

**CORPORATION OF THE VILLAGE OF MERRICKVILLE - WOLFORD
BY-LAW NO. 15-17**

***BEING a By-law to repeal and replace By-Law 10-99, a By-Law to Continue the
Establishment of a Fire Department***

WHEREAS section 210 (31) of the Municipal Act c. M.45 R.S.O. 1990 as amended, and the Fire Protection and Prevention Act c. 4 S. O. 1997 provides that the Council may, by By-Law, establish, maintain, regulate and operate a Fire Department;

AND WHEREAS the Corporation of the former Village of Merrickville has, throughout its history, maintained and operated a Fire Department and its forerunners and it is now the Merrickville Fire Department;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford does deem it proper to continue the establishment of a Fire Department;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford does enact as follows that:

1. DEFINITIONS

In this By-Law, unless the context otherwise requires, the following meanings apply:

- a) **"Approved"** means approved by the Village Council;
- b) **"Chief Administrative Officer"** means the person appointed by Council to act as Chief Administrative Officer for the Corporation;
- c) **"Company"** means a complement of personnel operating one or more pieces of apparatus or equipment;
- d) **"Collective Agreement"** or **"Agreement"** means any mutually arrived at agreement between members of the Fire Department and the Corporation;
- e) **"Corporation"** means the Corporation of the Village of Merrickville-Wolford (see "m");
- f) **"Council"** means the Council of the Corporation of the Village of Merrickville-Wolford;
- g) **"Deputy Fire Chief"** means the person appointed by the Fire Chief to act on behalf of the Fire Chief in his/her absence;
- a) **"Designated Officer"** means a member of the Fire Department that is designated by the Fire Chief to perform specific duties;
- h) **"Fire Chief"** means the one person appointed by a By-Law of the Council of the Village to act as Fire Chief;
- i) **"Fire Department"** means the Merrickville Fire Department;
- i) **"Fire Fighters' Association"** means the Merrickville Fire Fighters' Association;
- j) **"Fire Protection Services"** means a range of programmes designed to protect the lives and property of the inhabitants of the Fire Department response area from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature and includes fire suppression fire prevention, fire safety education, communication, training of person involved in the provision of fire protection services, rescue and other emergency services and the delivery of all those services;

- k) "Member" means any person(s) employed in, or appointed to, the fire department and assigned to undertake fire protection services and includes officers, full-time and volunteer firefighters;
- l) "Volunteer Firefighter" means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance; and
- m) "Village" means the Corporation of the Village of Merrickville-Wolford (see "d").

2. ESTABLISHMENT CONTINUED

- a) A Fire Department for the Village of Merrickville-Wolford to be known as the Merrickville Fire Department is hereby continued to be established and the head of the Fire Department shall be known as the Fire Chief;
- b) the Mission Statement and the Goals of the Fire Department shall be as those contained in Schedule "A" to this By-Law; and
- c) the Fire Department shall be structured in conformance with the approved Organizational Chart as per Schedule "B" forming part of this By-Law.

3. APPOINTMENTS

- 3.1 In addition to the Fire Chief, the Council shall appoint such number of officers and members, as from time to time may be deemed necessary, and the recommendations of the Fire Marshal of Ontario in his review of Village Fire Services shall be considered.
- 3.2 The Fire Chief shall be appointed:
 - a) by Council by By-Law.
- 3.3 a) The Fire Chief may recommend to the Chief Administrative Officer the appointment of any qualified person as a member of the Fire Department, subject to the *approved* hiring policies of the Corporation.
- b) A person appointed as a member of the Fire Department shall be on probation for a period of twelve (12) months, during which period the probationary member shall take such special training and examinations as may be required by the Fire Chief, and this period overrides the general hiring policy of the Village
- c) If a probationary member fails any such examinations, the Fire Chief may recommend appropriate action to the Chief Administrative Officer who shall consider such recommendation including dismissal from the department.

4. DISCIPLINE

- a) The Fire Chief may reprimand, suspend or recommend dismissal, in writing, of any member for infraction of 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.
- b) Following the suspension of any member, the Fire Chief shall immediately report, in writing, the suspension and recommendations to the Chief Administrative Officer.

- c) The procedures for termination of employment prescribed in Section 44 of the Fire Protection and Prevention Act, 2007 shall apply to all full-time firefighter(s) of the fire department as subjected to the Employment Standards Act, 2000.

