

THE CORPORATION OF THE TOWNSHIP OF NORTH FRONTENAC

BY-LAW # 05-17

BEING A BY-LAW TO ESTABLISH A POLICY FOR NORTH FRONTENAC FIRE DEPARTMENT PERSONNEL FOR FIRE PREVENTION, PUBLIC EDUCATION PROGRAMS AND ACTIVITIES AS A PRIMARY MEANS OF PROTECTING LIVES AND PROPERTY FROM FIRE.

AND WHEREAS Part 2, Clause 7, Sub-clause 7.1 of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, provides that a municipality may pass a by-law to regulate fire prevention, including the prevention of the spreading of fire;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH FRONTENAC ENACTS AS FOLLOWS:

THAT Schedule "A" attached hereto is the Fire Prevention Policy for the Township of North Frontenac Fire Department; and shall be read with and form part of this By-law;

AND THAT any additions to the Fire Prevention Policy shall be authorized by By-law;

AND THAT should any Sections of this by-law, including any Section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining Sections shall nevertheless remain valid and binding;

AND THAT this by-law shall come into force and take effect on the date of final passing;

AND THAT all resolutions, By-laws or parts of by-laws, which are contrary to or inconsistent with this by-law, are hereby repealed.

READ A FIRST AND SECOND TIME, THIS 13TH DAY OF JANUARY, 2017

READ A THIRD TIME AND FINALLY PASSED THIS 13TH DAY OF JANUARY, 2017


MAYOR


CLERK

SCHEDULE "A" TO BY-LAW #05-17

FIRE PREVENTION POLICY

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1.0 PURPOSE

- 1.01** To establish a Policy for North Frontenac Fire Department (NFFD) personnel for fire prevention, public education programs and activities as a primary means of protecting lives and property from fire.
- 1.02** To maintain compliance with the minimum fire prevention and public education activities as required by the Fire Protection and Prevention Act (FPPA).

2.0 SCOPE

- 2.01** This Policy will be followed by all authorized members of the NFFD.

3.0 GENERAL

- 3.01** This Fire Prevention Policy has been reviewed and approved by the Municipal Council of the Township of North Frontenac on, January 13, 2017 as By-Law 05-17, and is applicable in its entirety for the NFFD.
- 3.02** The Fire and Life Safety Educator (FLSE), shall report to the Director of Emergency Services/Fire Chief (DESFC) and will be responsible for the administration and delivery of the Fire Prevention Program, and to fulfill the requirements of this Fire Prevention Policy.

4.0 FIRE PREVENTION RECORDS KEEPING AND RISK ASSESSMENT

4.01 Current records relating to all fire prevention activities must be prepared and retained by the FLSE. Records shall be made available to the DESFC at all times. These records include, but shall not be limited to:

- Emergency response statistics using the current Office of the Fire Marshal Standard Fire Incident Report;
- Fire investigations;
- Fire prevention inspection program that includes complaints, requests, mortgage and resale, licensing, and other inspection types;
- Home inspection program;
- Smoke alarm program;
- Carbon Monoxide (CO) alarm program;
- Distribution of Public Fire Safety information and media releases;
- Public displays, fire station tours, etc.;
- Lectures, demonstrations, presentations to the public;
- Simplified Risk Assessment (SRA) and other needs analysis processes containing a current community profile identifying current public education and prevention needs.

5.0 RISK ASSESSMENT

5.01 The SRA will be updated every three (3) years and programs modified as appropriate by the DESFC and the FLSE.

6.0 PUBLIC EDUCATION PROGRAMS

6.01 The FLSE, with the assistance of the Volunteer Firefighters (VFF) where appropriate, will provide fire prevention education programs within the community in accordance with the priorities identified in the SRA that may include:

- RISK WATCH (injury prevention program for children in elementary school);
- Older and Wiser Program (fire safety program for older adults);

- Alarmed for Life Program (community smoke alarm program);
 - TAPP-C Program (The Arson Prevention Program for Children).
 - Kitchen Care Program.
- 6.02** In addition to these programs, social, service and special interest groups may request fire safety related presentations, demonstrations, tours of fire stations, and specific program courses for clubs, cubs, guides and babysitters.
- 6.03** Appropriate fire safety education materials, and voice and print media public service announcements will be distributed in an effective manner to address fire safety issues and concerns based upon needs and circumstances.

