

THE CORPORATION OF THE TOWNSHIP OF PRINCE

BY-LAW NO. 2023-26

A by-law to Establish and Regulate a Fire Department
and to repeal By-law No. 2019-25

WHEREAS Section 5(0.1) of the Fire Protection and Prevention Act (F.P.P.A.), 1997, S.O. 1997, c. 4 provides that the Council of a municipality may establish, maintain and operate a fire department for all or any part of the municipality.

AND WHEREAS it is deemed expedient to establish, maintain and operate a fire department for the protection and security of the residents of the Township of Prince;

NOW THEREFORE Council of The Corporation of the Township of Prince enacts as follows:

DEFINITIONS

1. In this by-law, unless the context otherwise requires:
 - (a) "Approved" means approved by Council.
 - (b) "Automatic Aid" means an approved agreement under which a municipality that is capable of responding more quickly to an area agrees to provide an initial response to fires, rescues, and emergencies in another municipality, or where a municipality agrees to provide a supplemental response to fires, rescues, or emergencies that may occur in another municipality.
 - (c) "Corporation" means The Municipal Corporation of the Township of Prince.
 - (d) "Council" means the Council of the Township of Prince.
 - (e) "Deputy Fire Chief" means a person appointed by Council to act on behalf of the Fire Chief of the Fire Department in the case of absence or a vacancy in the office of the Fire Chief and who is designated an Assistant to the Fire Marshal.
 - (f) "Emergency Medical Responder" means a person who is appointed to provide certain limited functions in support of the delivery of Fire Protection Services voluntarily or for a nominal consideration.
 - (g) "Fire Chief" means the person appointed by, Council to act as fire chief for the fire department and who is ultimately responsible to Council as set out in the *Fire Protection and Prevention Act* and who is designated an Assistant to the Fire Marshal.
 - (h) "Fire Code" means Ontario Regulation 213/07, as amended, and any successor regulation.
 - (i) "Fire Department" means the Prince Township Fire Department.


- (j) "Firefighter" means the Fire Chief and any other person employed in, or appointed to, the Fire Department to undertake Fire Protection Services, and shall include a Volunteer Firefighter
 - (k) "Fire Protection and Prevention Act" means the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended.
 - (l) "Fire Protection Services" includes fire suppression, rescue and emergency services, fire prevention, public fire safety education, mitigation, prevention and safety education of the risk created by unsafe levels of carbon monoxide, communications, training of personnel involved in the provision of Fire Protection Services, first response to medical emergencies to assess and manage signs and symptoms of the sick and injured until Emergency Medical Services personnel arrives, and the delivery of all those services.
 - (m) "Limited Service" means a variation of service significantly differentiating from the norm as a result of extenuating circumstances, such as deployment of Volunteer Firefighters in insufficient numbers to safely carry out the delivery of Fire Protection Services, environmental factors, remote properties, impeded access, private roadways, lanes and drives, obstructions, or extraordinary hazards or unsafe conditions.
 - (n) "Managing Council" means the Council of the Township of Prince.
 - (o) "Member" means any person employed by, appointed to, or volunteering for the Fire Department and assigned to undertake Fire Protection Services, and includes Officers, Volunteer Firefighters and Emergency Medical Personnel.
 - (p) "*Municipal Act*" means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, and any successor legislation.
 - (q) "Mutual Aid" means a plan established pursuant to section 7 of the *Fire Protection and Prevention Act* under which fire departments that serve a designated area agree to assist each other on a reciprocal basis in the event of a major fire or emergency.
 - (r) "Officer" means Fire Chief, Deputy Fire Chief, Chief Training Officer, Captain, Acting Captain, Training Officer, Fire Prevention Officer, and any person designated by the Fire Chief to supervise Firefighters.
 - (s) "Volunteer Firefighter" means a person who provides Fire Protection Services voluntarily or for a nominal consideration, honorarium, or training or activity allowance, and includes Emergency Medical Responder.
2. A Fire Department for the Township of Prince to be known as the Prince Township Fire Department is hereby established, and the head of the Fire Department shall be known as the Fire Chief.



