



The Corporation of the Township of Nairn and Hyman

BY-LAW 2007-23

BEING A BY-LAW TO ESTABLISH A FIRE DEPARTMENT

WHEREAS Section 130 of the Municipal Act, S.O., 2001, Chapter 25, authorizes municipalities to regulate matters not specifically provided for by this Act for purposes related to the health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS the Fire Protection and Prevention Act, 1997, S.O. 1997, Chapter 4, as amended, provides that the Council may by by-law establish and regulate a fire department:

THEREFORE, the council of the Corporation of the Township of Nairn & Hyman
HEREBY ENACTS AS FOLLOWS:

1. In this by-law, unless the context otherwise requires,
 - a) "Council" means the Council of the Township of Nairn & Hyman.
 - b) "Department" means the Township of Nairn & Hyman Fire Department.
 - c) "Fire Protection" means a range of programs 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 prevention and public education, rescue, suppression services and communications training.
 - d) "Volunteer Fire Fighter" means a person who voluntarily acts as a fire fighter for a nominal consideration or honorarium.
 - e) "Approved" means approved by the municipal Council.
 - f) "Chief" means the one person appointed by a by-law of the council of the municipality to act as fire chief, or his/her designate.
 - g) "Deputy Chief" means the one person appointed by by-law of the council of the municipality to act in the place of the chief of the fire department in his/her absence or in the case of a vacancy in the department.
 - h) "Company" means a complement of personnel operating one or more pieces of apparatus under the supervision of an officer.
2.
 - a) A department for the geographic Townships of Nairn & Hyman to be known as the Township of Nairn & Hyman Fire Department is hereby established and the head of the department shall be known as the Chief of the department.
 - b) The (goals/mission statement) of the department shall be as those contained in Appendix "B" of this by-law.
3. In addition to the Chief of the department, the department personnel shall consist of a Deputy Chief, Assistant Chiefs and such number of officers, Captains, Lieutenants and members as from time to time may be deemed necessary by the council.
4.
 - a) The Chief of the department may recommend to the council the appointment of any qualified person as a member of the department, subject to approved hiring policies developed by the fire chief.

- b) Every member of the department appointed for fire fighting duties is subject to a medical examination upon hiring and at the request of the chief not more than once annually.
 - c) Council may provide retirement allowances to volunteer members, subject to the provisions of the Municipal Act, as deemed proper.
 - d) A person appointed as a member of the department for fire fighting and fire prevention duties shall be on probation for a period of ONE YEAR, during which period he/she shall take such special training and examination as may be required by the Chief of the department.
 - e) If a probationary member appointed for fire fighting or fire prevention duties fails any such examinations, the Chief of the department may recommend to the council that he/she be dismissed.
- 5.
- a) The Chief of the department may reprimand, suspend or recommend dismissal of any member for insubordination, inefficiency, misconduct, tardiness or for noncompliance with any of the provisions of the by-law or general orders and departmental rules, that in the opinion of the chief, would be detrimental to the discipline and efficiency of the department.
 - b) Following the suspension of any member the Chief of the department shall report the suspension and his/her recommendations to the council.
 - c) A member shall not be dismissed without being afforded the opportunity for a hearing before council, if he/she makes a written request for such hearing within seven days after receiving his/her proposed dismissal.
6. The remuneration of all members of the department shall be as determined by council.
7. The Chief of the department is responsible to council for the proper administration and operation of the department, for the discipline of its members and,
- a) shall develop, and publish such written standard operating guidelines, polices and standard operating guidelines and such general orders and departmental rules as may be necessary for the care and protection of the department, department equipment and department personnel, and generally for efficient operation of the department, provided that such general orders and rules do not conflict with the provisions of any by-laws of the municipality.
 - b) shall review periodically the policies and procedures of the department and may establish an Advisory Committee consisting of such officers as he/she may determine from time to time to assist him/her in these duties.
 - c) shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall enforce all municipal by-laws respecting fire prevention/education and exercise the powers imposed on him/her by the FPPA, and the fire chief or his/her designate shall be empowered to authorize fire department members to:
 - i) pull down or demolish any building or structure to prevent the spread of fire.
 - ii) when unable to contact the property owner to take such necessary action which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident.
 - iii) the Corporation may recover expenses incurred by such necessary action in a manner provided by the Municipal Act, and the Fire Protection and Prevention Act.
 - d) is responsible for the enforcement of this by-law and the general orders and departmental rules.
 - e) shall report all fires to the Fire Marshal as required by the Fire Protection and Prevention Act.
 - f) shall submit to the council for its approval the annual budget for the department.

