

The Township of Cavan

Monaghan By-law No. 2017-87

Being an establishing and regulating by-law for the Cavan Monaghan Fire Department

Whereas the Municipal Act, S.O. 2001, c. 25, as amended, and the Fire Protection and Prevention Act, 1997, S.O. 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 Township of Cavan Monaghan enacts as follows:

Definitions:

In addition to the specific definitions set out below, the definitions contained in the *Fire Protection and Prevention Act, 1997* (FPPA) shall apply.

- 1) In this by-law, unless the context otherwise requires,
 - a. **Approved** means approved by the Council.
 - b. **Chief Administrative Officer (CAO)** means the person appointed by Council to act as Chief Administrative Officer for the Township.
 - c. **Township** means the Township of Cavan Monaghan.
 - d. **Council** means the Council of the Township of Cavan Monaghan.
 - e. **Fire Department** means the Township of Cavan Monaghan Fire Department.
 - f. **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.
 - g. **Limited Services** means a variation of services significantly differentiating from the norm as a result of extenuating circumstances, such as environmental factors, obstructions, remote and/or island properties, private roadways, lanes and drives and/or as a result of the Department's lack of specialized equipment and/or training.
 - h. **Member means** any persons employed in, or appointed to, a Fire

Department and assigned to undertake fire protection services, and includes firefighters, fire prevention officers, training officers and recruits.

- i. **Volunteer Firefighter** means a firefighter who provides fire protection services, either voluntarily or for a nominal consideration, honorarium, training or activity allowance.
- j. **Auxiliary Member** means a person who is appointed by the Fire Chief to provide functions in support of the delivery of Fire Protection Services but specifically excluding participation in active fire suppression or rescue and emergency services, voluntarily or for a nominal consideration honorarium, training or activity allowance.
- k. **Deputy Fire Chief** means a person appointed by Council to act on behalf of the Fire Chief of the Fire Department in the case of absence or a vacancy in the office of the Fire Chief.
- l. **Firefighter** means the Fire Chief and any other person employed in, or appointed to, the Fire Department to undertake Fire Protection Services, and shall include a Volunteer Firefighter.

Fire Department Establishment

- 2) A fire department for the Township of Cavan Monaghan to be known as the Township of Cavan Monaghan Fire Department is hereby established and the head of the Fire Department shall be known as the Fire Chief.
 - a. The Fire Department's "Mission Statement and Goals" are as stated in Appendix D, forming part of this by-law.

Structure

- 3) The Fire Department shall be structured in conformance with the approved Organizational Chart, Appendix B forming part of this by-law.
- 4) Members of the Township of Cavan Monaghan Fire Department, for the purposes of the Workplace Safety & Insurance Board (WSIB), shall be defined as volunteer firefighters.
- 5) In addition to the Fire Chief, the Council shall appoint a Deputy Chief as defined herein. The Deputy Fire Chief shall report to the Fire Chief and as the second highest ranking Office of the Fire Department, in the absence of the Fire Chief, the Deputy Fire Chief shall have the powers and perform the duties of the Fire Chief.

- 6) The Fire Chief may recommend to the Council the appointment of any qualified person as a Member, Fire Prevention Officer, Inspectors, Fire Safety Educators, Officers, Volunteer Firefighters, or Auxiliary Members of the Fire Department, subject to the Township of Cavan Monaghan Fire Department Personnel Management Policies approved by Council from time to time and the Recruit Program set out in Appendix A.
- 7) All members of the Fire Department shall abide by the Operating Guidelines (OG's), Personnel Management Policies, and other policies and guidelines as approved by Council, and any memos and directives as issued by the Fire Chief.
- 8) The remuneration of Fire Department members shall be as determined by the Council.
- 9) If a probationary member appointed to provide fire protection services fails any such special training and examination, the Fire Chief may recommend dismissal and/or appropriate action to Council.
- 10) The Fire Chief may reprimand, suspend, or recommend dismissal of any member for infraction of any provision of this by-law, polices, 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.

Duties and Responsibility

- 11) The Fire Chief is ultimately responsible to Council, for proper administration and operation of the Fire Department, including the delivery of fire protection services.
- 12) 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.

Policies and Procedures

- 13) The Fire Chief shall implement all approved policies, and shall develop such operating guidelines, general orders, and departmental rules as necessary to implement the approved polices and to ensure the appropriate care and protection of all Fire Department members and equipment.
- 14) 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.

Budgets and Reports

- 15) The Fire Chief shall submit to the CAO and Council for approval, the annual budget estimates for the Fire Department, and any other specific information requested by the CAO and/or Council.

