

THE CORPORATION OF THE TOWNSHIP OF HORTON

HORTON FIRE DEPARTMENT

ESTABLISHING AND REGULATING BY-LAW

By-Law No. 2010-34

Being a By-Law to establish and continue a Fire Department

Whereas the Municipal Act, RSO 1990, c. M.45 as amended provides that the council may by by-law establish and regulate a fire department;

Therefore, the Council of the Corporation of the Township of Horton enacts as follows:

1. In this by-law, unless the context otherwise requires,
 - (a) "Approved" means approved by the municipal council,
 - (b) "Company" means a complement of personnel operating one or more pieces of apparatus or equipment,
 - (c) "Corporation" means the corporation of the Township of Horton,
 - (d) "Council" means the Council of the Township of Horton,
 - (e) "Department" means the Horton Township Fire Department,
 - (f) "Deputy Fire Chief" means the one person appointed by by-law of the council of the municipality to act in the place of the fire chief in the fire chief's absence, or in the case of a vacancy in the position of fire chief,
 - (g) "Fire Chief" means the one person appointed by a by-law of the council of the municipality to act as fire chief,
 - (h) "Fire Fighters' Association" means the Horton Fire Fighters' Association,
 - (i) "Fire Protection" means a range of programs designed to protect the lives and property of the inhabitants of the fire department response area from the adverse effects of fires, exposure to dangerous conditions created by man or nature and includes fire prevention and public education, rescue and suppression services,
 - (j) "Member(s)" means any defined fire fighter or employee of the department,
 - (k) "Volunteer Fire Fighter" means a person who voluntarily acts as a fire fighter for a nominal consideration or honorarium,
2.
 - (a) A department for the Township of Horton to be known as the Horton Fire Department is hereby continued and the head of the department shall be known as the fire chief.
 - (b) The Goals, Mission Statement, and Agreement document of the department shall be those contained in:
 - HORTON FIRE DEPARTMENT – Our Mission Statement
 - Appendix A – Core Services
 - Appendix B – Lists of Typical Equipment carried on Apparatus of this by-law.
 - (c) The department shall be organized as per Table 1 forming part of this by-law.

3. In addition to the fire chief, the department personnel shall consist of a deputy fire chief and such number of officers, and members as from time to time may be deemed necessary by the council.
4.
 - (a) The fire chief may recommend to the council the appointment of any qualified person as a member of the department, subject to the approved hiring policies of the Corporation,
 - (b) A person appointed as a member of the department shall be on probation for a period of one year during which period the probationary member shall take such special training and examinations as may be required by the fire chief: and,
 - (c) If a probationary member fails any such examinations, the fire chief shall recommend appropriate action to council. ie. Extension of probation or dismissal.
5.
 - (a) The fire chief may reprimand, suspend or recommend dismissal of any member for non compliance with any of the provisions of this by-law or general orders and department rules, that in the opinion of the fire chief, would be detrimental to the discipline and efficiency of the department.
 - (b) Following the suspension of any member the fire chief shall report, in writing, the suspension and recommendations to council: and
 - (c) A member shall not be dismissed without being afforded the opportunity for a hearing before council, if the member makes a written request for such hearing within seven working days after receiving the proposed dismissal.
6.
 - (a) The remuneration of all members of the department, shall be as determined by council.
7. The fire chief is responsible to council for the proper administration and operation of the department. The fire chief is under the general direction of council, and:
 - (a) shall have developed and publish such written operating guidelines, general orders and departmental rules as may be necessary for the care and protection of the department, department equipment and personnel, and for the efficient operation of the department, provided that such orders and rules do not conflict with the provisions of any by-laws of the municipality
 - (b) shall review periodically the policies and procedures of the department and may establish an Advisory Committee consisting of such members of the department and citizens of the community as may be determined from time to time to assist in these duties.
 - (c)
 - (i) shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property,
 - (ii) and shall enforce all municipal by-laws respecting fire prevention,
 - (iii) shall adhere to the provisions of the Ontario Fire Code and the Fire Protection and Prevention Act,