8. This by-law comes into effect the day it is passed by council.
9. All provisions of by-law number 2004-18 are hereby repealed.

**READ A FIRST, SECOND AND
THIRD TIME AND FINALLY
PASSED IN OPEN COUNCIL THIS
7TH DAY OF AUGUST, 2007.**

REEVE

CLERK

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN & HYMAN**

**APPENDIX "A"
BY-LAW # 2007-23**

PRIMARY GOALS OF THE FIRE DEPARTMENT

The goal of the fire department is to provide fire protection services through a range of programs designed to protect the lives and property of the inhabitants from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature; first to their municipality; second to those municipalities requiring assistance through authorized emergency fire service plan and program (mutual aid) activities; and third, to those municipalities which are provided fire protection by the fire department via authorized agreement.

Primary Objectives of the Fire Department:

In order to achieve the goal of the fire department, necessary funding must be in place and following objectives met:

1. Identify and review the fire services requirements of the municipality.
2. Provide an administrative process consistent with the needs of the department.
3. Ensure that fire fighting 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, fire fighting and control of emergency situations and to co-operate with other municipal departments with respect to management training and other programs.
5. Provide a maintenance program to ensure all fire protection apparatus, including allied equipment, is ready to respond to emergency calls.
6. Provide an effective fire prevention program to:
 - a) Ensure, through plan examination and inspection that required fire protective equipment is installed and maintained within buildings.
 - b) Reduce and/or eliminate fire hazards.
 - c) Ensure compliance with applicable municipal, provincial and federal fire prevention legislation, statutes, codes and regulations in respect to fire safety.
7. Develop and maintain an effective public information system and educational program, with particular emphasis on fire safety programs; and commercial, industrial and institutional staff training.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN & HYMAN**

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PRIMARY GOALS OF THE FIRE DEPARTMENT

8. Ensure in the event of a major catastrophe in the municipality, assistance to cope with the situation is available from outside departments and other agencies, as per the emergency preparedness plan.
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 municipal departments respecting the aspects of fire on any given program.
11. Ensure these objectives are not in conflict with any other municipal department.

**THE CORPORATION OF THE
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APPENDIX "B"

BY-LAW # 2007-23

FIRE DEPARTMENT MISSION STATEMENT

Protect the lives and property of the citizens of Nairn and Hyman by immediate response to all emergencies, rapid mitigation of all fires, competent application of life-saving techniques and to provide pro-active fire prevention and public education programs to improve the quality of life for the citizens we serve.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**APPENDIX "C"
BY-LAW # 2007-23**

