

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 03-044

**A BY-LAW TO ESTABLISH AND REGULATE THE CITY OF
PETERBOROUGH FIRE DEPARTMENT**

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and the *Fire Protection and Prevention Act*, 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 CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. In this By-law, unless the context otherwise requires:
 - a) “City” means The Corporation of the City of Peterborough;
 - b) “Council” means the Council of the City of Peterborough;
 - c) “Director” means the Director of Community Services for the City of Peterborough;
 - d) “Fire Chief” means the person appointed by Council to act as Fire Chief for the City and who is ultimately responsible to Council as defined in the *Fire Protection and Prevention Act*;
 - e) “Fire Department” means the City of Peterborough 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 of those services;
 - g) “Member” means any person employed in, or appointed to, the Fire Department and assigned to undertake fire protection services, and includes officers and fulltime fire fighters;
 - h) “Physician” means a medical practitioner employed by the City of Peterborough to perform medical examinations on members of the Department.
 - i) “Specialized Emergency Responses” means hazardous materials mitigation and rescue, water rescue, confined space rescue and high angle rescue.
2. A Fire Department for the City, to be known the City of Peterborough Fire Department, is hereby continued, and the head of the Department shall continue to be known as the Fire Chief.
3. The provisions of this By-law are subject to the provisions of the *Fire Protection and Prevention Act*, and all other applicable Acts or By-laws and to all provisions of the Collective Agreement between the City and the Fire Fighters’ Association Local 519, as altered or amended by the parties from time to time.
4. In addition to the Fire Chief, the Members of the Fire Department shall consist of such persons as from time to time may be deemed necessary by the Council.
5. The Fire Chief may recommend to the Director the appointment of any qualified person as a Member of the Fire Department, subject to the approved hiring policies of the City. Persons appointed as Members of the Fire Department to

provide fire protection services shall be on probation for a period of twelve (12) months, during which period they shall take such special training and examination as may be required by the Fire Chief. If a probationary Member appointed to provide fire protection services fails any such examination, the Fire Chief may recommend to the Council that he/she be dismissed.

6. The Fire Chief is responsible to the Director for the proper administration and operation of the Fire Department, and for the efficiency and discipline of its Members, and shall:
 - a) Make such general orders, rules, regulations and systems as may be necessary for the care and protection of the property of the Fire Department, and for the efficiency and conduct of Members;
 - b) Regularly review the policies, procedures and guidelines of the Fire Department, and may establish an Advisory Committee consisting of such Members as are determined by the Fire Chief to assist him in this duty;
 - c) Ensure that all proper measures for the prevention, control and suppression of fires, the protection and saving of life and property, and emergency management are taken;
 - d) Ensure that other emergency services are provided including, but not limited to: Specialized Emergency Responses in accordance with the levels set forth in Appendix 1 to this by-law, as well as emergency patient care and public assists;
 - e) Ensure that all proper measures for life safety education and fire prevention are taken;
 - f) Ensure that the following services are provided: Fire Code Inspections, routine inspections, and Fire Cause Determination & Investigation, and Fire & Rescue Training.
 - f) Enforce all municipal by-laws respecting Fire Prevention, and exercise the powers and duties imposed on the Fire Chief by the *Fire Protection and Prevention Act*; and
 - g) Report to the Director or in his/her absence, to the Chief Administrative Officer.

7. The Fire Department shall be comprised of the following Divisions:
 - a) Emergency Services, including administration, suppression and other emergency services;
 - b) Support Services, including prevention, public education, training, emergency management, communications and risk management.

8. The Fire Department shall not respond to a call with respect to a fire or emergency outside the limits of the City, except with respect to a fire or emergency:
 - a) That, in the opinion of the Fire Chief, threatens property in the City or property outside the City which is owned or occupied by the City;
 - b) In a municipality with which a written agreement has been entered into to provide fire protection services, which may include automatic aid and/or dispatch services;
 - c) On property in respect of which a written agreement has been entered into with any person or corporation to provide fire protection services;

- d) On property in respect of which a written agreement has been entered into with an entity having jurisdiction for the provision of Specialized Emergency Responses;
 - e) At the discretion of the Fire Chief, to a municipality authorized to participate in any county, district or regional emergency fire service mutual aid plan established by a Fire Co-ordinator appointed by the Fire Marshall, or any other similar reciprocal plan or program; and
 - f) On property in respect of which the Fire Chief determines that 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. The Fire Chief shall advise the Director, in writing, forthwith after each application of this subclause.
9. By-law Number 95-53 is hereby repealed.

By-law read a first and second time this 31st day of March, 2003

By-law read a third time and finally passed this 31st day of March, 2003

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk

APPENDIX 1

Level of Specialized Emergency Responses

Special rescue techniques, equipment and training are required, based on identified needs in the community. These identified response levels are sanctioned by the City, for the purpose of providing a guide for personnel involved in incidents and training. The response levels and designation may only be reached after appropriate equipment, and training have been provided, and documented.

Hazardous Materials Response:

The Fire Department is designated to respond to incidents involving hazardous materials, using specialized equipment, skills, and training in a manner referred to as “Operations” Level in NFPA Standard 472 Section 3-1.2, as deemed necessary, and any such additional capabilities deemed necessary by the Fire Chief

Technical Rescue:

1. Water and Ice Rescue:

The Fire department is designated to respond to rescue incidents involving water and ice, using specialized equipment, skills, and training in a manner referred to by the Ontario Fire Marshal’s office as Level 3, including “shore-based”, “boat-based”, and “controlled-water entry”, as deemed necessary.

2. High Angle Rescue:

The Fire Department is designated to respond to incidents involving high angles (height) using specialized equipment, skills, and training in a manner referred to as “Operations” Level in NFPA Standard 1670 Chapter 4-3: Rope Rescue, as deemed necessary, and any such additional capabilities deemed necessary by the Fire Chief.

3. Confined Space Rescue:

The Fire Department is designated to respond to incidents involving confined spaces using specialized equipment, skills, and training in a manner referred to as “Operations” Level in NFPA Standard 1670 Chapter 5-3: Confined Space, as deemed necessary, and any such additional capabilities deemed necessary by the Fire Chief.