

Corporation of the Township of Centre Wellington

By-law 2006-083

Being a By-law to Establish and Regulate a Fire Department
for the Corporation of the Township of Centre Wellington

WHEREAS the Municipal Act, S.O. 2001, c.25 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 Council of the Corporation of the Township of Centre Wellington, as follows:

1. **Definitions** in this by-law, unless the context otherwise requires:

a. approved

means approved by Council

b. chief administrative officer

means the person appointed by Council to act as chief administrative officer for the corporation

c. corporation

means the Corporation of the Township of Centre Wellington

d. council

means the Council of the Township of Centre Wellington

e. assistant chief, public safety officer and deputy chief

means the person appointed by Council 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 the fire chief

f. 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 Fire Protection and Prevention Act

g. fire department

means the Centre Wellington Fire & Rescue Department

h. fire protection service

includes fire suppression, fire prevention, fire safety education, communication, auto extrication, high and low angle rope rescue, fire service level first aid including automatic deliberator, ice rescue, fast water rescue, in water rescue (with boats), investigation and mitigation of hazardous materials and dangerous conditions, training of persons involved in the provision of fire protection services, rescue and emergency services and the delivery of all those services

i. member

means any person employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes full-time and volunteer firefighters

j. full-time firefighter

means a person regularly employed on a salaried basis consisting of more than 34 hours per week on a regular basis, assigned to the fire department and as defined in the Fire Protection and Prevention Act

k. volunteer firefighter

means a firefighter or officer who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance or a per hourly rate not to exceed 34 hours per week on a regular basis

2. A *fire department* for the Township of Centre Wellington to be known as the Centre Wellington Fire & Rescue Department is hereby established and the head of the *fire department* shall be known as the *fire chief*.
3. The *fire department* shall be structured in conformance with the *approved* Organizational Chart, **Appendix A**, forming part of this by law. *This Appendix maybe revised from time to time by the fire chief with the approval of Council.* **Approved Organizational Chart**
4. In addition to the *fire chief*, the *Council* shall appoint an assistant chief (s) and deputy chief (s) and such number of other officers and members as may be deemed necessary by Council. **Identifies appointment of other officers and members**
5. 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 the Township of Centre Wellington. **Appointment via approved Hiring Policy**
6. Persons appointed as members of the *fire department* to provide *fire protection services* shall be on probation for a period of 12 months, during which period they shall take such special training and examination as may be required by the *fire chief*. **Probationary Members**
7. If a probationary member appointed to provide *fire protection services* fails any such examinations, the *fire chief* may dismiss such persons.
8. The remuneration of the volunteer members shall be as determined by *Council*. **Remuneration and working conditions**
9. If a medical examiner finds a member is physically unfit to perform assigned duties and such condition is attributed to, and a result of employment in the *fire department*, *council* may assign the member to another position in the *fire department* or *corporation* or may retire him/her. *Council* may provide retirement allowances to members, subject to the Municipal Act. **Other employment, retirement options and/or allowances**
10. The *fire chief* is ultimately responsible to *council*, through the office of the chief administrative officer for proper administration and operation of the *fire department* including the delivery of *fire protection services*. **Chief ultimately responsible to council through Fire Protection and Prevention Act via chief administrative officer**
11. The *fire chief* shall implement all *approved* policies and shall develop such standard operating 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. **Developing Standard Operating Policies, Guidelines, Rules and Regulations**
12. The *fire chief* shall review periodically all policies, orders, rules and operating procedures 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. **Advisory Committee**
13. The *fire chief* shall submit to the chief financial officer / treasurer and *Council* for approval, the annual budget estimates for the *fire department*; an annual report and any other specific reports requested by the office of the *chief administrative officer* or *Council*. **Budgets and reports**
14. 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*. **Divisional responsibilities designated by chief**

15. 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. **Regular Promotions and Field Promotions**
16. The *fire chief* may reprimand, suspend or dismiss of any member for infraction of any provisions of this by law, policies, general orders, code of conduct and departmental rules that, in the opinion of the *fire chief*, would be detrimental to discipline or the efficiency of the *fire department*. **Discipline**
17. Following the suspension of a member, the *fire chief* shall immediately report, in writing, the suspension and recommendation to the office of the chief administrative officer. **Suspension of members**
18. The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all full time firefighters as defined in Part IX of the Fire Protection and Prevention Act. **Termination procedures**
19. A volunteer firefighter 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 municipality, who is not employed in the *fire department*, shall conduct the review. **Provides volunteers with the same opportunity for review as full-time members**
20. 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 **Pulling down structures**
 - b. all necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident, when unable to contact the property owner **Boarding up or barricading**
 - c. recovery of expenses incurred by such necessary actions for the *corporation* in the manner provided through the Municipal Act and the Fire Protection and Prevention Act **Recovery of expenses**
21. 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: **Authority to leave municipal limits**
- 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. 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 co-ordinator 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

department is notified to respond and assume command or establish alternative measures, acceptable to the *fire chief* or designate;

22. This By-law shall come into force and take effect upon its final passing.

READ A FIRST AND SECOND TIME this 19th day of June, 2006

Head of Council – Russ Spicer

Deputy Clerk – Kerri O’Kane

READ A THIRD TIME AND PASSED this 19th day of June, 2006

Head of Council – Russ Spicer

Deputy Clerk – Kerri O’Kane

Schedule "A" to By-law 2006-083



TOWNSHIP OF CENTRE WELLINGTON 2011 FIRE & RESCUE DEPARTMENT ORGANIZATION CHART



