

*The Corporation of*  
**THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL**

**BY-LAW 6-2015**

**BEING A BY-LAW TO ESTABLISH AND REGULATE THE FIRE DEPARTMENT**

WHEREAS The Fire Protection and Prevention Act 1997, S.O. chapter 21, as amended requires each municipality to establish a program for fire safety and fire protection and to provide necessary fire protection services;

AND WHEREAS The Municipal Act authorizes municipalities to pass by-laws to establish and regulate fire departments:

THEREFORE THE COUNCIL of THE CORPORATION of THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL ENACTS AS FOLLOWS:

**1. Definitions:**

- a. "Council" means the Council of The Township of Tarbutt & Tarbutt Additional.
- b. "Department" means The Township of Tarbutt & Tarbutt Additional Volunteer Fire Department.
- c. "Member" means a person acting voluntarily as a fire fighter and includes any officers of the Department.
- d. "Chief" means a person appointed by By-Law to act as Fire Chief and to be head of the Department.
- e. "Deputy Chief" means a person appointed by By-Law to act as Deputy Fire Chief of the Department and in the absence of the Chief to assume all the duties of the Chief.
- f. "Captain" means a person appointed by the Chief to a position within the Department to assist in the organizational structure of the volunteers of Department.
- g. "Clerk" means a person duly appointed by By-Law to the position of Clerk/Clerk Treasurer for the Municipality.
- h. "Company" means member/s of the Department designated for a specific purpose within the Department.

**2. Department Structure:**

- a. Council hereby establishes a Volunteer Fire Department for the Township of Tarbutt & Tarbutt Additional, the head of the Department to be known as the Chief.
- b. In addition to the Chief of the Department being appointed by Council, Council shall appoint a Deputy Chief and the Chief shall appoint Captains and any Division Chiefs deemed necessary following approval of such appointments, by Council. Each Division Chief will report to the Deputy Chief and be responsible for the proper operation of a Division. (See Appendix E 'Organizational Structure')
- c. A Captain will be assigned to head each Company of members and will be responsible for the proper operation of that Company and will report to the Deputy Chief.

- d. Whereas the Chief of the Department designates a member to act in 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.

### 3. Members:

- a. The Chief of the Department will add to the roster of the Department the name of any qualified person as a Member of the Department.
- b. A person is qualified to be appointed a Member of the Department for fire suppression, prevention and rescue duties that pass such aptitude and other tests as may be required by the Chief.
- c. Is medically fit to be a Member as certified by a physician. If Council or the Chief requests such a certificate the physician of choice will be at the discretion of the Chief.
- d. A person appointed as a Member of the Department for fire suppression, rescue and fire prevention duties shall be on probation for a period of six months, during which period he/she shall take special training and examinations as may be required by the Chief of the Department.
- e. If a probationary Member appointed for fire fighting duties fails any such examinations and/or tests, the Chief of the Department may dismiss said person and removes their name from the roster of the Department.
- f. Promotion of Members does not apply to Deputy Chief.
- g. Any Member having at least one year of service with the Department may make application to the Chief of the Department to qualify him/her for promotion to rank immediately superior to his/her present rank.
- h. Every recommendation for promotion of a Member made to the Council by the Chief of the Department shall be based on the evaluation of:
  - 1. The results of examination taken by the Member.
  - 2. The capability of the Member.
  - 3. The Fire and Station Record of the Member.
  - 4. When in the opinion of the Chief of the Department, all other factors for promotion of two or more Members are equal; seniority of service in the Department governs.
- i. The Fire Fighting and Station Record of each Member of the Department shall be evaluated as follows.
  - 1. The Captain shall provide an evaluation of each Member of his/her company.
  - 2. The Chief of the Department and the Deputy Chief shall evaluate all Members of the Department who are participation in an examination for promotion.
  - 3. Every applicant for promotion shall take such written, oral and practical examinations as may be required by the Chief of the Department
- j. A Member shall not report to an emergency if his/her ability is impaired by the use of an intoxicating beverage or drug.
- k. A Member shall not report to an emergency if he/she is on medication that may affect his/her ability to perform their prescribed duties.
- l. A Member shall not be permitted to remain on duty if his/her ability is affected by the use of an intoxicating beverage or drug or medication.

