

# THE CORPORATION OF THE TOWNSHIP OF MULMUR

## BY-LAW NO. 48 -13

### BEING A BY-LAW TO ESTABLISH AND REGULATE A FIRE DEPARTMENT FOR THE CORPORATION OF THE TOWNSHIP OF MULMUR

**WHEREAS** Section 8 of the Municipal Act, 2001, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 130 of the Municipal Act, 2001, provides that a municipality may regulate matters for the health, safety and wellbeing of the inhabitants of the municipality;

**AND WHEREAS** Section 5 of the Fire Protection and Prevention Act, 1997, provides that the Council of a municipality may establish, maintain and operate a fire department for all or any part of the municipality;

**NOW THEREFORE** be it resolved that the Council of the Corporation of the Township of Mulmur hereby enacts the following:

1. In this By-Law, unless the context otherwise requires,
  - a) “Additional Service(s)” includes retaining a private contractor, renting special equipment not normally carried on fire apparatus, or using more materials than are carried on a fire apparatus normally.
  - b) “Approved” means approved by the Council of the Township of Mulmur.
  - c) “Chief Administrative Officer” means the person appointed by the Council of the Township of Mulmur to act as Chief Administrative Officer for the Corporation.
  - d) “Confined Space” means any space that has limited or restricted means for entry or exit, such as tanks, vessels, silos, storage bins, hoppers, vaults, trenches, excavations and pits, and which are not designed for continuous human occupancy.
  - e) “Corporation” means the Corporation of the Township of Mulmur.
  - f) “Council” means the Council of the Township of Mulmur.
  - g) “Deputy Fire Chief” means the person(s) recommended by the Fire Board and appointed by the Council of the Township of Mulmur to act in the place of the Fire Chief in the Fire Chief’s absence, or in the case of a vacancy in the position of Fire Chief.
  - h) “Fire Chief” means the person recommended by the Fire Board and appointed by the Council of the Township of Mulmur to act as Fire Chief of the fire department and is ultimately responsible to the Council of the Township of Mulmur as defined in the *Fire Protection and Prevention Act*.
  - i) “Fire Code” means the *Ontario Fire Code Ontario Regulation 213/07* established under Part IV of the FPPA.
  - j) “FPPA” means the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c 4, as amended.
  - k) “Fire Department(s)” means the Shelburne and District Fire Department, Rosemont District Fire Department and the Mulmur Melancthon Fire Department.

- l) “Fire Board” means the elected representatives appointed from the participating municipalities covered by the Shelburne and District Fire Department, Rosemont District Fire Department and the Mulmur Melancthon Fire Department is hereby referenced in this document as “the Board”.
  - m) “Fire Protection Agreement” is a contract between municipalities, other agencies, individuals, or a company that clearly defines the responsibilities, terms, conditions, and all other aspects of the fire services purchased, provided and/or required.
  - p) “Fire Protection Services” includes 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 of those services.
  - n) “Member” means any persons employed in, or appointed to, a fire department and assigned to undertake fire protection services and includes its volunteer officers and volunteer firefighters.
  - o) “Officer” means person(s) appointed to the rank of District Fire Chief, Training Officer, Captain, Lieutenant or Fire Prevention Officer.
  - p) “Specialized rescue” shall mean rescue response to low angle rope rescue, shore based water rescue, confined space rescue, trench collapse awareness, auto extrication, Mission Specific Operations Level Hazardous Materials Response, Awareness Level Hazardous Materials Response in accordance with available resources, other rescues deemed by the fire service to fall within available training skill sets, available personnel and required specialized equipment.
  - q) “Volunteer Firefighter” means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.
2. The fire department for the corporation is hereby established and shall be known as the Mulmur Melancthon Fire Department and the head of the fire department shall be known as the Fire Chief.
  3. The fire departments servicing the Township of Mulmur are the Shelburne and District Fire Department, Rosemont District Fire Department and the Mulmur Melancthon Fire Department
  4. The fire departments may be structured with a Fire Chief, Deputy Fire Chief, officers and firefighters in accordance with the organization chart and the Fire Protection Services defined in this section.
  5. The Fire Chief shall report to the Fire Board(s) and the Chief Administrative Officer but is ultimately responsible to the Council of the Township of Mulmur for the delivery of fire protection services and for proper administration and operation of the fire department
  6. The Fire Chief may recommend to the Board/Council, the appointment of any qualified person as a member of the fire department subject to the approved hiring policies of the Board/Council.
  7. A person is qualified to be appointed as a member who:
    - a) Is not less than 18 years of age and not more than 60 years of age for Fire Suppression;
    - b) Passes such tests, exams and interviews as shall be required by the Fire Chief; and,
    - c) Is medically fit to be a member as certified by a licensed physician. If the existing member is 60 or older and wishes to remain in a Fire Suppression role on the fire department they must pass and annual medical and fitness testing as outlined by the fire department; which shall be paid for by the Board.

