

CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 1998-87

**BEING A BY-LAW TO ESTABLISH A COMPOSITE FIRE DEPARTMENT
AND REGULATIONS THEREFOR**

Whereas, Section 210, Para 24 of the Municipal Act, R.S.O. 1980, Chapter 302, provides that the Council may by by-law establish and regulate a fire department;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION
OF THE TOWN OF AMHERSTBURG ENACTS AS FOLLOWS:**

1. In this by-law, unless the context otherwise requires,
 - (A) "Council" means the Council of the Town of Amherstburg.
 - (B) "Department" means the Town of Amherstburg 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 prevention, rescue and suppression services, "Ice and Water Rescue" other than inland waterways is limited to two hundred (200) feet from shore (Detroit River).
 - (D) "Volunteer Member" means a person who voluntarily acts as a fire fighter for a nominal consideration or honorarium.
 - (E) "Full time Member" means a person regularly employed in the fire department on a full time salary basis and assigned to fire protection or fire prevention duties and includes officers and technicians.
 - (F) "Approved" means approved by the Municipal Council.
 - (G) "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.
 - (H) "Deputy-Fire Chief" means the one person appointed by a 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.
 - (I) "Company" means a complement of personnel operating on or more pieces of apparatus under the supervision of an officer.
 - (J) "Member" is defined as both a Full-time and Volunteer Firefighter.

2.
 - (A) A department for the Town of Amherstburg to be known as the Town of Amherstburg Fire Department is hereby continued and the head of the department shall be known as the Chief of the Department.
 - (B) The goals and mission statement of the department shall be as those contained in Appendix "All" of this bylaw and the department shall be organized as per Table 1 forming part of this by-law.

3. In addition to the full time chief of the department, the department volunteer personnel shall consist of a deputy chief and such number of officers, captains 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 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 at least every 2 years and at such other times as the Chief of the department may require,
 - (C) The fire fighter is responsible for all firefighting duties involved in the evolutions necessary to save property, combat, extinguish and/or prevent fires. They shall rapidly and efficiently perform these varied duties under emergency conditions, frequently involving considerable hazards. Firefighters shall provide emergency Medical Aid to those requiring the same and shall perform rescue/extrication operations where necessary to prevent loss of life or further injury from any cause. The fire fighter's duties shall include routine maintenance of fire fighting equipment and fire fighting property. Specific orders and or directions as received from a superior officer shall be carried out in the normal course of all duties and a fire fighter shall exercise considerable independence of judgement during emergency operations, where direction from or referral to a superior is not possible. All departmental rules and general orders will be adhered to by all firefighting personnel.
 - (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 examination , the chief of the department may recommend to the Council that he/she be dismissed.
 - (F) If a qualified medical practitioner chosen by the Municipality finds that a full-time member is physically unfit to perform his/her assigned duties and that such condition is attributed to, and a result of his/her employment in the department, the Council may assign the member to other employment in the department or may retire him/her. Council may provide retirement allowances to employees of the Fire Department subject to the provisions of the Municipal Act, as deemed proper.

5.
 - (A) The chief of the department may reprimand, suspend or recommend dismissal of any member for insubordination, inefficiency, misconduct, tardiness or for non-compliance with any of the provisions of this 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 she/he 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 the 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 procedures 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 the 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 and exercise the powers imposed on hi/her by the Fire Protection and Prevention Act, 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.
 - (D) Is responsible for the enforcement of this bylaw 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 estimates for the department.
8. 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 shall perform all the duties of the Chief.
9. (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
 - 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.
- 10 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 Administration.

He/she shall:

- (A) Provide administration facilities for the chief and deputy chief of the department,
- (B) Prepare the departmental budget and exercise control of the budget,
- (C) Prepare the payroll records 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 fighter's association,
- (H) Prepare the monthly and annual reports of the department,
- (I) Carry out the general administrative duties of the department,
- (J) Provide liaison with the county fire coordinator
- (K) Assist the county fire coordinator in the preparation of a County Emergency Fire Service Plan and Program.

11. 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 will:

- (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) Provide liaison with the Amherstburg Water Department in order to ensure an adequate flow of water in new water works projects and the adequate maintenance of existing waterworks facilities for the use of the department.
- (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 communication 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.

12. (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 firefighting.

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 an 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) 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.

13. 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 of 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.

14. 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,

14.
 - (B) Administer training programs in stations,
 - (C) Prepare and conduct examinations of members as required.
 - (D) Prepare an annual report and budget of the Division of Training to be submitted to the Division of Administration,

15.
 - (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 and Deputy-Chief 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,


16.
 - (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.

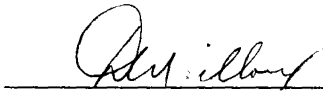
17. The department shall not respond to a call with respect to a fire or emergency outside the limits of the municipality except with respect to a fire or emergency,
 - (A) that in the opinion of the Chief of the Department threatens property in the municipality or property situated outside the municipality that is owned or occupied by the municipality,
 - (B) In a municipality with which an agreement has been entered into with any person or corporation 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 authorizes to participate in the county/district/ region emergency fire service plan and program or any other organized plan on a reciprocal basis.
 - (E) On these highways that are under the jurisdiction of the Ministry of Transportation or within the Region, County or District has established a rescue system, or,
 - (F) On property beyond the municipal boundary, where immediate action is necessary to preserve and protect life and/or property and the correct department is notified and/or assumes command and where the County/ District or Region has established a fire emergency system.