Powers

- 16) The Fire Chief shall take all proper measures for the prevention, control, and extinguishment of fires, for the protection of life and property, and shall exercise all powers mandated by the FPPA, and the 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 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.
 - c. recovery of expenses incurred by such necessary actions for the Township in the manner provided through the Municipal Act, the Fire Protection and Prevention Act and applicable Township by-law(s).

Levels of Service

- 17) The Township of Cavan Monaghan Fire Department shall provide such approved services as specified and listed in Appendix C.
 - a. Due to the Fire Department's reliance upon volunteer members, the topographic and geographic configuration of the Township, the level and amount of equipment at the Department's disposal and other budgetary constraints, the services listed in Appendix C, although approved, may be provided as "Limited Services" as defined in Section 1 of this by-law.
 - b. The Township of Cavan Monaghan accepts no liability for the delay or inability to supply the services as set out in Appendix C of this by-law due to the provision of its' approved services as limited services, or due to the existence of unsafe conditions encountered enroute, impede access to property, and/or environmental factors/constraints.

The following appendices are attached to and form part of this by-law:

Appendix A - Recruit Program

Appendix B - Organizational Chart

Appendix C - Core Services

Provided Appendix D - Mission

**Appendix E – Fire Rescue & Emergency Services Volunteer Firefighter
Terms and Conditions of Employment**

Statement

18) This by-law comes into effect the day it is passed by Council, in the manner appropriate to the Township.

19) That By-Law Number 99-57, 2006-63, or any by-laws or parts thereof, and all resolutions of Council which are inconsistent are hereby repealed.

Read a first, second and third time and passed this 18 day of December, 2017.



Scott McFadden
Mayor



Elana Arthurs
Clerk

Appendix A to
By-law No. 2017 – 87
Recruit Program

Definitions

Recruit Level One: A Recruit Level One shall mean a person appointed as a member of the Department who is on probation for a period of 12 months from the date of appointment and which, during the 12-month probationary period, the member is required to complete such training, evaluations and examinations as may be required by the Fire Chief.

Recruit Level Two: The Recruit Level Two program is strictly a volunteer (unpaid) position, and is designed for students who are completing or have completed an accredited post-secondary educational program (up to a maximum of three years post-graduate), and who reside in the community or within close proximity to one of the fire halls and are at least 18 years of age.

General Information

The Cavan Monaghan Fire Department has established a position of "Recruit" for all new members of the Fire Department. All Recruit applicants must reside in the Township of Cavan Monaghan, or a neighbouring municipality if they are in local proximity to a Cavan Monaghan fire hall. Recruits are required to be 18 (eighteen) years of age on or before the commencement of the first day of hiring. Once selected, the Recruit must provide the Fire Department with a satisfactory OPP Police check and a driver's license abstract. They will complete one full year of probation before becoming a full status Firefighter. At any point in the probation period, the Fire Chief or his/her designate may dismiss the Recruit from the program. The Recruit will be given the right to request a hearing by the CAO or his/her designate. The hearing will provide the details and supporting documentation of the Recruit's failure to succeed in the program. In the event the CAO agrees with the action taken by the Fire Chief or his/her designate, the Recruit's termination from the program will be upheld with no further appeal.

The Fire Chief or his/her designate will review the performance of the Recruit. If the Fire Chief or his/her designate determine that the Recruit is meeting the expectations of the position, they will be offered the opportunity to continue with the training program, and on recommendation of the Fire Chief or his/her designate, attend the EOFA Norwood Training Centre Recruit Program.

Upon successful completion of the probationary period and the Eastern Ontario Fire Academy Recruit Program, the Recruit will receive an evaluation by their superior Officers and the Deputy Fire Chief, and a recommendation

as to whether or not the Recruit should receive the designation of full status Firefighter will be issued.

Recruit Level Two

This program is designed to nurture and further the academic skills that have been acquired by the student and apply them while gaining experience. During their tenure in the program, they will receive in-house training and education to further enhance their abilities. Recruit Level Two members will be required to produce, from a qualified medical practitioner, a physical clearance form, and will be interviewed for the position. Selected candidates will be subject to the same requirements and abide by the same policies, guidelines, etc. as a Recruit Level One. Upon successful completion of these requirements, they will be assigned to a fire station. Recruit Level Two members are responsible for fire suppression, rescue, prevention activities and other duties as assigned. They work under the direct supervision of the appropriate Department member according to the organizational chart. Assessments will be carried out on Recruit Level Two by their commanding Officers, which will be forwarded with a recommendation to the Fire Chief for promotion should a position become available.

