

**THE CORPORATION OF THE
TOWNSHIP OF EAST ZORRA-TAVISTOCK
COUNTY OF OXFORD**

BY-LAW # 2005 – 47
As amended by #2006-52, 2008-39

BEING A BY-LAW TO ESTABLISH A FIRE DEPARTMENT

WHEREAS the *Municipal Act, R.S.O. 2001, c.25*, as amended, and the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4*, as amended, permits the Corporation of the Township of East Zorra-Tavistock to enact a by-law to establish and regulate a fire department;

NOW THEREFORE the Council of the Corporation of the Township of East Zorra-Tavistock enacts as follows:

Part I – DEFINITIONS AND INTERPRETATIONS

1. In this by-law unless the context otherwise requires,
 - 1.1. “Approved” means approved by the Council of the Corporation of the Township of East Zorra-Tavistock;
 - 1.2. “Chief Administrative Officer” means the person appointed by Council to act as the chief administrative officer for the Corporation;
 - 1.3. “Chief Building Official” means the person appointed by Council to act as the chief building official for the Corporation;
 - 1.4. “Corporation” means the Corporation of the Township of East Zorra-Tavistock;
 - 1.5. "Council" means the Council of the Corporation of the Township of East Zorra-Tavistock;
 - 1.6. “Deputy Chief” means the person appointed by Council to act on behalf of the Fire Chief in the case of an absence or vacancy of the office of Fire Chief;
 - 1.7. “Fire Chief” means the person appointed by Council to act as the fire chief for the Corporation and is ultimately responsible to Council as defined in the Fire Protection and Prevention Act;

- 1.8. "Fire Department" means the Township of East Zorra-Tavistock Fire Department;
- 1.9. "Fire Protection and Prevention Act" means the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended;
- 1.10. "Fire Protection" means a range of programs and services designed to protect the lives and property of the inhabitants of the fire department response area from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by individuals or nature;
- 1.11. "Fire Protection Services" includes 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;
- 1.12. "Member(s)" means any person(s) employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes officers, fulltime, part time and volunteer firefighters;
- 1.13. "Township" means the Township of East Zorra-Tavistock; and,
- 1.14. "Volunteer Firefighter" means a firefighter who provides fire protection services either voluntarily or for nominal consideration, honorarium, training or activity allowance.

PART II –GENERAL PROVISIONS

2. Establishing Provision

- 2.1. A fire department for the Township of East Zorra-Tavistock, to be known as the Township of East Zorra-Tavistock Fire Department, is hereby established and the head of the Fire Department shall be known as the Fire Chief.

3. Organization

- 3.1. The Fire Department shall be structured in conformance with the approved Organizational Chart, Schedule A, forming part of this by-law.
- 3.2. *Council shall appoint a Township Fire Chief, Deputy Township Fire Chief, District Fire Chiefs and Deputy District Fire Chiefs.* By-law #2006-52

4. Stations – Numbering and Naming

- 4.1. The Fire Department shall be comprised of the station(s) so named and numbered in Schedule B forming part of this by-law.

5. Services

- 5.1. Members shall provide Fire Protection Services as outlined in the Fire Department policies and procedures.
- 5.2. The Fire Department shall not respond to a call with respect to a fire or emergency outside the limits of the Township except with respect to a fire or emergency:
 - 5.2.1. that, in the opinion of the Fire Chief or designate, threatens property in the municipality or property that is situated outside the municipality that is owned or occupied by the municipality;
 - 5.2.2. in a municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid;
 - 5.2.3. on property with which an approved agreement has been entered into with any person or corporation to provide fire protection services;
 - 5.2.4. on those highways that are under the jurisdiction of the Ministry of Transportation or within the Region, County or District where the Region, County or District has established a rescue system;
 - 5.2.5. that, at the discretion of the Fire Chief, is in a municipality authorized to participate in any county, district or regional mutual aid plan established by a Fire Coordinator appointed by the Fire Marshal or any other similar reciprocal plan or program; or,
 - 5.2.6. on a property beyond the Township boundary where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate fire department is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate.
- 5.3. All services provided by the members of the Fire Department shall be interpreted as those of a volunteer nature and members shall not be considered a part-time employee of the Corporation.

