

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*.

