

# CORPORATION OF THE VILLAGE OF CASSELMAN

## BY-LAW NO. 2004-123

Being a by-law to establish, regulate, continue a Fire Department and to repeal by-law 73-5.

**WHEREAS** the Municipal Act, 2001, 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 BE IT HEREBY ENACTED** by the Municipal Council of the Corporation of the Village of Casselman, as follows:

1. In this by-law, unless the context otherwise requires,
  - 1.1 **Approved** means approved by the Counsel.
  - 1.2 **Chief Administrative Officer** means the person appointed by Council to act as the Chief Administrative Officer for the Corporation.
  - 1.3 **Corporation** means the Corporation of the Village of Casselman.
  - 1.4 **Council** means the Council of the Village of Casselman.
  - 1.5 **Deputy Chief** means the person appointed by Council to act on behalf of the Fire Chief of the Fire Department in the case of an absence or a vacancy in the office of Fire Chief.
  - 1.6 **Fire Chief** means the person appointed by Council to act as Fire Chief for the Corporation.
  - 1.7 **Fire Department** means the Corporation of the Village of Casselman Fire Department.
  - 1.8 **Fire Protection Services** include fire suppression, fire prevention, fire safety education, communications, training of persons involved in the provision of fire protection services, rescue and emergency services and the delivery of all those services.
  - 1.9 **Joint Management Board** means those elected official or officials appointed by each council to the joint management board for the Corporation of the Village of Casselman Fire Department.
  - 1.10 **Member** means any person employed in, or appointed to, the Fire Department and assigned to undertake fire protection services, and includes officers and volunteer firefighters.
  - 1.11 **Volunteer Firefighter** means a firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.

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2. A **fire department** for the Corporation of the Village of Casselman to be known as the Corporation of the Village of Casselman Fire Department is hereby continued and the head of the *fire department* shall be known as the *fire chief*.
3. The **fire department** shall be structured in conformance with the *approved* Organizational Chart, **Appendix A**, forming part of this by-law.
4. In addition to the *fire chief*, the *council* shall appoint a *deputy 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 *joint management board* the appointment of any qualified person as a *member* of the *fire department*, subject to the *approved* hiring policies of the Corporation of the Village of Casselman.
6. The *fire chief* shall meet and maintain the Ontario Fire Marshal's requirement for *Company Officer* as established by the Professional Standards Setting Body, as well as, meet and maintain the requirements of the endorsed, standardized Firefighter Curriculum as developed by the Ontario Fire Marshal and Ontario Fire College.
7. The *deputy fire chief* shall meet and maintain the Ontario Fire Marshal's requirement for *Company Officer* as established by the Professional Standards Setting Body, as well as, meet and maintain the requirements of the endorsed, standardized Firefighter Curriculum as developed by the Ontario Fire Marshal and Ontario Fire College.
8. Persons appointed as *members* of the *fire department* to provide *fire protection services* shall be on probation for a period of 12 months, during which period they shall take such special training and examinations as may be required by the *fire chief*.
9. Persons appointed as members of the *fire department* to provide *fire protection services* shall meet and maintain the requirements of the endorsed, standardized Firefighter Curriculum as developed by the Ontario Fire Marshal and Ontario Fire College.
10. If a probationary *member* appointed to provide *fire protection services* fails any such examinations, the *fire chief* may recommend to the *joint management board* that he/she be dismissed.
11. The council shall determine the remuneration of the volunteer *members*.

12. The *fire chief* is responsible to Council, through the Clerk for the proper administration and operation of the *fire department* including all *fire department* functions and programs.
13. 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.
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.
15. The *fire chief* shall submit to the Clerk and to Council for approval, the annual budget estimates for the *fire department*; an annual report along with specific monthly reports requested by the *counsel* or the *joint management board*.
16. 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*.
17. 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. As per the Provincial Standards Setting Body (PSSB).
18. 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 the discipline or the efficiency of the *fire department*.
19. Following the suspension of a *member(s)*, the *fire chief* shall immediately report, in writing, the suspension and recommendation to *counsel* and the *joint management board*.

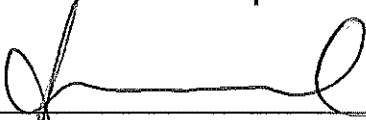
20. A *volunteer fire fighter* shall not be dismissed without the opportunity for a review of termination, if he/she makes a written request for such a review within seven working days after receiving notification of the proposed dismissal. A person appointed by the municipality, who is not employed in the *fire department*, shall conduct the review.
21. 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:
  - 21.1 Pulling down or demolishing any building or structure to prevent the spread of fire.
  - 21.2 All necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other dangers, risk or accident, when unable to contact the property owner.
  - 21.3 Recovery 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*.
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:
  - 22.1 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.
  - 22.2 In a municipality with which an *approved* agreement has been entered into to provide *fire protection services* which may include automatic aid.
  - 22.3 On property with which an *approved* agreement has been entered into with any person or corporation to provide fire protection services.
  - 22.4 At the discretion of the *fire chief*, to a municipality authorized to participate in a county, district or regional mutual aid plan established by a fire coordinator appointed by the fire marshal or any other reciprocal plan.
  - 22.5 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. By-law 73-5 is hereby repealed.

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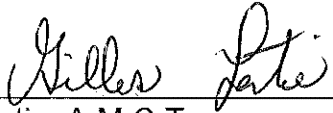
24. This By-Law shall come into force and take effect upon third reading.

**READ a first and second time this 17<sup>th</sup> day of September 2004.**

**READ a third time and passed this 17<sup>th</sup> day of September 2004.**



Conrad Lamadeleine, Mayor.



Gilles Lortie, A.M.C.T.  
Clerk

**Appendix A**  
**Fire Department Organizational Chart**