8. Persons appointed as members of the fire department shall be on probation for a period of twelve months during which period the probationary member shall take such special training and examinations as may be required by the Fire Chief.
9. If a probationary member fails any such examinations, the Fire Chief may recommend to the Board/Council that he/she be dismissed.
10. Working conditions and remuneration for all firefighters shall be determined by the Board/Council.
11. 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 any fire department serving Mulmur Township, the Board/Council may assign the member to another position in the fire department or may retire him/her. The Board/Council may provide retirement allowances to members, subject to *the Municipal Act*.
12. The Fire Chief may appoint an existing member or any other person deemed appropriate, to the position of Fire Department Chaplain. The Chaplain may provide services including but not limited to:
  - a) Critical incident stress counselling and debriefing
  - b) Chaplaincy services at official functions, fire service funerals and memorials
13. Nothing in this By-Law will restrict the Fire Department to providing only Core Services (Appendix A) or limit the provision of the Fire Protection Services at the discretion of the Chief Fire Official or Incident Commander provided that fire department staff is not requested to perform duties outside of their provided training, equipment, resources and sufficient staff availability
14. The Fire Chief shall implement and review periodically all approved policies and shall develop such standard operating procedures and guidelines, general orders and departmental rules as necessary and shall ensure the appropriate care and protection of all fire department equipment. The Fire Chief may establish a committee consisting of such members of the fire department as the Fire Chief may determine from time to time to assist in these duties.
15. The Fire Chief shall submit to the Township of Mulmur or the Board for approval, the annual budget estimates for the fire department, an annual report and any other specific reports requested by the Board/Council.
16. 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.
17. 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 powers and shall perform all duties of the officer replaced.
18. The Fire Chief may reprimand, suspend or dismiss any member for an infraction of any of the provisions of this bylaw, policies, general orders and department rules that in the opinion of the Fire Chief would be detrimental to the discipline and efficiency of the fire department.
19. Following the dismissal to a member, the Fire Chief shall report in writing the reasons for the dismissal to the Board.
20. A volunteer firefighter shall not be dismissed without being afforded the opportunity for a review of termination by the Board if he/she makes a written request for such a review within seven working days after receiving the notification of the proposed dismissal.



*Terry Horner*

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CLERK.

*Paul Mills*

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MAYOR.

## APPENDIX A

### **Township of Mulmur - Core Services**

*All Fire Departments shall have an operational guideline and/or procedure for each of the Core Services listed below.*

#### **Interior Suppression & Rescue**

Performed when staffing and building integrity permit entry, performed with fire suppression support, performed as water supply permits and implemented to rescue trapped persons.

#### **Offensive Operations (interior fire suppression)**

Performed when staffing, water supply and building integrity permit entry and implemented to prevent further dollar loss.

#### **Defensive Operations**

Performed when there is insufficient staffing and/or structural instability, performed as water supply permits and implemented to reduce loss to surrounding areas.

#### **Areas without Municipal Water Supply**

In areas without municipal water supply, the fire department will respond with water tankers. This service does not meet Superior Tanker Shuttle accreditation.

#### **Rural Firefighting Operations**

In areas outside of a 4 kilometer radius of a fire station, which may or may not have municipal water supply, there may be increased response times due to travel distance, road grades and weather conditions. Fire suppression operations will be determined by accessibility, staffing, structural integrity and water supply.

#### **Tiered Response**

The fire department does have an agreement to respond as a tiered agency with OPP and EMS. The fire department will respond as requested to provide assistance for the OPP or EMS.

#### **Motor Vehicle Accidents**

The fire department will respond as a tiered agency and will offer traffic control, patient care, scene stabilization and spill/debris cleanup as needed.

#### **Vehicle Extrication**

The fire department will respond as a tiered agency and will gain access to patients trapped in vehicles, for removal by EMS or other agencies using hand tools, heavy hydraulics and air bags as required.

