

BY-LAW NO. 2004-164

THE CORPORATION OF THE CITY OF OWEN SOUND

**A BY-LAW TO ESTABLISH THE OWEN SOUND
FIRE & EMERGENCY SERVICES DEPARTMENT
AND TO ESTABLISH REGULATIONS FOR THE
FIRE DEPARTMENT AND TO REPEAL BY-LAW
1975-40 AND AMENDMENTS THERETO**

WHEREAS the Municipal Act, R.S.O. 1990 c., as amended and the Fire Prevention and Protection Act, 1997, S.O. 1997, c.4 as amended, permits the Council to enact a by-law to establish and regulate a fire department.

THEREFORE BE IT RESOLVED THAT the Municipal Council of The Corporation of the City of Owen Sound hereby enacts as follows:

1. In this by-law, unless the context otherwise requires:
 - 1.1 **“APPROVED”** means approved by the Council
 - 1.2 **“CITY MANAGER”** means the person appointed by Council to act as the City Manager for the Corporation
 - 1.3 **“CORPORATION”** means The Corporation of the City of Owen Sound
 - 1.4 **“COUNCIL”** means the Council of The Corporation of the City of Owen Sound
 - 1.5 **“DEPARTMENT”** means the City of Owen Sound Fire and Emergency Services Department
 - 1.6 **“DEPUTY FIRE CHIEF”** means the person appointed by Council to act on behalf of the Fire Chief of the Owen Sound Fire and Emergency Services Department in the case of an absence or a vacancy in the office of the Fire Chief
 - 1.7 **“FIRE CHIEF”** means the person appointed by Council to act as Fire Chief for The Corporation of the City of Owen Sound and is ultimately responsible to Council as defined in the Fire Protection and Prevention Act
 - 1.8 **“FIRE PROTECTION SERVICES”** includes fire suppression, fire prevention, fire safety education, communication, training of persons involved in the provision of *fire protection services*, rescue, emergency services and the delivery of all these services. These services include but are not limited to protecting the lives and property of the inhabitants of the fire department response area from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man, nature and/or technology to the level of training and available equipment.
 - 1.9 **“MEMBER”** means any persons employed in, or appointed to, a department and assigned to undertake fire protection services, and includes Officers and full time Fire Fighters.
- 2 A fire department for The Corporation of the City of Owen Sound to be known as the “Owen Sound Fire and Emergency Services Department” is hereby established and the head of the fire department shall be known as the Fire Chief.

- 3 The Owen Sound Fire and Emergency Services Department shall be structured in conformance with the approved Organizational Chart attached as **Appendix "A"** and forming part of this By-Law.
- 4 In addition to the Fire Chief, the Council shall appoint a Deputy Fire Chief and such number of other Officers and members as may be deemed necessary by the Council.
- 5 The Fire Chief may recommend to the Council the appointment of any qualified person as a member of the Owen Sound Fire and Emergency Services Department subject to the approved hiring policies developed by the Fire Chief and the City of Owen Sound Administrative Services Department.
- 6 Persons appointed as members of the Owen Sound Fire and Emergency Services Department to provide fire protection services shall be on probation for a period of six (6) months, during which period they shall take such special training and examination as may be required by the Fire Chief.
- 7 If a probationary member appointed to provide fire protection services fails any such examinations, the Fire Chief may recommend to the Council that he/she be dismissed.
- 8 Working conditions and remuneration for all firefighters defined in Part IX of the Fire Protection and Prevention Act shall be determined by Council in accordance with the provisions of Part IX of the Fire Prevention and Protection Act.
- 9 The Fire Chief is ultimately responsible to Council through the City Manager for proper administration and operation of the fire department including the delivery of fire protection services.
- 10 The Fire Chief shall implement all approved policies and shall develop such standard operating procedures and 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.
- 11 The Fire Chief shall review periodically all policies, orders, rules, operating procedures and guidelines for the fire department and may establish an advisory committee consisting of such members of the fire department as the Fire Chief may determine from time to time to assist in these duties.
- 12 The Fire Chief shall submit to the City Manager and Council for approval, the annual budget estimates for the fire department; an annual report and any other specific reports requested by the City Manager or Council.
- 13 Each division of the fire department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or a member designated by the Fire Chief. Designated members shall report to the Fire Chief on divisions and activities under their direct supervision and shall carry out all orders of the Fire Chief. The divisions include but may not be limited to:
 - 13.1 Administration
 - 13.2 Fire Prevention
 - 13.3 Fire Suppression
 - 13.4 Training

