

ESTABLISHING AND REGULATING BYLAW
CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

By law No. 99-460

Being a Bylaw to Establish a Fire Department for all areas with-in the Municipality of Temagami, excluding 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

Whereas the Municipal Act, R.S.O. 1990 c., 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 Municipality of Temagami as follows:

1. 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 the place 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 person appointed by *council* to act as *fire chief* for the *corporation*
 - (g) *fire department* means the Temagami 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 Municipality of Temagami to be known as the Temagami 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 a *deputy chief* and 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 Services Plan Mobilizing Procedure Manual as part of the Mutual Aid System, as per By-law # 84-120.
- 5 The *Fire Chief* may recommend to the *council* the appointment of an 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 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 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 chiefs* 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 review periodically all policies, orders, rules and operating procedures and guidelines 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.
- 13 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*.
- 14 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*.
- 15 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.
- 16 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*.
- 17 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*.
- 18 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.
- 19 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 and Protection Act
- (d) enforce the “Open Air Burning” By-law, being a by-law of the Corporation of the Municipality of Temagami by-law prescribing times for setting fires and precautions to be taken.

20 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 to participate in any district mutual aid plan established by a fire co-ordinator 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

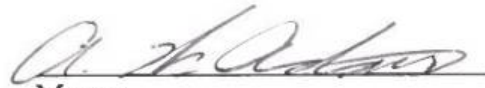
21 . THAT this by-law shall come into force and take effect on the date of the final passage thereof.

22 . 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 12th day of August, 1999.

READ a third time and finally passed in Council, this 12th day of August, 1999.

THE CORPORATION OF THE Municipality of Temagami



Mayor

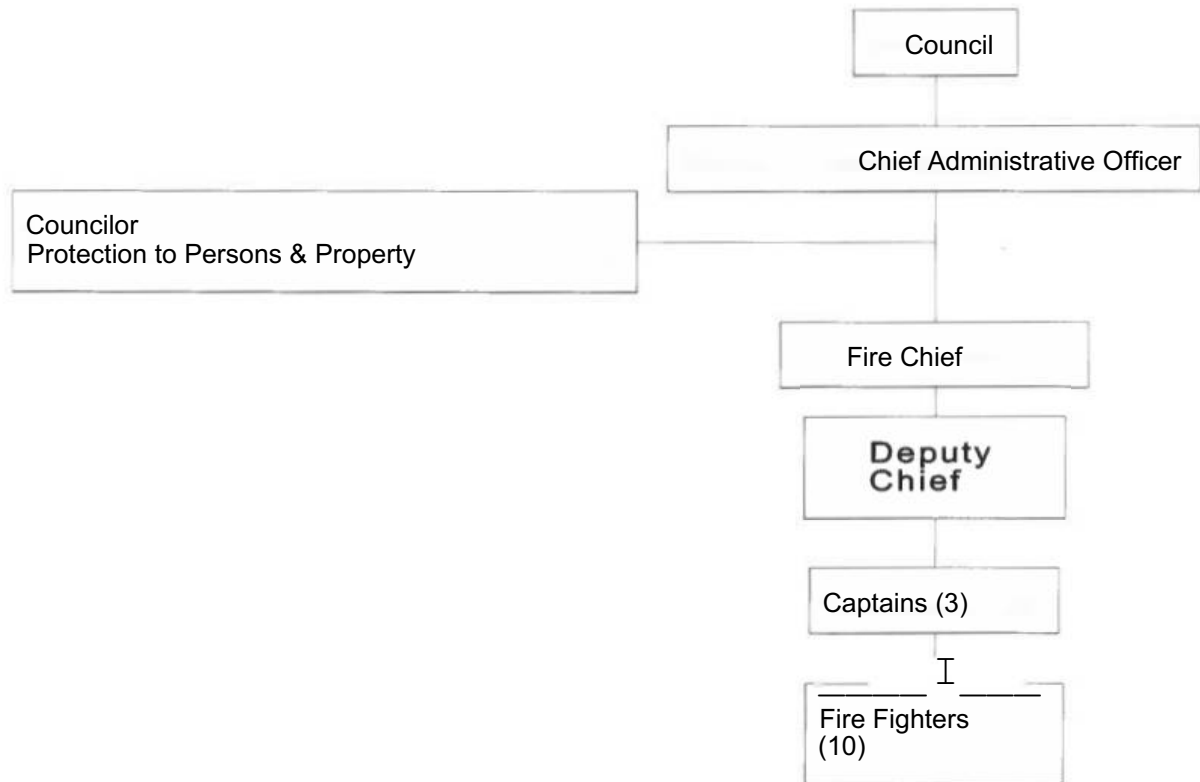


CAO

Appendix "A"

Temagami Fire Department Organizational Structure

Reporting Structure:



The *fire department* has 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 divisions and activities under their supervision and shall carry out all orders of the *fire chief*.

