

# TOWNSHIP OF WHITEWATER REGION FIRE DEPARTMENT

## ESTABLISHING & REGULATING BY-LAW

Corporation of the Township of Whitewater Region

### By-Law No. 01-02-17

Being a By-Law to Establish a Fire Department.

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 Whitewater Region, as follows:

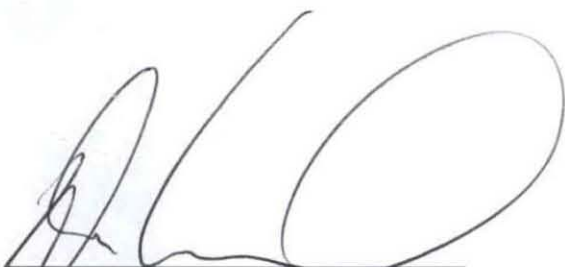
1. In this by-law, unless the context otherwise requires
  - a) ***approved*** means approved by the council
  - b) ***chief administrative officer*** means the person appointed by *council* to act as the chief administrative officer for the *corporation*
  - c) ***corporation*** means the Corporation of the Township of Whitewater Region
  - d) ***council*** means the Council of the Township of Whitewater Region
  - e) ***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 *fire chief*
  - f) ***fire chief*** means the persons appointed by *council* to act as fire chief for the corporation in their assigned fire Area
  - g) ***fire department*** means the Township of Whitewater Region Fire Department
  - h) ***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
  - i) ***member*** means any person employed in, or appointed to, a *fire department* and assigned to undertake *fire protection services*, and includes officers, *full time* and *volunteer firefighters*
  - j) ***volunteer firefighter*** means a firefighter who provides *fire protection services* either voluntarily or for a nominal consideration, honorarium, training or activity allowance
2. A *fire department* for the Township of Whitewater Region to be known as the Township of Whitewater Region Fire 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.
4. 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 *council*.
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 Whitewater Region.

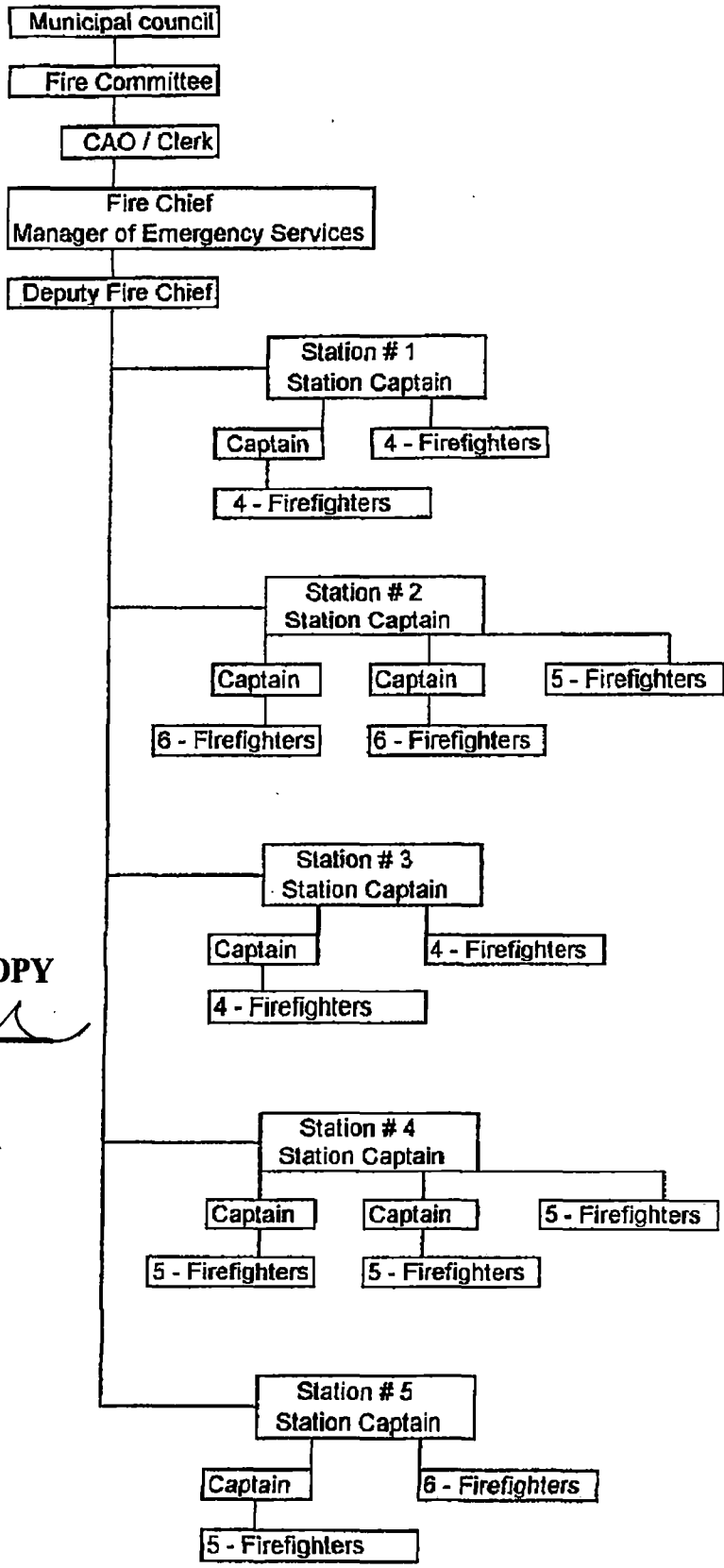
6. Persons appointed as *members* of the *fire department* to provide *fire protection services* shall be on probation for a period of 12 months, during which period they shall take such special training and examinations as may be required by the *fire chief*.
7. If a probationary *member* appointed to provide *fire protection services* fails any such examinations, the *fire chief* may recommend to the *council* that he/she be dismissed.
8. The *council* shall determine the remuneration of the volunteer *members*.
9. *Council* in accordance with the provisions of Part IX of the fire Protection and Prevention Act shall determine working conditions and remuneration for all full time *members*.
10. 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 other employment in the *fire department* or may retire him/her. *Council* may provide retirement allowances to *members*, subject to the Municipal Act.
11. The *fire chief* is responsible to *council*, through the CAO for the proper administration and operation of the *fire department* including all *fire department* functions and programs.
12. 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.
13. 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.
14. The *fire chief* shall submit to the CAO and *council* for approval, the annual budget estimates for the *fire department*, an annual report and any other specific reports requested by the CAO or *council*.
15. 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*.
16. 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.
17. 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*.
18. Following the suspension of a *member(s)*, the *fire chief* shall immediately report, in writing, the suspension and recommendation to the CAO and *council*.
19. The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all full-time *members* of the *fire department*.
20. 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 municipality, who is not employed in the *fire department*, shall conduct the review.

21. 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 *corporation* in the manner provided through the Municipal Act and the Fire Protection and Prevention Act
22. 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:
- 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 a county, district or regional mutual aid plan established by a fire co-ordinator appointed by the fire marshal or any other reciprocal plan
  - 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.

PASSED and ENACTED this 21 Day of February 2001.

  
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Reeve

  
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CAO



**CERTIFIED TRUE COPY**

**Hope Dillabough  
Deputy Clerk  
and Commission of Oaths  
Township of Whitewater Region.**