

ESTABLISHING AND REGULATING BY-LAW
CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 99-466

Being a by-law to Establish a Fire Department for the areas with-in the Municipality of Temagami that include Sisk, Olive, Milne, and portions of Law Township lying South of Rabbit Lake Access Road at Hwy. 11 and Brophy Lake/Waha Lake on Wilson Lake/Tonomo Lake Road.

Whereas the Municipal Act, R.S.O. 1990 c., and the Fire Protection and Prevention Act, 1997, S.O. 1997, c4., as amended, permits 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 Municipality of Temagami as follows:

- I. In this by-law, unless context otherwise requires,
 - (a) *approved* means approved by the *council*
 - (b) *chief administrative officer* means the person appointed by *council* to act as *chief administrative officer* for the *corporation*
 - (c) *corporation* means the Corporation of the Municipality of Temagami
 - (d) *council* means the Council of the Corporation of the Municipality of Temagami
 - (e) *deputy chief* means the person appointed by *council* to act in place of the *fire chief* of the *fire department* in the case of an absence or vacancy in the office of *fire chief*
 - (f) *fire chief* means the person appointed by *council* to act as *fire chief* for the *corporation*
 - (g) *fire department* means the Marten River Fire Department
 - (h) *fire protection services* including fire suppression, fire prevention, fire safety education, communication, 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 fire fighters*
 - (j) *volunteer fire fighter* means a person who provides *fire protection services* either voluntarily or for a nominal consideration, honorarium, training or activity allowance
2. A *fire department* for the Corporation of the Municipality of Temagami to be known as the Marten River Fire Department is hereby established and the head of the *fire department* shall be known as the *fire chief*
- 3 a) The *fire department* shall be structured in conformance with the *approved* Organizational Chart, **Appendix A**, forming part of this by-law.
- 3 b) The goals statement of the *fire department* shall be as those in Appendix B, forming part of this by-law.
- 3 c) The *fire department* shall provide *fire protection services* as *approved* by *council*. **Appendix C**, forming part of this by-law.
- 4 a) In addition to the *fire chief* the *council* shall appoint such numbers of other officers, and *members*, as may be deemed necessary by *council*.
- 4 b) The strength of the department shall not fall below the recommended number set out in the Emergency Fire Service Plan Mobilizing Procedure Manual as part of the Mutual Aid System, as per by-law no. 84-120.

5. The *fire chief* may recommend to the *council* the appointment of a qualified person as a member of the *fire department*, subject to the *approved* hiring policies of the Corporation of the Municipality of Temagami.
6. Persons appointed as a *member* of the *fire department* to provide *fire protection services* shall be on probation for a period of twelve (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 remuneration of the *volunteer members* of the *fire department* shall be as determined by *council*.
9. 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 retire him/her.
10. 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 programs.
11. The *fire chief* shall implement all *approved* policies and shall develop such standard operating procedures and guidelines, general orders and departmental rules as may be necessary to implement the approved policies and to ensure the appropriate care and protection of all fire department personnel and *fire department* equipment.
12. The *fire chief* shall submit to the *chief administrative officer* and *council* for approval, the annual budget estimates for the *fire department*, an annual report and any other specific reports requested by the *chief administrative officer* or *council*.
13. 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*.
14. Where the *fire chief* designates a *member* to act in the position 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.
15. 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 discipline or the efficiency of the *fire department*.
16. Following the suspension of any *member*, the *fire chief* shall immediately report, in writing, the suspension and recommendation to the *chief administrative officer* and *council*.
17. 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 (7) 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.
18. The *fire chief* shall take all proper measures for the prevention, control and extinguishment of fires and for 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:

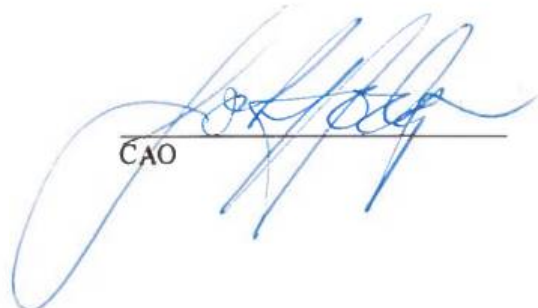
- (a) pulling down or demolishing any building or structure to prevent the spread of fire,
 - (b) all necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident, when unable to contact the property owner
 - (c) recovery of expenses incurred by such necessary actions for the corporation in the manner provided through the Municipal Act and the Fire Prevention Act
 - (d) enforce the "Open Air Burning" by-law, being a by-law of the Corporation of the Municipality of Temagami prescribing times for setting fires and precautions to be taken.
19. The *fire department* shall not respond to a call with respect to a fire or emergency outside the traditional firefighting 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 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 to participate in any district mutual aid plan established by a fire coordinator appointed by the fire marshal or any other similar reciprocal plan or program,
 - (e) on property beyond the municipality boundary where the *fire chief* or designate determines that immediate action is necessary to preserve and protect life or property and the appropriate department is notified to response and assume command or establish alternative measures, acceptable to the *fire chief* or designate.
20. THAT this by-law shall come into force and take effect on the date of the final passage thereof.
21. THAT all by-laws and parts of by-laws inconsistent with the provisions of this by-law are hereby repealed.

