

THE CORPORATION OF THE  
TOWNSHIP OF LANARK HIGHLANDS

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BY-LAW NUMBER 2011-1144

BEING A BY-LAW TO ESTABLISH AND REGULATE  
A FIRE DEPARTMENT  
FOR THE TOWNSHIP OF LANARK HIGHLANDS

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Whereas the Fire Protection and Prevention Act, 1997, c. 4, as amended, permits the Council to enact a by-law to establish and regulate a fire department;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS ENACTS AS FOLLOWS:**

1. In this by-law, unless the context otherwise requires:
  - a) **approved** means approved by the Council
  - b) **C.A.O.** means the person appointed by Council to act as the Chief Administrative Officer (C.A.O.) for the Corporation of the Township of Lanark Highlands
  - c) **Council** means the Council of the Corporation of the Township of Lanark Highlands
  - d) **Corporation** means the Corporation of the Township of Lanark Highlands
  - e) **Deputy Fire Chief (s)** means the person or persons appointed by Council to act as a Deputy Chief of the Fire Department, and in the case of a vacancy or in the absence of the *fire chief*, to act as the *fire chief*.
  - f) **District Fire Chief (s)** means the person or persons designated by the *fire chief* to act as the senior officer within the fire district to oversee the operations of that district and to carry out all assigned and delegated duties.
  - g) **Fire Department** means the Township of Lanark Highlands Fire Service
  - h) **Fire Chief** means the person appointed by Council to act as Fire Chief for the Corporation
  - i) **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 as identified in Appendices "A" and "B"

- j) **member** means any person employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes officers, and volunteer firefighters
  - k) **volunteer firefighter** means a firefighter who provides *fire protection services* either voluntarily or for a nominal consideration, honorarium, training or activity allowance
2. A Department of the Corporation heretofore established and known as the *Lanark Highlands Fire Service* is hereby continued and the head of the Department shall be known as the *Fire Chief*.
  3. In addition to the *Fire Chief*, and *Deputy Chief(s)* as appointed by *Council*, the *Fire Department* shall consist of such number of *District Chiefs* and other officers and *members* as may be deemed necessary by *Council*
  4. The *Fire Chief* may hire any qualified person as a *member* of the *Fire Department*, subject to the approved hiring policies of the Township of Lanark Highlands.
  5. Persons hired as *members* of the *Fire Department* to provide fire and emergency services shall be on probation for a period of twelve (12) months, during which period they shall take such training and examination as may be required by the *Fire Chief*.
  6. If a *probationary member* fails such examinations, or is found to be unsatisfactory during the probationary period he/she may be terminated without cause by the *Fire Chief*.
  7. The remuneration of the *volunteer firefighters* shall be as determined by *Council*.
  8. If a medical examiner finds a *member* is physically unfit to perform assigned duties and such condition is attributed to, and a result of employment in the *Fire Department*, and such claim is approved by the *Workplace Safety and Insurance Board*, the provisions of the Workplace Safety and Insurance Act will apply as well as any supplementary benefits that may be provided by the Township of Lanark Highlands that are approved by *Council*.
  9. The *Fire Chief* is responsible to *Council*, through the C.A.O. for the proper administration and operation of the fire department including all *Fire Department* functions and programs.
  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 members* and fire department equipment.

11. The *Fire Chief* shall review periodically all policies, orders, rules and operating procedures of 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 *Council* for approval, the annual budget estimates for the *Fire Department*; an annual report and any other specific reports requested by *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 supervision and shall carry out all orders of the *Fire Chief*.
14. Where the *Fire Chief* designates a *member* to act in the place of an officer in the 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 to the C.A.O. 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 C.A.O..
17. The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all full-time *members* of the *Fire Department*.
18. A *volunteer firefighter* shall not be dismissed without an opportunity for a review of termination, if he/she makes a written request for such a review within seven working days after receiving notification of the proposed dismissal. The C.A.O. or a person appointed by the C.A.O. who is not a *member* of the *Fire Department*, shall conduct the review.
19. The *Fire Chief* and any *officer or member* designated by 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 shall:
  - a) have command at fires and emergencies over all *members* of the *Fire Department* and all other persons who may be present and may direct the extinguishing of the fire or other emergency and the protection of life and property.
  - b) investigate or cause to be investigated all fires and report to the Fire Marshal as required by the Fire Protection and Prevention Act

