

THE CORPORATION OF THE CITY OF PEMBROKE

BY-LAW NUMBER 2003 – 23

**BEING A BY-LAW TO ESTABLISH AND REGULATE
A FIRE DEPARTMENT IN THE CITY OF PEMBROKE.**

WHEREAS Section 2, subsection (2) of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 as amended, provides that every municipality shall appoint a Community Fire Safety Officer or a Community Fire Safety Team or establish a fire department;

AND WHEREAS the Council of the Corporation of the City of Pembroke did, on the 17th day of September, 1991, pass By-law 91-73 to establish and regulate a fire department in the City of Pembroke and now deems it necessary to revise said By-law;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF PEMBROKE ENACTS AS FOLLOWS:


1. In this by-law, unless the context otherwise requires;
 - (a) “Approved” means approved by the Council.
 - (b) “Chief Administrative Officer” means the person appointed by the council to act as Chief Administrative Officer for the corporation.
 - (c) “Corporation” means the Corporation of the City of Pembroke.
 - (d) “Council” means the Council of the City of Pembroke.
 - (e) “Deputy Chief” means the person appointed by Council to act on behalf of the Fire Chief of the fire department in the case of an absence or a vacancy in the office of Fire Chief.
 - (f) “Fire Chief” means the person appointed by Council to act as Fire Chief for the corporation and is ultimately responsible to Council as defined in the Fire Protection and Prevention Act.
 - (g) “Fire Department” means the City of Pembroke Fire Department.
 - (h) “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.
 - (i) “Member” means any persons employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes officers, full time, part time and volunteer firefighters.
 - (j) “Volunteer Fire Fighters” means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.
2. That a fire department for the City of Pembroke to be known as the Pembroke Fire Department be, and it is, hereby established and continued and the head of the fire department shall be known as the Fire Chief.
3. The fire department shall be structured in conformance with the approved Organizational Chart as shown on Appendix “A” to this by-law.
4. In addition to the Fire Chief, Council may appoint a Deputy Chief and such number of other officers and members as may be deemed necessary by Council.

5. 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 City of Pembroke.
6. Persons appointed as members of the fire department to provide fire protection services shall be on probation for a period of 12 consecutive months, during which period they shall take such special training and examinations as may be required by the Fire Chief.
7. Working conditions for all firefighters defined in Part IX of the Fire Protection and Prevention Act shall be determined by Council.
8. The Fire Chief is ultimately responsible to Council, through the Chief Administrative Officer, for proper administration and operation of the fire department including the delivery of fire protection services.
9. The Fire Chief shall implement all approved policies and shall develop such operating procedures and operational guidelines, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all fire department personnel and fire department equipment.
10. The Fire Chief shall review periodically all policies, orders, rules, operating procedures and operational guidelines of the fire department and may establish committees consisting of such members of the fire department as the Fire Chief may determine from time to time to assist in these duties.
11. The Fire Chief shall submit to the Chief Administrative Officer and Council for approval, the annual budget estimates for the fire department, an annual report and any other specific reports required by the Provincial Government or requested by the Chief Administrative Officer or Council.
12. Each division of the fire department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or member designated by the Fire Chief. Designated members shall report to the Fire Chief on divisions and activities under their supervision and shall carry out all orders of the Fire Chief.
13. Where the Fire Chief designates a member to act in the place of an officer in the fire department, such member, when so acting, has all of the powers and shall perform all duties of the officer replaced.
14. Following the suspension of a member, the Fire Chief shall immediately report, in writing, the suspension and recommendation to the Chief Administrative Officer and Council.
15. The Fire Chief shall take all proper measures for the prevention, control, and extinguishment of fires and the protection of life and property, as stated in Appendix B forming part of this By-law, and shall exercise all powers mandated by the Fire Protection and Prevention Act. In accordance with Appendix "B", the Fire Chief shall be empowered to authorize:
 - (a) pulling down or demolishing any building or structure to prevent the spread of fire;
 - (b) all necessary actions which may include boarding up or barricading of building or property, guard against fire or other danger, risk or accident, when unable to contact the property owner;
 - (c) 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;

16. 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:
- (a) that, in the opinion of the Fire Chief or designate of the fire 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 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, to a municipality authorized to participate in any county, district or regional mutual aid plan established by a Fire co-ordinator appointed by the fire marshal or any other similar reciprocal plan or program;
 - (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.
17. The remuneration of the volunteer member shall be as determined by Council.
18. That By-law Number 91-73 be, and it is, hereby repealed.
19. This By-law shall come into force and take effect upon the date of the final passing thereof.