DEPARTMENT STRUCTURE

3. Council shall appoint a Fire Chief who shall be the highest-ranking Officer and director of the Fire Department.
4. In addition to the Fire Chief, the Council shall appoint Deputy Fire Chief who shall report to the Fire Chief as the second highest ranking Officer of the Fire Department. In the absence or vacancy of the Fire Chief, The Deputy Fire Chief shall have the powers and perform the duties of the Fire Chief.
5. In addition to the Fire Chief and Deputy Fire Chief the Fire Department shall consist of Officers, Volunteer Firefighters, Emergency Medical Responders and other Members as deemed necessary and appointed by the Fire Chief to provide Fire Protection Services.
6. The Fire Department shall be structured in conformance with the Approved Fire Department Organizational Chart as set out in Schedule "A" attached hereto and forming part of this by-law.

APPROVED SERVICES AND PROGRAMS

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7. The Fire Department shall provide such Fire Protection Services and programs as approved by the Council in accordance with Part II of the *Fire Protection and Prevention Act*, and set out in Schedule "B" attached hereto and forming part of this by-law.

LIMITED SERVICE

8. In consideration of the reliance by the Fire Department on the response of Volunteer Firefighters, whose deployment to emergencies in sufficient numbers cannot in all instances be guaranteed, adverse climate conditions, delays or unavailability of specialized equipment required by the Fire Department, or other extraordinary circumstances which may impede the delivery of Fire Protection Services, any Approved service set out in Schedule "B" may from time to time be provided as a Limited Service as defined in this by-law, as determined by the Fire Chief, his or her designate, or the highest-ranking Officer in charge of a response.
9. The Corporation and the Managing Corporation shall accept no liability for the provision of a Limited Service by the Fire Department as reasonably necessary.



RESPONSES OUTSIDE THE LIMITS OF THE MUNICIPALITY

10. The Fire Department shall not respond outside the limits of the municipality except with respect to a fire, rescue or emergency:
 - (a) That, in the opinion of the Fire Chief or designate, 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 or designate, to 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
 - (e) On property beyond the municipal boundary where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate department is notified to respond and assume command or establish alternative measures acceptable to the Fire Chief or designate.
 - (f) Within Dennis South Township at the discretion of the highest ranking member ensuring timely emergency coverage within Prince Township.

11. The Fire Chief shall be ultimately responsible to Council as set out in subsection 6(3) of the *Fire Protection and Prevention Act* for the proper administration and operation of the Fire Department, including delivery of Approved services and programs.
12. The Fire Chief shall be deemed to be the Chief Fire Official of the municipality for the purposes of the *Fire Protection and Prevention Act* and regulations enacted thereunder, and shall have all statutory authority and shall carry out all prescribed duties and responsibilities in respect thereof.
13. Without limiting the generality of the foregoing, the Fire Chief shall be authorized and responsible for:
 - (a) Performing all statutory duties of the *Fire Protection and Prevention Act* and any other legislation applicable to the administration or operation of the Fire Department.
 - (b) Reporting to the Council as required by the *Fire Protection and Prevention Act*.
 - (c) Enforcement of this by-law and any regulations established under this by-law, and the enforcement of any other by-laws of the Corporation respecting the administration and operation of the Fire Department.
 - (d) Periodically reviewing this by-law and any other by-laws of the Corporation respecting the administration and operation of the Fire Department, and the Fire Chief may establish an advisory committee consisting of such Members of the Fire Department and other persons, possibly including members of the general public, as may be necessary from time to time to assist in discharging this duty.
 - (e) Recommending to Council amendments to this by-law, or any other by-law of the Corporation, that the Fire Chief considers relevant and appropriate.
 - (f) Developing, establishing, and implementing policies, operating procedures and guidelines, general orders and department rules, and other measures as the Fire Chief may consider necessary for the proper administration and efficient operation of the Fire Department.
 - (g) Periodically reviewing, revising, or revoking as required, all policies, operating procedures and guidelines, general orders, and rules of the Fire Department, and the Fire Chief may establish an advisory committee from time to time to assist in discharging these duties.
 - (h) Arranging for the provision and allotment of strategic staffing and proper facilities, apparatus, equipment, materials, services and supplies for the Fire Department.
 - (i) The proper care and protection of all Fire Department property.
 - (j) Arranging and implementation of automatic aid, mutual aid and other negotiated and/or approved fire protection and emergency service agreements between the Fire Department and other municipalities.