READ a first and second time, this 14^h day of October, 1999.

READ a third time and finally passed this 14^h day of October, 1999.

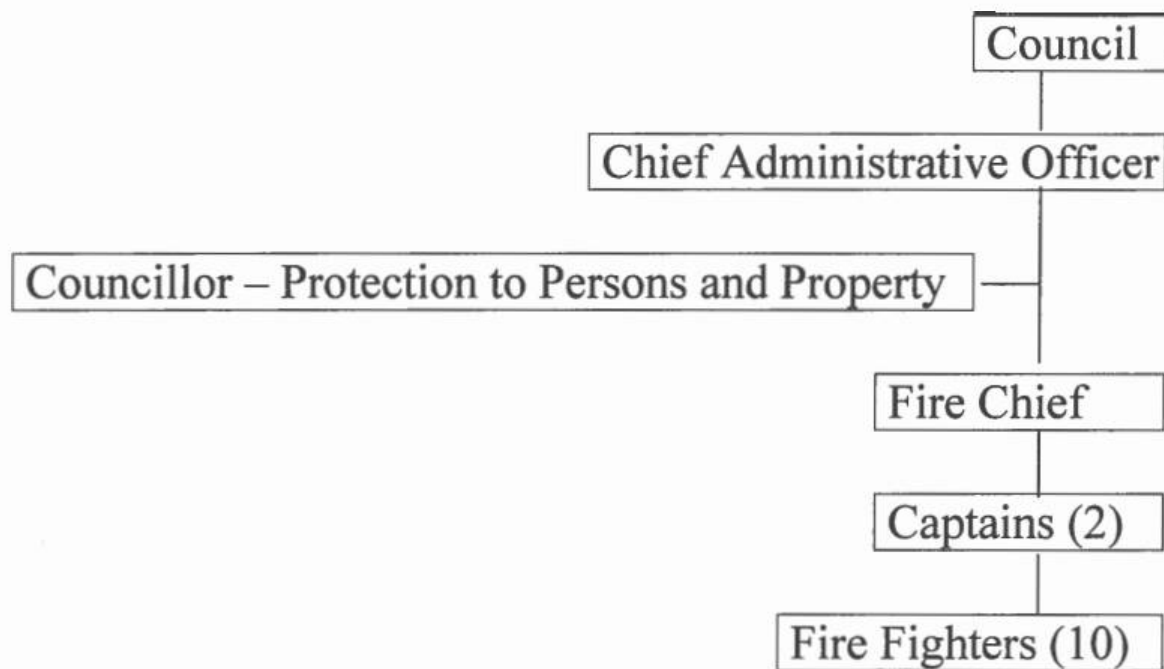
THE CORPORATION OF THE Municipality of Temagami


Mayor


CAO

Appendix 4A'
Marten River Fire Department
Organizational Structure

Reporting Structure:



The fire department may have the following divisions:

- Administration
- Fire Prevention & Education
- Fire Suppression
- Training
- Apparatus, Equipment and Communications

Each division of the *fire department* is the responsibility of the *fire chief* and is under the direction of the *fire chief* or *member* designated by the *fire chief*

Designated *members* shall report to the *fire chief* on the division and activities under their supervision and shall carry out all orders of the *fire chief*

Marten River Fire Department Roles & Responsibilities

- I) Administration:
 - (a) Prepare the departmental budget and exercise control of the budget;
 - (b) Prepare the payroll of the *department* and initiate requisitions for materials and services and certify all accounts of the *department*;
 - (c) Maintain personal records in accordance with the policy of the *corporation*;
 - (d) Arrange for the provision of medical services in the event of fire fighter(s) injury at *department* responses or training sessions;
 - (e) Make recommendations for the construction of new buildings, or renovations, as *approved*;
 - (f) Provide liaison with associations ie the local fire fighters association, mutual aid association;
 - (g) Prepare monthly and annual reports of the *department*;
 - (h) Carry out the general administrative duties of the *department*;
 - (i) Provide liaison with the District fire coordinator, and District Mutual Aid coordinator.
- 2) Defensive Fire Suppression
 - (a) Prevent, control and extinguish fires in areas accessible by fire department vehicles;
 - (b) Conduct investigations of fires actioned by the *department* in order to determine cause, origin, and where required, to request appropriate agencies to assist with the investigation;
 - (c) Respond and assist at such emergencies as may be deemed necessary by the *fire chief*,
 - (d) Perform pre-emergency planning for those areas accessible by fire department vehicles, and
 - (e) Liaison with the North Bay office of the Ministry of Natural Resources to ensure fire suppression and values protection (including fire investigation) is provided as per the Forest Fire Protection Agreement with the Ministry of Natural Resources.
- 3) Training:
 - (a) Establish a fire *department* training program, and conduct training for all *members* in accordance with the *approved* training program;
 - (b) Administer training programs; and
 - (c) Prepare and conduct examinations of *members* as required.
- 4) Apparatus, Equipment and Communications:
 - (a) Prepare specifications for the purchase of apparatus and equipment;
 - (b) Maintain and keep in repair all existing buildings, apparatus and equipment of the *department*;
 - (c) Perform apparatus maintenance and cleaning duties; and
 - (d) Authorize for "outside repair: of equipment, that in the opinion of the *fire chief* cannot be obtained within the municipality.

