

**THE CORPORATION OF THE
TOWNSHIP OF MATTICE – VAL CÔTÉ**

BY-LAW NO. 886

Being a by-law to repeal by-law no. 340 and amendments thereto
and to establish and regulate a Fire Department in the
Municipality of Mattice – Val Côté

WHEREAS the *Fire Protection and Prevention Act*, 1997, S.O. 1997, C-4, as amended, permits the Council of a Municipality to enact a By-law to establish and regulate a Fire Department;

AND WHEREAS the Council of the Corporation of the Township of Mattice – Val Côté considers it desirable to establish and regulate a Fire Department in the Municipality of Mattice – Val Côté;

NOW THEREFORE the Council of the Corporation of the Township of Mattice – Val Côté enacts the following By-law:

1. That By-law no. 340 and By-law no. 547, and amendments thereto, be and are hereby repealed.

DEFINITIONS

2. In this By-law, unless the context otherwise requires:
 - a) **Act** means the *Fire Protection and Prevention Act*, 1997, S.O. 1997, C-4, as amended;
 - b) **Approved** means approved by Council;
 - c) **Council** means the Council of the Corporation of the Township of Mattice-Val Côté;
 - d) **Deputy Chief** means the person appointed by Council to act on behalf of the Fire Chief in the Fire Department in the absence of the Fire Chief or in the case of a vacancy in that office;
 - e) **Fire Chief** means the person appointed by Council to act as Fire Chief and who will ultimately be responsible to Council as provided for by the Act;
 - f) **Fire Department** means the Mattice – Val Côté Fire Department;
 - g) **Fire Protection Services** includes fire suppression, fire prevention, fire safety education, communication, training of persons involved in the duty of fire protection services and the delivery of all those services;

- h) **Member** means any person employed in or appointed to the Fire Department and assigned to undertake fire protection services. This includes officers and volunteer firefighters;
 - i) **Municipality** means the Municipality of Mattice – Val Côté;
 - j) **Public Education Officer** means a member that acts as Public Educator for the purpose of providing public education;
 - k) **Volunteer Firefighter** means a firefighter who provides fire protection services either voluntarily or for a nominal consideration.
3. The requirements of this By-law shall be subject to the provisions of the Act.
 4. A Fire Department for the Corporation of the Township of Mattice – Val Côté, to be known as the "Mattice – Val Côté Fire Department", is hereby established (continued) and the head of the Fire Department shall be known as the Fire Chief.
 5. In addition to the Fire Chief, Council shall appoint a Deputy Chief and such number of captains, other officers and members as may be deemed necessary by Council.
 6. The Fire Chief may recommend to Council the appointment of any qualified person as a member of the Fire Department, subject to the approved hiring policies of the Corporation, as set out in Appendix "B" attached hereto and forming part of this By-law.
 7. Persons appointed as members 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.
 8. If a probationary member appointed to fire protection services fails any such examination, the Fire Chief may recommend to Council that he or she be dismissed.
 9. If a medical examiner finds a member to be physically unfit to perform assigned fire protection services duties, the Fire Chief may recommend to Council that he or she be dismissed.
 10. The remuneration or honorarium of the members of the Fire Department shall be determined by a duly passed resolution of Council. The Fire Chief will assist Council in ascertaining the involvement of each volunteer throughout the year.
 11. Reimbursement of expenses incurred by members of the Fire Department to perform special duties outside of the municipality shall be done in accordance with a duly passed By-law.

12. The Fire Chief is ultimately responsible to Council for the proper administration and operation of the Fire Department, including the delivery of fire protection services.
13. The Fire Chief shall implement policies and develop such standard operating procedures and guidelines as necessary to implement these policies and to ensure the appropriate care and protection of all Fire Department personnel and equipment.
14. The Fire Chief shall review periodically all policies and operating procedures of the Fire Department and may request the assistance of other members of the Fire Department in this regard.
15. The Fire Chief shall submit to Council, and to the municipal Treasurer or Chief Administrative Officer (CAO), the annual budget estimates for the Fire Department, along with an annual report or any other specific reports requested by the CAO or by Council.
16. The Fire Chief shall be responsible for the enforcement of this By-law, and of the policies, guidelines, and procedures of the Fire Department.
17. Where the Fire Chief designates a member to act as the replacement for an officer in the Fire Department, such member, when so acting, shall have all the powers and shall perform all duties of the officer being replaced.
18. The Fire Chief may reprimand, suspend, or recommend dismissal of any member for an infraction of any provision of this By-law, or of any implemented policies, guidelines, and procedures of the Fire Department, for insubordination, for inefficiency, for gross misconduct or for repeated failure to attend practices or fires.
19. Following the suspension of a member, the Fire Chief shall immediately report the same, in writing, to the CAO and provide his or her recommendation to resolve the matter.
20. The Fire Chief shall take all proper measures for the prevention, control and extinguishment of fires and the protection of life and property and shall exercise all powers mandated by the Act. Furthermore, the Fire Chief shall be empowered to authorize:
 - i) pulling down or demolishing any building or structure to prevent the spread of fire;
 - ii) 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;

