



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 057-2012

A BY-LAW TO ESTABLISH A FIRE DEPARTMENT

WHEREAS the *Fire Protection and Prevention Act*, S.O. 1997, c.4, Part II, Section 5 (0.1), as amended, permits the Council to establish and regulate a fire department;

AND WHEREAS pursuant to Section 11.2 (6) and (8) of the *Municipal Act* S.O. 2001 c.25 as amended provides that a municipality may pass by-laws respecting the health, safety and well being of persons and for the protection of persons and property;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. In this by-law, unless the context otherwise requires,
 - a) "Chief" means the person appointed through a by-law by the Council to act as Fire Chief for the Corporation.
 - b) "Corporation" means the Corporation of the Town of Cobourg.
 - c) "Council" means the Municipal Council of the Corporation of the Town of Cobourg.
 - d) "Department" means the Cobourg Fire Department.
 - e) "Deputy Chief" means the person appointed through a by-law by the Council to act on behalf of the chief of the fire department in the case of an absence or a vacancy in the office or chief.
 - f) "Members" means all employees of the Cobourg Fire Department and includes officers, full-time and part-time firefighters regularly employed on a salaried basis and any technicians.
 - g) "Chief Administrative Officer" means that person appointed by Council as the Chief Administrative Officer of the Corporation.
2. A department for the Town of Cobourg, to be known as the Cobourg Fire Department, is hereby established and the head of the department shall be known as the Chief. The mission of this department shall be as set out in Appendix "A" forming part of this by-law.

3. Protection and prevention services provided by the department shall include a range of programs designed to protect lives and property within the fire department response area from the adverse effects of fires, sudden medical emergencies, or exposure to dangerous conditions created by man or nature and includes fire prevention and public education, rescue and suppression services as detailed in Appendix "B" forming part of this by-law.
4. In addition to the Chief, the department personnel shall consist of a Deputy Chief and such number of other officers and members as may be deemed necessary by the Council.
5. The Deputy Chief, who is the second ranking officer of the department, shall report to the Chief of the department on the activities that are the Deputy Chief's responsibility and carry out the orders of the Chief, and in the absence of the Chief, has all the powers and shall perform all the duties of the Chief.
6.
 - a) The Chief may appoint any qualified person as a member of the department, subject to the approved hiring policies of the Corporation.
 - b) A person is qualified to be appointed a member of the department who:
 - i) is in possession of a secondary school graduation diploma or has combined experience and education equivalent to a secondary school graduation diploma and,
 - ii) passes such aptitude and other tests as may be required by the Chief of the department and,
 - iii) is medically fit to perform the duties of a member of the fire department as certified by the Corporation's medical examiner.
7. Every member of the department assigned firefighting duties is subject to a medical examination at least once bi-annually and at such other times as may be required by the Chief.
8. If the Corporation's medical examiner finds that a member is physically unfit to perform their assigned duties and that such condition is attributed to, and a result of, their employment on the department, Council may assign the member to other employment in the department or may retire them. Council may provide such retirement allowances for which the member qualifies.
9. Persons appointed as members of the department shall be on probation for a period of 12 months, during which period they shall take such special training and examination as may be required by the Chief.

10.
 - a) If a probationary member fails any such examinations, or fails to meet any obligations as may be agreed upon or understood, the Chief, with the approval of the Corporation's Chief Administrative Officer, may dismiss the member.
 - b) The procedures for termination of employment prescribed in Part IX of the Fire Protection and Preventions Act shall apply to all full-time and part-time firefighters of the department.
11. Working conditions and remuneration for all full-time and part-time firefighters shall be determined by Council in accordance with the provisions of Part IX of the Fire Protection and Prevention Act, any collective agreements, memorandums of understanding and the Corporation's non-union personnel policies.
12. The Chief is responsible to Council, through the Chief Administrative Officer for the proper administration and operation of the department including all department functions and programs.
13. The Chief shall develop, implement and enforce policies, operating guidelines, general orders and department rules as may be necessary to ensure the appropriate care and protection of the department, all department personnel, facilities and equipment.
14. The Chief shall review annually all policies, orders, rules and operating guidelines of the department and may establish an advisory committee consisting of such members of the department as the Chief may determine from time to time to assist in these duties.
15. The Chief shall submit for approval, the annual budget estimates for the department in accordance with the Corporation's budget preparation policy.
16.
 - a) The department is composed of the following divisions:
 - i) Division of Administration
 - ii) Division of Fire Prevention and Public Education
 - iii) Division of Operations
 - iv) Division of Training
 - v) Division of Apparatus and Equipment
 - vi) Division of Communications
 - vii) Division of Buildings/Facilities
 - viii) Division of Emergency Management
 - b) The Chief shall establish the responsibilities of each division.
 - c) Each division of the department is the responsibility of the Chief and is under the direction of the Chief or in his absence, the Deputy Chief or a member designated by the Chief. Designated members shall report to the Chief or to the Deputy Chief as assigned, on divisions and activities under their supervision and shall carry out all orders of the Chief.