7.0 INSPECTIONS AND ENFORCEMENT

- 7.01** Fire Prevention Inspections are to be conducted by the DESFC and/or his/her designate as appointed by the DESFC, for all written or verbal complaints containing reports of potential Fire Code violations and/or potential fire hazards, and for all requests for inspections to assess fire safety.
- 7.02** Where a complaint is received on any premise or building in the municipality, the inspection shall be given priority, and conducted as soon as practical under authority of the FPPA regardless of the frequency established in this Fire Prevention Policy.
- 7.03** It is the objective of the NFFD to conduct fire prevention inspections of occupancies at the frequency indicated below and as identified by the SRA:

FIRE PREVENTION INSPECTION SCHEDULE

OCCUPANCY TYPE	FREQUENCY
FIRE PREVENTION INSPECTION SCHEDULE OCCUPANCY TYPE	FREQUENCY
Assembly Occupancies (A)	
Schools	Annually
Recreation Centers (Arenas)	Every Two Years
Curling/Golf Clubs	Every Two Years
Licensed Premises	Every Two Years
Nursery/Day Care Facilities	Annually
Churches	Upon request
Special Occasion Permits	Upon request
Institutional (B)	
Hospitals	Annually
Nursing Homes	Annually

Homes for Special Care	Annually
Commercial or Business (D & E)	
Mercantile	Every Two Years.
Business / Personal Service	Every Two Years.
Industrial (F)	
Factories or Complexes	Target one (1) major occupancy annually.
Residential (C)	
Apartments regulated by 9.3.	Upon request.
Apartments regulated by 9.5	Upon request.
Apartments regulated by 9.8	Upon request.
Home Inspection Program	Voluntary and upon request.
Hotels / Motels (Including those regulated by 9.9)	Upon request.

- 7.04** Additional Fire Prevention Inspections may be conducted of any occupancy or building as deemed necessary to address the needs and circumstances of the community or a targeted risk.
- 7.05** Where a fire has occurred, the DESFC and/or his/her designate may inspect the property to ensure compliance with the Ontario Fire Code or any provisions under the FPPA.
- 7.06** Appropriate action will be taken to ensure the elimination of serious fire hazards, immediate threats to life from fire, and to enforce the Fire Code under the authority and in accordance with the provisions outlined in the FPPA.

8.0 COMPLIANCE STRATEGIES FOR SMOKE ALARMS AND CARBON MONOXIDE ALARMS

- 8.01** As a result of many recent fire tragedies in Ontario, and through recommendations from the Office of the Fire Marshal, the NFFD will adopt a zero tolerance approach, under certain circumstances, when it comes to enforcing Fire Code smoke and carbon monoxide (CO) alarm requirements. The following compliance and enforcement strategies shall be utilized as part of the zero tolerance approach:
- Fire Department Emergency Response: In situations where the NFFD has responded to a residential dwelling, a check to ensure the home is in compliance with the Fire Code may be made. In situations where a fire has occurred and lives have been put at risk, a warning to the homeowner may not be sufficient if the home is not in compliance with the requirements. In these situations the DESFC or his/her designate may choose to issue a ticket under Part I of the Provincial Offences Act (POA) or lay an information under Part III of the POA and pursue a fine higher than allowed for the ticket;