- iii) the recovery of expenses incurred by such necessary actions for the Corporation, in the manner provided through the *Municipal Act* and the *Fire Protection and Prevention Act*;
- iv) if, as a result of a Fire Department response to a fire or emergency incident, the Fire Chief determines that it is necessary to incur additional expenses (such as retaining the services of a private contractor, renting special equipment or using additional materials) in order to suppress or extinguish the fire, preserve property, prevent the spread of a fire, control and eliminate an emergency, carry out or prevent damage to equipment owned by or contracted to the Corporation, it is understood that all costs pertaining to the additional services will be charged to the property owner of the location where the Fire Department was dispatched. Property shall mean real and personal property.

21. 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:

- i) that, in the opinion of the Fire Chief, threatens property in the municipality or property located outside of the municipality which is owned or occupied by the Municipality;
- ii) on a property with respect to which a fire protection services agreement has been entered into by the Municipality with any person or Corporation;
- iii) where, upon request and at his discretion, the Fire Chief determines that the Fire Department can respond and provide assistance under a mutual aid plan or other similar reciprocal plan or program;
- iv) on those highways under the jurisdiction of the Ministry of Transportation or within the District, where the District has established a rescue system.

22. The organization of the Fire Department and the specific duties of its members are outlined in Appendix "A", attached hereto and forming part of this By-law.

23. The Fire Department shall provide such approved services as specified and listed in Appendix "C", attached hereto and forming part of this By-law.


24. a) The members of the Fire Department may form an organization for social and other purposes, intended to further the interest and welfare of the Fire Department and of its members.

b) This organization may at any time, subject to Council approval, make use of the Fire Hall, of Council Chambers or of the Community Hall to transact business or set up social functions.

c) No rule or regulation of this organization shall in any way limit the authority of the Fire Chief in the delivery of fire protection services.

READ AND ADOPTED IN OPEN COUNCIL

This 22nd day of March 2021.



Mayor



CAO/Clerk

Appendix "A"

ORGANIZATION AND DUTIES

Municipality of Mattice – Val Côté

By-law no. 886

A. ORGANIZATION

1. The Fire Department shall be commanded by the Fire Chief and shall consist of the Fire Chief, the Deputy Chief, the Training Officer and, if and when possible, shall be organized into platoons, composed of 5 firefighters under the command of a Captain.
2. If the number of volunteer firefighters responding to a call is insufficient to permit the use of pre-determined platoons, the Fire Chief, or the Deputy Chief in his absence, will also have to assume the responsibilities of a Captain.
3. At the discretion of the Fire Chief, one (1) Public Education Officer may be appointed.
4. The Fire Department shall consist of two (2) stations: the Mattice Fire Hall and the Val Côté Fire Hall.

B. DUTIES OF THE MEMBERS

1. **DUTIES OF THE FIRE CHIEF**

The Fire Chief answers to Council and, as such, is ultimately responsible for the administration, planning, organization, and direction of the Fire Department. Duties include: staffing, preparing preliminary budget estimates and all other administrative matters, recommending to CAO and Council any measures which may be advisable for the development and improvement of the Fire Department in order to keep abreast of changing local conditions and technological changes in fire prevention, fire safety education, training and fire protection services.

1.1 The Fire Chief shall: ensure that orders, rules and any other directives, from Council, the CAO or himself, are promptly and strictly adhered to; give clear and precise instructions to the members of the Fire Department in this regard and; take prompt disciplinary action against any member contravening these orders, rules and directives.

1.2 The Fire Chief shall have charge of the conduct and general operation of the Department and of the maintenance of the fire hall and of all apparatus, equipment, and supplies.

1.3 The Fire Chief shall:

a) maintain proper decorum, discipline and efficiency of the Fire Department at fires, alarms and practices and in the discharge of all department duties;

b) maintain a logbook to record the attendance of members of the Fire Department at fires and practices, the particulars of every fire call and every fire reported to the Fire Department and the apparatus, equipment and supplies used for each fire call, and any breakages, shortages or deficiencies in the apparatus, equipment and supplies, and any other information that may be required by Council from time to time;

c) submit reports to Council, upon request, outlining the activities of the Fire Department and the losses suffered by fire;

d) submit a report to Council immediately should a member of the Fire Department suffer from an injury or should there be a significant breakage, shortage or deficiency in the apparatus, equipment and supplies;

e) conduct investigations to determine cause, origin, and circumstances of fires and, when warranted, recommend that the authority having jurisdiction investigate;

f) be the department's liaison with the District Fire Coordinator.