PART III – GENERAL ADMINISTRATION

6. Qualifications and Appointments

- 6.1. The Fire Chief may appoint any qualified person to the Fire Department up to the position of ~~Deputy District Chief~~ *Captains*,^{By-law #2006-52} subject to approved hiring policies of the Fire Department and Fire Department staffing complement.
- 6.2. The Fire Chief shall recommend to Council the appointment of District Chiefs, subject to approved hiring policies of the Fire Department and Fire Department staffing complement.
- 6.3. A person appointed to be a member of the Fire Department shall be a minimum of 18 years old.
- 6.4. The Chief shall maintain a record of all appointments of Fire Department Officers and a roster of all current Fire Department Members.

7. Probation

- 7.1. A person appointed as a member of the Fire Department shall be on probation for a period of 12 (twelve) months.
- 7.2. During the probation period, a person appointed as a member of the Fire Department to provide fire protection services shall:
 - 7.2.1. Take such special training and examination as may be required by the Fire Chief or designate; and,
 - 7.2.2. Obtain a "D" licence or higher; or where the member will be required to operate a fire vehicle equipped with air brakes obtain a "D" licence or higher with a "Z" endorsement.
- 7.3. If a probationary member fails to take special training or fails any examinations, as outlined in 6.2.1, the Fire Chief may recommend to Council that the probationary member be dismissed.

8. Remuneration

- 8.1. The remuneration of all the volunteer members of the East Zorra-Tavistock Fire Department shall be paid by way of an honorarium which is determined annually by Council.

9. Divisions And Designations

- 9.1. The Fire Chief may designate a member of the Fire Department to manage a district or division of the Fire Department.
- 9.2. Designated members shall carry out all orders of the Fire Chief.
- 9.3. The District Chiefs, District Deputy Chiefs and Captains are in command of the districts and divisions to which they are assigned and are responsible for the proper operation of their districts and divisions to the Fire Chief.
- 9.4. Designated members shall report to the Fire Chief on the activities of the division or district to which they are assigned to manage.
- 9.5. Where the Fire Chief designates a member to act in the place of an officer in the Fire Department, such member has all the powers and shall perform all the duties of the officer replaced.

10. Promotions

- 10.1. Any member having at least 6 (six) years of service with the Fire Department may make application to the Fire Chief for promotion to a superior rank.
- 10.2. Every applicant for promotion shall take such written, oral and practical examinations as may be required by the Fire Chief.
- 10.3. The Fire Chief shall make recommendation for promotion of a member, based on the evaluation of the following:
 - 10.3.1. Results of examinations taken by the member;
 - 10.3.2. Age and physical fitness of the member; and,
 - 10.3.3. Fire fighting and station records of the member.
- 10.4. The fire fighting and station records of each member of the Fire Department shall be evaluated as follows:
 - 10.4.1. The District Chief of each area shall evaluate each member of the company; and,

- 10.4.2. The Fire Chief and the District Chiefs shall evaluate all members of the Fire Department who are participating in an examination for promotion.
- 10.5. When, in the opinion of the Fire Chief, all other factors for the promotion of two or more members are equal, seniority of service in the Fire Department governs.
- 10.6. The provisions of this section, with respect to the promotion of members, do not apply to the Fire Chief.

11. Medical Examinations

- 11.1. Every member of the Fire Department appointed for fire fighting duties is subject to a medical examination at least once every 3 (three) years and at such other times as may be required by the Fire Chief.
- 11.2. Every member of the Fire Department appointed for fire fighting duties shall forward a copy of the medical certificate, obtained as per section 10.1, to the District Chief for his/her information.
- 11.3. Every member who fails to obtain the required medical certificate, fails to submit a medical certificate, or fails the medical examination shall be subject to dismissal.

12. Discipline/Suspension/Termination

- 12.1. The Fire Chief may reprimand, suspend or recommend dismissal of any member for insubordination, inefficiency, misconduct, tardiness or for non-compliance with any of the provisions of this by-law or general orders and departmental rules that, in the opinion of the chief, would be detrimental to the discipline and efficiency of the Fire Department.
- 12.2. Following the suspension of any member, the Fire Chief shall report the suspension and his/her recommendation to Council.
- 12.3. A member shall not be dismissed without being afforded the opportunity for a hearing before Council if he/she makes a written request for such hearing within seven days after receiving notice of his/her proposed dismissal.

