

THE CORPORATION OF THE TOWN OF HANOVER

BY-LAW NO. 2758-12

BEING a By-Law to Establish and Regulate a Fire Department in the Town of Hanover.

WHEREAS the Fire Protection and Prevention Act, 1997, S.O. 1997, Chapter 4, as amended, enables Municipal Councils to pass a by-law establishing and regulating a fire department;

AND WHEREAS the primary mission of the Town of Hanover Fire Department is to protect life and property from the devastation of fire and other emergencies through education, enforcement and operational programs;

NOW THEREFORE, the Council of the Corporation of the Town of Hanover enacts as follows:

1. **DEFINITIONS:**

In this by-law, unless the context otherwise requires:

- a) "Approved" means approved by the Council.
- b) "Chief" means the one person appointed by by-law by the Council to act as fire chief, or designate.
- c) "Company" means a complement of personnel operating one or more pieces of apparatus under the supervision of an officer.
- d) "Council" means the Council of the Town of Hanover.
- e) "Department" means the Town of Hanover Fire Department.
- f) "Fire Protection" means a range of programs designed to protect the lives and property for the inhabitants, of the fire department response area, from the adverse effects of fires, sudden medical emergencies, exposure to dangerous conditions created by man or nature, and includes fire prevention, public education, rescue, and suppression services.
- g) "Full-time Fire Fighter" means a person regularly employed in the fire department on a full-time salaried basis, and assigned exclusively to fire protection or fire prevention duties, and includes officers and technicians.
- h) "Platoon" means a complement of personnel operating one or more pieces of apparatus under the supervision of an officer.
- i) "Platoon Chief(s)" means person(s) appointed by by-law by the Council to act in the absence of the chief of the department, or in the case of a vacancy in the department.
- j) "Volunteer Fire Fighter" means a person who voluntarily acts as a fire fighter for a nominal consideration or honorarium.

2. **ESTABLISH:**

- a) A department for the Town of Hanover to be known as the Town of Hanover Fire Department is hereby established and the head of the department shall be known as the chief of the department.
- b) The goals and mission statement of the department shall be as those contained in Appendix "A" of this by-law and the department shall be organized as per Appendix "B" forming part of this by-law.

3. **PLATOON CHIEFS:**

In addition to the chief of the department, the department personnel shall consist of a platoon chief operations, platoon chief training, and such number of officers, captains, lieutenants and members as from time to time may be deemed necessary by the Council.

4. **DEPARTMENT PERSONNEL:**

- a) The chief of the department may recommend to the Chief Administrative Officer (CAO) the appointment of any qualified person as a member of the department, subject to approved hiring policies developed by the chief and approved by the CAO.

- b) Every member of the department appointed for fire fighting duties, is subject to a medical examination at least once every three years and at such other times as the chief of the department may require.
- c) If a medical examination determines that a member is physically unfit to perform assigned duties, the chief may request the member resign or retire.
- d) A person appointed as a member of the department for fire fighting and fire prevention duties, shall be on probation for a period of one year maximum but not less than six months, during which period the member shall take such special training and examination as may be required by the chief of the department.
- e) If a probationary member appointed for fire fighting or fire prevention duties fails any such examinations, or for any other justifiable reason during this period does not fill the department's expectations, the chief of the department may recommend to the CAO that the member be dismissed, without cause.
- f) A person completing the probationary period will hold the level of Fire Fighter 2 for a period of three years including the probationary period. During this time the person is required to attend the Ontario Fire College and pass both Module A and Module B. If this training is not completed, during the specified time frame without just cause, the person will be required to resign from the Hanover Fire Department.
- g) A person meeting the requirements of Fire Fighter 2 within the specified time frame will move to the level of Fire Fighter 1.

5. **DUTY:**

- a) Every member of the Department shall report for duty at the time prescribed by the departmental rules and shall remain on duty until relieved.
- b) In the case of a member failing to report for duty, the officer in charge shall report this in writing, through his/her superior officer, to the Chief of the Department.
- c) No member;
 - i) while in uniform, shall enter any premises where alcoholic beverages are sold or consumed, except in the performance of his departmental duties;
 - ii) if his ability is impaired by the use of an intoxicating beverage or drug, shall be permitted to remain on duty;
 - iii) while on duty, shall consume any intoxicating beverage or drug.
- d) No member shall solicit the influence or support of anyone in order to secure a transfer, promotion or other advantage.

