

THE CORPORATION OF THE TOWNSHIP OF LAKE OF THE WOODS

By-Law No. 261

Being a By-Law to establish the West Rainy River District Fire Service.

Whereas the Municipal Act, R.S.O. 1990 c., as amended, and the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 as amended, permits the Council to enact a by-law to establish and regulate a fire department.

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Township of Lake of the Woods as follows:

1. In this by-law, unless the context otherwise requires,
  - a) **approved** means approved as recommended by the West Rainy River District Fire Board and approved by the Council of the Township of Dawson, the Township of Lake of the Woods and the Town of Rainy River.
  - b) **Clerk-Treasurer or CAO** means the person appointed by *council* to act as the chief administrative officer for the *corporation*.
  - c) **Corporation(s) or municipality(ies)** means the Corporation of the Township of Dawson, the Corporation of the Township of Lake of the Woods and the Corporation of the Town of Rainy River.
  - d) **council** means the Council of the Township of Dawson, the Township of Lake of the Woods and the Town of Rainy River.
  - e) **deputy chief** means the person appointed by the *councils* to act on behalf of the *fire chief* of the *fire department* in the case of an absence or a vacancy in the office of *fire chief*.
  - f) **Fire Service Board** means the two council representatives appointed by each municipality to administer the fire service. Herein after referred to as the Board.
  - g) **fire chief** means a person appointed by by-law of the councils of the municipalities, under subsection 6 (1) of the Fire Protection and Prevention Act, 1997.
  - h) **fire department** means the West Rainy River District Fire Service.
  - 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) **fire protection services** include 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.
  - k) **member** means any person employed in, or appointed to, the *fire department* and assigned to undertake *fire protection services*, and includes officers and *volunteer firefighters*.

*volunteer firefighter* means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.

### **Fire Department Structure**

1. The *fire department* shall be structured in conformance with the *approved* Organizational Chart, **Schedule A**, forming part of this by-law.
2. 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 chief, West Rainy River District Fire Board and approved by the *councils*.
3. The *fire chief* may recommend to the *Board* the appointment of any qualified person as a *member* of the *fire department*, subject to the *approved* hiring policies of the Board.
4. Persons appointed as *members* of the *fire department* to provide *fire protection services* shall be on probation for a period of 6 months, during which period they shall take such special training and examinations as may be required by the *fire chief*.
5. If a probationary *member* appointed to provide *fire protection services* fails any such examinations, the *fire chief* may recommend to the *Board* that he/she be dismissed.
6. The *Board* through the *Clerk-Treasurer* or *CAO* shall determine the remuneration of the volunteer *members*.
7. The *fire chief* is responsible to *Board*, through the *Clerk-Treasurer* or *CAO* for the proper administration and operation of the *fire department* including all *fire department* functions and programs.

### **Fire Department Administration**

1. The *fire chief* shall implement all *approved* policies and shall develop such 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.
2. The *fire chief* shall review periodically all policies, orders, rules and operating guidelines 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
3. The Fire Chief is responsible for carrying out, or delegating in total, or in part, the following duties pertaining to the provision of training:
  - a) Establish a Department training program complete with written records, and conduct training for all personnel of the Department;
  - b) Administer training programs;
  - c) Prepare and conduct examinations of members as required.

4. The *fire chief* shall submit to the Board and the Board shall submit to the *councils* for approval, the annual budget estimates for the *fire department*; and any other specific reports requested by the Clerk-Treasurer or CAO or *the Board and Councils*.
5. 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 *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*.
6. 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 of the powers and shall perform all duties of the officer replaced.
7. 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*.
8. Following the suspension of a *member(s)*, the *fire chief* shall immediately report, in writing, the suspension and recommendation to the Board .
9. A *volunteer fire fighter* 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 Board, who is not employed in the *fire department*, shall conduct the review.

### **Fire Department Functional Authority**

1. 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 dangers, risk or accident, when unable to contact the property owner.
  - c) recovery of expenses incurred by such necessary actions for the *corporations* in the manner provided through the Municipal Act and the Fire Protection and Prevention Act.
2. The *fire 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 as authorized.
  - 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 aid.
  - c) On property with which an *approved* agreement has been entered into with any person or corporation to provide *fire protection services*.