#### **Remote Extrication**

The fire department will assist police and/or EMS in the search/extrication of patients from remote locations. Typical patients include hikers, bikers, skiers, horseback riders, snowshoers and climbers. The fire department will respond with ATV and trailer mounted stretcher and respond on foot where ATV access is not possible. Extrication is limited by terrain and weather conditions. All personnel will be trained in the operation of the ATV.

**The fire department is trained to confined space awareness level only. The fire department will respond based on conditions and circumstances**

### **Farm Accidents**

The fire department is trained to confined space awareness level only. The fire department will respond based on conditions and circumstances to assist in remote areas, roll overs, entanglements, confined space\* and silos\* using hand tools, heavy hydraulics, air bags as required.

### **Industrial Accidents**

The fire department is trained to confined space and HazMat awareness level only. The fire department will respond based on conditions and circumstances to assist with entanglements, confined space\*, electrical hazards and chemical hazards using hand tools, heavy hydraulics and/or air bags as required.

### **Confined Space Rescue**

***\*Confined Space Rescue is only performed providing that all training, equipment, knowledge and personnel are available to facilitate rescue.***

The fire department is trained to confined space awareness level only. The fire department will respond based on conditions and circumstances to assist with rescue from areas not designed for human occupancy, restricted means for entry or exit, back up for municipal employees working in these areas including but not limited to cisterns and vaults and municipal water tower (interior only).

Rescue shall be provided using hand tools, ropes, tripod and confined space self-contained breathing equipment.

### **Low Angle Rescue (steep slope)**

This form of rescue will be used to perform remote extrication and vehicle accidents with rescue provided using hand tools, ropes, pulley systems.

### **Water Rescue**

***All firefighters shall wear a life jacket when engaged in water rescue.***

Water rescue shall be delivered in 3 methods dependent on the circumstances and shall include search and rescue on the surface but does not include salvage or recovery. Static Water (harbour, shoreline); Swift Water (shoreline), and Ice Water (harbour, shoreline).

Rescue will be administered shore based using ropes.

### **Services Requiring Outside Agencies**

#### **Building Collapse Rescue and Trench Rescue**

Mutual Aid coordinator shall be contacted and the fire department will provide support and assistance to the responding agency.

#### **Awareness Level Response Hazardous Materials (transporting, storage)**

Includes all hazardous materials and fire incidents involving propane storage, agricultural and industrial process. CANUTEC shall be contacted. The fire department will provide support and assistance to the responding agency.

**Electrical Hazards**

Includes responses to downed or arcing hydro wires. Hydro and OPP shall be contacted and the fire department will provide scene security and traffic control as required until the responding agencies arrive.

**Carbon Monoxide**

Includes responses to residential and commercial carbon monoxide alarms or as requested by outside agencies. Will include using air monitoring detectors to determine the presence of carbon monoxide, evacuate the areas as required, and notify outside agencies as required to respond, locate and repair source of carbon monoxide leak.

**Natural Gas Leaks**

Includes responses to gas line ruptures or as requested by outside agencies. Gas Company and the OPP shall be contacted. The fire department will provide scene security and traffic control as required until the responding agencies arrive.



## APPENDIX B

### **Township of Mulmur - Fire Prevention Policy**

This fire prevention policy has been reviewed and approved by the Municipal Council of the Township of Mulmur on November 20, 2013 and is applicable in its entirety for the whole of the municipality.

For the purposes of this Policy, fire safety includes safety from the risk that a fire, if started, would seriously endanger the health and safety of any person or the quality of the natural environment for any use that can be made of it. 1997, c.4, s.18. *Fire Protection and Prevention Act* Part VI s.18

#### **Fire Prevention Records Keeping**

Current records relating to all fire prevention activities must be prepared and retained at the Fire Hall and a copy forwarded to the Township. These records include:

- Emergency response statistics using the Standard Fire Incident Report
- Fire investigations (with a copy to the Ontario Fire Marshal) including post-fire follow-up inspection reports.
- Simplified risk assessment and any other needs analysis processes containing a current community fire profile identifying current public education and prevention needs
- List of complaint, request and routine fire safety inspections completed according to schedule. Report of follow up to ensure that all (if any) outstanding Ontario Fire Code contraventions or fire hazards as per Ontario Fire Marshal (OFM) Technical Guideline OFM-TG-01-2012 Fire Safety Inspections and Enforcement are completed.
- List of pre-incident plans for all extreme and high risk occupancies
- Record of all personnel who have completed a training program on pre-incident planning
- Detail of implementation including strategies to enforce legislation, to ensure continuity of service and consistent messaging regarding OFM's Alarmed for Life smoke alarm program.
- Record and copies of distribution of Public Fire Safety information and media releases
- Record of Fire Department attendance at municipal events for Public Fire Safety
- Copies of lectures, demonstrations and presentations to the public
- Building code plans examinations
- Written delegations of a chief fire official where referenced in the *Ontario Fire Code*