PART IV – PERSONNEL

13. Fire Chief

13.1. FIRE PREVENTION, CONTROL, EXTINGUISHMENT

- 13.1.1. The Fire Chief shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property of the Township.
- 13.1.2. The Fire Chief shall enforce all Township by-laws respecting fire prevention.
- 13.1.3. The Fire Chief shall exercise the powers mandated by the Fire Protection and Prevention Act and be empowered to authorize:
 - 13.1.3.1. the pulling down or demolishing of any building or structure to prevent the spread of fire;
 - 13.1.3.2. 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; and,
 - 13.1.3.3. 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.
- 13.1.4. The Fire Chief shall be responsible for fire prevention and shall carry out the following duties:
 - 13.1.4.1. Conduct fire prevention inspections of various premises;
 - 13.1.4.2. Enforce fire prevention by-laws;
 - 13.1.4.3. Examine building plans, upon request;
 - 13.1.4.4. Provide personnel for fire prevention lectures;
 - 13.1.4.5. Maintain fire loss records;
 - 13.1.4.6. Receive, process and follow up on fire prevention inspections reports; and,

13.1.4.7. Prepare and submit the annual report and budget for Fire Prevention to Council for approval.

13.2. COUNCIL

13.2.1. The Fire Chief is ultimately responsible to the Council for the proper administration and operation of the Fire Department, including the delivery of fire protection services.

13.2.2. The Fire Chief shall assume other duties and responsibilities as Council may from time to time direct, including implementation of various recommendations as contained in Municipal Fire Protection surveys.

13.2.3. The Fire Chief shall communicate and work closely with other municipal officials such as the Council, Chief Administrative Officer, Chief Building Official, etc.

13.2.4. The Fire Chief is responsible to Council for the discipline of the members of the Fire Department.

13.2.5. The Fire Chief shall submit to Council, for approval, the following:

13.2.5.1. An annual budget estimate for the Fire Department;

13.2.5.2. A report, as may be deemed necessary, from time to time, on the overall operation of the department including a report of fire fighting hours, practices and Mutual Aid meetings; and,

13.2.5.3. Other specific reports requested by the Council.

13.3. FIRE MARSHALL

13.3.1. The Fire Chief shall report all fires to the Fire Marshal's office as required by the Fire Protection and Prevention Act.

13.3.2. The Fire Chief shall communicate and work closely with the Fire Marshal's Office and field staff.

13.3.3. The Fire Chief shall demonstrate a willingness to attend the Ontario Fire College for Fire Prevention and Administrative courses.

13.4. COUNTY

- 13.4.1. The Fire Chief shall communicate and work closely with the County fire co-coordinator.
- 13.4.2. The Fire Chief shall act as a liaison with the County Fire Coordinator.
- 13.4.3. The Fire Chief shall assist the County Fire Coordinator in the preparation of a County Mutual Aid Plan and operating procedures.

13.5. POLICIES, ORDERS, RULES, OPERATIONAL GUIDELINES AND JOB DESCRIPTIONS

- 13.5.1. The Fire Chief shall assume all responsibility for the implementation and enforcement of this by-law, and the Fire Department's policies, general orders, rules, operating guidelines and job descriptions.
- 13.5.2. The Fire Chief shall develop and implement policies, operational guidelines, general orders, rules and job descriptions as may be necessary for the appropriate care and protection of the Fire Department including all Fire Department personnel and Fire Department equipment.
- 13.5.3. The Fire Chief shall periodically review and maintain all policies, orders, rules, operational procedures and job descriptions of the Fire Department and may establish an advisory committee consisting of such members of the Fire Department as the Fire Chief may determine necessary to assist in these duties.
- 13.5.4. The Fire Chief may perform the duties outlined in Section 12.5.2 provided that such general orders and rules do not conflict with the provisions of any by-laws of the Township.

13.6. ADMINISTRATION

- 13.6.1. The Fire Chief shall be responsible for the administration of the Fire Department and he/she shall carry out the following duties:
 - 13.6.1.1. Carry out the general administrative duties of the department;

- 13.6.1.2. Arrange for the provision of new buildings for the Fire Department;
- 13.6.1.3. Prepare the departmental budget and exercise control of the budget;
- 13.6.1.4. Prepare the annual Fire Department report;
- 13.6.1.5. Maintain personnel records;
- 13.6.1.6. Act as a liaison in the dispatch of Fire Protection Services; and,
- 13.6.1.7. Act as a liaison in order to ensure an adequate flow of water in new waterworks projects and the adequate maintenance of existing waterworks facilities for the use of the Fire Department.

13.7. APPARATUS, EQUIPMENT AND COMMUNICATIONS

- 13.7.1. The Fire Chief shall be responsible for the apparatus, equipment and communications of the Fire Department and he/she shall carry out the following duties in conjunction with the District Chiefs:
 - 13.7.1.1. Maintain and keep in repair all Fire Department buildings, apparatus and equipment;
 - 13.7.2. Prepare specifications for the purchase of apparatus and equipment;
 - 13.7.3. Modify apparatus and equipment, as needed;
 - 13.7.4. Issue clothing, equipment and cleaning supplies;
 - 13.7.5. Maintain the communications systems of the Fire Department;
 - 13.7.6. Prepare specifications for new communication systems and/or updates to existing communications systems; and,
 - 13.7.6.1. Prepare the annual report and budget for apparatus, equipment and communications to be submitted to Council for approval.