- d) To a municipality authorized to participate in a district or regional mutual aid plan established by a fire co-ordinator appointed by the fire marshal or any other reciprocal plan.
  - e) To a property beyond the municipal 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.
3. Goals and objectives and service provisions of the West Rainy River District Fire Services will be included in this by-law, in **Schedule B** forming part of this by-law. The service provisions commitments outlined will identify specifics of the following:
- a) Fire prevention activities including inspection and public education consistent with the expectations of the Fire Protection and Prevention Act 1997 as amended.
  - b) Fire suppression activities defined by local needs and circumstance as outlined in Schedule B, and as identified to the residents of the municipality in periodic notices.
  - c) Rescue functions defined by local needs and circumstance as outlined in Schedule B, and as identified to the residents of the municipality in periodic notices.
  - d) Emergency management functions defined by local needs and circumstance and required by the Emergency Management and Civil Protection Act as outlined in Schedule B, and as identified to the residents of the municipality in periodic notices.

### Administration

- 8. This by-law comes into effect the 1st day of January 2012
- 9. By-law No 98 is repealed effective the 1<sup>st</sup> day of January 2012.
- 10. Schedule "A" attached and being the Organizational Chart of the West Rainy River District Fire Services forms part of this by-law.
- 11. Schedule "B" attached and being the Approved Service Provision Outline of the West Rainy River District Fire Services forms part of this by-law.
- 12. This by-law may be referred to as the West Rainy River District Fire Services Establishing and Regulating By-law.

ENACTED THIS 6th day of December 2011.

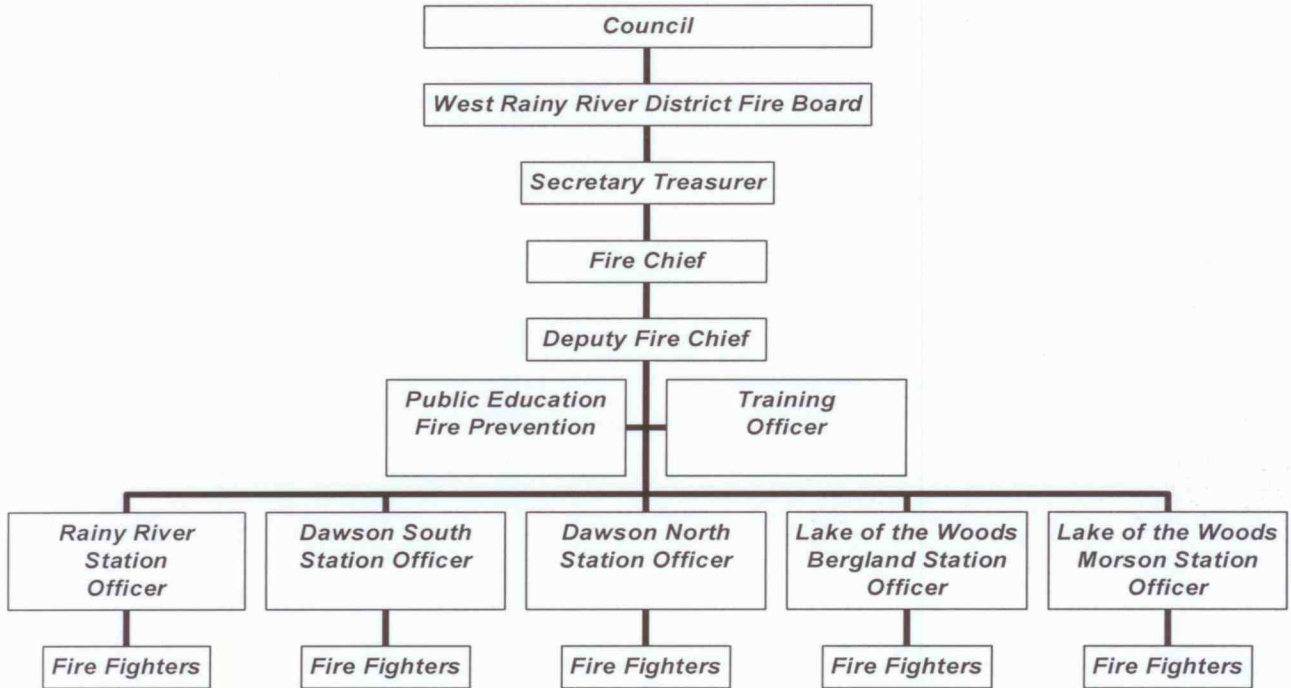
\_\_\_\_\_ *Valerie Puyey* - Mayor

\_\_\_\_\_ *Paul G. Le...* Clerk



# Schedule A

## West Rainy River District Fire Service



## Schedule B: Fire Protection Provision for the West Rainy River District Fire Service

To meet Legislative requirements of the Fire Protection and Prevention Act, the West Rainy River District Fire Services will provide fire protection services for the municipalities in the following manner:

1. Shall provide fire code compliance inspections and enforcement on the basis of request and complaint. The request or complaint must be due to a legitimate concern for fire safety. Routine inspections will be carried out on buildings identified in the Fire Prevention Operational Guideline.
2. Shall provide a public education program in a form determined by the *fire chief* in consultation with other fire service officers that will include a smoke alarm program; a process to review and maintain a current simplified risk assessment; provide public fire safety education material; and other activities to meet the requirements of Section 2(1)(a) of the Fire Protection and Prevention Act with respect to the municipality's needs and circumstances.
3. Shall provide a children's primary grade fire safety education program, as determined by the fire chief that shall be delivered in each of the municipality's schools in the spring and/or fall semester.
4. Shall work with other municipalities in the Rainy River District to ensure a consistent delivery and distribution of public fire safety education materials and messaging.
5. May distribute and maintain, in consultation with the Ministry of Natural Resources, appropriate public information materials that identifies the wild fire danger in any given time period.

To meet the requirements of the local needs and circumstance as defined by the expectations of the Fire Protection and Prevention Act, and in accordance with the departmental operating guidelines, the West Rainy River District Fire Services:

1. Shall provide exterior structural firefighting with no expectation of rescue. This level of service is consistent with the availability of trained personnel and equipment. It allows for the extinguishment of fire and its reduction from spreading to other structures and the environment
2. The **Township of Dawson** and the **Town of Rainy River** may provide additional fire-fighting functions if the following conditions are met.

At the discretion of the incident commander, additional fire suppression activities may be offered with expansion from defensive to offensive operations, including interior structural firefighting and the possibility of rescue with consideration of the following criteria:

- Sufficient numbers of trained firefighters are present and capable of performing the required fire ground tasks;
- Sufficient equipment, resources and water supply are available to perform the required fire suppression activities;
- Operations be performed in a safe and effective manner and be sustainable for the duration of the incident;

Fire fighters from the **Township of Lake of the Woods**, Bergland and Morson Stations, **will not** provide additional fire-fighting functions that require entry into a structure where a fire is occurring.

3. Shall provide wild land fire protection to the limitations of personnel and equipment.
4. Shall provide nuisance fire suppression to the limitation of the equipment supplied to include landfill fires and farm product fires that cannot be treated as wild land fires and require respiratory equipment.
5. The **Township of Dawson South Fire Station** and the **Town of Rainy River Fire Station** may provide vehicle extrication and rescue services at motor vehicle crashes on all Provincial Highways and other Municipal roads as determined by the West Rainy River District Fire Board; and the Rainy River District Mutual Fire Aid System. The **Township of Lake of the Woods** will provide support functions only at motor vehicle crashes as described in number 6 below.
6. Shall provide support functions for motor vehicle accidents that will include water supply and defensive fire fighting from an upwind and uphill location.
7. Shall provide scene protection including, scene isolation, scene security, and traffic control as permitted by the Fire Protection and Prevention Act, and the Highway Traffic Act.
8. Shall provide hazardous materials response to the awareness level, including water supply and rehabilitation as support functions for operational or technician level teams.
9. Shall conduct investigations of fires in order to determine cause and origin, and where appropriate, request the office of the Fire Marshal or other experts to assist with investigations.
10. May provide basic first aid medical assist and lift assist to ambulance personnel when requested.
11. May provide assistance to other municipal, provincial or federal agencies during emergencies if requested to do so within the limitations of the fire service guidelines and level of training as determined by the incident officer.
12. May provide mutual assistance to the neighbouring City of Baudette Minnesota as determined by the West Rainy River District Fire Board; and that meets the intent of the mutual assistance cross border agreement.
13. Shall provide support for the Municipality's Emergency Management Plans and Community Control Groups. The support could include providing advice and assistance to the control group during emergencies.
14. Shall, on properties accessible from municipal roads, provincial roads and adequately constructed private roads or laneways ("adequately constructed" means those private road or laneways that are maintained and connected to a municipal or provincial road and at the discretion of the first arriving incident officer, will determine sufficient width and construction to safely and efficiently move fire apparatus), provide all the prior listed services within the mainland portion of the Municipalities of the Township of Dawson, the Township of Lake of the Woods and the Town of Rainy River. The exception would be for vehicle extrication and rescue services on Provincial Highways and other road ways; and where an authorized agreement has been developed and adopted for protection services to be provided and not listed within this schedule; and as determined by the West Rainy River District Fire Board and the Fire Chief.