

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2015-177

A By-law to enact The Corporation of the City of Cornwall Fire Services Establishing and Regulating By-law, and repeal By-laws #117-2002, #224-2004 and #119-2006

Whereas the Municipal Act, S.O. 2001, c. 25, and the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4 as amended permit the council to enact a by-law to establish and regulate a fire department

Whereas the Fire Protection and Prevention Act, 1997, Part II, sections 2(1) and (2) require a municipality to provide certain fire protection services and to provide other fire protection services as it determines necessary in accordance with its needs and circumstances;

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

1. DEFINITIONS

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

"Annual Report" means a comprehensive report of activities prepared by the Fire Chief from the preceding year.

"Approved" means approved by the Council;

"Automatic Aid" means providing to or receiving from another municipality the initial or a supplemental response to fires, rescues and emergencies;

"CAO" means the Chief Administrative Officer appointed by council to act as Chief Administrative Officer for the Corporation;

"Corporation" means The Corporation of the City of Cornwall;

“Council” means the Council of the City of Cornwall;

“Deputy Fire Chief(s)” means the person(s) appointed by the Council and who may act on behalf of the Fire Chief in the case of any absence of the Fire Chief or a vacancy in the office of the Fire Chief. (If the title changes the responsibility will reside with the person taking on the duties);

“Emergency” is defined to include an unforeseen event that involves imminent danger to the life, health and safety of any person and includes medical assistance or non-fire emergency such as a storm, flood or any Act of God;

“Emergency Response Plan” means an emergency plan formulated under the *Emergency Management and Civil Protection Act* which specifies procedures to be taken for the safety or evacuation of persons in an emergency area, provide for obtaining and distributing materials, equipment and supplies during an emergency and provide for such other matters as are considered necessary or advisable for the implementation of the emergency plan during an emergency;

“Staffing Establishment Criteria” means the calculation pertaining to the review of the exact complement of firefighters needed in every position.

“Fire Chief” means the person appointed by the Council to act as Fire Chief for the Corporation and it ultimately responsible to Council as provided in the FPPA;

“Fire Department” means the Cornwall Fire Services;

“Firefighter” means a fire chief and any other person employed in, or appointed to, a fire department and assigned to undertake fire protection services;

“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, including but not limited to, the services set out in Appendix “A” to this by-law;

“FPPA” means the Fire Protection and Prevention Act, 1997, S.O., c 4, as may be amended from time to time, or any successor legislation, and any regulation made hereunder;

“Member” means any person employed in or appointed to the Fire Department and assigned to undertake Fire Protection Services;

“Mutual Aid” means an agreement or plan with another municipality, group of municipalities or Region, approved by the Fire Marshal, where, at the discretion of the fire chief, equipment, personnel and other resources are authorized for response outside the boundaries of the City of Cornwall;

“NFPA” means the National Fire Protection Association.

2. That the Mission, Vision, Values Statement of the Cornwall Fire Services shall be as follows:

Mission: The City of Cornwall Fire Department provides responsible emergency services and programs in partnership with our community.

Vision: Proud of our past and excited about our future, the Cornwall Fire Service will be at the forefront of emergency service excellence and fire service leadership.

Values: Leadership, Teamwork, Integrity, Transparency, Bilingualism, Collaboration, Sustainability, Inclusiveness, Diversity

3. ESTABLISHMENT

- a) A fire department for the City of Cornwall is hereby established to provide fire protection services and any other service as approved by Council and authorized by legislation and shall be known as the Cornwall Fire Services. The head of the fire department shall be known as the Fire Chief.
- b) The fire department shall be structured in conformance with the approved Organizational Chart, “Appendix B” to this by-law.
- c) The Fire Chief shall manage all activities of the Fire Department with the human resources afforded to him through normal Corporate staffing procedures to ensure the efficient and effective operations.