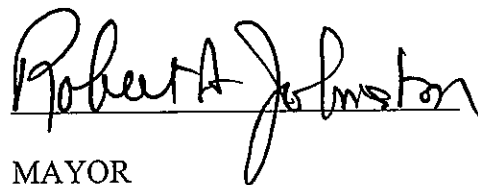
- (iv) the fire chief or designate is directed and authorized to have members of the department:
 - (a) pull down or demolish any building or structure to prevent the spread of fire,
 - (b) when unable to contact the property owner, to take such necessary action (under (a) above) which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident,
 - (c) the corporation may recover expenses incurred by such necessary action in a manner provided by the Municipal Act.
 - (d) is responsible for the enforcement of this by-law and the general orders and departmental rules,
8. (a) The deputy fire chief is responsible to the fire chief for the activities of the divisional functions that are supervised by the deputy fire chief; and,
- (b) the deputy chief has the same authority and responsibility as the fire chief and shall perform all the duties of the fire chief in the fire chief's absence.
9. (a) The department performs the following divisional functions:
- Division of Administration
 - Division of Apparatus, Equipment and Communications
 - Division of Fire Suppression
 - Division of Fire Prevention
 - Division of Training
10. The fire chief is responsible for ensuring that the following duties pertaining to the function of the Division of Administration are carried out:
- (a) Provide administration facilities for the department;
 - (b) Prepare the department budget and exercise control of the budget;
 - (c) Prepare the payroll of the department and initiate requisitions for materials and services and certify all accounts of the department;
 - (d) Maintain personnel records in accordance with the policy of the corporation;
 - (e) Arrange for the provision of medical services;
 - (f) Arrange for the provision of new buildings as approved;
 - (g) Provide liaison with the local Fire Fighters' Association(s);
 - (h) Prepare the annual report of the department;
 - (i) Carry out the general administrative duties of the department;
 - (j) Provide liaison with the Renfrew County fire coordinator; and,

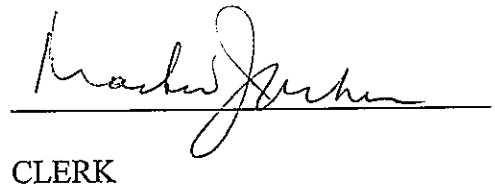
- (k) Assist the Renfrew County fire coordinator in the preparation of a County Emergency Fire Service Plan and Program.
11. The fire chief is responsible for ensuring that the following duties pertaining to the function of the Division of Apparatus, Equipment and Communications are carried out.
- (a) Prepare specifications for the purchase of apparatus and equipment; and,
 - (b) Maintain and keep in repair all existing buildings, apparatus and equipment of the department.
12. (a) The fire chief is responsible for ensuring that the following duties pertaining to the function of the Division of Fire Suppression are carried out.
- (i) Prevent, control and extinguish fires;
 - (ii) Conduct investigations of fire in order to determine cause, origin, and where required, to request appropriate agencies to assist with the investigation;
 - (iii) Respond and assist at such emergencies as may be deemed necessary by the fire chief;
 - (iv) Perform pre-emergency planning;
 - (v) Perform apparatus maintenance and cleaning duties at stations;
- (b) Captains are in command of the company to which they are assigned and are responsible to the officer in charge for the proper operation of that company; and
- (c) Where the fire chief designates a member to act in the place of an officer, such member, when so acting, has all the authority and responsibility of such officer and shall perform all the duties of the officer replaced.
13. The fire chief is responsible for ensuring that the following duties pertaining to the function of the Division of Fire Prevention are carried out:
- (a) Develop an approved fire prevention, fire safety and public education policy,
 - (b) Carry out the duties and activities of the fire prevention, fire safety and public education policy; and
 - (c) Maintain fire loss records;
14. The fire chief is responsible for ensuring that the following duties pertaining to the function of the Division of Training are carried out:
- (a) Establish a fire department training program, and conduct training for all members in accordance with the approved training program;
 - (b) Administer training programs; and,
 - (c) Prepare and conduct examinations of members as required;
15. (a) The fire chief shall develop an approved fire department promotional policy based on such evaluations, written, practical and oral examinations as deemed necessary.

16. The department shall not respond to a call with respect to a fire or emergency outside the approved response areas of the municipality except with respect to a fire 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 agreement has been entered into to provide fire protection therefore;
 - (c) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefore;
 - (d) at the discretion of the fire chief, to a municipality authorized to participate in the Renfrew County emergency fire service plan and program or any other organized plan or program on a reciprocal basis; or,
 - (e) on property beyond the municipal boundary where the fire chief, or designate, determines that immediate action is necessary to preserve and protect life and/or property and the correct department is notified and assumes command. The fire chief shall subsequently inform the head of council, in writing, of such responses.
17. That by-law 88-04 is hereby repealed.
18. This by-law comes into effect the 5th day of October, 2010

Read a first and second time this 5th day of October, 2010.

