

THE CORPORATION OF THE MUNICIPALITY OF GREENSTONE

BY-LAW 22-08

A By-law to Establish & Regulate the
Greenstone Fire and Emergency
Services.

WHEREAS Part II, Section 2 Subsection 1 of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, states 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;

AND WHEREAS Part II, Section 2 Subsection 2 of the *Fire Protection and Prevention Act, 1997* states, in discharging its responsibilities under Subsection (91), a municipality shall:

- (A) appoint a community fire safety officer or a community fire safety team, or
- (B) establish a fire department

AND WHEREAS Section 8 & 11 of the Municipal Act authorize a municipality to provide any service that the municipality considers necessary or desirable for the public, and to pass by-laws respecting, inter alia, health, safety and well-being of persons, protection of persons and property, and services that the municipality is authorized to provide;

AND WHEREAS Section 391 of the Municipal Act authorizes a municipality to impose fees or charges on persons for services or activities provided by the municipality, and for cost payable by the municipality for services or activities provided or done by on behalf of any other municipality.

AND WHEREAS Section 425 of the Municipal Act provides that the Council of the municipality may pass by-laws providing that the person who contravenes a by-law of the municipality is guilty of an offence;

AND WHEREAS Section 446 of the Municipal Act provides that if a municipality has the authority under that or any other Act, or under a by-law under that or any other Act, to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the persons' expense, and the municipality may recover the costs

of doing a matter or thing from the person directed or required to do it by action or by adding the cost to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS the Council of The Corporation of the Municipality of Greenstone deems it desirable, necessary, and expedient to amend, consolidate, revise, and update its by-law to establish, maintain, and operate a fire department for the Municipality of Greenstone.

NOW THEREFORE, the Council of The Corporation of the Municipality of Greenstone hereby enacts as follows:

DEFINITIONS

1. In this by-law, unless the context otherwise requires,
 - a) “Approved” means approved by the Council.
 - b) “Assistant to the Fire Marshal” means the fire chief or person appointed by the fire chief to act as such, the clerk of every municipality that does not have a department, any member of a fire prevention division established by a municipality and every person designated by the Fire Marshal as an assistant to the Fire Marshal.
 - c) “Chief Administrative Officer” means the person appointed by Council to act as the Chief Administrative Officer for the Municipality of Greenstone.
 - d) “Corporation” means The Corporation of the Municipality of Greenstone.
 - e) “Council” means the Council of the Municipality of Greenstone.
 - f) “Department” means the Greenstone Fire & Emergency Services as established by this by-law.
 - g) “District Chief” means the person to act as station District Chief for the Municipality of Greenstone and in the Fire Chief’s absence have the same authority during fire operations as the fire chief during their absence.
 - h) “Director of Fire Services/Fire Chief” means the person appointed by Council to act as Fire Chief for the Municipality of Greenstone.
 - i) “Fire Code” means Ontario Regulation 213/07, as amended, and any successor regulation.
 - j) “Fire Protection and Prevention Act” means the Fire Protection and

Prevention Act, 1997, S.O. 1997, c.4, as amended and any successor legislation.

- k) "Fire Protection Services" includes fire prevention, fire safety education, fire suppression, training of persons involved in the provision of fire protection services; rescue and emergency services, examples are: extrication, shore based/ice water rescue, environmental spills & hazardous spills; emergency; police assist, and will deliver these services up to the level of training of the personnel, and the equipment and resources at the time of the incident;
- l) "Limited Services" means a variation in services significantly different from the norm as a result of extenuating circumstances, such as environmental factors, obstructions, remote or island properties, private roadways, lands, and drives, and hazardous or unsafe conditions
- m) "Member" of the Department shall be defined as a person who voluntarily acts as a firefighter for remuneration or honorarium and includes officers.
- n) "Municipality" means the Municipality of Greenstone.
- o) "Mutual Aid" means a program to provide/receive assistance in the case of a major emergency in a municipality, community, or area where resources in a municipality, community or area have been depleted, but does not include "Automatic Aid"

GENERAL

2. A fire department is hereby established for the Municipality which is to be known as the Greenstone Fire & Emergency Services. The head of the Department shall be known as the Director of Fire Services/Fire Chief of Emergency Services.
3. In addition to the Director of Fire Services/Fire Chief and District Chiefs the department shall consist of volunteer officers and firefighters and any other members deemed necessary to provide Fire Protection Services.
4. The Department shall be structured in accordance with the approved organization chart attached as Appendix A and forming part of this by-law.
5. Persons appointed as members of the department or promoted to an officer level to provide fire protection services shall be on probation for a period of 12 months, during which time they shall take such training, and examinations, as may be required by the Director of Fire Services/Fire Chief.