- (k) Determining and establishing the qualifications and criteria for employment or appointment, and the duties and responsibilities of all Members of the Fire Department.
- (l) Appointment, subject to approved hiring policies, of any qualified person as a member of the Fire Department.
- (m) The conduct and discipline of all members of the Fire Department, including disciplinary actions as required which may range from reprimand to dismissal.

POWERS

14. The Fire Chief shall exercise all powers and duties prescribed by the *Fire Protection and Prevention Act*, and shall be empowered to take all reasonable and proper measures for the prevention, control, and extinguishment of fires, and for the protection of life, property and the environment, and for the management of emergencies within the jurisdiction of the municipality.
15. Without limiting the generality of the foregoing, the Fire Chief and his/her designates shall be empowered and authorized to carry out the following:
 - (a) Pulling down or demolishing any building or structure when necessary to prevent the spread of fire.
 - (b) Any necessary action to guard against fire or other danger, risk, or accident, which may include boarding up or barricading of buildings or property, when unable to contact the owner of the property.
 - (c) Recovery of costs incurred by such necessary actions for the Corporation in a manner provided by the *Municipal Act* and the *Fire Protection and Prevention Act*.
 - (d) Taking any and all steps as set out in Parts V, VI and VII of the *Fire Protection and Prevention Act*.
16. As set out in the *Fire Protection and Prevention Act*, the Fire Chief may delegate any of his/her powers or duties to the Deputy Fire Chief or any Officer or Member that the Fire Chief deems appropriate, subject to such limitations, restrictions or conditions as may be set out in the delegation, and such Officer or Member so delegated shall have all the powers and shall perform all duties as delegated.

RECOVERY OF COSTS

17. If as the result of a Fire Department response to a fire, rescue, or other emergency, the Fire Chief, his or her designate, or the highest ranking Officer in charge determines that it is necessary to retain a private contractor, rent special equipment, or use consumable materials other than water in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, remove hazardous materials, assist in or otherwise conduct an investigation to determine the cause of a fire, or otherwise control or eliminate an emergency situation, the Corporation shall recover the costs incurred by the Corporation taking such actions from the owner of the property on which the fire or other emergency occurred.
18. The Corporation may recover costs incurred by such necessary actions in a manner provided by the *Municipal Act* and the *Fire Protection and Prevention Act* in accordance with the fees prescribed by the applicable Fees By-law of the Corporation from time to time.
19. A fee imposed upon a person under this by-law, including any interest, penalty charges and costs of collection, constitutes a debt of the person to the Corporation, and a person who is charged a fee under this by-law and fails to pay the fee within thirty days of receipt of an invoice shall be charged interest in accordance with the applicable Fees and Charges By-law of the Corporation.
20. If a property owner who is charged a fee under this by-law fails to pay the fee within ninety days of receipt of an invoice, the Corporation may add the fee, including penalty and interest, to the tax roll for any real property in the registered in the name of the owner and collect the fee, including penalty and interest, in like manner as municipal taxes.