- Written designations of Assistants to the Fire Marshal as outlined in OFM Communique 2009-1324 for all personnel who are conducting fire safety inspections and verification that personnel attended training session on OFM Technical Guideline OFM-TG-01-2012 Fire Safety Inspections and Enforcement
- Fire safety plans for “approved” buildings regulated by Article 2.8.1.1 of the *Ontario Fire Code*.
- List of designated personnel that have received their Building Code Inspection Number (BCIN) from the Ontario Ministry of Municipal Affairs and Housing in order to be able to complete plan reviews and final occupancy inspections.
- List of personnel involved in fire prevention activities that are trained to perform their municipal and legislative responsibilities and duties.

### **Inspections:**

Issues as they relate to the Ontario Building Code for new construction and/or alterations to existing buildings shall be referred to the Building Department.

#### *New Construction*

- Compliance issues which reference the Ontario Building Code through the Ontario Fire Code shall be addressed in consultation with the Building Department.
- The fire department shall consult with the Building Department for tactical purposes in regard to life safety systems, suppression systems, fire routes, and water supply and f/d connections.
- The fire prevention department shall consult with the Building Department prior to commercial building occupancy, to ensure proper placement of fire extinguishers and fire safety plan development.
- The Building Department will be requested to advise the fire department when building occupancy has been granted and/or building permits closed.
- To ensure accurate records for the maintenance of fire systems within buildings after occupancy has been granted, the Building Department will be requested to forward copies of all installation, test and verification reports to the fire department upon completion of the project or occupancy of the building.

#### *Routine*

- It is the policy of the fire departments to conduct fire prevention inspections of occupancies, at the frequencies indicated in this policy as approved by Council.

#### *Request*

- Request inspections shall be completed by qualified staff within 5 business days or as soon as practical as determined by fire and life safety concerns.

### *Complaint Inspections*

- Complaint inspections shall be completed by qualified staff within 1 business day or as soon as practical as determined by fire and life safety concerns.

### *Boarding Lodging and Rooming Houses*

- When the fire department becomes aware of Boarding Lodging and Rooming Houses, as described by Fire Code Commission Ruling 2011A012-177, or through request and/or complaint inspections, they shall be inspected in accordance with section 9.3 Div B of the Ontario Fire Code. Requirements of the Ontario Fire Code shall be enforced. Requirements of the Ontario Fire Code which are relevant to the Ontario Building Code shall be directed to the Building Department and completed under permit as applicable.

### *Fireplaces and Woodstoves*

- These appliances will be inspected upon request. Inspections will be limited to the visible portions of the existing unit only, as at the time of inspection.
- The inspection shall include only those maintenance items regulated by Ontario Fire Code Div B 2.6.
- WETT (Wood Energy Technical Training) inspections shall be requested. The subsequent reports shall be forwarded to the fire and Building Departments.
- The building department should be advised of the inspection and subsequent findings to ensure the appliance has been installed under permit.

### *Retrofit*

- The fire department will take a pro-active approach to notifying any/all property owners whose property is governed under the Ontario Fire Code Retrofit legislation.
- The fire department will inspect any properties governed by retrofit legislation as requested by the property owner to ensure compliance and advise the owners in writing of their compliance requirements.
- The building owner will be required to consult Building Department where OBC requirements are identified to comply with the Ontario Fire Code.
- The Chief Fire Prevention Officer (CFPO) shall advise the Chief Building Officer (CBO) accordingly.

### *Fire Code Enforcement*

- With discretion, the fire department shall enforce the Ontario Fire Code in accordance with Part VII of the Fire Protection & Prevention Act, where building owners fail to comply with requirements of the Act or the regulations.