Appendix 'B'

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, 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/agencies 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 the 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 traditional fire fighting area 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 cooperate 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. May provide an effective fire prevention program to:
 - (a) Ensure, through plan experimentation and inspection, compliance with applicable municipal, provincial and federal fire prevention legislation, statutes, codes and regulations;
 - (b) Identify, reduce and/or eliminate fire hazards.
7. May develop and maintain an effective public information system and educational program, with particular emphasis on school fire safety programs; and commercial, industrial and institutional staff training.
8. Ensure that, in the event of a major catastrophe in the municipality, assistance to cope with the situation is available from outside departments and other agencies.
9. Develop and maintain a good working relationship with federal, provincial, and municipal departments, utilities and agencies, related to the protection of life and property.
10. Develop and maintain a Forest Fire Protection Agreement with the Ministry of Natural Resources to provide fire suppression and values protection in areas inaccessible by the department.
11. Interact with other municipal departments respecting the aspects of fire on any given program.
12. Ensure these objectives are not in conflict with any other municipal departments.

Appendix 'C'

The Marten River Fire Department shall provide a range of fire protection services, as determined by council, for the inhabitants of the municipality within the Marten River Fire Department administrative area (areas of the municipality that include Sisk, Olive, Milne, and portions of Law Township lying South of the Rabbit Lake Access road at Hwy. 11 and Brophy Lake/Waha Lake on Wilson Lake/Tonomo Lake Road).

An *approved fire* service agreement with the Temagami Fire Department shall outline fire protection services provided to areas within the Temagami fire Department response area by the Marten River Fire Department.

Note:

The department may respond to calls outside the fire department's normal response area if the incident commander believes immediate action is necessary to preserve and protect life (with-in the department's "*trained and equipped*" capabilities). Specifics of the response area are identified at the end of the Appendix.

FIRE PREVENTION / EDUCATION

Fire prevention / education services will be considered in the future as training allows.

FIRE SUPPRESSION

STRUCTURAL FIRES: areas accessible by fire department vehicles will be actioned by the Marten River Fire Department. DEFENSIVE FIRE SUPPRESSION ONLY
PROVIDED IF APPROVED EQUIPMENT AND SUFFICIENT TRAINED
MANPOWER ARE ON SITE.

STRUCTURAL FIRES: are inaccessible by Marten River Fire Department vehicles will receive fire protection based on the Forest Fire Protection Agreement with the Ministry of Natural Resources. (Protection of values from fire during fire season)

WILDLAND FIRES: (grass/brush/forest fires) Fire suppression will be provided based on the Forest Fire Protection Agreement with the Ministry of Natural Resources.

HIGHWAY ACCIDENTS/AUTO EXTRICATION

The department will respond to all highway incidents requiring auto extrication, fire suppression, and when requested, to provide assistance to Ambulance Service at major incidents.

HAZARDOUS MATERIAL RESPONSE

The department will respond to all incidents involving hazardous materials spills, providing a defensive, "identify and contain perimeters" style response until specialized HAZ-MAT team arrives.

SPECIALIZED SERVICES

MEDICAL ASSIST: The department may ONLY be activated by ambulance services for "life-threatening" medical emergencies. Training in Basic first aid and CPR is intended to provide fire fighters the ability to assist the ambulance services at major incidents and provide medical assistance (non-specialized training) when ambulance services are unavailable for life-threatening emergencies.

SHORE BASED RESCUE: To be provided within 50 feet of shore within the municipality where accessible by fire department vehicles (basic equipment: life jackets, 75' throw rope)

CARBON MONOXIDE: Minimum response will be to provide information for occupants safety as the immediate response. The department will provide a response to all calls. Response may be information only ventilation, and recording carbon monoxide levels in an attempt to determine the source.

ASSIST TO OTHERS

(public/agencies)

EMERGENCY: The department will respond to other such emergencies (with-in the department's "trained and equipped" capabilities) as may be deemed necessary by the fire chief or designate where immediate action is necessary to preserve and protect life and property.

NO EMERGENCY: Subject to the approval of fire chief, and the availability of trained fire department members, the department will provide manpower and/or equipment, as long as, in the opinion of the fire chief, the ability to provide emergency response is not compromised. Fees for services provided may be requested.

NORMAL RESPONSE AREA: Marten River Fire Department

Highway Corridors:

Highway 11:	North to Rabbit Lake Road, and South to Bidwell Road
Highway 64:	West from Hwy. #11 to Temagami River Access Road
Tomomo Rd:	North Bay to Brophy Lake bridge (2 nd Bridge from south)
Rabbit Lake Rd:	To Rabbit Lake Access Point (10 km from Hwy. #11)