5. REMUNERATION

- a) The remuneration of all volunteer members of the Fire Department, Officers or Firefighters shall be as determined by Council.
- b) Working conditions and remuneration for all full-time members shall be determined by Council in accordance with the provision of Section 44 of the Fire Protection and Prevention Act c. 4 S.O. 1997.

6. ADMINISTRATION

- 6.1 The Fire Chief is responsible to Council through the Chief Administrative Officer for the proper administration and operation of the Fire Department, including all Fire Department functions and programmes pursuant to the Fire Protection and Prevention Act 2000.
- 6.2 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.
- 6.3 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.
- 6.4 The Fire Chief shall submit to the Chief Administrative Officer the annual budget estimate for the Fire Department, an annual report and any other specific reports requested by the Council.

7. OPERATIONS

- 7.1 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.
- 7.2 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.
- 7.3 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 power mandated by the Fire Protection and Prevention Act 2007.
- 7.4 The Fire Chief is hereby empowered to authorize:
- a) pull down or demolition of 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 danger, risk or accident, when unable to contact the property owner;

- c) recovery of expenses incurred by such necessary actions for the Village in the manner provided through the Municipal Act and the Fire Protection and Prevention Act and the recovery of expenses will be based on the Ministry of Transportation rates for Fire Service Vehicles.

7.5 The Fire Chief is responsible for the enforcement of this By-Law and the general orders and departmental rules.

8. PROMOTIONS

8.1 The Fire Chief shall develop an approved Fire Department promotional policy based on such evaluations, written, practical and oral examinations, as deemed necessary.

8.2 Promotion to the rank of Lieutenant, the rank of Captain, or the rank of Deputy Chief shall be at the discretion of the Fire Chief as the Fire Department expands.

8.3 The Fire Chief may recommend the appointment of Chaplain(s) and such person(s) may or may not be serving members of the Fire Department. Such person(s) so appointed may wear the uniform of a Fire Department Officer, without rank insignia.

9. RESPONSE AUTHORITY

9.1 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 that:

- a) 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) is in a Municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid;
- c) is 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 the Leeds and Grenville County Mutual Aid Plan established by a Fire Coordinator appointed by the Fire Marshal or any other similar reciprocal plan or programme;
- e) is on property beyond the Municipal boundary where the Fire Chief or designate determines that immediate action is necessary to preserve and protect life and/or property and the appropriate department is notified to respond and assume command or establish alternative measures acceptable to the Fire Chief or designate.

10. REPEAL AND EFFECT

10.1 This By-Law shall come into effect on the day of passing.

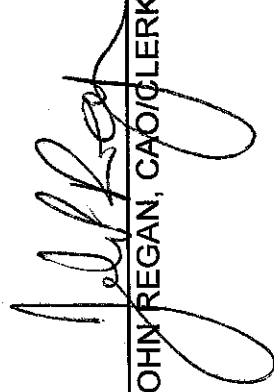
10.2 By-Law 10-99 and all other By-Laws establishing or continuing the establishment of a Fire Department or Life Saving Company are hereby repealed on the date of passage of this By-Law.

READ a first and second time this 27th day of February, 2017

READ a third and final time and passed this 27th day of February, 2017.



DAVID NASH, MAYOR



JOHN REGAN, CAO/CLERK

CORPORATION OF THE VILLAGE OF MERRICKVILLE - WOLFORD

SCHEDULE 'A' TO BY-LAW NO. 15-17

MISSION STATEMENT

The primary mission of the Merrickville Fire Department is to provide a range of programmes to protect the lives and property of the inhabitants of the Village of Merrickville - Wolford from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature.

PRIMARY GOALS OF THE MERRICKVILLE FIRE DEPARTMENT

The Mission Statement of the Merrickville Fire Department will be realized by putting into practice the ideals expressed, first to their Municipality, second to those Municipalities requiring assistance through authorized Leeds and Grenville County Emergency Fire Service Plan and Programme activities (known commonly as Mutual Aid) and third to those Municipalities which are provided fire protection by the Fire Department via an authorized agreement.