- d) The Fire Chief is responsible to council for the delivery of fire protection services according to the needs and circumstances of the City of Cornwall as determined by council, which includes the proper administration and operation of the department. The fire chief is under the general direction of CAO.
- e) In addition to the Fire Chief, council shall appoint one or more deputy fire chiefs and such number of other officers and members as may be deemed necessary by council.
- f) The Fire Chief shall take all appropriate measures for the prevention, control and extinguishment of fires and for the protection of life and property by implementing this Establishing and Regulating by-law and incorporated policy; by developing such policy and guidelines, general orders and departmental rules as necessary to implement legislative obligations; and by ensuring the appropriate safety and protection of all fire department personnel and fire department equipment and apparatus.
- g) The Fire Chief shall periodically review the policies, general orders, rules and operating procedures and guidelines of the fire department and may establish an internal advisory committee consisting of such members as the Fire Chief may determine from time to time to assist in these duties. The approved Fire Prevention Policy is appended as "Appendix C".
- h) The Fire Chief shall submit to the CAO and council for approval the annual budget estimate for the fire department; an annual report; and, any other specific reports requested by the CAO or council.
- i) The Fire Chief shall take all proper measures for the prevention, control and extinguishment of fires and the protection of life and property through the safe, effective and efficient delivery of fire protection services, and shall exercise all of the powers mandated by the Fire Protection and Prevention Act; and the Fire Chief shall be empowered to authorize:

- i. pulling down or demolishing any building or structure to prevent the spread of fire;
 - ii. 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;
 - iii. the recovery of expenses incurred by such necessary actions for the corporation in the manner provided in the Municipal Act, the Fire Protection and Prevention Act, and any other enabling authority.
- j) 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;
- i. 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;
 - ii. in a municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid;
 - iii. on property with which an approved agreement has been entered into with any person to provide fire protection services;
 - iv. at the discretion of the Fire Chief, 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;
 - v. 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;

vi. where the response is part of a specialty team coordinated by the province and is according to an agreement executed for that purpose.

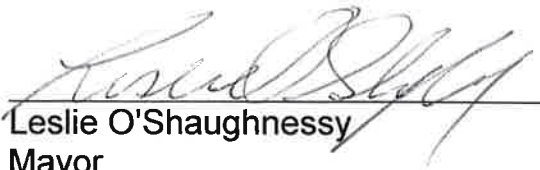
That By-laws #117-2002, #224-2004 and #119-2006 as well as any other By-law inconsistent to this By-law are hereby repealed.

This By-law comes into effect the day it is passed by Council, and shall be reviewed every 3 years.

Read, signed and sealed in Open Council this 23rd day of November, 2015



Helen Finn
City Clerk



Leslie O'Shaughnessy
Mayor


Appendix A.pdf


Appendix B.pdf


Appendix C.pdf


By-law #224-2004.pdf


By-law119-2006FireDepartment.pdf


Cornwall Fire Dept. 117-2002_001.pdf

APPENDIX "A"

CORE SERVICES

SUPPRESSION

1. Basic firefighting - no expected rescue component
2. Structural firefighting - suppression and/or rescue - single family dwelling - all others defensive, or, based upon available resources for safe execution of critical tasks (working fires currently trigger off duty call back for resources) at the discretion of the incident commander
3. Vehicle firefighting
4. Grass, brush firefighting
5. Mutual Aid
6. Basic medical assist
7. Advanced medical assist with defibrillation
8. Technician level hazardous materials with specialists
9. Vehicle accidents
10. Vehicle extrication
11. Water and ice shore based
12. Water and ice - water entry
13. Elevator rescue
14. Transportation incidents involving vehicles, trains, aircraft and watercraft
15. Public assistance
16. EMS assistance
17. Police assistance
18. Emergency Plan participation
19. Assistant to the Fire Marshal re suppression

TRAINING AND EDUCATION

1. Program development practices, including
 - a) developing trainer specialists
 - b) establishing training standards to be applied to various ranks and levels
 - c) coordinating core curriculum training
 - d) identifying and establishing special programs for staff development
 - e) suppression
 - a) prevention
 - b) administration
 - c) communications