Attending Alarms

- 1) The Recruit will be required to attend alarms to provide assistance as required by their superior Officer(s) (excluding direct interior attacks).
- 2) The Recruit will be required to attend in-house training meetings, just as required of all Firefighters.
- 3) The Recruit will not take the place of a qualified Firefighter on an alarm.

Training

- 1) Recruits will be required to attend in-house training sessions at a frequency that is adequate to enable them to provide a support role during alarms. They will be sent to the EOFA in Norwood subsequent to the approval of the Fire Chief.
- 2) A Recruit will obtain complete first aid, CPR, AED and medical training from the Department's approved first aid and CPR instructor prior to attending any alarms.
- 3) The Recruit will be expected to attend training meetings, and their attendance at such meetings will have a considerable impact on their year-end review. Failure to attend an adequate number of training sessions may result in the Recruit being removed from the program.
- 4) A person is eligible to be appointed as a Recruit and/or to remain

appointed as a Firefighter, provided the person:

- a) Is not less than 18 years of age.
 - b) Has successfully obtained an Ontario Secondary School Diploma (Grade 12) or equivalency or has demonstrated equivalent industry experience.
 - c) Lives and works within the Township or within close proximity to the fire station.
 - d) Is medically fit to undertake all fire protection services (documentation from a physician may be required).
 - e) Passes such aptitude tests as may be required by the Fire Chief.
 - f) Prior to completion of the 12-month probationary period, the Fire Chief shall review the performance of a Recruit. If a Recruit fails any examinations or evaluations imposed by the Fire Chief, the Fire Chief shall recommend to Council that the Recruit's probationary period be extended (with such conditions as the Fire Chief deems necessary) or that the Recruit's appointment be rescinded and the Recruit be released from any further participation with the Fire Department.
- 5) The Recruit may not receive driver training until their first-year probation period ends, or the Fire Chief or his/her designate approves the Recruit for such training. All costs associated with obtaining a DZ license (ie: medical, learner's permit, license fees) will be the responsibility of the Recruit; except for the cost of the DZ course, which is provided by the Fire Department. Personnel are not compensated for their participation in the DZ training course.
- 6) A Recruit that holds a current DZ driver's license may, with the permission of the Fire Chief, take a driving test and defensive driver training with the approved Department driver trainer. After successful completion, the Recruit may be approved to drive Fire Department apparatus.

Dress Code

- 1) To distinguish a Recruit from Firefighters, the Recruit will have a blue dot on both sides of their helmet.
- 2) They will be issued turnout gear, including protective boots, gloves, and helmet, as well as one pair of fire/rescue coveralls.

