.