6. **DISCIPLINE AND EFFICIENCY:**

- a) The chief of the department may reprimand, suspend or recommend dismissal of any member for insubordination, inefficiency, misconduct, tardiness or for non-compliance with any of the provisions of this by-law, general orders and departmental rules that in the opinion of the chief would be detrimental to the discipline and efficiency of the Department. The chief will follow the procedure as outlined in the Town of Hanover Fire Department Discipline Policy.
- b) Following the suspension of any member, the chief of the department shall report the suspension and recommendations to the CAO and Director of Corporate Services.

7. **REMUNERATION:**

The remuneration of all members of the department shall be as determined by the Council.

8. **CHIEF RESPONSIBILITIES:**

The chief of the department is responsible to the CAO for the proper administration and operation of the department, for the discipline of its' members and,

- a) Shall develop, and publish such written standard operating procedures, such general orders and departmental rules as may be necessary for the care and protection of the department, department equipment, department personnel, and generally for the efficient operation of the department, provided that such general 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 a Committee consisting of such officers as may be determined from time to time to assist in these duties.
- c) Shall take all proper measures for the prevention, control and extinguishment of fires, for the protection of life and property.
- d) Shall enforce all municipal by-laws respecting fire prevention, exercise the powers imposed by the Fire Prevention and Protection Act, 1997, as amended. The fire chief or designate shall be empowered to authorize fire department members to:
 - i) Pull down or demolish any building or structure to prevent the spread of fire.
 - ii) When unable to contact the property owner, to take such necessary action which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident.
 - iii) The Corporation may recover expenses incurred by such necessary action in a manner provided by the Municipal Act.

“For purposes of determining the origin, cause, or circumstances of any fire or explosion, if it is deemed necessary to retain a private contractor, rent/lease heavy and or specialized equipment, specialized services, and associated persons, then the costs may be billed to the property owner and collected by the municipality by means as determined in this by-law.”

- e) Is responsible for the enforcement of this by-law and the general orders and departmental rules.
- f) Shall appoint from within the department, captains in command of the companies.
- g) Shall report all fires to the Fire Marshal as required by the Fire Prevention and Protection Act, 1997, as amended.
- h) Shall submit to the Council for its information a monthly and annual written report on the operation of the department and the annual estimates for the department.

9. PLATOON CHIEF RESPONSIBILITIES:

The Platoon Chief – Operations is responsible for fire suppression and rescue “Operations” in a supervisory role, under the direction of the chief. This rank holds the same responsibility as the chief in the absence of the Fire Chief for coordination and directing the activities of the fire suppression units of the municipality.

The Platoon Chief – Training is responsible for fire suppression and rescue related “Training” in a supervisory role, under the direction of the chief.

10. DEPARTMENTS:

- a) The department is composed of the following divisional functions:
 - Division of Administration and Communications
 - Division of Operations (Apparatus and Equipment)
 - Division of Fire Suppression
 - Division of Fire Prevention
 - Division of Training
- b) Each division of the department is the responsibility of the chief and is under the direction of the chief, or such member designated by the chief. If deemed necessary, platoon chiefs, captains, and/or lieutenants may be appointed and delegated authority with responsibility to the chief, for the proper operation of a company.

11. DIVISION OF ADMINISTRATION:

The chief of the fire department is responsible for carrying out, the following duties pertaining to the function of the Division of Administration.

- a) Provide administration facilities for the chief and platoon chiefs of the department.
- b) Prepare the departmental 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.
- e) Arrange for the provisions of medical services.

- f) Arrange for the provision of new buildings.
- g) Provide liaison with the local fire fighters' association.
- h) Prepare the monthly and annual report of the department.
- i) Carry out the general administrative duties of the department.
- j) Provide liaison with the county fire co-ordinator.
- k) Assist the county fire co-ordinator in the preparation of a County Emergency Fire Service Plan and Program.
- l) Prepare specification for new communication systems and for additions to existing communications systems.
- m) Maintain the communication system of the department.