18. In case the provisions of this by-law conflict with the provisions of any other by-law, the provisions of this by-law shall prevail.

19. That By-Law Nos. Amherstburg - 2215, Anderdon - 2950 and Malden #84-6 and 95-34 are hereby repealed.
20. This by-law shall come into force and have effect on day of final passage thereof.

Passed this 14th day of DECEMBER, 1998


Head of Municipality


Clerk of Municipality

Certified to be a true copy of By-law No. _____ passed
by the Amherstburg Municipal Council on the _____
day of _____, 1998.

PRIMARY GOALS OF THE FIRE DEPARTMENT

Appendix A

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 fire, sudden medical emergencies or exposure to dangerous conditions created by man or nature; first to this 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 Departments

In order to achieve the goal of the Fire Department, the following objectives must be met:

1. Identify and evaluate the fire protection requirements of the municipality.
2. Provide an administrative -process consistent with the needs of the department.
3. Ensure an administrative process consistent with the needs of the department.
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 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 protection 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, statues, codes and regulations in respect to fire safety.
7. Develop and maintain an effective information system and educational program with the public, with particular emphasis on school fire safety programs and commercial, industrial and institutional staff training.
8. Ensure in the event of a major catastrophe in the municipality, assistance to cope with the situation is available from outside the department 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 municipal departments respecting the aspects of fire on any given program.
11. Ensure these objectives are not in conflict with any other municipal department.

FIRE DEPARTMENT MISSION STATEMENT

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

AMHERSTBURG FIRE DEPARTMENT

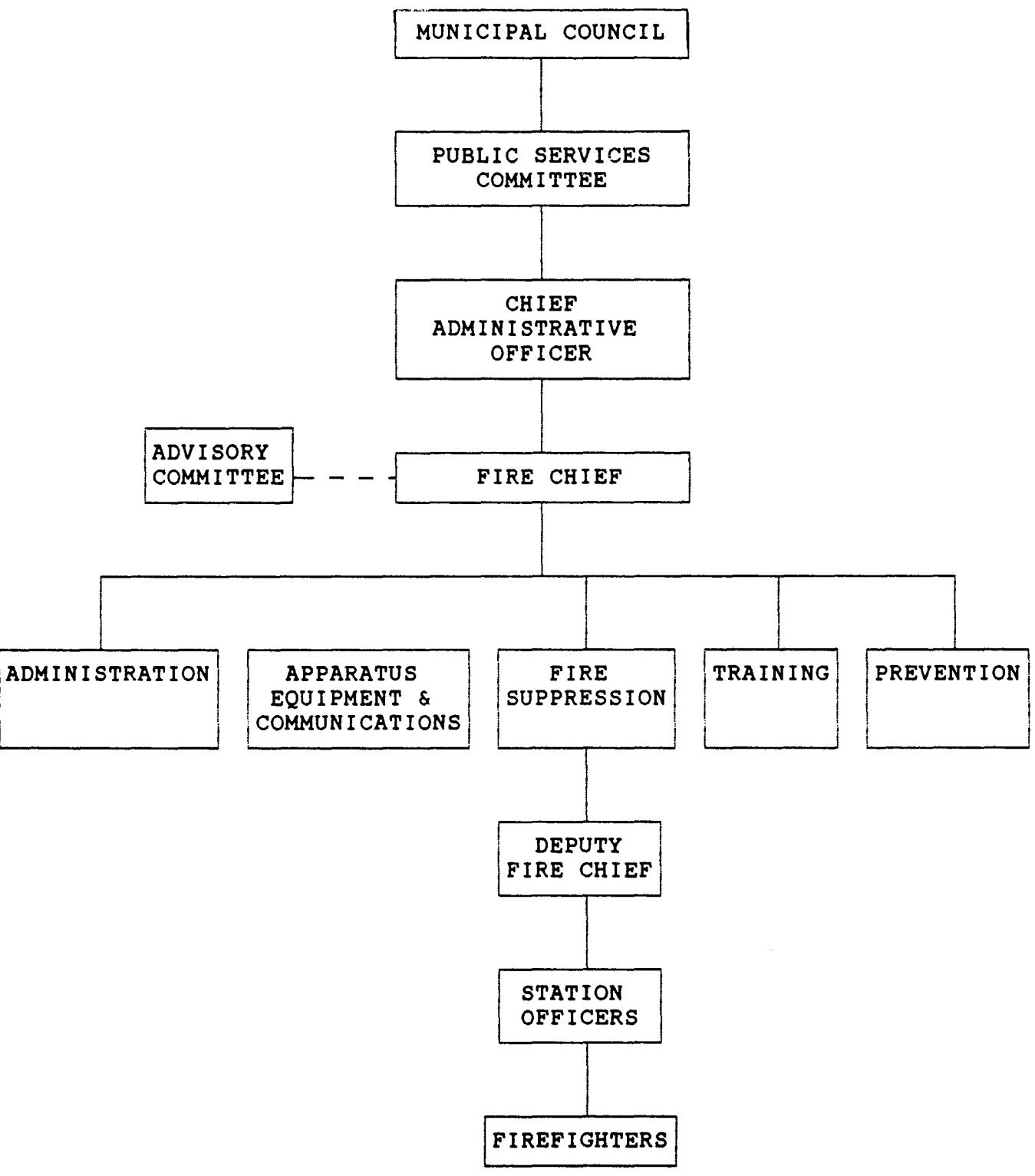


TABLE 1 ORGANIZATION CHART