6. The remuneration of volunteer firefighters shall be as determined by Council.
7. The Director of Fire Services/Fire Chief, in consultation with the Human Resources Manager, may promote any member of the Department or reprimand, suspend, demote any volunteer member for insubordination, inefficiency, misconduct, tardiness or for noncompliance with any of the provisions of this by-law, or operating guidelines and departmental rules, that in the opinion of the Director of Fire Services/Fire Chief could be detrimental to the safety of its members or the efficiency of the Department.
8. The Director of Fire Services/Fire Chief, in consultation with the Human Resource Manager, shall recommend for approval to the Chief Administrative Officer any new members for the Department.
9. The Director of Fire Services/Fire Chief, in consultation with the Human Resource Manager, may recommend in writing to the Chief Administrative Officer, any member to be dismissal for insubordination, inefficiency, misconduct, tardiness or for noncompliance with any of the provisions of this by-law, or operating guidelines and departmental rules, that in the opinion of the Director of Fire Services/Fire Chief could be detrimental to the safety of its members or the efficiency of the Department.
10. The Director of Fire Services/Fire Chief is ultimately responsible to Council, through the Chief Administrative Officer, for the proper administration and operation of the Department, including all fire service functions and programs.
11. The Director of Fire Services/Fire Chief shall implement all approved Corporation policies and shall develop such standard operating guidelines, and departmental rules as necessary to implement the approved policies and to ensure the appropriate safety and protection of all of the department's personnel and equipment.
12. The Director of Fire Services/Fire Chief shall review periodically all policies, orders, rules, and operating guidelines of the Department and may establish an advisory committee consisting of such members of the department or stakeholders to assist in these duties.
13. The Director of Fire Services/Fire Chief shall submit to Council for approval, the annual budget estimates for the department and any other specific reports requested by Council or the Chief Administrative Officer.

14. Each division of the department is under the direction of the Director of Fire Services/Fire Chief, or a member designated by the Director of Fire Services/Fire Chief. Designated members shall report to the Director of Fire Services/Fire Chief on activities of the divisions under their supervision and shall carry out all orders or direction of the Director of Fire Services/Fire Chief.
15. When the Director of Fire Services/Fire Chief designates a member to act in the place of an officer in the department, such member, when so acting, has all the powers and authority to perform all duties.

AUTHORITY AT FIRES AND EMERGENCIES

16. The Director of Fire Services/Fire Chief shall take all proper measures for the prevention, control and extinguishments of fires and the protection of life and property and shall exercise all powers mandated by the *Fire Protection and Prevention Act, 1997* and the Director of Fire Services/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 action including boarding up or barricading of buildings or property to guard against fire or other damage, risk, or accident and when unable to contact the property owner, and
 - c) Recovery of expenses incurred by such necessary action for the Corporation in the manner provided through the *Municipal Act, 2001*, the *Fire Protection and Prevention Act, 1997* and in accordance with the *Municipal Fees and Charges By-law*.
17. Any member of the Department may suppress any fire by extinguishing it and may enter onto private property, if necessary, to do so.
18. Upon request of any member of the Department, every person attending a fire or emergency scene shall assist any firefighter in the performance of their duties and shall obey all orders and directions given by the Director of Fire Services/Fire Chief, the District Chief, or an Officer.
19. Whenever it is deemed necessary by a member of the Department to guard the locality of the fire or emergency from entry or crowding by persons or vehicles they may place or cause to be placed barriers or other markers across the street or public place or private property to indicate the area from which persons and vehicles are prohibited.

20. No person(s) present at a fire or emergency shall refuse to leave the immediate vicinity of the fire or emergency if required to do so by a member of the Department.
21. No person(s) except members of the Department, the Police or other authorized persons shall enter within the area marked off by barriers or other markers.
22. No person(s) shall interfere with or obstruct the Director of Fire Services/Fire Chief or other member of the Department in the performance of their duties at a fire or emergency.
23. No person(s) shall drive any vehicle over fire hose except as authorized to do so by a member of the Department.
24. No person(s) shall park any vehicle within 150 metres of any fire or emergency or fire apparatus.
25. The Department may respond to a fire or emergency outside the limits of the Municipality:
 - a) For vehicle motor vehicle collisions including extrication on Highway 11 east from the Community of Longlac from mile marker 1120 to the Pagwachuan River Bridge. Motor vehicle collisions on Highway 625 from Highway 11 to the Community of Caramat. Motor vehicle collisions on Highway 584 from Highway 11 to the Community of Nakina, and Highway 643 from Nakina to Aroland.
 - b) At the discretion of the Fire Chief, and under the direction of the Zone Fire Co-Ordinator to respond to calls for assistance from other fire departments authorized to participate in the Province of Ontario Mutual Aid Plan and program or any other County, District, or regional mutual aid plan on a reciprocal basis.
 - c) For Fire Protection Services (Fires and Alarm Activations) for the First Nation communities of Ginoogaming First Nation, Long Lake #58 First Nation and Bingwi Neyaashi Asishinaabek First Nation (Sand Point).
 - d) At the Municipality's sole discretion beyond the municipal boundary where the Director of Fire Services/Fire Chief determines that immediate action is necessary to preserve and protect life and/or significant property.