#### *Ontario Fire Code References to the Ontario Building Code*

- Where the Ontario Fire Code references the Ontario Building Code(OBC) for compliance requirements, the following shall apply:
- The Chief Building Official shall be notified in writing by the Chief Fire Prevention Officer, of the circumstances, and provided with a copy of the report/order which has been issued to the building owner.
- The CFPO shall direct the building owner to Building Department for all issues relating to the OBC and related permits.
- The CBO shall keep the CFPO informed of project status and approvals.
- The CBO shall be responsible for accepting all requirements of the OBC referenced by the OFC.

#### *Zoning Related Issues*

- The Planner shall be advised of all Zoning inquiries and concerns.

#### **Fire And Life Safety Education:**

- The fire department will provide public fire and life safety education programs to the residents of the municipality on an ongoing basis.
- Programs will be developed internally or where applicable utilize Ontario Fire Marshal programs such as: Learn Not to Bum, Alarmed for Life, TAPP-C etc.

#### **Distribution of Fire Safety Information:**

- The fire department will provide public fire safety messages and awareness campaigns through all available media.
- The fire department will make fire prevention information, pamphlets and literature available to the public.

#### **Smoke Alarm Program:**

- The fire department will maintain a working smoke alarm program throughout the municipality..
- The program shall be reviewed and revised annually, or as required, due to changes in legislation and/or demographics.

#### **Risk Assessment:**

- The Risk Assessment shall be reviewed and revised every three years.

#### **Fire Investigation and Cause Determination:**

- The fire department will investigate all fires within its responding area with the intent to determine cause for the purposes of developing public education programs accordingly.
- The Ontario Fire Marshal's Office (OFM) shall be notified to investigate fire scenes in accordance with OFM Guidelines.
- Buildings damaged by fire, will be assessed for structural integrity by a qualified person, should there be any question in regards to the safety of personnel entering for investigation purposes.

**Fire Loss Statistics:**

- Fire loss statistics will be gathered, analyzed and used in the development of future fire prevention/education programs.

**Fire Prevention Staff Training:**

- To ensure the required level of Fire Prevention and Public Education as outlined by this policy, an ongoing comprehensive training program will be put in place for fire department personnel.
- To ensure the required level of Fire Prevention and Public Education as outlined by this policy; prevention staff will participate in-service training and Ontario Fire College prevention curriculum.

**Conclusion:**

Fire Prevention includes public education, early detection and early suppression as integral components in the protection of life and property in the municipality. Reducing injuries and losses coupled with empowering owners to maintain their buildings; is a cornerstone in the foundation of developing a fire safe community. The fire prevention policy provides for the participation of all members of the department in fire prevention activities. The inspections, enforcement and public education duties will be regulated by the Chief Fire Prevention Officer in consultation with the Fire Chief. The types and frequency of inspections approved by Council are listed on the following table.