- c) be responsible for the enforcement of this By-law and the general orders, procedures and regulations of the *Fire Department*.
- d) be empowered to authorize pulling down or demolishing any building or structure to prevent the spread of fire;
- e) take all necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other damage, risk or accident, when unable to contact the property owner;
- f) recover 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;

20. Authority At Fires And Emergencies:

- a. Any *member* of the *Fire Department* may suppress any fire by extinguishing it and may enter onto private property, if necessary to do so.
- b. Any *member* of the *Fire Department* may pull down or demolish any building or erection to prevent the spread of fire or danger of collapse
- c. Upon request of any *member* of the *Fire Department* ,every person attending a fire or emergency scene shall assist any firefighter in the performance of his/her duties and shall obey all orders and directions given by the *Fire Chief*, *Deputy Fire Chief* or other officer.
- d. Whenever it is deemed necessary by a *member* of the *Fire Department* to guard the locality of the fire or emergency from entry or crowding by persons or vehicles he/she 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.
- e. No person 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 *Fire Department*.
- f. No person or persons except *members* of the *Fire Department*, the Police or other authorized persons shall enter within the area marked off by barriers or other markers under subsection d).
- g. No person shall interfere with or obstruct the *Fire Chief* or other *member* of the *Fire Department* in the performance of their duties at a fire or emergency.
- h. No person shall drive any vehicle over fire hose except on the specific order from a *member* of the *Fire Department*.

- i. No person shall park any vehicle within 150 metres of any fire or emergency or fire apparatus.
21. The *Fire Department* is authorized to participate in the Lanark County Mutual Aid Plan and any other similar reciprocal plan or program.
22. 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 that:
- a) 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) is in a municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid;
  - c) is 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*, or designate to a municipality authorized to participate in any county, district or regional mutual aid plan established by a fire coordinator appointed by the fire marshal or any other similar reciprocal plan or program;
  - e) is 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.
23. Levels of Service
- a) The Township of Lanark Highlands *fire department* shall provide such *approved* services as specified and listed in Appendix "A" - Fire Prevention and Public Education Policy and Appendix "B" Emergency Services Provided.
  - b) Due to the fire department's reliance upon volunteer firefighters, the geographic area and configuration of the Township and the level and amount of equipment available, those services listed in Appendix "B" may be provided as limited services which due to circumstances may vary significantly from the norm.
  - c) The Township of Lanark Highlands accepts no liability for any delay or inability to supply services set out in Appendix "B" of this by-law due to unsafe conditions of roadways, travel distances, availability of volunteers or other environmental factors / constraints.

24. Every person who contravenes any provision of Section 20 of this By-law is guilty of an offence and, upon conviction, is liable to a fine or penalty as provided for in the *Provincial Offences Act*.
25. In the event of conflict between the provisions of this by-law and any other by-law presently in force in the area within the jurisdiction of the Council of the Corporation of the Township of Lanark Highlands the provisions of this by-law shall prevail.

**REPEAL OF FORMER BY-LAWS**

25. **THAT** By-law 2001-283 and By-law 2001-352 are hereby repealed.

**EFFECTIVE DATE**

26. This by-law comes into effect on the day it is passed by Council.

READ a first and second time this 22<sup>nd</sup>, day of September, 2011

READ a third time and passed this 22<sup>nd</sup>, day of September, 2011.

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Peter McLaren, Mayor

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Ross Trimble , Clerk

## **Appendix "A"**

To By-law 2011-1144

### **Fire Prevention and Public Education Policy**

#### **General**

As required by the Fire Protection and Prevention Act, 1997, the municipality will provide:

- a smoke alarm program
- a fire safety education program
- fire safety inspections upon complaint or requested
- a simplified risk assessment

#### **Smoke Alarm Program**

The objective of the smoke alarm program is to promote and enforce the installation and maintenance of working smoke alarms on every level of every residential occupancy in the municipality.