26. Levels of Service:
- a) The Greenstone Fire & Emergency Services shall provide such approved services as specified and listed in Appendix “B” Fire Prevention Services and Appendix “C” Fire Protection Services.
 - b) Due to the Fire reliance upon volunteer firefighters, the geographic area and configuration of the municipality and the level and amount of equipment available, those services listed in Appendix “C” may be provided as limited services which due to circumstances may vary significantly from the norm.
 - c) The Municipality of Greenstone accepts no liability for any delay or inability to supply services set out in Appendix “C” of this by-law due to the provision of limited services or due to the existence of unsafe conditions of roadways, travel distances, restricted or impeded access to property, availability of volunteers or other environmental factors / constraints.
27. Appendices A - C attached hereto shall form part of this by-law.
28. This by-law shall be reviewed on an annual basis by the Director of Fire Services/Fire Chief, who will make any recommendation for amendments to Council.
29. By-law No. 16-75 is hereby repealed.
30. This by-law comes into force and takes effect on the date it is finally passed.

PASSED AND ENACTED this 17th day of January, 2022.



Original signed by James McPherson

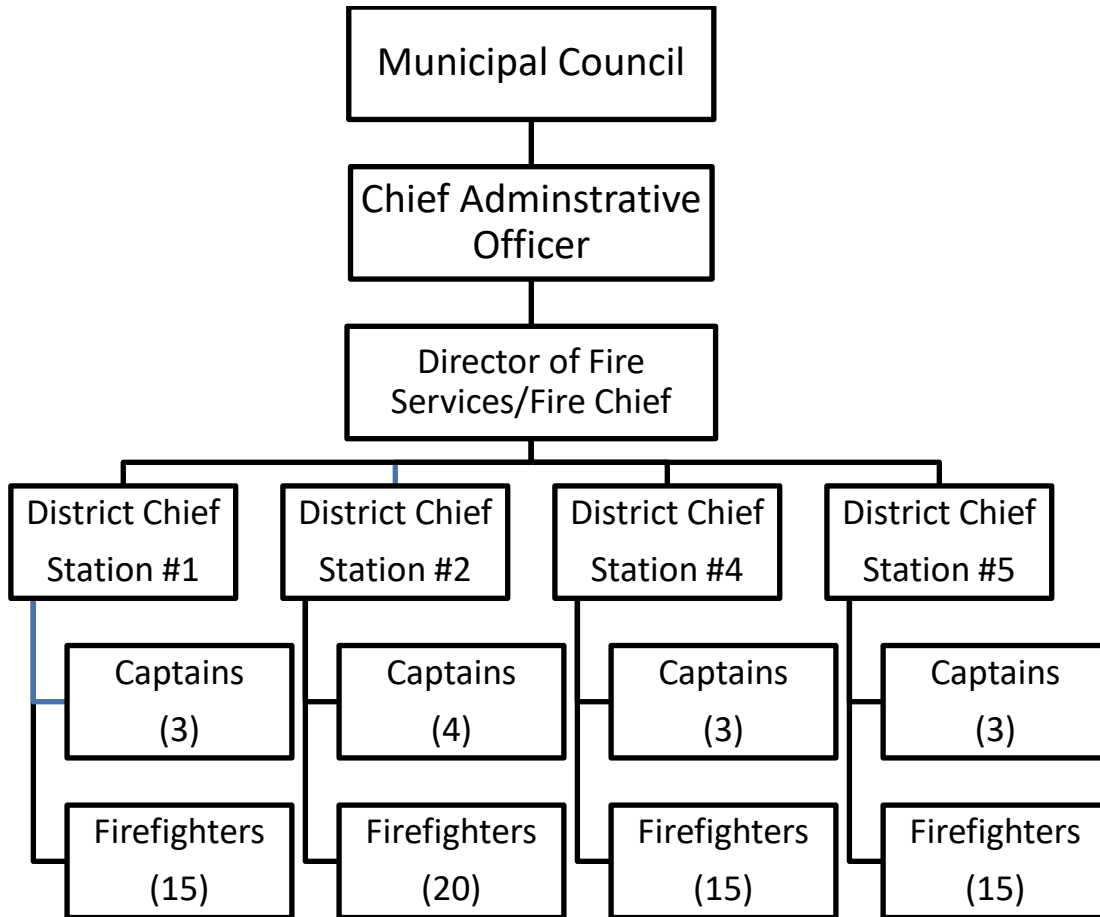
James McPherson, Deputy-Mayor

Original signed by Kristina Miousse

Kristina Miousse, Interim Clerk

APPENDIX "A"
TO BY-LAW NO. 22-08

GREENSTONE FIRE & EMERGENCY SERVICES ORGANIZATION CHART



**APPENDIX “B”
TO BY-LAW NO. 22-08**

FIRE PREVENTION SERVICES

General

As required by the *Fire Protection and Prevention Act, 1997 (FPPA)*, the municipality must provide the minimum services listed below.

- a smoke/carbon monoxide (CO) alarm program
- a fire safety education program
- community risk assessment
- fire safety inspections upon complaint or request
- fire investigations
- annual inspections of Vulnerable Occupancies

Smoke/Carbon Monoxide (CO) Alarm Program

The objective of the Smoke/CO alarm program is to promote and enforce the installation and maintenance of working smoke alarms as per the Ontario Fire Code (OFC) in the municipality.

Activities to help achieve this goal include:

- distribution of pamphlets or other education material through web site and/or social media
- instruction to residents regarding Smoke/CO alarms and escape planning
- providing advice and/or assistance on the installation of the smoke alarms
- inspection of residences to determine compliance with the smoke alarm provisions of the OFC.
- enforcement of the OFC in cases of non-compliance

Fire Safety Public Education Program

The Department will provide a variety of fire prevention education programs for the residents and businesses in the Municipality of Greenstone. Public education programs will be delivered in a variety of ways designed to meet the needs of the target groups.

The Department may participate in various community activities that will assist in promoting fire prevention and public education on fire safety with the approval of the Director of Fire Services/Fire Chief.