- Enforcement Strategies for Homeowners: Whenever a home is found to be non-compliant with Fire Code smoke and CO alarm regulations all efforts and strategies shall be used to gain compliance. If however the homeowner refuses or fails to comply, or has been found to have been in non-compliance previously, a Certificate of Offence may be completed and an Offence Notice (ticket) issued to the homeowner under Part I of the POA.
- Enforcement Strategies for Landlords: Landlords who are found to be negligent in providing and maintaining smoke and CO alarms for their rental dwelling units as determined through routine inspections or through a NFFD response to an actual fire, may be automatically issued a ticket under Part I of the POA or lay an information under Part III of the POA and pursue a fine higher than allowed for the ticket;
- Enforcement Strategies for Tenants: Tenants in multi-unit rental accommodation who disable smoke or CO alarms are not only putting themselves at risk, but also tenants in neighboring units. Experience has shown that removing batteries or otherwise tampering with smoke and CO alarms is often a common response to nuisance alarms. Tenants who admit to removing batteries or otherwise disabling a smoke or CO alarm may be automatically issued a ticket under Part I of the POA or lay an information under Part III of the POA and pursue a fine higher than allowed for the ticket;

8.02 Education is a critical component to helping to ensure homeowners are educated about smoke and CO alarm types, placement, installation and maintenance, and they must also be informed of the Fire Code requirements and the consequences for non-compliance. Through this Policy all efforts will be made to seek voluntary compliance. That said, there will always be those who do not comply with the regulations, and the NFFD must be prepared to enforce them. It is however important to recognize that the individual circumstances of each case must be taken into consideration, and that the NFFD will exercise discretion and flexibility in their approach.

9.0 OPEN AIR BURNING

9.01 Open air burning is regulated within the municipality. Open air burning will only be conducted with approval of the DESFC and/or his/her designate and in accordance with the conditions set out in the Open Air Burning By-Law and any amendments thereto.

10.0 NEW CONSTRUCTION

10.01 New construction or alterations to existing buildings will be inspected in accordance with the Ontario Building Code Act (OBC).

11.0 FIREPLACES AND SOLID-FUEL-BURNING APPLIANCES AND EQUIPMENT

11.01 New installations or alterations of fireplaces and solid-fuel-burning appliances and equipment will be inspected in accordance with the OBC.

11.02 Existing installations of fireplaces and solid-fuel-burning appliances and equipment will be inspected upon request to the DESFC and/or his/her designate; however, comments will be limited to the visible portions of the appliance and equipment only, at the time of the inspection. Fees for conducting these inspections and issuance of compliance letters and reports will be charged in accordance with established Municipal Fees and Charges By-Law.

12.0 REQUESTED INSPECTIONS FOR CHANGE OF OWNERSHIP

12.01 Inspections will be conducted within a reasonable period of time when requested by the purchaser's Solicitor and only where written permission has been obtained from the owner or the owner's agent to inspect and release inspection results. Fees for conducting these inspections and issuance of Compliance Letters and reports will be charged in accordance with established Municipal Fees and Charges By-Law.

13.0 INVESTIGATION OF FIRES

13.01 The DESFC and/or members of the NFFD delegated by the DESFC shall investigate the origin and cause of all fires within the municipality.

13.02 In accordance with the Fire Marshall's Directive 2015-002 and the FPPA clause 9. (1) (b), The Office of the Fire Marshal shall be notified for the following reasons: Fatality or Serious Injury (likely to cause death), fires in vulnerable occupancies, explosions, large loss fire or suspicion of arson or unusual origin, fires in multi residential occupancies or fires involving clandestine drug operations. NFFD Personnel will assist the OFM investigator as requested.

14.0 FEES FOR SERVICES

14.01 Fees may be charged for any or all of the above referenced services in accordance with the established Municipal Fees and Charges By-Law and any amendments thereto.

15.0 SUMMARY

15.01 This Policy provides for the participation of all members of the NFFD in fire prevention and public education activities, during available hours and also addresses the types of inspection services that have been approved by Council. It is intended as an affirmative direction to the DESFC, all NFFD personnel, and the public.