13.8. TRAINING

13.8.1. The Fire Chief shall be responsible for the training of members and shall carry out the following duties, in conjunction with the District Chiefs:

13.8.1.1. Conduct training in fire administration, fire prevention and fire suppression for all personnel of the Fire Department;

13.8.1.2. Administer training programs in stations;

13.8.1.3. Prepare and conduct examinations of members as required; and,

13.8.1.4. Prepare an annual report and budget for “in-hall” and “out-of-hall” training to be submitted to the Council for approval.

13.9. DIVISIONS

13.9.1. The Fire Chief shall be responsible for each division of the Fire Department

14. The Deputy Chief

14.1. The Deputy Chief shall:

14.1.1. Carry out the orders of the Fire Chief;

14.1.2. Report to the Fire Chief;

14.1.3. Be responsible for all duties of the Fire Chief in his/her absence;

14.1.4. Be responsible for such other duties as are assigned to him/her by Council in the absence of the Fire Chief; and,

14.1.5. Be responsible for such other duties as are assigned to him/her by the Fire Chief.

15. District Chiefs

15.1. The District Chief shall:

15.1.1. Carry out the orders of the Fire Chief;

- 15.1.2. Be responsible to the Fire Chief for the management and operation of fire fighting services in his/her assigned District;
- 15.1.3. Report to the Fire Chief on the activities, management and operation of fire fighting services in his/her assigned District;
- 15.1.4. In the absence of the Fire Chief and Deputy Chief, assume all the powers and duties of the Fire Chief as they relate to his/her district;
- 15.1.5. Respond and assist at such emergencies as may be required by the Fire Chief;
- 15.1.6. Prevent, control and extinguish fires;
- 15.1.7. Conduct "in-service" fire prevention inspections of all classes of occupancies;
- 15.1.8. Conduct investigations of fire in order to determine cause, origin and where appropriate to request the office of the Fire Marshal to conduct an investigation;
- 15.1.9. Participate in training at stations;
- 15.1.10. Conduct pre-fire fighting operations planning and post fire evaluations;
- 15.1.11. Be responsible for the maintenance of apparatus and the cleaning of fire stations; and,
- 15.1.12. Prepare an annual report and budget for the fire fighting services in his/her assigned district, to be submitted to the Fire Chief.

16. All Members

- 16.1. Every member shall:
 - 16.1.1. Report for duty at the time prescribed by the departmental rules; and,
 - 16.1.2. Remain on duty until relieved.

- 16.2. If a member consistently fails to report for training and fire fighting services the District Chief, at his/her discretion, shall report such member in writing to the Fire Chief.
- 16.3. No member, while in uniform, shall enter any premises where alcoholic beverages are sold or consumed, except in the performance of his/her duties with the Fire Department.
- 16.4. No member shall, while on duty, consume, inject or inhale any substance that may impair the member's ability to perform fire department duties.
- 16.5. No member shall, while on duty, consume any intoxicating beverage or drug.
- 16.6. No member shall be permitted to remain on duty if his/her ability is impaired by the use of any intoxicating beverage, drug or substance.
- 16.7. No member shall solicit the influence or support of anyone in order to secure a transfer, promotion or other advantage.
- 16.8. Every member who has completed and fulfilled the requirements of their probationary period and who will be required to operate a Fire Department vehicle equipped with air brakes, as a result of department equipment changes, shall obtain a "Z" Endorsement, at the Fire Department's expense, before operating a fire vehicle equipped with air brakes.

PART V- ENACTMENT

17. Short Title

- 17.1. This By-law may be cited as the "Fire Department By-law"

18. Date and Effect

- 18.1. This By-law shall come into full force and effect upon approval of Council.

19. Repeals

- 19.1. This by-law shall repeal by-laws #19-88, #49-89, #38-84, #59-83, #53-93, #31-92, and #1994-42, 1998-19 and #1999-3.