Department Functions and Responsibilities

1. The Deputy Chief shall be the second ranking officer of the department and it shall be his/her responsibility to carry out the orders of the chief, and, in the absence of the chief, has all the powers and duties of the chief.
2.
 - a) The department is composed of the following divisional functions:
Division of Administration,
Division of Apparatus, Equipment and Communications,
Division of Fire Suppression,
Division of Fire Prevention, and Division of Training.
 - b) Each division of the department is the responsibility of the chief and is under the direction of the Chief, or such member designated by the chief. If deemed necessary, division chiefs may be appointed and delegated authority with responsibility to the Chief, for the proper operation of a division.
3. The Chief of the fire department is responsible for carrying out, or delegating the total, or in part, the following duties pertaining to the function of the Division of Administration. He/she shall:
 - a) Provide administration facilities for the Chief, Deputy Chief and Assistant Chiefs of the department.
 - b) Prepare the departmental budget and exercise control of the budget,
 - c) Prepare the payroll of the department and initiate requisitions for materials and services and certify all accounts of the department,
 - d) Maintain personnel records.
 - e) Arrange for the provision of medical services.
 - f) Arrange for the provision of new buildings.
 - g) Provide liaison with the local fire fighters' association.
 - h) Prepare the annual report of the department.
 - i) Carry out the general administrative duties of the department.
 - j) Provide liaison with the district fire co-ordinator.
 - k) Assist the district fire co-ordinator in the preparation of a county Emergency Fire Service Plan and Program.
4. The Chief of the fire department is responsible for carrying out, or delegating in total, or in part, the following duties pertaining to the function of the Division of Apparatus, Equipment and communications. He/she shall:
 - a) Prepare specifications for the purchase of apparatus and equipment.
 - b) Maintain and keep in repair all existing buildings, fire fighting rescue and salvage apparatus of the department.
 - c) Modify apparatus and equipment.
 - d) Provide recharging facilities for fire fighting extinguishers and cylinders and to test and repair hose.
 - e) Where a waterworks commission is established provide liaison in order to ensure an adequate flow of water in new waterworks projects and the adequate maintenance of existing waterworks facilities for the use of the department.

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TOWNSHIP OF NAIRN AND HYMAN**

**APPENDIX "C"
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Department Functions and Responsibilities

- f) Issue clothing, equipment and cleaning supplies.
 - g) Receive alarms and dispatch equipment.
 - h) Prepare specifications for new communication systems and for additions to existing communications systems.
 - i) Maintain the communications systems of the department.
 - j) Prepare the annual report and budget of the Division of Apparatus, Equipment and communications to be submitted to the Division of Administration.
- 5.
- a) The Division of Fire Fighting is composed of such number of companies as the Chief of the department may determine.
 - b) The Chief of the fire department is responsible for carrying out, or delegating in total, or in part, the following duties pertaining to the function of the Division of Fire Fighting. He/she shall:
 - i) Prevent, control and extinguish fires.
 - ii) Conduct investigations of fire in order to determine cause, origin, and, where appropriate, to request the Office of the Fire Marshal to conduct investigation.
 - iii) Perform rescue and salvage operations and render first aid.
 - iv) Respond and assist at such emergencies as may be required.
 - v) Participate in training at stations.
 - vi) Conduct pre-fire fighting operations planning.
 - vii) Perform apparatus maintenance and cleaning duties at stations.
 - viii) Prepare the annual report and budget of the Division of Fire Fighting to be submitted to the Division of Administration.
 - c) A Captain is in command of the company to which he/she is assigned and is responsible for the proper operation of that company to the Chief.
 - d) A Lieutenant is second in command of the company to which he/she is assigned and is responsible for the proper operation of that company to the Captain.
 - e) Where the Chief of the department designates a member to act in the place of an officer in the department, such member, when so acting, has all the powers and shall perform all the duties of the officer replaced.
- 6.
- The Chief of the fire department is responsible for carrying out, or delegating in total, or in part, the following duties pertaining to the function of the Division of Fire Prevention through an approved fire prevention policy. He/she shall:
- a) Conduct fire prevention inspections for premises.
 - b) Enforce fire prevention by-laws.
 - c) Examine building plans.
 - d) Provide personnel for fire prevention lectures.
 - e) Maintain fire loss records.
 - f) Receive, process and follow up reports of fire prevention inspections conducted under the Division of Fire Fighting.
 - g) Prepare the annual report and budget of the Division of Fire Prevention to be submitted to the Division of Administration.

**THE CORPORATION OF THE
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Department Functions and Responsibilities

7. The Chief of the fire department is responsible for carrying out, or delegating in total, or in part, the following duties pertaining to the function of the Division of Training. He/she shall :
 - a) Establish a fire department training program complete with written records, and conduct training for all personnel of the department in fire administration, fire prevention and fire fighting.
 - b) Administer training programs in stations.
 - c) Prepare and conduct examination of members as required.
 - d) Prepare an annual report and budget of the Division of Training to be submitted to the Division of Administration.