- d) maintenance
 - e) developing/facilitating self-directed learning programs
 - f) developing succession training programs
2. Training practices including
 - a) coordinating access to training facilities
 - b) delivery of hands-on training
 - c) coordinating station in-house training
 - d) facilitating curriculum delivery
 - e) supervision of training drills
 - f) providing support and direction
 3. Development, approval and delivery of incident management and acceptability systems procedures and practices
 4. Co-ordination, development, approval and distribution of standard operating guidelines (SOGs) for various disciplines
 - a) co-ordination of training to the SOGs

FIRE PREVENTION AND PUBLIC EDUCATION

1. Creation and selection of appropriate educational programs
2. Role of chief fire official
 - Review and "approve" fire safety plans.
3. Role of Assistant to the Fire Marshal re: Prevention
4. Input into fire prevention policy development
5. Input into fire code development
 - Interaction and training of firefighters
6. Fire prevention by-law development
7. Interaction with building and by-law department
8. Interaction with federal and provincial government agencies
9. Inspection practices, including
 - a. complaints
 - b. requests
 - c. routine and cyclical inspections
 - d. code compliance and enforcement
 - e. by-law enforcement
 - f. preparation of reports and responses to requests
 - g. prepare and submit court disclosures
 - h. prepare and submit reports to the Fire Safety Commission
 - i. prepare and serve Fire Marshal Orders

10. Public education practices including
 - a. development and implementation of smoke alarm programs
 - b. public education program delivery
 - c. media relations and access
 - d. delivery of specialized programs

11. Fire investigation practices including
 - a. determination of cause and origin
report writing
 - b. assessing code compliance
 - c. assessing fire suppression effectiveness
 - d. determining compliance with building standards
 - e. determining effectiveness of built-in suppression features
 - f. interacting with OFMEM investigator
interacting with provincial agencies
 - g. interacting with police
 - h. supporting criminal prosecutions

12. Plans examination and approval practices including
 - a. examining and approving new construction plans
a member of the city's site plan control committee
 - b. examining and approving renovation plans
 - c. reviewing and approving sub-division development
agreements
 - d. reviewing and approving site plans
 - e. on-site inspections of approved fire safety plans
 - f. issuing occupancy permits

13. Preparation for and appearances in court
14. Systems checking, testing and approval
15. Compile, analyze and disseminate functional statistics
16. Consultation with architects, engineers, planners, contractors,
building inspectors, building trades
17. Attends related training courses, seminars and workshops
18. Reviews professional publications and standards
19. Develops departmental goals to ensure objectives are met
20. Complies statistical data for analysis
21. Prepares annual statistical reports

FIRE ADMINISTRATION

22. Planning practices including
 - a. master planning
 - b. program and service evaluation
 - c. projecting station locations and relocations
 - d. determining staffing levels and assignments
 - e. coordinating with other emergency services
 - f. coordinating development with other city departments
 - g. coordinating with other counties/districts/regions/province
 - h. Performance Management activities

23. Financial and records analysis practices including
 - a. coordinating use of information from suppression activities
 - b. coordinating the use of information from fire prevention activities
 - c. input into level of service issues
 - d. developing, controlling and monitoring budgets
 - e. coordinating with department divisions
 - f. identifying alternative sources of revenue and fees for services
 - g. operating
 - h. capital
 - i. purchasing

24. Records management including
 - a. note taking
 - b. records retention
 - c. freedom of information issues
 - d. liaising with dispatch provider to meet data needs

25. Human resources practices including
 - a. recruitment, selection and retention
 - b. promotion
 - c. performance evaluation
 - d. career development and higher education
 - e. job classifications
 - f. administering collective agreement

26. Customer relations practices including
 - a. developing inter-agency relationships
 - b. marketing
 - c. communications strategies
 - d. environmental scanning