Financial Impact

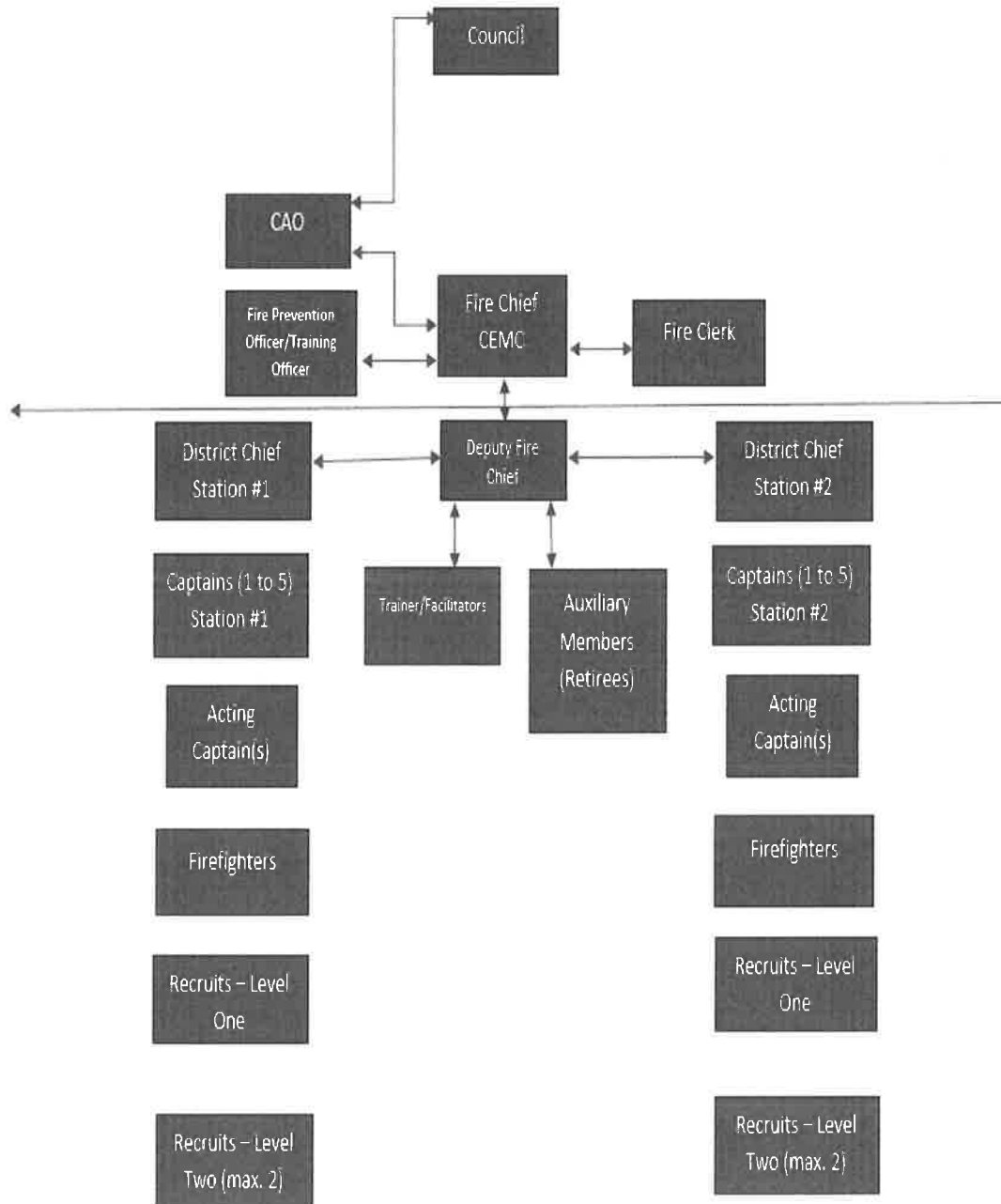
- 1) Recruit level one personnel will be paid at 75% of the full Firefighter pay rate for the first year. Subsequent pay rate increases occur at 1, 2, and 3 years of service, and are at the rates set out in the approved Wage Schedule for the particular years.
- 2) Recruit Level Two personnel will not be compensated until reaching Recruit Level One status.
- 3) A Recruit will not be permitted to attend specialty training courses until the one year probation period is completed, and they have successfully completed the approved Recruit Program at EOFA or such training facility as approved by the Fire Chief.

I, _____ have read and understand
(print name)
the above and hereby agree to the guidelines set forth for a Recruit Level _____

position with the Cavan Monaghan Fire Department.

Signature **Date**

Appendix B to
 By-law No. 2017 - 87
 Organizational Chart



Appendix C to
By-law No. 2017 – 87

Core Services Provided (Response and Support):

A) Emergency Response

1. Structural firefighting, including limited internal rescue and fire attack in accordance with the Fire Department's level of training operating guidelines, the Occupational Health and Safety Guidelines, and the number and type of personnel and equipment available to the Department and on each specific emergency response.
2. Emergency response to those properties accessed via private roads, private lanes, or private driveways subject to the following limitations:
 - a. Emergency response to properties with bridges and/or culverts will be limited to safe travel and environmental conditions. Response times during acceptable and safe conditions may be delayed. If, in the opinion of the Fire Chief or his/her designate, unsafe environmental conditions exist, no services shall be provided. Fire Department vehicles shall not enter on to frozen bodies of water (i.e.: lakes, rivers, streams) at any time;
 - b. Emergency response to properties accessed via private roads, private lanes, private driveways, or fire routes may be limited by the condition of such roads, lanes, driveways, routes, bridges, and/or culverts, including:
 - (i) The ability of such road, lane, driveway, bridge and/or culvert to support and accommodate Fire Department equipment, vehicles and apparatus; and
 - (ii) The failure of the owner of the lands upon which the road, lane, driveway, bridge, and/or culvert to maintain such road, lane, driveway, bridge, and/or culvert in a condition that is passable by Fire Department equipment, vehicles, and apparatus as set out in the Ontario Fire Code and the Ontario Building Code.
3. Vehicle firefighting.
4. Grass and brush firefighting.

5. Marina firefighting - defensive only.
6. Basic medical assist with defibrillation.
7. Hazardous materials - awareness only.
8. Vehicle accidents.
9. Vehicle extrication.
10. Transportation incidents involving vehicles, trains, aircraft, and watercraft.
11. Water and ice rescue - shore based.
12. Public assistance.
13. Other agency assistance.
14. High angle rescue - awareness only.
15. Confined space rescue - awareness only.
16. Trench rescue - awareness only.
17. Participation in the Peterborough County Specialized Rescue Team.
18. Mutual aid.
19. Automatic aid.
20. Participation in community emergency plan.
21. Fire protection agreements.
22. Joint service agreements.