12. DIVISION OF OPERATIONS (APPARATUS AND EQUIPMENT):

The Platoon Chief – Operations of the fire department is responsible for carrying out, or delegating in total, or in part, the following duties:

- a) Prepare specifications for the purchase of apparatus and equipment.
- b) Maintain and keep in repair all fire apparatus, fire suppression equipment, rescue and salvage equipment of the department.
- c) Liaison with the water department in order to ensure an adequate flow of water in new waterworks projects and the adequate maintenance of existing waterworks facilities for the use of the department.
- d) Issue clothing, equipment and cleaning supplies.
- e) Prepare the budget of the Division of Operations to be submitted to the chief.

13. DIVISION OF FIRE SUPPRESSION:

- a) The Division of Fire Suppression is composed of such number of companies as the chief of the department may determine.
- b) The chief of the fire department is responsible for carrying out, or having carried out, the following duties pertaining to the function of the Division of Fire Suppression.
 - i) Prevent, control and extinguish fires.
 - ii) Conduct investigations of fire in order to determine cause, origin, and, where appropriate, to request the Office of the Fire Marshal to conduct an investigation.
 - iii) Perform rescue and salvage operations and render first aid.
 - iv) Respond and assist at such emergencies as may be required.
 - v) Participate in training.
 - vi) Conduct pre-fire fighting operations planning.
 - vii) Perform apparatus maintenance and cleaning duties at stations.
 - viii) Prepare the annual report and budget of the Division of Fire Suppression to be submitted to the chief.
- c) A platoon chief is in command of the company, to which he/she is assigned and is responsible for the proper operation of that company to the chief.
- d) 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.

14. DIVISION OF FIRE PREVENTION:

The chief of the fire department is responsible for carrying out, or having carried out, the following duties pertaining to the function of the Division of Fire Prevention through an approved fire prevention policy.

- a) Conduct fire prevention inspections of premises.
- b) Enforce fire prevention by-laws.
- c) Examine building plans.

- d) Provide personnel for fire prevention lectures.
- e) Maintain fire loss records.
- f) Receive, process and follow up reports of fire prevention inspections conducted under the Division of Fire Suppression (Alarmed for Life/Fire Occurrences/TAPP-C).
- g) Prepare the annual report and budget of the Division of Fire Prevention to be submitted to the Chief.

15. **DIVISION OF TRAINING:**

The Platoon Chief - Training is responsible for fire suppression and rescue related "Training", in a supervisory role, under the direction of the chief.

- a) Establish a fire department training program, complete with written records, and conduct training for all personnel of the department in fire administration, fire prevention and fire fighting.
- b) Schedule training sessions.
- c) Develop lesson plans.
- d) Administer training programs.
- e) Prepare and conduct examinations of members as required.
- f) Prepare an annual report and budget of the Division of Training to be submitted to the chief.

16. **ADVANCEMENT & EDUCATION:**

- a) The chief shall develop an approved fire department promotional policy based on such evaluation, written practical and oral examinations as deemed necessary.
- b) As part of the approved promotional policy, the chief of the department and the platoon chiefs shall evaluate all members of the department who are participating in an examination for promotion.
- c) When in the opinion of the chief of the department, all other factors for the promotion of two or more members are equal; seniority of service in the department governs.

17. **PERSONNEL PERFORMANCE:**

- a) The fire fighting and station record of each member of the department shall be annually evaluated as follows:
 - i) The chief shall review the performance of each officer of the department.
 - ii) The officers, as a whole shall review the performance of each fire department member.

18. **FIRE CALL RESPONSE:**

The department shall not respond to a fire emergency outside the limits of the municipality except with respect to a fire or emergency:

- a) That, in the opinion of the chief 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 that an agreement has been entered into to provide fire protection.
- c) On property that an agreement has been entered into with any person or corporation to provide fire protection therefore.
- d) At the discretion of the chief, to a municipality authorized to participate in the county/district/region emergency fire service plan and program or any other organized plan or program on a reciprocal basis.
- e) On those highways that are under the jurisdiction of the Ministry of Transportation or within the Region, County or District where the Region, County or District has established a rescue system.
- f) On property beyond the municipal boundary where the fire chief or his designate determines that immediate action is necessary to preserve and protect life and/or property and the correct department is notified and/or assumes command. The fire chief shall subsequently inform the head of Council, in writing, of invocation of this clause.