Community Risk Assessment

The Department will conduct an annual review of the Community Risk Assessment to determine if there is a need for a revision of policies and practices to address changing circumstances.

Fire Inspections

It is the requirement of the FPPA and the Fire Prevention Policy of Fire to conduct or arrange for fire prevention/safety inspections of occupancies;

- upon request,
- upon complaint or
- through an annual inspection program

to assess the occupant/owner's compliance with the Fire Code.

Records of inspection, re-inspections, Notice of Violations, Fire Marshal's Order, or tickets issued, etc. will be maintained by the Department. Follow-up on any outstanding violations will be made to obtain compliance or to undertake court action if required.

Fire Investigations

The Department shall conduct or arrange for investigations of fires to attempt to determine cause and origin and, where required, to request appropriate agencies to assist with the investigation.

**APPENDIX “C”
TO BY-LAW NO. 22-08**

FIRE PROTECTION SERVICES

1) General:

The Greenstone Fire & Emergency Services shall provide a range of fire protection services, as determined by Council, and intended to provide assistance for the protection of life and property and the welfare of the community. All services provided will be delivered in accordance with the fire station’s level of training, standard operating guidelines, municipal policies and procedures, the Occupational Health & Safety Act, Section 21 Guidance notes and the number and level of personnel trained and equipment available to the department on each specific emergency scene.

2) Fire Protection Services:

Station #1 - Beardmore

- a) Exterior structure firefighting only
- b) Vehicle fire
- c) Wildland fire
- d) Hazardous Materials – awareness level only
- e) Motor vehicle collisions including extrication
- f) Other agencies call for assistance with approved agreements (i.e., police or EMS)
- g) Water/Ice Rescue – Shore based
- h) Smoke/CO Alarm activations

Station #2 - Geraldton

- a) Interior structure firefighting including rescue
- b) Vehicle fire
- c) Wildland fire
- d) Hazardous Materials – awareness level only
- e) Motor vehicle collisions including extrication
- f) Other agencies call for assistance with approved agreements (i.e., police or EMS)
- g) Water/Ice Rescue – Shore based
- h) Smoke/CO Alarm activations

Station #4 - Nakina

- a) Exterior structure firefighting only
- b) Vehicle fire
- c) Wildland fire
- d) Hazardous Materials – awareness level only
- e) Motor vehicle collisions including extrication
- f) Other agencies call for assistance with approved agreements (i.e., police or EMS)
- g) Water/Ice Rescue – Shore based
- h) Smoke/CO Alarm activations

Station #5 - Longlac

- a) Interior structure firefighting including rescue
- b) Vehicle fire
- c) Wildland fire
- d) Hazardous Materials – awareness level only
- e) Motor vehicle collisions including extrication
- f) Other agencies call for assistance with approved agreements (i.e., police or EMS)
- g) Water/Ice Rescue – Shore based
- h) Smoke/CO Alarm activations