1.4 The Fire Chief shall ensure participation in training of all fire suppression personnel and conduct fire prevention and familiarization inspections of premises.

2. DUTIES OF THE DEPUTY CHIEF

The Deputy Chief reports to the Fire Chief.

2.1 The Deputy Chief shall:

- a) carry out the orders of the Fire Chief and;
- b) in the absence of the Fire Chief, have all the powers and perform all the duties of the Fire Chief.

3. DUTIES OF THE TRAINING OFFICER

The Training Officer reports to the Fire Chief. He carries out the orders of the Fire Chief on training activities.

3.1 The Training Officer shall:

- a) be responsible to draw up the training program, institute and record all matters pertaining to training, including the preparation of any courses and training manuals for the members of the Fire Department;
- b) perform training of volunteer firefighters as required;
- c) conduct examinations and/or tests, whether oral, written or practical, or any combination thereof, at determined intervals, in order to determine the effectiveness of the training program;
- d) prepare and conduct such examinations as may be necessary for the upgrading, qualification or promotion of members of the Fire Department;
- e) attend fire calls and observe the actions of the members to see if they are being properly carried out, note any errors or comments and bring them forward thereafter;
- f) keep abreast of new training techniques and communicate with fellow instructors in the service and local learning institutions as required;
- g) prepare and submit an annual report to the Fire Chief on training activities.

5. DUTIES OF THE CAPTAIN

The Captain reports to the Fire Chief. He has command of his platoon and is responsible for its discipline, efficiency, and management. He or she understands and follows the *Occupational Health and Safety Act*, along with all applicable safety standards. He is also responsible for routine duties such as the upkeep and protection of Fire Department property.

5.1 The Captain shall:

- a) maintain order at all times. Be just, firm and dignified in relations with subordinates. Abstain from violent or abusive language in giving orders and directions. Ensure that all regulations, rules, and orders are strictly obeyed and promptly carried out and report any offences committed in this regard;
- b) apportion duties amongst personnel;
- c) keep an accurate account of Fire Department property;
- d) not allow citizens to ride on Fire Department apparatus while responding to or from alarms, fires or emergencies;
- e) not unnecessarily jeopardize the lives and limbs of the firefighters;
- f) as soon as possible after the arrival at the emergency scene, report to the Fire Chief with respect to the extent and details of the situation, including the initial size up and actions taken and requests for additional manpower or apparatus;
- g) when in command at an emergency location, cause the prompt return to quarters of any apparatus not required;
- h) unless arson is suspected, turn the premises over to the owner or occupant when the emergency is over. If no one is present, turn the premises over to a police officer, recording his name and badge number. If necessary, a firefighter may be left at the scene until a police officer arrives to assume responsibility. Said firefighter shall be instructed to allow no one from entering the premises unless they are a member of the Fire Department, of the Fire Marshall's Office or of the Ontario Provincial Police. The owners or occupants of the premises under investigation shall not be allowed to enter unless accompanied by the Fire Chief;

- i) ensure that the appropriate fire record forms are properly filled out for all occupancies sustaining loss from the fire. When the cause of the fire cannot be ascertained, it shall be listed as "undetermined" until further investigation reveals otherwise;
- j) when a fire is believed to be suspicious in origin, members of the platoon shall be ordered to refrain from disturbing any materials at the scene in order to preserve evidence and to refrain from discussing the fire or emergency and attendant circumstances with anyone other than members of the Fire Department, of the Fire Marshall's Office or of the Police Department. They shall personally refrain from offering opinions as to the cause of the fire;
- k) whenever a loss of life occurs as a result of a fire, immediately request that the Chief, Deputy Chief and a police officer report to the scene by contacting the dispatch operator. No indication is to be given over the radio that there has been a loss of life – simply request that these individuals report at the scene.
- l) notify the Public Works Supervisor when any fire hydrant has been used by the Fire Department;
- m) report any missing, broken or out of order property to the Fire Chief upon returning to quarters after an emergency;
- n) be familiar with the Act, the municipal By-laws enacted for fire prevention, occupant safety in buildings and any other Act or By-law affecting the Department;
- o) be familiar with any special fire risk in the Municipality;
- p) prepare such reports, records or accounts as may be required by the Fire Chief;
- q) perform fire prevention duties as required.

6. DUTIES OF FIREFIGHTERS

The firefighter promptly obeys all lawful orders issued to him or her by the Captain or, through the chain of command, by a senior officer.