8.
 - a) The Chief shall develop an approved fire department promotional policy based on such evaluations, written, practical and oral examinations as deemed necessary.

 - b) As part of the approved promotional policy, the Chief of the department, Deputy Chief and the Assistant Chiefs shall evaluate all members of the department who are participating in an examination for promotion.
 - c) When in the opinion of the Chief of the department, all other factors for the promotion of two or more members are equal, seniority of service in the department governs.

9.
 - a) The fire fighting and station record of each member of the department shall be annually evaluated as follows:
 - i) The Captain of each company shall review the performance of each member of the company.
 - ii) The Fire Chief shall review the performance of each officer of the department.

10. The 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 Chief of the 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 agreement has been entered into to provide fire protection.
 - c) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefore.
 - d) at the discretion of the Chief to a municipality authorized to participate in the county/district/region emergency fire service plan and program or any other organized plan or program on a reciprocal basis.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**APPENDIX "C"
BY-LAW # 2007-23**

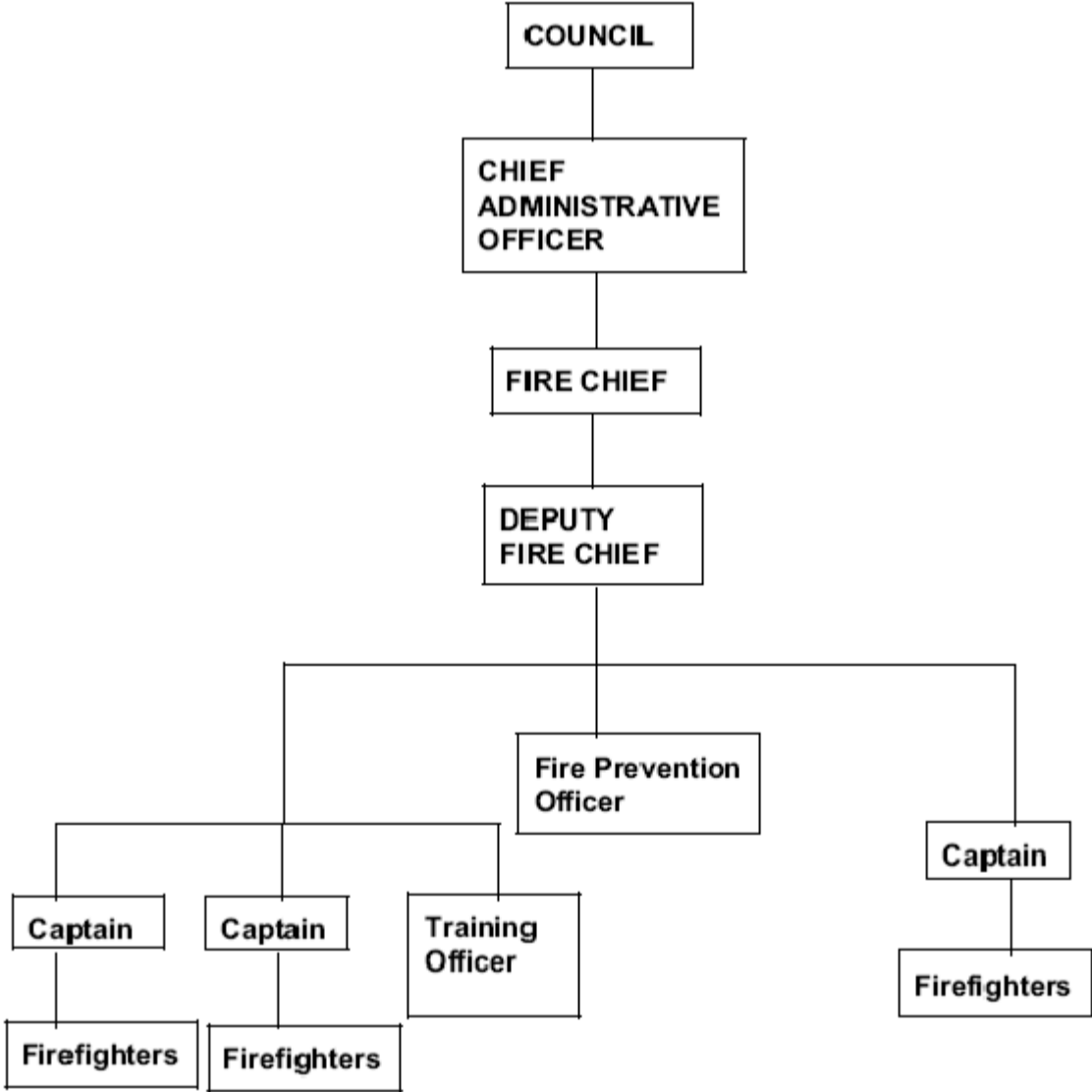
Department Functions and Responsibilities