Fire Department Divisions Roles & Responsibilities:

1) 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 *departments*
- (c) Maintain personal records in accordance with the policy of the *corporations*
- (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 *approveds*
- (f) Provide liaison with associations ie. the local *fire fighters association*, *mutual aid associations*
- (g) Prepare an annual report of the *departments*
- (h) Carry out the general administrative duties of the *departments*
- (i) Provide liaison with the District fire co-ordinator, and District Mutual Aid co-ordinator.

2) Fire Prevention & Education:

- (a) Develop an *approved* fire prevention, fire safety and public education policy,
- (b) Carry out the duties and activities of the fire prevention, fire safety and public education policy,
- (c) Maintain fire loss records.

3) 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.

4) 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,
- (c) Prepare and conduct examinations of *members* as required.

5) 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,
- (d) Authorize for "outside repair" of equipment, that, in the opinion of the *fire chieft* 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 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, compliance with applicable municipal, provincial and federal fire prevention legislation, statutes, codes and regulations,
 - (b) Identify, reduce and/or eliminate fire hazards.
7. 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 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 all 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 Temagami Fire Department shall provide a range of fire prevention and protection services, as determined by council, for the inhabitants of the municipality within the Temagami Fire Department administrative area (all areas with-in the municipality of Temagami, excluding 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 Marten River Fire Department shall outline fire protection services provided to areas within the Marten River Fire Department response area by the Temagami 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 is identified at the end of the Appendix.

Fire prevention and protection services provided to residents of the Municipality of Temagami is dependant on approved equipment and training provided.

FIRE PREVENTION / EDUCATION:

Fire prevention / education services provided shall and will include:

- a smoke alarm program (available at cost)
- distribution of fire safety education material
- providing fire safety programs to the community groups upon request
- providing school fire safety education programs
- a risk assessment program, that includes fire investigations, plan examination and inspections; to reduce and/or eliminate fire hazards, and develop fire prevention programs to increase life safety, and reduce the loss of life and property due to fires.
- a compliance inspection program, including inspections upon complaint, or when requested, to assist the owner with code compliance (including any necessary code enforcement)

FIRE SUPPRESSION

- STRUCTURAL FIRES:** areas accessible by fire department vehicles will be actioned by the Temagami Fire Department. **INTERIOR FIRE SUPPRESSION ONLY PROVIDED IF APPROVED EQUIPMENT AND SUFFICIENT TRAINED MANPOWER ARE ON SITE.**
- STRUCTURAL FIRES:** areas inaccessible by Temagami 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 the fire season)
- WILD LAND 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 material spills, providing a defensive, "identify and contain the 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.

Non Emergency: subject to the approval the *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: TEMAGAMI FIRE DEPARTMENT:

Highway Corridor: North to Best/Gillies Limit Township Boundary (Municipal boundary) and, South to Rabbit L. Access Road

Rib Lake South Access Road: entire road

Red Squirrel & Roosevelt Forest Access Roads:

1 km. from Highway 11 unless immediate action is necessary to preserve and protect life.

Kanichee mine Road to Kanichee Mine

Sherman Mine road to Sherman mine

Temagami North, the Town proper, Cassel lake subdivisions (where accessible)

Strathcona Road: entire road

Temagami lake Access Road: entire road

Lowell Lake Road to end of Lowell Lake

Wilson Lake Road: South to Brophy Lake bridge

MARTEN RIVER DEPARTMENT:

Highway Corridors:

Highway 11: North to Rabbit lake Road and, South to BIDWELL SAND /
Dam road,

Highway 64: West from Highway 11 to the Temagami River Access Road.

Tomoko Road: North to Brophy Lake bridge

Rabbit lake Road: To Rabbit Lake Access point, (10 km from Highway
H)