PRIMARY OBJECTIVES OF THE MERRICKVILLE 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 services requirements of the Village;
2. Provide an administrative process consistent with the needs of the Fire Department;
3. Ensure that firefighting equipment and operating personnel are 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 techniques of fire prevention, firefighting and control of emergency situations and to co-operate with other departments of the Village with respect to management training and other programmes;
5. Provide a maintenance programme to ensure all fire protection apparatus, including allied equipment, is ready to respond to emergency calls;
6. Endeavour to provide an effective fire prevention programme to:
 - a) ensure through plan examination and inspection, compliance with applicable Municipal, Provincial and Federal Fire Prevention Legislation, statutes, codes and regulations; and
 - b) reduce and/or eliminate fire hazards;
7. Develop and endeavour to maintain an effective public information system and educational programme, with particular emphasis on school fire safety programmes;
8. Ensure in the event of a major catastrophe in the Village, 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 Departments of the Village respecting the aspects of fire on any given programme; and
11. Ensure these objectives are not in conflict with any other Department of the Village.

**CORPORATION OF THE VILLAGE OF MERRICKVILLE - WOLFORD
SCHEDULE 'B' TO BY-LAW 15-17**

ORGANIZATIONAL CHART

Departmental Organization - Proposed

Chief

Deputy Chief (DC)

Captain – Fire Prevention Captain – Training Officer (TO)

Lieutenant – Alpha Lieutenant – Bravo Lieutenant – Charlie Lieutenant - Delta
5 to 6 Firefighters 5 to 6 Firefighters 5 to 6 Firefighters 5 to 6 Firefighters

DIVISIONAL FUNCTIONS

1.1 The Fire Department performs the following divisional functions which are under the direction of an Officer as indicated below or reporting to:

- a) Division of Administration - Fire Chief;
- b) Division of Apparatus, equipment and communications – Deputy Chief/Designated Officer;
- c) Division of Fire Suppression - Deputy Chief/ Designated Officer;
- d) Division of Fire Prevention - Deputy Chief/ Designated Officer; and
- e) Division of Training - Deputy Chief/ Designated Officer.

2.1 The Fire Chief is responsible for ensuring that the following duties pertaining to the function of the Divisions are carried out:

- i) Administration - Fire Chief/Deputy Chief
 - a) provide administration facilities for the Fire Department;
 - b) prepare the departmental budget and exercise control of the budget;
 - c) prepare the payroll of the Fire Department and initiate requisitions for materials and services and certify all accounts of the Fire Department;
 - d) maintain personnel records in accordance with the policy of the Corporation;
 - e) arrange for the provision of medical services;
 - f) arrange for the provision of new buildings, as approved;
 - g) provide liaison with the Fire Fighters' Association;
 - h) prepare the annual report of the Fire Department;
 - i) conduct investigations of fire in order to determine cause, origin and, where required, to request appropriate agencies to assist with the investigation;
 - j) maintain fire loss records;
 - k) carry out the general administrative duties of the Fire Department;

- l) provide liaison with the Leeds and Grenville County Fire Co-ordinator; and
 - m) assist the County Fire Co-ordinator in the preparation of a County Emergency Fire Service Plan and Programme.
- ii) Apparatus, Equipment and Communications – Deputy Chief/Designated Officer
- a) prepare specifications for the purchase of apparatus and equipment;
 - b) maintain and keep in repair all existing buildings, apparatus and equipment of the Fire Department; and
 - c) prepare the annual report and budget of the Division of apparatus, equipment and communications to be submitted to the Division of Administration.
- iii) Fire Suppression – Deputy Chief/Designated Officer
- a) prevent, control and extinguish fires;
 - b) respond and assist at such emergencies as may be deemed necessary by the Fire Chief;
 - c) perform pre-emergency planning;
 - d) perform apparatus maintenance and cleaning duties;
 - e) prepare the annual report and budget of the Division of Fire Suppression to be submitted to the Division of Administration;
 - f) Designated Officers are in command of the fire scene or incident and are responsible to the Fire Chief for the proper operation of the same; and
 - g) 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 of such officer and shall perform all the duties of the officer replaced.
- iv) Fire Prevention - Captain/Lieutenant/Designated Officer
- a) develop an approved fire prevention, fire safety and public education policy;
 - b) carry out the duties and activities of the fire prevention, fire safety and public education policy; and
 - c) prepare the annual report and budget of the Division of Fire Prevention to be submitted to the Division of Administration.
- v) Training - Captain/Lieutenant/Designated Officer
- a) establish a Fire Department Training Programme and conduct training for all members in accordance with the approved training programme;
 - b) administer training programmes;
 - c) prepare and conduct examinations of members as required; and
 - d) prepare an annual report and budget of the Division of Training to be submitted to the Division of Administration.