- 13.5 Mechanical
- 14 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.
- 15 The Fire 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 Fire Chief, would be detrimental to discipline or the efficiency of the fire department.
- 16 Following the suspension of a member, the Fire Chief shall immediately report, in writing, the suspension and recommendation to the City Manager.
- 17 The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all firefighters defined in Part IX of the Fire Protection and Prevention Act.
- 18 The Fire 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 Fire Chief shall be empowered to authorize:
 - 18.1 Pulling down or demolishing any building or structure to prevent the spread of fire;
 - 18.2 All necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident, when unable to contact the property owner;
 - 18.3 Recovery of expense incurred by such necessary actions for the Corporation in the manner provided through the Municipal Act and the Fire Prevention and Protection Act.
- 19 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:
 - 19.1 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;
 - 19.2 In a municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid;
 - 19.3 On property with which an approved agreement has been entered into with any person or corporation to provide fire protection services;
 - 19.4 At the discretion of the Fire Chief, to a municipality authorized to participate in the Grey County Mutual Aid Plan and programs established by the Fire Coordinator appointed by the Fire Marshall or any similar reciprocal agreement, and

- 19.5 On property or body of water beyond the municipal boundary where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate department or agency is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate. The Fire Chief shall subsequently inform the Head of Council of any such response.

- 20. The Mission Statement, Goals and Objectives of the Owen Sound fire and Emergency Services Department are hereby attached as **Appendix "B"** to By-law 2004-164 and shall form a part of this By-law.

- 21. By-law Numbers 1975-40, 1978-124 and 1981-109 are hereby repealed.

- 22. This By-law shall come into full force and effect upon the final passing thereof.

FINALLY PASSED AND ENACTED this 4th day of October, 2004.

Mayor

Clerk

**OWEN SOUND FIRE and EMERGENCY SERVICES
ESTABLISHING and REGULATING BYLAW**

APPENDIX "B"

**MISSION STATEMENT, GOALS and OBJECTIVES
of the
OWEN SOUND FIRE and EMERGENCY SERVICES DEPARTMENT**

Mission Statement

Our mission is to save and protect lives, property and the environment.

Goal

The goal of the Department is to provide and perform public education including safety and awareness, fire prevention, as well as deliver fire protection services designed to protect lives and property from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions.

Objectives

The objectives of the Owen Sound Fire and Emergency Services include but are not limited to:

- ?? Fire Prevention
- ?? Public Education and Awareness
- ?? Fire Inspections
 - o Plans Examination
- ?? Fire Suppression
- ?? Emergency Medical Response
 - o Defibrillation/ Resuscitation/ First Aid
- ?? Extrication
- ?? Confined Space
- ?? High/ Low Angle/ Technical Rope Rescue
- ?? Marine/ Ice Rescue
 - o Surface
 - o Sub-surface
- ?? Hazardous Material Spills and Containment
- ?? Dive Rescue and Recovery
- ?? Mutual Aid

Fire and Emergency Services

Fire Chief

Ed Nowak

**Deputy Fire Chief
Fire Operations
Kevin Roy**

**Training Officer
Doug Sim**

**Platoon A1
Ken Lawrence
(Captain)**

Wayne Flood
(Acting Captain)
Firefighters
Barfoot, Larry
Morneau, John
Plagenz, Will
MacMillan, Jeff

**Platoon A2
Doug Barfoot
(Captain)**

Jay Forslund
(Acting Captain)
Firefighters
Reid, Darwin
Caruso, Dave
Gray, James
Barry
Stephenson/
Mechanic

**Platoon B1
Dave
Cruickshank
(Captain)**

Greg Scott
(Acting Captain)
Firefighters
Gow, Jay
Thomas, Rob
Flear, Scott
Wagner, Steve

**Platoon B2
Randy Moore
(Captain)**

Vacant
(Acting Captain)
Firefighters
Long, Jody
Scott, Marc
Bringleson, Bob
Cooper, Andrew

Floater
Jeff Guillet
Dan Fromager
Al Douglas