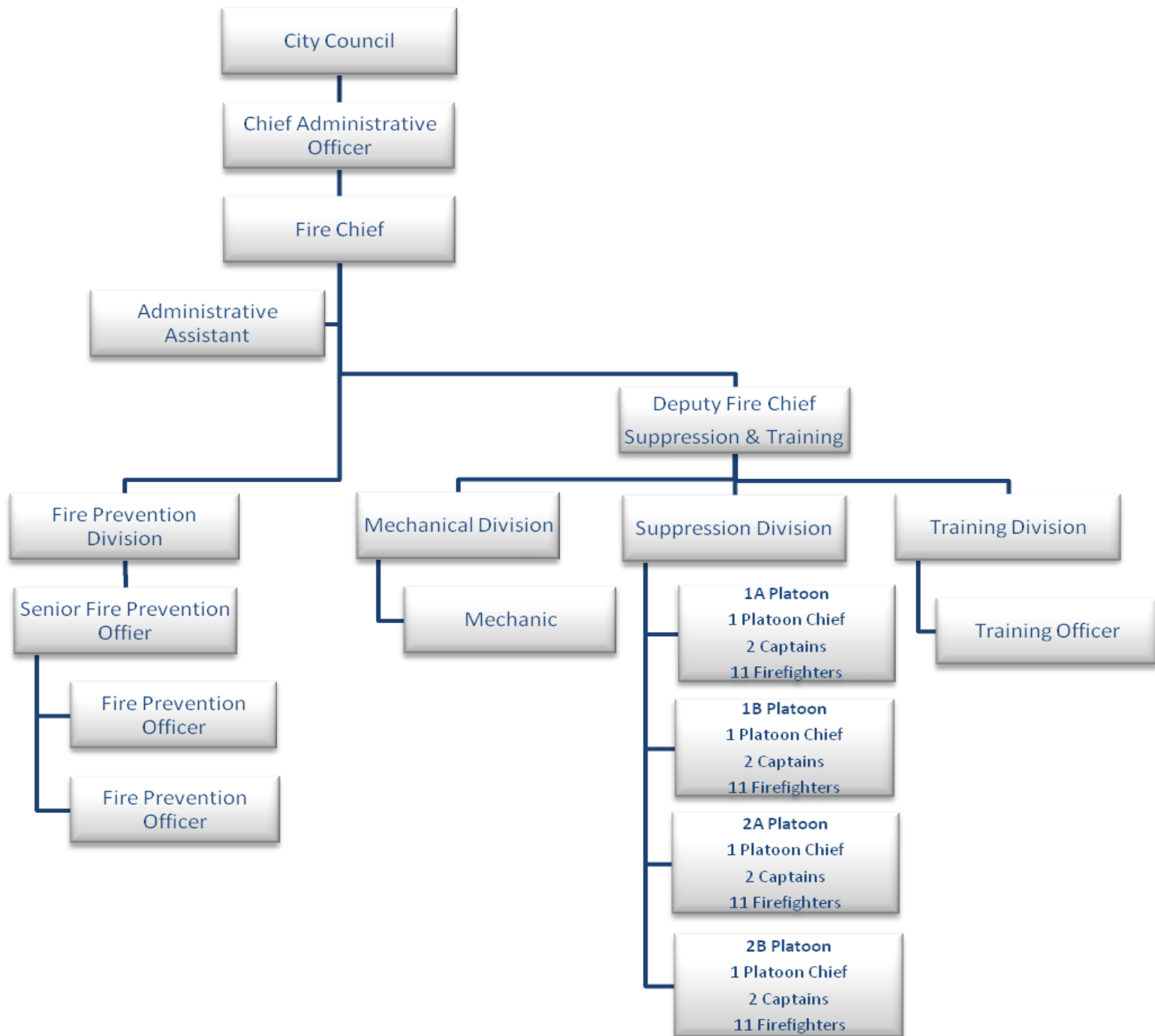
- e. developing service awareness and understanding
 - f. working with community and citizen groups
27. Annual Report
- a. That all fire prevention activities including public education, suppression, training, mechanical divisions and any other fire service related activities be recorded in the Fire Chief's annual report to council.
28. Dispatch practices including
- a. working with dispatch provider to keep pace with department needs
 - b. sharing data with other divisions, departments
 - c. establishing response and reporting protocols for dispatch provider
 - d. developing specifications for technological and communication hardware
29. Purchasing practices, including
- a. bulk purchasing through local and area organizations
 - b. developing standardized specifications for all apparatus and equipment
30. Financial practices, including
31. financial analysis
32. coordinating day to day financial services
33. Risk management practices, including
34. assessing and identifying changing risk
35. prevention planning and risk avoidance
36. loss control and reduction
37. providing insurance
38. Human resources practices, including
39. developing recruitment and retention programs
40. specialization in fire service and related legislation and issues
41. Co-ordination with other agencies for shared infrastructure, including
42. municipal water system development
43. maintenance and access to water supply