- g) The Hanover Fire Department shall provide the following specialty rescue operations and the chief shall ensure the members have the necessary training and equipment required:
- Swift Water Rescue – Technician Level
 - Ice Water Rescue – Technician Level
 - Confined Space Rescue – Technician Level
 - Auto Extrication Rescue – Technician Level
 - Hazardous Materials - Awareness Level
 - Annual Agreement with Quantum LP – Hamilton
 - Trench Rescue – Awareness Level
 - Agreement with City of Owen Sound Fire Department to provide the necessary staff and equipment to perform the rescue.
 - Rope Rescue – Technician Level

As amended by
By-law 2802-13

Definitions of Levels:

Awareness – Fire fighter should be capable of recognizing conditions requiring a technical rescue and making appropriate notifications.

Operations – Fire fighter should be capable of hazard recognition, equipment use and the techniques necessary to operate a rescue incident.

Technician – Fire fighter should be capable of hazard recognition, equipment use and techniques necessary to operate and supervise a rescue incident.

19. This By-law hereby rescinds By-Law 2520-06 in its entirety.

20. This By-law shall come into force and effect immediately upon passing thereof.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED this 28th day of May, 2012.

Kathi Maskell, Mayor

Mike Dunlop, CAO/Clerk

APPENDIX 'A' to BY-LAW NO. 2758-12

PRIMARY GOALS OF THE FIRE DEPARTMENT

The goal of the fire department is to provide fire protection services through a range of programs designed to protect the lives and property of the inhabitants from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature; first to their municipality; second, to those municipalities requiring assistance through authorized emergency fire service plan and program (mutual aid) activities; and third, to those municipalities which are provided fire protection by the fire department via authorized agreement.

Primary objectives of the fire department:

In order to achieve the goal of the fire department, necessary funding must be in place and the following objectives met:

1. Identify and review the fire services requirements of the municipality.
2. Provide an administrative process consistent with the needs of the department.
3. Ensure that fire fighting equipment and operating personnel are available within the municipality to provide adequate response to a citizen's call within a reasonable length of time.
4. Provide departmental training to an accepted standard which will ensure the continuous up-grading of all personnel in the latest techniques of fire prevention, fire fighting and control of emergency situations and to co-operate with other municipal departments with respect to management training and other programs.
5. Provide a maintenance program to ensure all fire protection apparatus, including allied equipment, is ready to respond to emergency calls.
6. Provide an effective fire prevention program to:
 - a) Ensure, through plan examination and inspection that required fire protective equipment is installed and maintained within buildings.
 - b) Reduce and/or eliminate fire hazards.
 - c) Ensure compliance with applicable municipal, provincial and federal fire prevention legislation, statutes, codes and regulations in respect to fire safety.
7. Develop and maintain an effective public information system and educational program, with particular emphasis on school fire safety programs; and commercial, industrial and institutional staff training.
8. Ensure in the event of a major catastrophe in the municipality, assistance to cope with the situation is available from outside departments and other agencies.
9. Develop and maintain a good working relationship with all federal, provincial and municipal departments, utilities and agencies, related to the protection of life and property.
10. Interact with other municipal departments respecting the aspects of fire on any given program.
11. Ensure these objectives are not in conflict with any other municipal department.

APPENDIX 'B' to BY-LAW NO. 2758-12

ORGANIZATIONAL CHART

The Town of Hanover Fire Department will consist of the following officers and members as from time to time may be deemed necessary by the Council.

- Fire Chief
- Platoon Chief – Operations
- Platoon Chief - Training
- Two Captains
- Two Lieutenants/Operators
- Four Operators
- Fourteen Fire Fighters

The Department will be divided into two platoons. Each platoon will consist of a Platoon Chief, a Captain, Lieutenant/Operator, two Operators and seven Fire Fighters. One Fire Fighter will act as the Accountability and Safety Officer at structure fires.

Each will alternate weekends as the on call platoon as scheduled by the Fire Chief.