Activities to help achieve this goal include:

- distribution of pamphlets or other education material
- instruction to residents regarding smoke alarms and escape planning
- providing advice and/or assistance on the installation of the smoke alarms
- enforcement of the Fire Code in cases of non-compliance

#### **Public Education Programs**

The fire department will provide fire prevention education programs for the residents and businesses in the Township. Programs will be delivered in a variety of ways designed to meet the needs of the target groups. The fire department may participate in various community activities that will assist in promoting fire prevention and public education on fire safety.

#### **Fire Code Inspections**

It is the policy of the fire department to conduct or arrange for fire prevention/safety inspections of occupancies to assess the occupant/owner's compliance with the Fire Code.

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

Records of inspection, re-inspections, and Notice of Violation, Fire Marshals Order or tickets issued, etc. will be maintained by the fire department. Follow-up on any outstanding violations will be made to obtain compliance or to undertake court action if required.

#### **Simplified Risk Assessment**

The fire department will conduct an annual review of the Simplified Risk Assessment to determine if there is a need for a revision of policies and practices.

**Appendix “B”**  
To By-law 2011-1144

**Emergency Services Provided**

**General:**

Lanark Highlands Fire Service will provide the following emergency services:

- Fire Suppression
- Motor Vehicle Accident response
- Ice and Water rescue – shore based
- Medical assist response
- Other emergency services

Services are intended to provide for the protection of life and property and the welfare of the community, appropriate to the level of training and equipment available to the Fire Department.

Provision of services shall be commensurate with the emergency location and accessibility. Structures or locations where accessibility is restricted or unavailable due to road conditions, weather, obstructions or other factors may not have service available. It is the responsibility of the property owner to ensure safe access for fire department apparatus and personnel.

**Fire Suppression:**

Shall consist of:

- Suppression of structure fires with limited or no rescue component or interior fire attack
- Suppression of grass and brush fires
- Protection of structures threatened by fire.
- Suppression of vehicle fires.

**Rescue services:**

Shall consist of:

- Providing vehicle extrication to the level of training and equipment available, with back-up support from Lanark County Rescue vehicles.
- Ice/water rescue using shore based rescue methods.
- Removal of victims from toxic atmospheres, provided that such removal can be accomplished with the equipment provided and level of training required for the situation. .
- Assistance shall be requested from other agencies to affect rescues necessitated by natural or man-made disasters for which the fire department does not have the required training and/or equipment such as farm accidents, confined space rescue, trench rescue, falls from heights and similar occurrences.

## **Appendix “B” continued**

To By-law 2011-1144

### **Emergency Medical Response:**

Shall consist of:

#### **Code 4 Calls with the criteria of:**

- VSA – Vital Signs Absent,
- Unconscious Patient,
- Airway Compromised or
- Chest Pains

#### **AND**

- Ambulance response time to the scene is greater than 20 minutes and when there is a clear response time advantage.

As per the “Lanark County Medical Assist Response Program”

### **Hazardous Materials (Dangerous Goods) Incidents:**

Response to Hazardous Material Incidents shall be limited to the Awareness Level program. Operational or Technical Level Hazardous Materials response may be requested from other fire departments to assist in mitigating the incident, subject to availability.

The fire department is not responsible for and will not clean up or remove spills of dangerous goods. The owner or person having control of the Dangerous Goods at the time of the spill is responsible for clean up and removal and all costs associated with such spill.

### **Marijuana Grow Ops / Clandestine Drug Labs**

The fire department will assist and support to the Ontario Provincial Police, municipal departments and other agencies for situations involving marijuana grow ops / clandestine drug labs to the level of training and equipment provided. Outside assistance from other fire departments or agencies may be requested for specialized teams trained and equipped to provide hazardous materials / decontamination services.

### **Other Emergency Services**

The fire department shall respond and assist at such other emergencies that endanger persons, property or the environment, including public assistance, assistance to other agencies, automatic aid, mutual aid, and fire protection agreements and will participate in the Community Emergency Plan as required, within the limits of the training and equipment available.

**Appendix "C"**  
to By-law 2011-1144

Lanark Highlands Fire Service Organization Chart  
As of August 2011