READ A FIRST AND SECOND TIME THIS 21ST DAY OF SEPTEMBER, 2005.

seal

“Original Signed by Don McKay”

Don McKay, Mayor

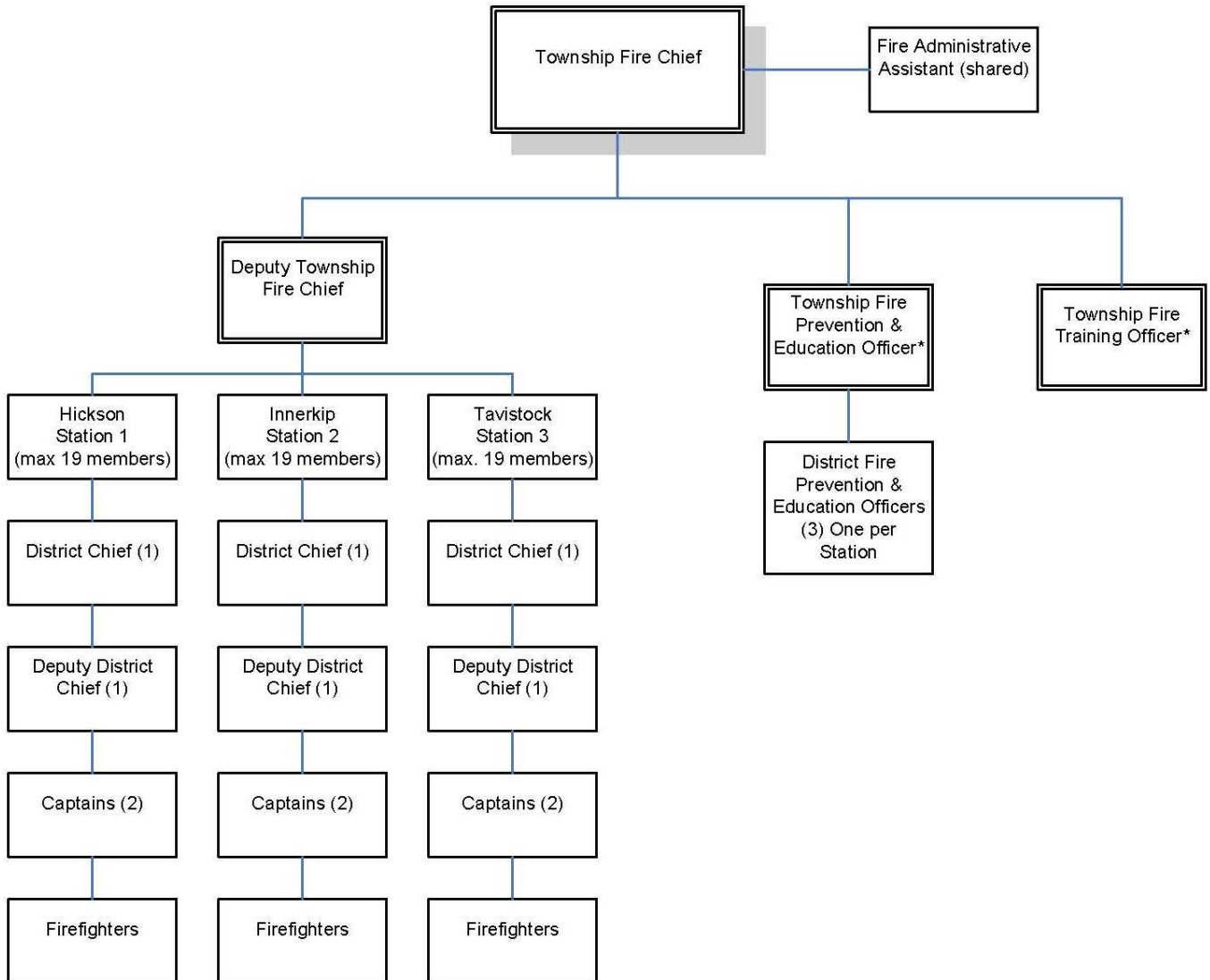
“Original Signed by Jeff Carswell”

Jeff Carswell, Clerk

Organizational Chart

By-law #2008-39

Township of East Zorra-Tavistock Fire Department Organizational Chart



Organizational Notes:

Total Complement – maximum of 57 Volunteer Firefighters (max. 19 per department)
+ Township Chief

(Township Fire Chief - full time Township Employee - approx. 50% allocation to Fire Department)

Officer positions shown above are included in total complement

Other positions in the District stations include Secretary, Caretakers,

* A member of the Fire Department

Fire Stations

Station Number	Name	Location
1	Hickson Fire Station	43 Loveys St., Hickson
2	Innerkip Fire Station	204 Stonegate Rd., Innerkip
3	Tavistock Fire Station	260 Woodstock St. S., Tavistock