- m. No Member shall solicit the influence or support of anyone in order to secure a promotion or any other advantage.
- n. The Chief may reprimand, suspend or recommend dismissal of any member for insubordination, inefficiency, misconduct, or for noncompliance with any of the provisions of this By-Law or general orders or departmental rules that in the opinion of the Chief would be detrimental to the discipline and efficiency of the Department.
- o. Following the reprimand or suspension of a Member the Chief shall report his reprimand or suspension to Council in writing along with his recommendation.
- p. No Member shall be dismissed without being afforded the opportunity for a hearing before Council, if he/she makes a written request to the Clerk within seven days of receiving notification in writing of his/her dismissal

#### **4. Remuneration:**

The remuneration of all members of the Department shall be as determined by Council.

#### **5. General:**

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 that;

- a. In the opinion of the Chief of the Department threaten 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 had been entered into to provide fire protection.
- c. On property with respect to which an agreement has been entered into with an individual or corporation to provide fire protection
- d. On those Highways that are under the jurisdiction of the Ministry of Transportation or within the Region, County or District where a fire and/or rescue system has been established.
- e. At the discretion of the Chief to a municipality authorized 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.
- f. On property beyond the municipal boundary where the Chief or designate determines immediate action is necessary to preserve life or property and the correct department is notified to respond and assume command or establish alternative measures acceptable to the Chief or designate.

**THE FOLLOWING APPENDICIES FORM PART OF THIS BY-LAW:**

- Appendix A – Primary Goals and Mission Statement**
- Appendix B – Fire Prevention/Public Education Policy**
- Appendix C – Fire Department Response Area**
- Appendix D – Scope of Emergency Services Provided**
- Appendix E – Organizational Chart**
- Appendix F – Duties of the Chief**
- Appendix G – Duties of the Deputy Chief**

This By-Law rescinds By-Law 05-2002 and all amendments previously passed for this purpose.

This By-Law has been read a first, second and third time this 18 day of March 2015, and finally passed.

Mayor: \_\_\_\_\_

Chris Burton

Clerk: \_\_\_\_\_

Glenn Martin

Seal

## APPENDIX – A

### *The Corporation of* **THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL**

#### Primary Goals and Mission Statement of the Tarbutt & Tarbutt Additional Fire Department:

The goal of the Tarbutt & Tarbutt Additional 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 own Municipality, second to those Municipalities requiring assistance through those authorized emergency fire service plan and program (Mutual Aid) activities; and third to those Municipalities that are provided fire protection by the Fire Department via authorized agreement.

The primary mission of the Municipality of Tarbutt & Tarbutt & Tarbutt Additional Fire Department is to provide a range of programs to protect the lives and property of the inhabitants of the Municipality from the adverse effects of fires or exposure to dangerous conditions created by man or nature.

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## APPENDIX - B

### *The Corporation of* ***THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL***

#### Fire Prevention/Public Education Policy:

##### General:

1. This Fire Prevention/Public Education policy has been reviewed and approved by Council and is applicable in its entirety for the whole of the Municipality.
2. Upon request, copies of this policy are available for the public through the Fire Department or through the Municipal Clerk's Office.

#### Fire Prevention/Public Education:

##### Shall Consist of:

1. Simplified Risk Assessment.
2. A smoke alarm program.
3. Distribution of Fire Safety education material to residents/occupants/schools.
4. Conducting fire prevention inspections of premises upon complaint or when requested to assist with code compliance (including any necessary code enforcement).
5. Receiving, processing and follow-up on reports of fire prevention inspections conducted by the Tarbutt & Tarbutt Additional Fire Department.
6. Maintain Fire Loss Records.
7. Give or provide personnel for fire prevention lectures.