17. Where the Chief of the department designates a member to act in the 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.
18. The 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 Chief, would be detrimental to the discipline or the efficiency of the department.
19. Following the suspension of a member, the Chief shall immediately report, in writing, the suspension and recommendation to the Chief Administrative Officer and Council.
20. The 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 Fire Protection and Prevention Act, and the chief shall be empowered to authorize:
 - a) pulling down or demolishing of, any building or structure to prevent the spread of fire/or threat to life or public safety and for the determination of fire cause;
 - b) when unable to contact the property owner, all necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident;
 - c) the Corporation to recover expenses incurred by such necessary action in the manner provided through the Municipal Act and/or the *Fire Protection and Prevention Act*.
21. 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;
 - a) that, in the opinion of the Chief or designate of the 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 agreement has been entered into to provide fire protection;
 - c) on property with which an agreement has been entered into with any person or corporation to provide fire protection;
 - d) at the discretion of the Chief or designate to a municipality authorized to participate in the mutual aid plan or any other organized plan or program on a reciprocal basis when the plan(s) is activated;

e) on property beyond the municipal boundary where the Chief or designate determines that immediate action is necessary to preserve and protect life and/or property and the correct department is notified to attend and/or assumes command.

Any such response referred to (a) - (e) referenced above shall be in accordance with Established Fire Department Policy.

22. In the event the department responds to a fire or emergency outside the limits of the municipality, the Chief or the designate authorizing the response will notify the Chief Administrative Officer.
23. By-law Number 062-2010 is hereby repealed.

READ a first, second and third time and finally passed in Open Council
this 16th day of July, 2012.


MAYOR


MUNICIPAL CLERK

SCHEDULE "A"

COBOURG FIRE DEPARTMENT

MISSION STATEMENT

IT IS THE MISSION OF THE COBOURG FIRE DEPARTMENT, THROUGH THE DELIVERY OF PROGRAMS AND SERVICES, TO PROTECT LIFE AND PROPERTY IN OUR COMMUNITY FROM THE ADVERSE EFFECTS OF FIRE, SUDDEN MEDICAL, ENVIRONMENTAL AND OTHER EMERGENCIES, BOTH NATURAL AND MAN MADE.

THE CORPORATION OF THE TOWN OF COBOURG

COBOURG FIRE DEPARTMENT

LEVEL OF SERVICE POLICY

By-law Number being a by-law to establish and regulate a fire department, references the services that are to be provided to the community by the Cobourg Fire Department.

The Fire Protection and Prevention Act, 1997, provides that every municipality shall:

- a) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and
- b) provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances.

Therefore, the Municipal Council of the Town of Cobourg enacts the following level of service policy.

The Cobourg Fire Department will provide as required, and as resources permit, the following level of service:

Emergency Response

- exterior structural firefighting
- interior structural firefighting (including the rescue of trapped persons)
- vehicle firefighting
- grass/brush firefighting
- land-based marine firefighting
- emergency medical assist with defibrillation
- operations level hazardous materials response as defined by the National Fire Protection Association Standards 472 - Professional Competence of Responders to Hazardous Materials Incidents
- transportation incidents, including vehicles, trains, aircraft and watercraft
- vehicle extrication
- **fast water rescue – water entry level**
- water and ice rescue - water entry level
- public assistance
- other agency assistance
- municipal emergency plan participation
- operations level confined space rescue (excluding trench rescue) as defined by the National Fire Protection Association Standard 1670 - Operations and Training for Technical Rescue Incidents
- any other natural or accidental emergency having potential for environment damage, property damage or threat to life or public safety.

Fire Prevention

Pre-Incident Planning

The Cobourg Fire Department will conduct pre-incident planning using **accepted best practises** - for Pre-Incident Planning.

Fire Cause Determination/Investigation

The Cobourg Fire Department will provide fire cause determination and/or fire investigation services in co-operation with provincial, private and other municipal agencies, as required.

Inspection Services

The Cobourg Fire Department will provide **as required and as resources permit**, fire safety inspection services as indicated in the following table.

Occupancy Type	Frequency
Assembly	Once every 3 years
Institutional	Once every 2 years
Commercial	Once every 5 years
Industrial	Once every 5 years
Multi-unit residential	Once every 5 years
Boarding/Lodging	Annually
Hotel/Motel	Annually
Single family residential	On request

Public Fire Safety Education

The Cobourg Fire Department will provide public fire safety education programs as follows:

School program	Annually
The Arson Prevention Program for Children (TAPP-C)	On request
Fire safety trailer	Selected annual events and on request
Smoke alarm program	Ongoing
Industrial Fire Safety program	On request
Station tours	On request
Fire Prevention Week Program	Annually
Fire safety talks for special interest groups	On request

Plans Review

The Cobourg Fire Department will conduct reviews of development proposals and building plans as submitted in cooperation with the Development Review Team and the Building and Planning Department.

Emergency Management

The Cobourg Fire Department will be responsible for coordinating the development and maintenance of the Corporation's Emergency Management Program as mandated by the Emergency Management and Civil Protection Act.

This "*Level of Service Policy*" has been reviewed and approved by the Municipal Council of the Town of Cobourg on this 28th day of June, 2010 and is applicable, in its entirety, for the whole of the municipality of the Town of Cobourg. This policy statement is subject to annual review.

Mayor

Municipal Clerk

Fire Chief