Read a third and finally passed this 5th day of October, 2010


MAYOR


CLERK

HORIZON FIRE DEPARTMENT

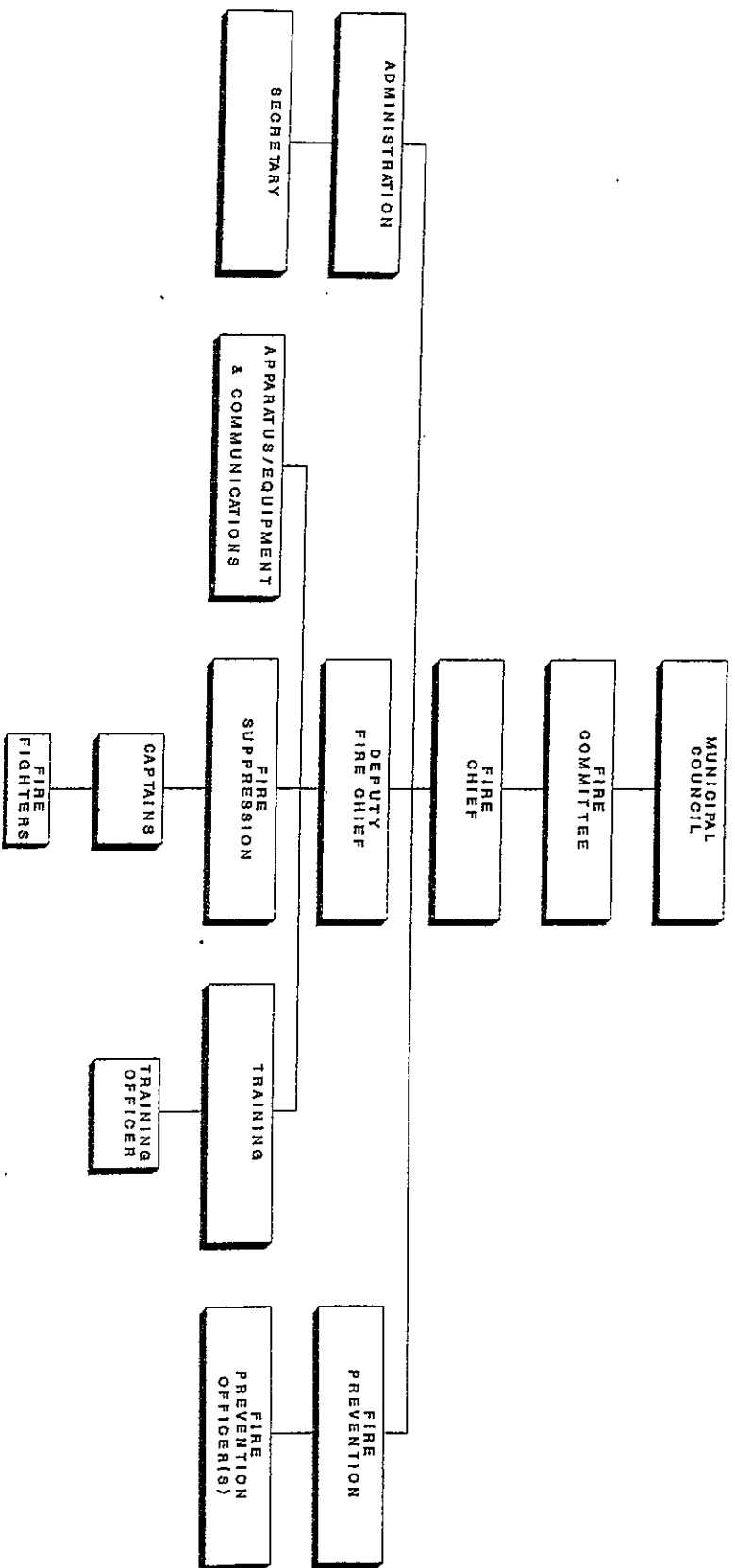


TABLE 1