VOLUNTEER FIREFIGHTER EMPLOYMENT

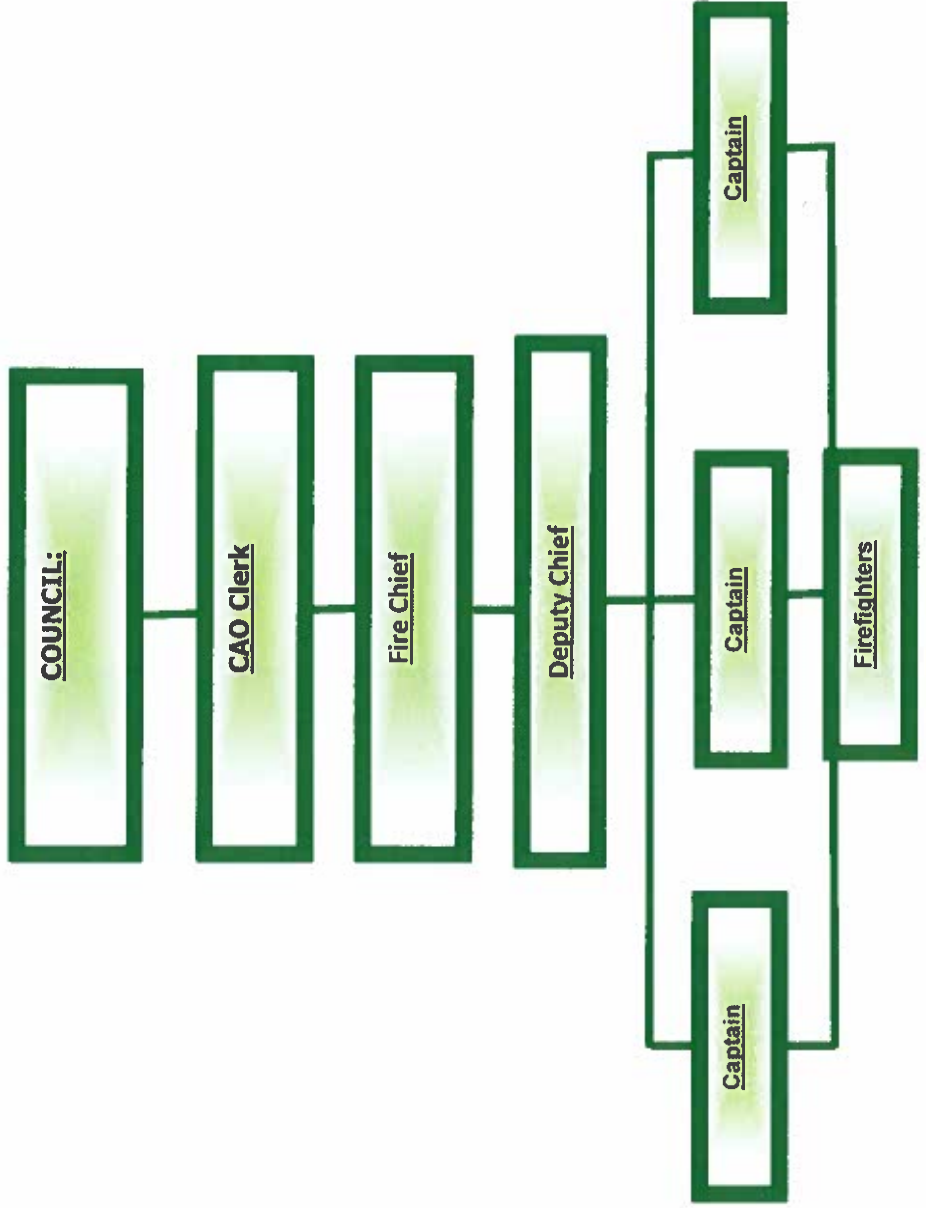
21. The Fire Chief may appoint, from time to time, any eligible person as a Volunteer Firefighter in order to maintain a sufficient complement of staff in accordance with the approved Fire Department Organizational Chart as set out in Schedule "A" attached hereto and forming part of this By-law, and subject to approved hiring policies.
22. In order to maintain low response times, Goulais Ave. shall be the west boundary for firefighter recruitment. The Fire Chief may, at his discretion, appoint firefighters beyond this boundary, within reason, to maintain a full roster. The fire Chief shall report to the Chief Administrative Officer the names and relevant personnel information of any member once appointed.



By-law 2023-

'Schedule A'

Prince Township Fire Department Organizational Chart





Schedule B - By-law 2023-26

RESCUE & EMERGENCY SERVICES APPROVED SERVICES AND PROGRAMS

The Fire Department shall provide the following services and programs:

B.1 Emergency Response

B.1.1 Basic Firefighting Services:

The Fire Department shall respond to fires, alarms of fire, and pre-fire conditions to provide fire suppression services, and shall exercise best efforts to conform to the most recent edition of National Fire Protection Association (NFPA) 1720, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments as revised from time to time.

B.1.2 Structural Firefighting Services:

- (a) For the purpose of this Schedule, "Structural Firefighting" shall have the same meaning as Structural Firefighting as defined by NFPA 1720, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments.
- (b) Interior Search and Rescue – Shall be provided when possible and as appropriate in accordance with the following:
 - Service shall be provided to search for and rescue endangered, trapped or potentially trapped persons within the structure.
 - Service shall be provided only when, in the opinion of the Fire Chief or most senior Officer in charge, all of the following are true:
 - i. A scene risk assessment has been completed, and the level of risk reasonably justifies entry into the structure;
 - ii. Building integrity permits entry into the structure;
 - iii. Sufficient Trained Firefighter staffing is deployed at the fireground;
 - iv. Reliable water supply with adequate flow can be sustained
 - v. Adequate fireground supervision and support is provided.
- (c) Interior Fire Suppression (Offensive Operations) – Shall be provided when possible and as appropriate in accordance with the following:
 - Service shall be provided to contain the fire and prevent further loss of property.
 - Service shall be provided only when, in the opinion of the Fire Chief or most senior Officer in charge, all of the following are true:
 - i. A scene risk assessment has been completed, and level of risk reasonably justifies Firefighter entry into the structure;
 - ii. Building integrity permits entry into the structure;
 - iii. Sufficient Trained Firefighter staffing is deployed at the fireground;
 - iv. Reliable water supply with adequate flow can be sustained;
 - v. Adequate fireground supervision and support is provide
- (d) Exterior Fire Suppression (Defensive Operations) – Shall be provided when possible and as appropriate, in the opinion of the Fire Chief or most senior Officer in charge, in accordance with the following:
 - There shall be no expected rescue component with this service.
 - Service shall be provided to prevent fire spread to adjacent areas.
 - Service shall be provided when Interior Fire Suppression is not possible or appropriate.
 - Service shall be provided as water supply permits.

B.1.3 Rural Firefighting Operations:

Rural firefighting operations using tanker shuttle service shall be provided in areas without municipal water supply and best efforts shall be exercised to conform to NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting.

B.1.4 Vehicle Firefighting Services:

Service shall be provided to control and extinguish vehicle fires. B.1.5

Grass, Brush, and Forestry Firefighting Services:

Service shall be provided and best efforts shall be exercised to conform to SP103 Forest Firefighter Training Standards.

B.1.6 Marine Firefighting Services:

Marine firefighting service shall be limited to shore-based, defensive firefighting operations only.

B.1.7 Automatic Aid Response Services:

Service shall be provided in accordance with any Automatic Aid agreements approved by the Council/Managing Council.

B.1.8 Mutual Aid Response Services:

Service shall be provided in accordance with the Mutual Aid Plan established in respect to the municipalities within the District pursuant to clause 7(2)(a) of the *Fire Protection and Prevention Act*.

B.1.9 Tiered Medical Assistance Services:

Service shall be provided in accordance with the Emergency Medical Tiered Response Agreement between Sault Ste. Marie Emergency Medical Services and the Prince Township Fire Department.

B.1.10 Ambulance Assistance Services:

Service shall be provided to assist Emergency Medical Services with emergency and non-emergency situations with respect to providing access and/or the provision of care to patients.

B.1.11 Police Assistance Services:

Service shall be provided to assist Police with emergency and non-emergency situations for which the Fire Department has equipment and/or specialized skills to assist in the mitigation.

B.1.12 Public Assistance Services:

Service shall be provided to assist the public with emergency and non-emergency situations for which the Fire Department has the equipment and/or specialized skills to mitigate the incident.

B.1.13 Public Hazard Assistance Services:

- (a) Carbon monoxide Incidents – Response shall be provided to carbon monoxide alarms and emergencies.
- (b) Public Utility Incidents – Response shall be provided to public utility incidents that pose a public hazard, including:
 - i. Electrical utility emergencies;
 - ii. Natural gas utility emergencies.

B.1.14 Vehicle Accident Services:

The Fire Department shall respond to vehicle accidents to provide the following services:

- i. Stabilizing the scene of the accident;
- ii. Stabilizing the vehicles involved in the accident;
- iii. Providing aid to injured or trapped persons;
- iv. Mitigating adverse effects to the natural environment.

B.1.15 Vehicle Extrication Services:

Vehicle search and rescue services, including extrication, shall be provided at the level trained for and level required by NFPA 1001 stabilizing the scene, stabilizing the vehicle and stabilizing the patient.

B.1.16 Transportation Incidents involving Vehicles, Aircraft:

Response shall be provided to large-scale transportation incidents that may involve large numbers of casualties, widespread damage to property, and/or significant environmental impact.

B.1.17 Highway Incident Services:

- (a) Fire Protection Services shall be provided to the Kings Highway and other provincial highways in accordance with department SOG's.
- (b) Costs associated with Fire Department response to provincial highways shall be recovered in accordance with applicable provincial fire service agreements.

B.1.18 Hazardous Materials Response Services:

- (a) Service shall be provided at the operations Level when possible considering training and equipment in accordance with NFPA 472, Standard for Competence of Responders to Hazardous Materials Incidents.