MAINTENANCE

44. Fleet and maintenance practices, including
- a. ensuring annual testing programs are in place
 - b. development of fleet and equipment specifications

- c. ensuring certification as required
 - d. maintenance of specialized equipment - e.g. SCBA
 - e. acceptance testing and approval of new apparatus and equipment
45. Facilities maintenance, including
- a. coordinating maintenance of station infrastructure
 - b. providing input for design and construction of fire stations

APPENDIX "B"



Appendix C

Fire Prevention Policy

Fire Prevention means everything authorized and mandated under the *Fire Protection and Prevention Act, 1997 (FPPA)* and the *Ontario Fire Code, O. Reg. 213/07*, as amended from time to time.

Fire Prevention also includes anything authorized by Council through a by-law authorized under the FPPA and/or the Municipal Act.

Fire Prevention is an integral part of overall community fire protection. Fire Prevention includes; inspection and enforcement including related activities, public education and related activities, fire investigation and related activities.

The City of Cornwall Fire Department shall provide the mandatory fire prevention responsibilities required under clause 2.(1)(a) in the *Fire Protection and Prevention Act, 1997 (FPPA)*;

- a simplified risk assessment
- a smoke alarm program, including home fire escape planning
- the distribution of public fire safety education materials, and
- conduct fire safety inspections upon complaint or request.

The City of Cornwall Fire Department shall follow directives issued by the Fire Marshal under the authority of clause 9.(1)(b) in the *Fire Protection and Prevention Act, 1997 (FPPA)* to achieve consistency in the application of certain technical or administrative requirements.

In addition, the City of Cornwall Fire Department shall provide the following fire prevention activities to meet the needs and circumstances of the City of Cornwall as determined by Council;

1. Cyclical inspections of high risk occupancies identified in the comprehensive community fire risk assessment.
2. Random inspections for *Fire Code* compliance of all building classifications subject to retrofit requirements.
3. Plans reviews in cooperation with the City of Cornwall Economic Development Department.
4. Enforcement activities include the prosecution of a person(s) where their action(s) has a negative impact on immediate life safety and/or safe evacuation of the occupants of the building.

5. Establish a level of fire and life safety public education activities that meets the needs of the community.
6. Other fire prevention activities as determined by the Fire Chief.
7. Maintain fire prevention operational guidelines identifying how fire prevention activities should be conducted.

Major Occupancy Inspection Cycle
Annually (O.Reg.365/13)
Facilities for developmentally handicapped residents Homes for the aged Hospitals Infirmaries Long term care Nursing homes Psychiatric hospitals with detention quarters Sanatoria without detention quarters Children's custodial homes Convalescent homes Group homes for developmentally handicapped residents Residential care facilities Sanatoria without detention quarters
Annually
Schools and colleges Licensed beverage establishments Restaurants Restaurants (occupancy load not more than 30 persons consuming food and drink) Dance halls Community halls
Two (2) Years
Group homes Halfway houses, drug and alcohol treatment Rooming houses
Five (5) Years
Boarding Houses Hotels Motels Hostels Bulk plants for flammable liquids Chemical manufacturing or processing plants Bulk storage warehouses for hazardous substance Lacquer factories Paint, varnish and pyroxylin product factories Rubber processing plants

Major Occupancy Inspection Cycle (cont...)

Five (5) Years

Spray painting operations
Laboratories
Printing plants
Repair garages
Self-service storage buildings
Service stations
Tire storage
Warehouses
Woodworking factories

The application of this policy is subject to the availability of staff and resources within the Cornwall Fire Department.