

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2000-30

**BEING A BY-LAW TO ESTABLISH AND REGULATE
THE NORTH BAY FIRE DEPARTMENT AND TO
REPEAL BY-LAW NOS. 25-71 AND 172-87**

WHEREAS the *Municipal Act, R.S. 0.1990 c., as amended,* and 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 CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. In this by-law, unless the context otherwise requires,
 - a) “Approved” means approved by the Council;
 - b) “Chief Administrative Officer” means the person appointed by Council to act as Chief Administrative Officer for the Corporation;
 - c) “Corporation” means The Corporation of the City of North Bay;
 - d) “Council” means the Council of the City of North Bay;
 - e) “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 the Fire Chief;
 - f) “Fire Chief” means the person appointed by Council to act as Fire Chief for the Corporation;
 - g) “Fire Department” means the City of North Bay Fire Department;
 - h) “Fire Protection Services” includes tire suppression, fire prevention, fire safety education, training of persons involved in the provision of tire protection services, rescue and emergency services and the delivery of all those services including:
 - (i) Ice/Water Rescue
 - (ii) Snowmobile Trail Rescue
 - (iii) Hazardous Material Spill & Leak Containment
 - (iv) Vehicle Extrication
 - (v) First Response/tiered Response
 - (vi) Airside Crash Fire Rescue
 - (vii) High Angle Rescue
 - (viii) Automatic Aid where a contract exists
 - (ix) Contract Services
 - i) “Managing Director,” Community Services Business Unit means the person appointed by City Council; and
 - j) “Member” means any persons employed in, or appointed to, a Fire Department and assigned to undertake fire protection services, and includes officers and full time firefighters.
2. A Fire Department for the City of North Bay to be known as the City of North Bay Fire Department in hereby established 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.

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 Council the appointment of any qualified person as a member of the Fire Department, subject to the approved hiring policies of the City of North Bay.
6. Persons appointed as members of the Fire Department to provide fire protection services shall be on probation for a period of six months, during which period they shall take such special training and examination as may be required by the Fire Chief.
7. If a probationary member appointed to provide fire protection services fails any such examinations, the Fire Chief may recommend to the Council that he/she be dismissed.
8. Working conditions and remuneration for all full time members shall be determined by Council in accordance with the provisions of Part IX of the *Fire Protection and Prevention Act*.
9. 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, the Fire Department, Council may assign the member to other employment in the Fire Department or may retire him/her. Council may provide retirement allowances to members, subject to the *Municipal Act*.
10. The Fire Chief is responsible to Council, through the Managing Director of Community Services and Chief Administrative Officer for proper administration and operation of the Fire Department including all Fire Department functions and programs.
11. 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.
12. 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.
13. The Fire Chief shall submit to the Managing Director of Community Services and the Chief Administrative Officer and Council for approval, the annual budget estimate for the Fire Department; an annual report and any other specific reports requested by the Managing Director of Community Services and Chief Administrative Officer or Council.
14. 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.
15. 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 the powers and shall perform all duties of the officer replaced.
16. Subject to the terms and conditions of the Collective Agreement, 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 discipline or the efficiency of the Fire Department.
17. Following the suspension of a member, the Fire Chief shall immediately report, in writing, the suspension and recommendation to the Managing Director of Community Services and the Chief Administrative Officer and Council.

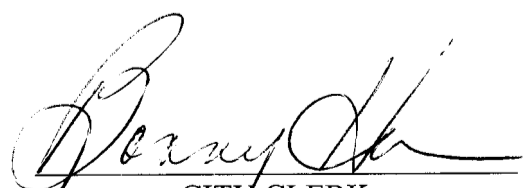
18. Subject to the terms and conditions of the Collective Agreement, the procedures for termination of employment prescribed in Part IX of the *Fire Protection and Prevention Act* shall apply to all full-time members of the Fire Department.
19. The Fire Chief shall take all proper measures for the prevention, 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:
 - 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; and
 - c) 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*.
20. 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:
 - a) 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;
 - b) in a municipality with which an approved agreement has been entered into to provide fire protection services which may include automatic aid;
 - c) 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, 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; or
 - e) 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.
21. That By-Law Nos. 25-71 and 172-87 of the City of North Bay are hereby repealed.
22. This by-law comes into force and effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 20TH DAY OF MARCH, 2000.

READ A SECOND TIME IN OPEN COUNCIL THIS 20TH DAY OF MARCH, 2000.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20TH DAY OF MARCH, 2000.


DEPUTY MAYOR


CITY CLERK