Please note: The services above may be provided as Limited Services. The Fire Department has entered into Mutual Aid, Automatic Aid and Specialized Rescue Unit Agreements to assist in supplying the above identified services in accordance with the Township's needs and circumstances.

B) Fire Prevention and Public Education

Fire prevention and public education activities shall be provided in accordance with the approved Fire Department Fire Prevention/Public Education and Smoke Alarm policies.

Appendix D to

By-law No. 2017 – 87

Mission Statement

The mission of the Cavan Monaghan Fire Department is to take action to protect and/or rescue citizens and/or property from threats of health, the effects of natural or man-made disaster, and in particular the risk that a fire, if started, would seriously endanger the health and safety of any person or quality of the natural environment for any use that can be made of it.

Primary Goals of the Fire Department

The primary goal of the Fire Department is to provide fire protection and rescue services through a range of programs designed to protect the lives and property of the inhabitants from the adverse effects of fire, sudden medical emergencies, exposure to dangerous conditions created by man or nature, and to provide fire prevention and public education services; 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 goals of the Fire Department, necessary funding must be in place and the following objectives met:

- 1) Identify and review the Fire Department requirements of the Municipality.
- 2) Provide and administrative process consistent with the needs of the Department
- 3) Ensure that firefighting 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 upgrading of all personnel in the latest techniques of fire prevention, firefighting, 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, involving all 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 regulation 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 or any given programs.
- 11) Ensure these objectives are not in conflict with any other Municipal department.

Appendix E

By-law No. 2013 – 77

FIRE RESCUE & EMERGENCY SERVICES VOLUNTEER FIREFIGHTER TERMS AND CONDITIONS OF EMPLOYMENT

The employment of Volunteer Firefighters shall be governed by the following:

C.1 VOLUNTEER FIREFIGHTER EMPLOYMENT

C.1.1 The employment of Volunteer Firefighters shall be governed by the *Employment Standards Act, 2000*, S.O. 2000, c.41, as amended, and the Ontario *Human Rights Code*, RSO 1990, c H.19, as amended.

C.1.2 To be eligible for appointment to the position of Volunteer Firefighter, every candidate shall:

- (a) Be at least 18 years of age.
- (b) Be medically fit to perform the duties of Firefighter and produce a medical evaluation report to the satisfaction of the Fire Chief from a qualified medical practitioner which attests to the candidate's ability to endure the physical, emotional, and psychological demands of performing the essential job tasks of Firefighter.
- (c) Be physically fit to perform the duties of Firefighter and successfully complete a Candidate Physical Ability Test (CPAT) to the satisfaction of the Fire Chief.
- (d) Complete a Criminal Record Check which indicates no record of unpardoned criminal or summary convictions for offences that would adversely affect public trust, and a Police Vulnerable Sector Check which indicates no record of sexual offences.
- (e) Reside in the Township and/or within proximity acceptable to the Fire Chief to a Township fire station in order to be able to respond to emergencies.
- (f) Complete and successfully pass all written, oral, and physical examinations to the satisfaction of the Fire

Chief.

- (g) Have the ability to attend an acceptable number of emergency calls on a call-out basis, a determined by the Fire Chief.
- (h) Have the ability to meet the training attendance requirements of the Fire Department policies, as determined by the Fire Chief.

- C.1.3 Every newly appointed Volunteer Firefighter shall complete a term of probation of 12 months, during which time he or she shall successfully complete all training and examinations, and shall meet all attendance and performance expectations, as may be required by the Fire Chief.
- C.1.4 At the discretion of the Fire Chief, a probationary Firefighter may be placed on an additional term of probation of up to 12 months at the completion of the initial probationary period should circumstances warrant, and the probationary Firefighter shall successfully complete all training and examinations, and shall meet all attendance and performance expectations during the additional probationary period.
- C.1.5 Following the successful completion of the term of probation, the Fire Chief may appoint a Probationary Firefighter as a qualified Member of the Fire Department in accordance with Approved hiring policies.
- C.1.6 If a probationary Firefighter fails to successfully complete any required training or examinations, or fails to meet any requirement of the Fire Department or whose attendance or performance is otherwise unsatisfactory, the Fire Chief may dismiss the person.
- C.1.7 The Fire Chief may promote, from time to time, any qualified Member in order to maintain a sufficient complement of Officers in accordance with the Approved Fire Department Organizational Chart.