6.1 The Firefighter shall:

- a) understand and follow the Occupational Health and Safety Act, departmental regulations and procedures and any applicable safety standards;
- b) be responsible for efficiently carrying out daily station duties as assigned, required or directed;
- c) respond promptly to all fire alarms;
- d) promptly carry out all assigned duties at a fire or other emergency;
- e) immediately report any defect in equipment or apparatus to the Captain;
- f) attend, at a minimum, fifty (50) percent of the training, lectures, practices and work sessions and undertake every phase of the training in a positive manner;
- g) assume and perform any other task that may be assigned by an officer through the chain of command.

7. DUTIES OF THE PUBLIC EDUCATION OFFICER

The Public Education Officer shall be responsible to the Fire Chief for all phases of public education within the Municipality.

7.1 The Public Education Officer shall:

- a) formulate the public education program, which includes inspections and public training & awareness;
- b) cooperate with the administration of local service organizations, including the medical clinic and the school, and with local businesses, in the implementation of the program;
- c) with the assistance of volunteer firefighters, attend all request for public education;
- d) give tours of the fire station, distribute fire education brochures and order public education supplies;
- e) update all social media information with timely messages from the Office of the Fire Marshall;
- f) maintain records to ensure the effectiveness of the program.

Appendix "B"

VOLUNTEER FIREFIGHTERS RECRUITMENT PROCESS

Municipality of Mattice – Val Côté

By-law no. 886

Municipal Council has adopted the following recruitment process for volunteer firefighters of the Mattice – Val Côté Fire Department.

1. The following are the **BASIC REQUIREMENTS** to become a volunteer firefighter
 - a) must be at least eighteen (18) years of age*;
 - b) must be a resident of Mattice – Val Côté;
 - c) must provide a criminal reference check clearance;
 - d) must be of good character;
 - e) must pass the aptitude and other tests required by the Fire Chief, if any;
 - f) must pass a physical examination by a physician;
 - g) must have or be willing to obtain a "DZ" drivers' licence classification;
 - h) if qualified, must provide a clear Driver's Licence Abstract to drive the Department trucks (the cost of which will be reimbursed by the Department).

*The Fire Chief may appoint any person that is 16 or 17 years of age and that meets all the other requirements listed above to act as a junior member of the Fire Department.

A junior member of the Fire Department shall not:

- a) perform fire suppression duties and shall not carry out inspections of buildings except to assist a regular member of the department;
- b) perform stand-by duties;
- c) be entitled to a uniform.

Years of service as a junior member shall be taken into consideration once the person has successfully completed his or her probationary period as a regular member.

2. APPLICATION PROCESS

Applicants for the position of volunteer firefighter must provide the provide the Fire Chief with a completed Mattice – Val Côté Fire Department application form, accompanied by:

- i) a criminal reference check clearance (the cost of which will, if clear, be reimbursed by the Department);
- ii) if they have a DZ Driver's license, a photocopy of the same;
- iii) if they are qualified and willing to drive Department trucks, a clear Driver's Licence Abstract (the cost of which will be reimbursed by the Department).

At the Fire Chief's discretion, based on the date and type of offence, applicants with a criminal record may be disqualified. If a person requires a pardon for an offence, he or she should complete the process prior to applying. Applicants who fail the security check and are unable to obtain a clearance should not reapply.

Incomplete applications or failure to submit the required documentation shall be sufficient reason for disqualification.

Applicants who supply false or misleading information will be disqualified.

3. RECOMMENDATION TO COUNCIL OR REJECTION

Once satisfied that all the basic requirements have been met and upon receipt of the completed application form and of the required documents, the Fire Chief will approve or reject the candidate's application.

If the Fire Chief approves the application, he will recommend the same to Council. Council will debate the merits of the application in camera and a resolution will be made in this regard.

If the Fire Chief rejects the candidate's application, he will advise and explain the basis of his decision to the Applicant.

Appendix "C"

CORE SERVICES PROVIDED

Municipality of Mattice – Val Côté

By-law no. 886

1. CORE SERVICES PROVIDED

The Mattice – Val Côté Fire Department is able to provide the following core services:

- a) Structural firefighting, including external fire attack, in accordance with the Fire Department's level of training, operational guidelines, policies and procedures, the Section 21 Guidance Notes and the number and type of personnel and equipment available to the Fire Department on each specific emergency response;
- b) Grass/bush firefighting, as per the current MNRF Agreement;
- c) Other services include: General public assistance, Mutual Aid, participation in the Mattice – Val Côté Emergency Response Plan, participation in Fire Protection agreements (if any)
- d) Fire prevention and Public education services, including inspections, enforcement, and public safety education, in accordance with the departmental program.

2. EXCLUDED SERVICES

For clarification purposes, it is understood that the Mattice – Val Côté Fire Department does not have the ability or the means to provide the following services:

- a) Internal search and rescue
- b) Internal fire attack
- c) Vehicle Extrication, including any other response with extrication tools.