## APPENDIX - C

### *The Corporation of* **THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL**

#### Fire Department Response Area:

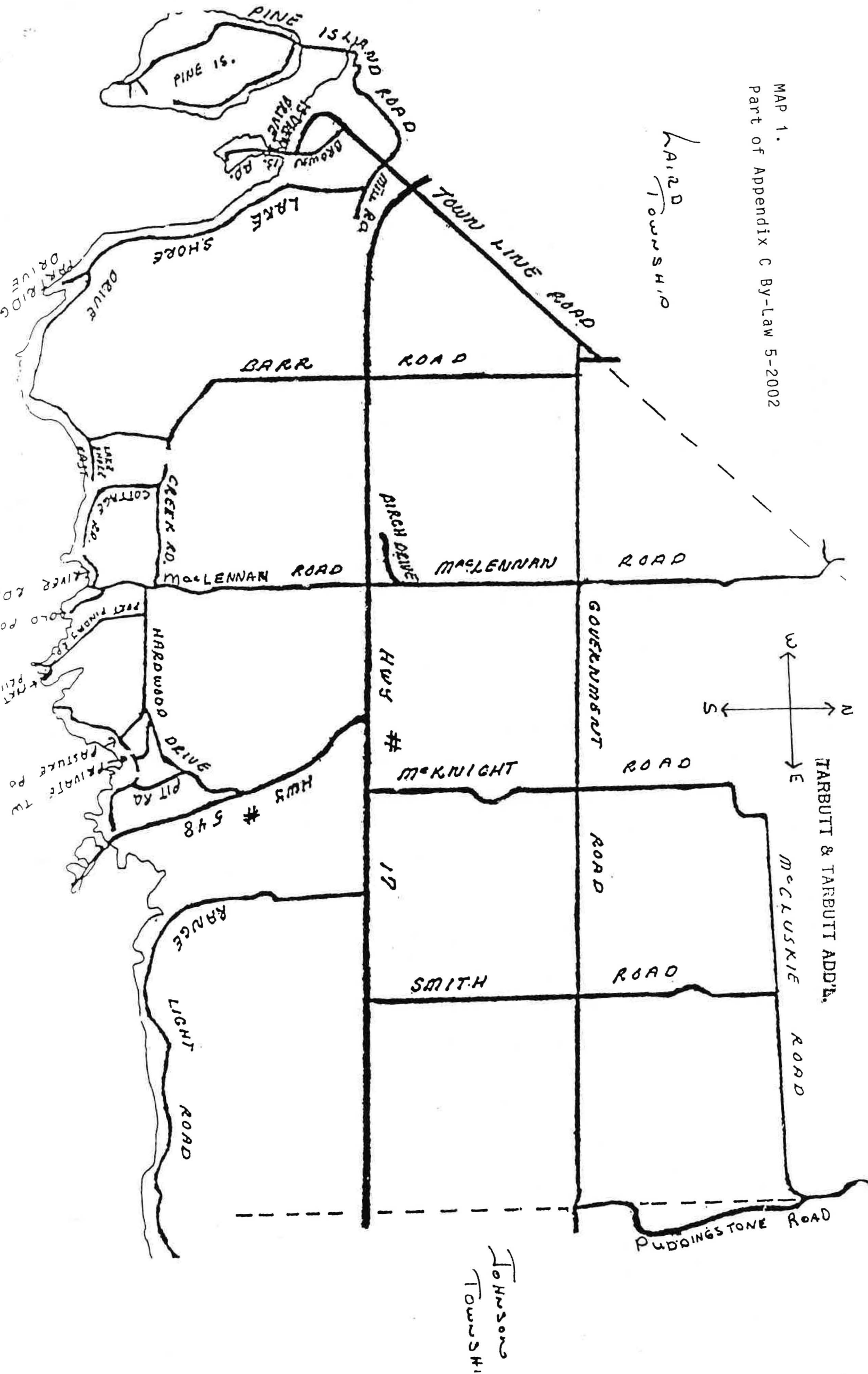
The Fire Department Response Area to be serviced by the Tarbutt & Tarbutt Additional Fire Department shall be the area within the Boundaries of the Municipality of Tarbutt & Tarbutt Additional deemed accessible by land.

The boundaries of the Municipality of Tarbutt & Tarbutt Additional are defined as follows:

Those lands lying in a triangular shape between Laird Township to the West (Town Line Road) and Johnson Township to the East (Puddingstone Road). South of Hwy 17 (bottom of the triangle) to the waters edge including Pine Island and North of Hwy 17 to the further most property (tip of triangle) described as Con 5 Lot 1 PCL 1649 ACS.