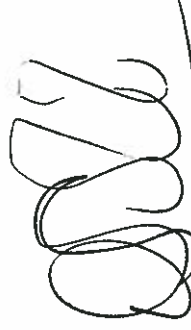
READ A FIRST AND SECOND TIME THIS 17th DAY OF June, 2003

Terry Lapierre
Chief Administrative Officer

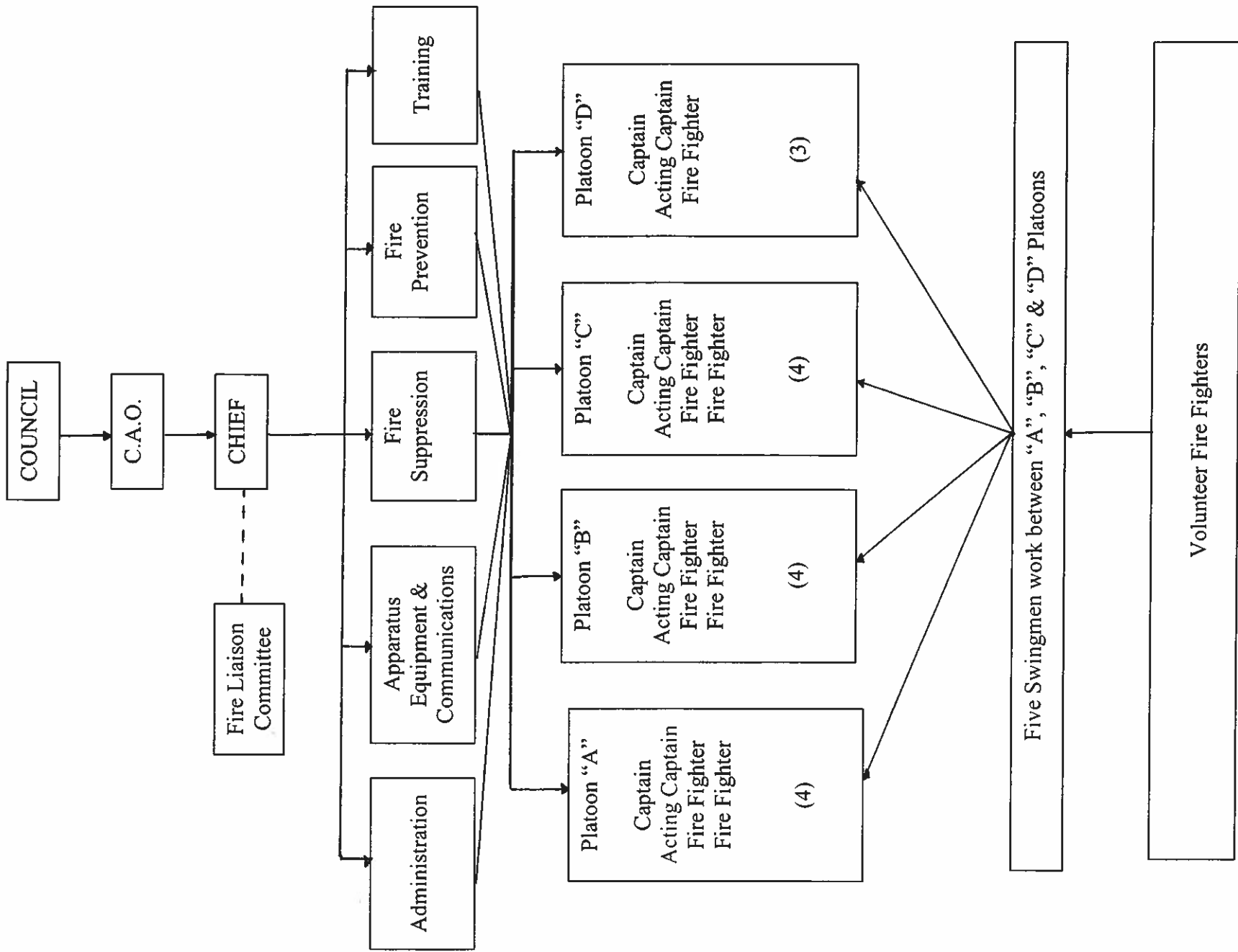

Mayor

READ A THIRD TIME AND PASSED THIS 17th DAY OF June, 2003

Terry Lapierre
Chief Administrative Officer


Mayor

APPENDIX "A"
PEMBROKE FIRE DEPARTMENT
ORGANIZATIONAL CHART



APPENDIX “B”
CITY OF PEMBROKE FIRE DEPARTMENT
STATEMENT OF CORE SERVICES
THREE LINES OF DEFENCE

FIRE PREVENTION & PUBLIC EDUCATION

Public education practices, including

- Providing routine education programs as per fire prevention policy
- Facilitating smoke alarm initiatives
- Providing access for media
- Delivery of specialized programs

Fire investigation practices, including

- Determining cause and origin
- Assessing code compliance
- Assessing fire suppression effectiveness
- Determining compliance with building standards
- Interacting with OFM investigator
- Supporting criminal prosecutions
- Consulting with police and other agencies

Plans examination and approval practices, including

- Reviewing and approving site plans
- Preparation for and appearances in court
- Consultation with architects, engineers, planners, contractors and building trades

CODE ENFORCEMENT

Inspection practices, including

- Complaints inspections
- Conducting routine inspections per fire prevention policy
- Dealing with code compliance issues (mandated)
- Enforcing municipal by-laws
- Conducting inspections, preparing reports and issuing written responses to requests

EMERGENCY RESPONSE

Suppression

- Basic firefighting
- Structural firefighting including rescue
- Vehicle firefighting
- Grass/brush firefighting
- Mutual Aid

Medical

- Basic medical assist

Hazardous Materials

- Awareness level hazardous materials

Auto Extrication

- Vehicle accidents
- Vehicle extrication
- Transportation incidents involving vehicles, trains and small aircraft

Water/Ice Rescue

- Water and Ice – shore based

Assistance Requests

- Public assistance
- Ambulance assistance
- Police assistance
- Community emergency plan participation