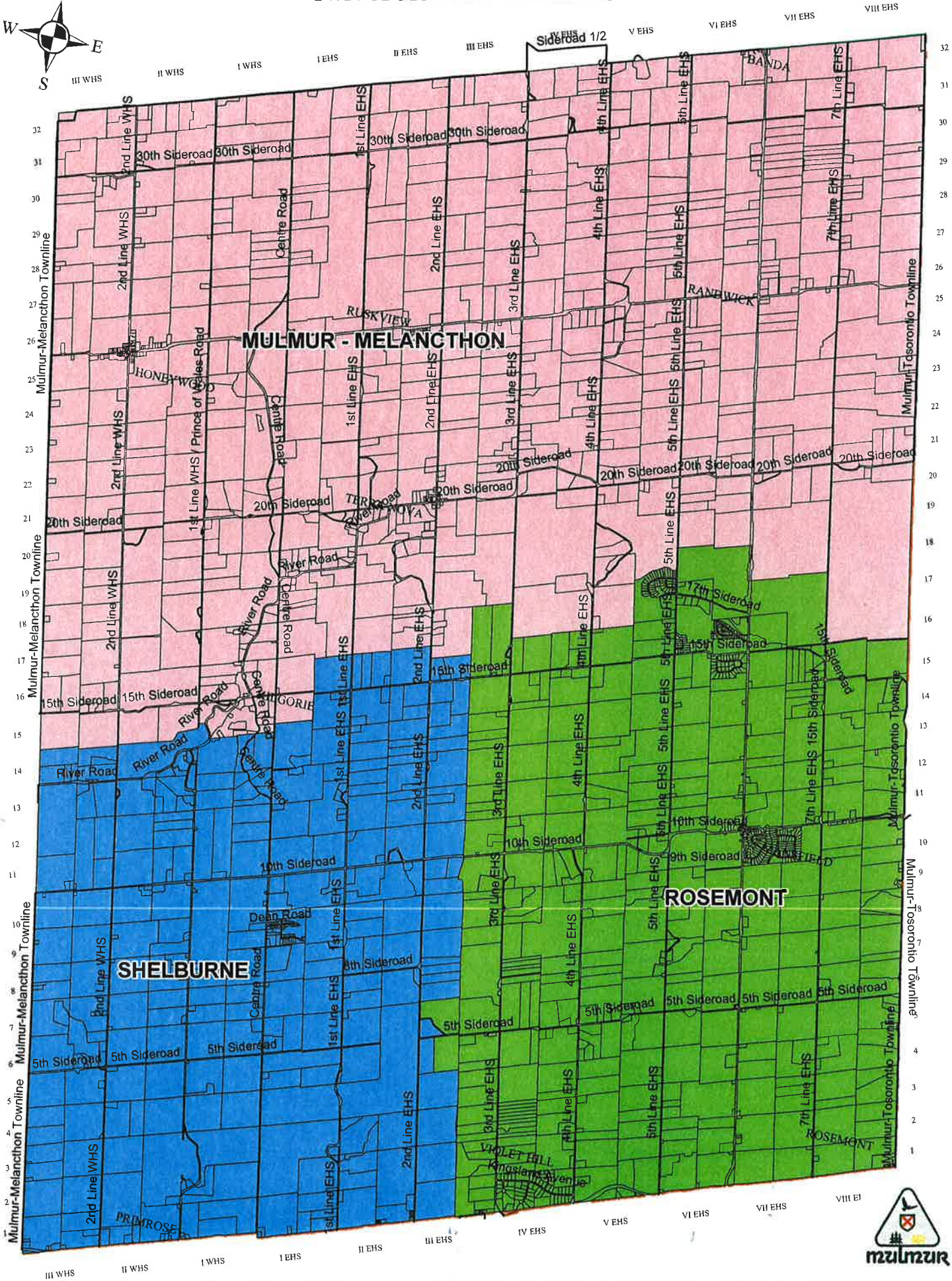
**TYPES AND FREQUENCY OF INSPECTION**

Not including by complaint or by request  
Detailed listing included in the Simplified Risk Assessment

<b><i>Occupancy</i></b>	<b><i>Frequency</i></b>
Group A - Assembly - An assembly occupancy is defined as one that is used by a gathering of persons for civic, political, travel, religious, social, educational, recreational or like purposes or for the consumption of food or drink (more than 30 persons) Includes Arenas and occupancies in which occupants are gathered in the open air.	Every two years or annually if possible
Group B - Care or Detention Occupancies - A care or detention occupancy means the occupancy or use of a building or part thereof by persons who (a) are dependent on others to release security devices to permit egress,(b) receive special care and treatment, or(c) receive supervisory care	Annually

Group C - Residential - A residential occupancy is defined as one that is used by persons for whom sleeping accommodation is provided but who are not harboured or detained to receive medical care or treatment or are not involuntarily detained.	As noted below
Single Family Dwelling Units	Complaint or request only
Multi-unit Residential	Every two years or annually if possible
Hotel/Motel	Every two years or annually if possible
Mobile Homes and Trailers	Every two years or annually if possible
Residential Schools / Treatment Centre	Annually
Group D - Business and Personal Services Occupancies - A business and personal services occupancy is defined as one that is used for the transaction of business or the rendering or receiving of professional or personal services.	Every two years or annually if possible
Group E - Mercantile Occupancies - A mercantile occupancy is defined as one that is used for the displaying or selling of retail goods, wares or merchandise	Every two years or annually if possible
Group F - High/Medium/Low Hazard Industrial Occupancies An industrial occupancy is defined as one for the assembling, fabricating, manufacturing, processing, repairing or storing of goods and materials. This category is divided into low hazard (F3), medium hazard (F2) and high hazard (F1) based on its combustible content and the potential for rapid fire growth.	Every two years or annually if possible
Other Properties - Not Classified in OBC, not including farm buildings. Includes those that contain large quantities of combustible materials, Aggregates, propane storage facilities, outdoor tire storage yards, grasslands/forests, plastic recycling depot, railway lines used to transport high volumes of large quantities of hazardous chemicals, etc.	Every two years or annually if possible

# TWP. OF MULMUR FIRE AREAS



APPENDIX D

**Township of Mulmur - Fire Organizational Chart**