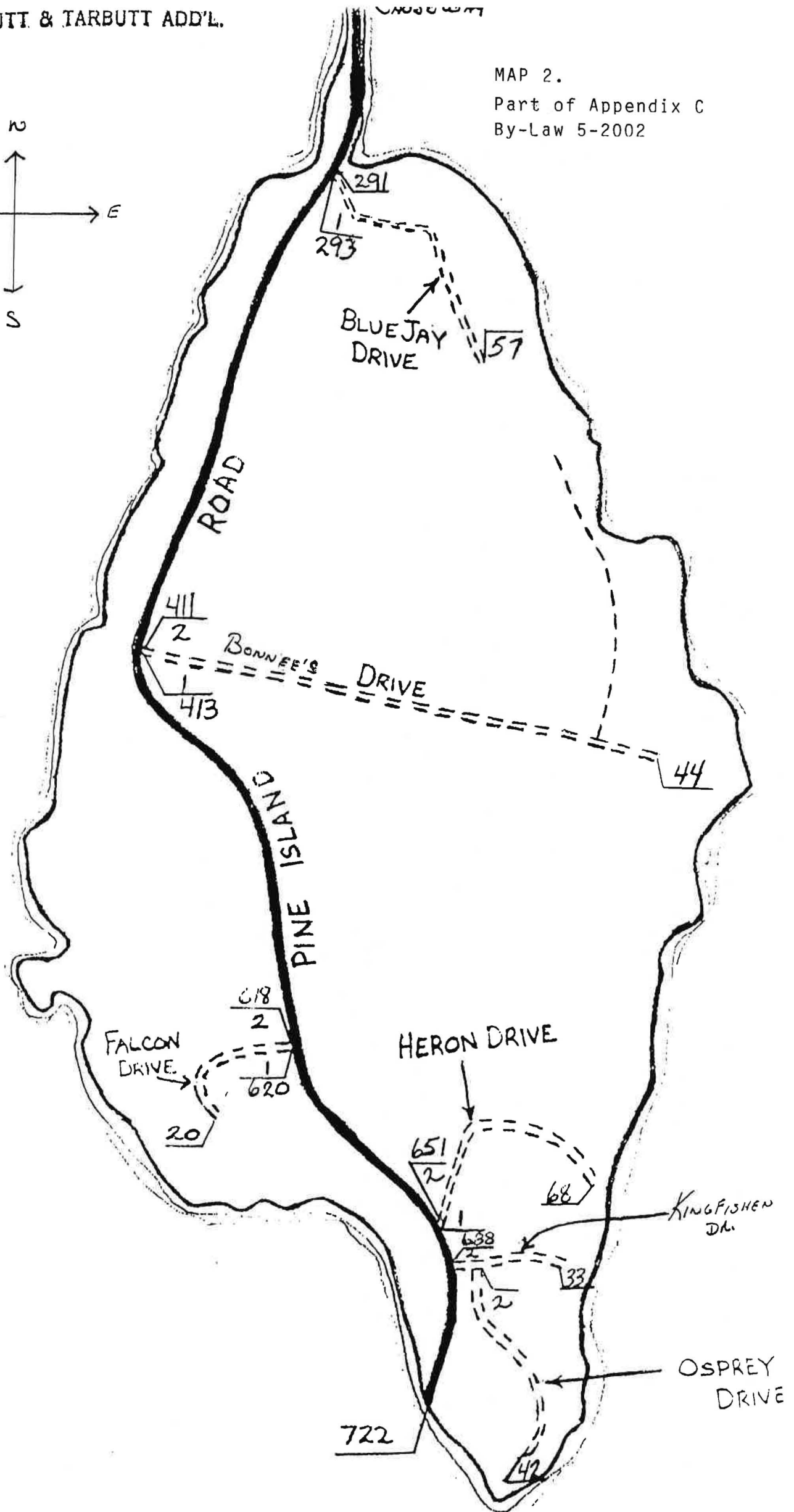
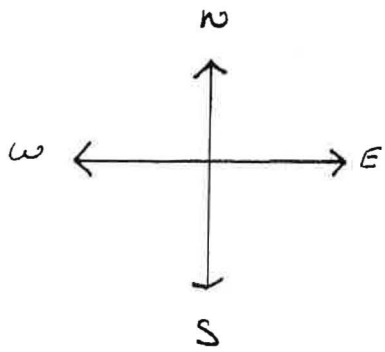
MAP:     1. Township map inclusive  
          2. Pine Island

MAP 1.  
part of Appendix C By-Law 5-2002





MAP 2.  
Part of Appendix C  
By-Law 5-2002



## APPENDIX - D

### *The Corporation of* **THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL**

#### Scope of Emergency Services Provided:

It is the intent of the Municipality of Tarbutt & Tarbutt Additional to have a Fire Department provide the following services under safe and accessible circumstances, to areas located within the boundaries of the Municipality of Tarbutt & Tarbutt Additional.