- e) on those highways that are under the jurisdiction of the Ministry of Transportation or within the Region, County or District where the Region, County or District has established a rescue system, or,
- f) on property beyond the municipal boundary where the Fire Chief or his/her designate determines that immediate action is necessary to preserve and protect life and/or property and the correct department is notified and/or assumes command. The Fire Chief shall subsequently inform the head of council, in writing, of invocation of this clause.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**APPENDIX "D"
BY-LAW # 2007-23**

FIRE DEPARTMENT ORGANIZATIONAL CHART



**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**APPENDIX "E"
BY-LAW # 2007-23**

SCOPE OF SERVICES PROVIDED

GENERAL: To provide assistance for the protection of life and property and the welfare of the community, to the level of training and equipment of the fire department, subject to the provisions of section 8 of this by-law.

RESCUE: Shall consist of:

- 1) Removal of victims from toxic and hazardous atmospheres, provided that such removal can be accomplished to the level of training and with the equipment carried on the fire apparatus.
2. Assistance shall be provided to other agencies to effect rescues necessitated by natural or man-made disasters, farm accidents, industrial incidents, falls from heights and similar occurrences and will include shore based rescue as per the S.O.G.

FIRE SUPPRESSION:

_____ Shall consist of:

- 1) Protection of structures threatened by fire, in areas "deemed" accessible.
- 2) Suppression of grass and bush fires in the fire area and in accordance with the Ministry of Natural Resources, in area "deemed" accessible.
- 3) Suppression of vehicle fires.
- 4) Suppression of fires involving non-structural property, provided said property is land based or attached to land, and does not require the crossing of any body of water, using any type of watercraft.

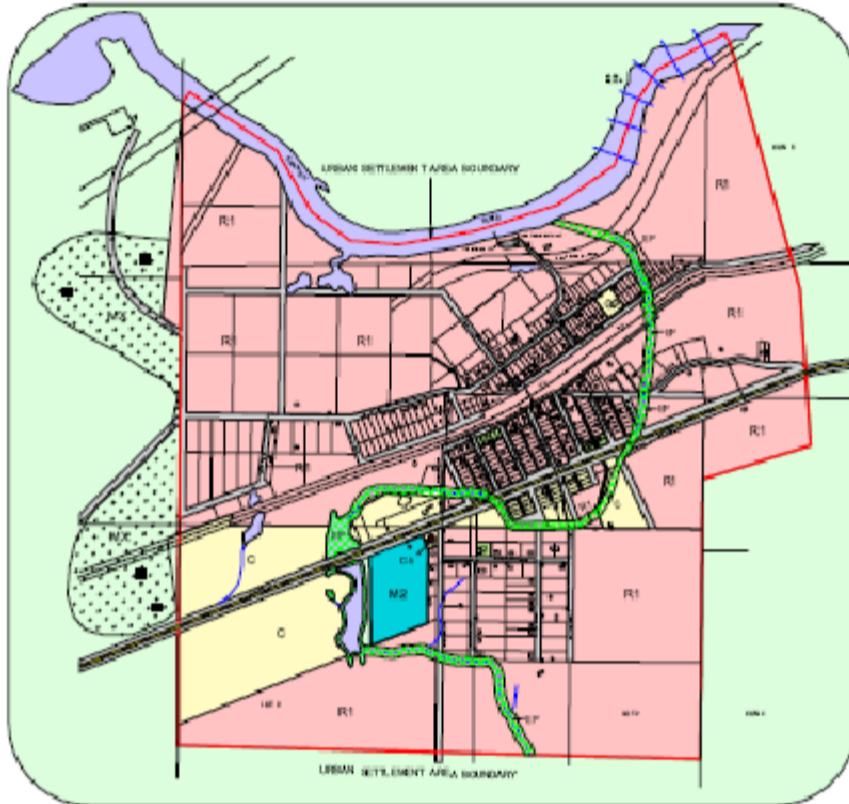
HAZARDOUS MATERIALS INCIDENTS:

- 1) Response to Hazardous Material Incidents shall be limited to the awareness level and to the level of training and equipment carried on the apparatus.

**THE CORPORATION OF THE
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**APPENDIX "F"
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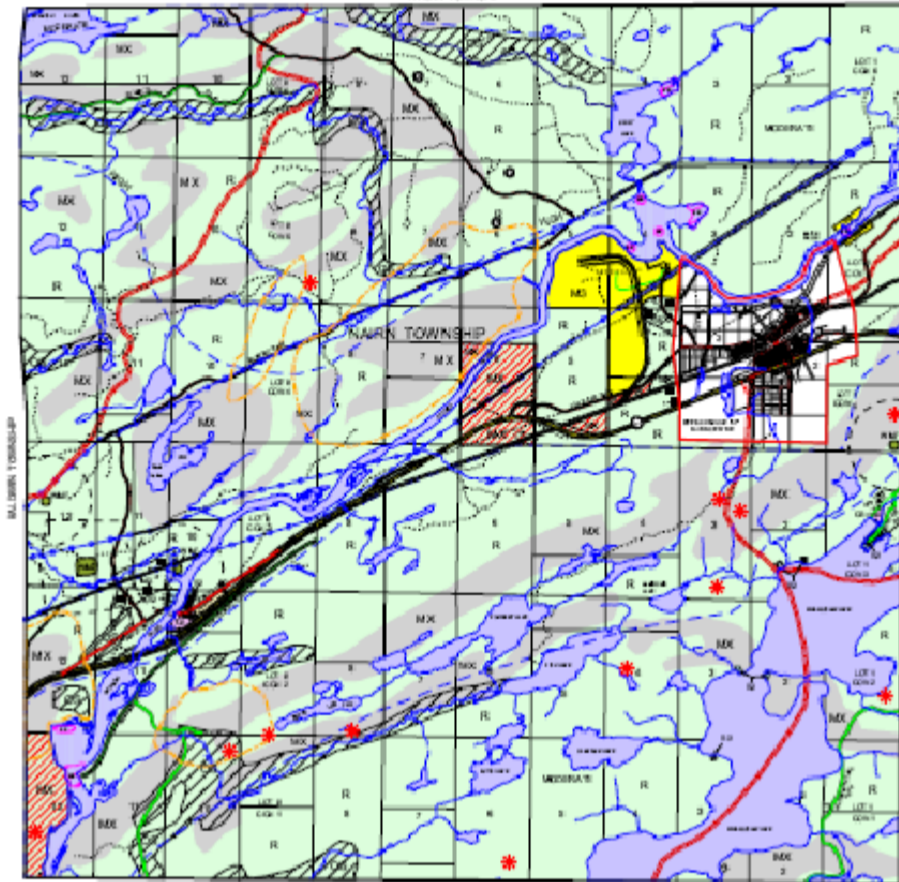
MAP # 1, NAIRN CENTRE



**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**APPENDIX "G"
BY-LAW # 2007-23**

MAP # 2, NAIRN TWP



**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**APPENDIX "H"
BY-LAW # 2007-23**

MAP # 3, HYMAN TWP.