All services performed by the Fire Department will only be attempted when adequate resources and personnel are on scene to safely affect any rescue attempt.

#### **Fire Suppression:**

Shall consist of:

1. Suppression of residential, public and commercial structure fires and related outbuildings deemed accessible.
2. Protection of residential, public and commercial structures threatened by fire deemed accessible.
3. Suppression of vehicle fires deemed accessible.
4. Suppression of fires involving non-structural property, provided said property is land based or attached to land deemed accessible.

#### **Hazardous Materials Incident Report:**

Shall consist of:

1. If possible, notification to the Dangerous Goods Enforcement Unit of the incident.

#### **Rescue:**

Shall consist of:

1. Endeavors to carry out the removal of victims from burning structures as rapidly and as safely as possible, given that each situation must be dealt with on the basis of its own unique circumstances.
2. Removal of victims from toxic atmospheres provided such removal could be accomplished safely.
3. Assistance shall be provided to other agencies to affect rescues necessitated by natural or man-made disasters, farm accidents, falls from heights and
4. Provide vehicle extrication within our designated response area, when deemed to be safe and accessible to do so.

**APPENDIX - E**

*The Corporation of*  
***THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL***

*Organizational Chart:*

**COUNCIL**

**FIRE CHIEF**

**DEPUTY FIRE CHIEF**

**CAPTAINS**

**FIREFIGHTERS**

## APPENDIX - F

### *The Corporation of* ***THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL*** *Duties of the Chief:*

- a. 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 shall report to Council in a written report any disciplinary measures taken against any member of the Department.
- b. May make such general orders and departmental rules as may be necessary for the care and protection of the Department 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.
- c. 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.
- d. Shall take all proper measures for the prevention, control and extinguishing 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 him/her by the Fire Protection & Prevention Act.
- e. Shall be responsible for the enforcement of this By-Law the General Orders and Departmental Rules.
- f. Shall enforce the Ontario Fire Code.
- g. Shall report all fires to the Fire Marshal as required by the Fire Protection & Prevention Act.
- h. Shall submit to Council for its approval the annual budgetary requirements of the Department and shall exercise control of his/her budget.
- i. Shall maintain personnel records for all members.
- j. Shall provide training of all Department members in fire administration fire prevention and fire fighting.
- k. Prepare and conduct examinations of members as required.
- l. Shall arrange for the provision of medical services for the Department.
- m. Shall submit an annual report to Council in the format specified by the Clerk.
- n. Shall carry out general administrative duties of the Department.
- o. Shall maintain a fire loss record.
- p. Shall provide liaison with the Algoma District Mutual Aid Program.
- q. Shall assist the Fire Coordinator in the preparation of a Joint Emergency Fire Service Plan and Program.
- r. Prepare specifications for the purchase of apparatus and equipment.
- s. Shall maintain and keep in repair all existing buildings, fire fighting, rescue and salvage apparatus of the Department.
- t. Modify apparatus and equipment.
- u. Issue clothing, equipment and cleaning supplies.
- v. Prepare specifications for new communication systems and for additions to the existing communication systems.

**APPENDIX – G**  
***The Corporation of***  
**THE TOWNSHIP of TARBUTT & TARBUTT ADDITIONAL**

*Duties of the Deputy Chief:*

- a. The Deputy Chief shall report to the Chief and carry out the orders of the Chief.
- b. In the absence of the Chief, the Deputy Chief will have all the powers and will perform all of the duties of the Chief.
- c. Prevent, control and extinguish fires.
- d. Conduct and/or assist the Chief in conducting investigations of fire in order to determine cause, origin and where appropriate to request the Office of the Fire Marshal to conduct an investigation.
- e. Conduct in-service fire prevention inspections as per the Fire Protection and Prevention Act.
- f. Respond and assist at such emergencies as may be required by the Chief of the Department.
- g. Participate in training exercises.
- h. Conduct pre-fire operations planning.
- i. Monitor apparatus maintenance and cleaning duties at station.
- j. Administer in-station-training programs.