



Legislation Review

Central York Fire Services

LEGISLATION



Fire Protection and Prevention Act, 1997

- Provision of Fire Protection Services by Municipalities
- Powers of Fire Marshal
- Fire Safety Inspections including Immediate Threat to Life and Rights of Entry
- Labour Relations



DEFINITIONS

“fire department” means a group of firefighters authorized to provide fire protection services by a municipality, group of municipalities or by an agreement made under section 3; (“service d’incendie”)

“firefighter” means a fire chief and any other person employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes a volunteer firefighter; (“pompier”)

“fire protection services” includes,

- (a) fire suppression, fire prevention and fire safety education,
- (b) mitigation and prevention of the risk created by the presence of unsafe levels of carbon monoxide and safety education related to the presence of those levels,
- (c) rescue and emergency services,
- (d) communication in respect of anything described in clauses (a) to (c),
- (e) training of persons involved in providing anything described in clauses (a) to (d), and
- (f) the delivery of any service described in clauses (a) to (e); (“services de protection contre les incendies”)

MUNICIPAL RESPONSIBILITIES



2. (1) Every municipality shall,

- (a) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and
- (b) provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances.

FIRE PREVENTION ACTIVITIES EXPECTED BY FIRE MARSHAL



- Simplified risk assessment
- A smoke alarm program
- Fire safety education material distributed to residents/occupants
- Inspections upon complaint or when requested to assist with code compliance

Municipalities may develop a different model for fire prevention and public education services provided they are able to demonstrate that their model meets the mandated requirements of the community's local needs

PFSG 04-40-03

SHARED RESPONSIBILITIES



(4) Two or more municipalities may appoint a community fire safety officer or a community fire safety team or establish a fire department for the purpose of providing fire protection services in those municipalities.

SERVICES OUTSIDE MUNICIPALITY



- (5) A municipality may, under such conditions as may be specified in the agreement, enter into an agreement to,
- (a) provide such fire protection services as may be specified in the agreement to lands or premises that are situated outside the territorial limits of the municipality; and
 - (b) receive such fire protection services as may be specified in the agreement from a fire department situated outside the territorial limits of the municipality.

AUTOMATIC AID AGREEMENTS



(4) For the purposes of this Act, an automatic aid agreement means any agreement under which,

(a) a municipality agrees to ensure the provision of an initial response to fires, rescues and emergencies that may occur in a part of another municipality where a fire department in the municipality is capable of responding more quickly than any fire department situated in the other municipality; or

(b) a municipality agrees to ensure the provision of a supplemental response to fires, rescues and emergencies that may occur in a part of another municipality where a fire department situated in the municipality is capable of providing the quickest supplemental response to fires, rescues and emergencies occurring in the part of the other municipality. 1997, c. 4, s. 1 (4).

FAILURE TO PROVIDE SERVICES



(8) If a municipality fails to adhere to the recommendations made by the Fire Marshal under subsection (7) or to take any other measures that in the opinion of the Fire Marshal will remedy or reduce the threat to public safety, the Minister may recommend to the Lieutenant Governor in Council that a regulation be made under subsection (9).

Regulation

(9) Upon the recommendation of the Minister, the Lieutenant Governor in Council may make regulations establishing standards for fire protection services in municipalities and requiring municipalities to comply with the standards.



FIRE CHIEF RESPONSIBILITIES

Fire chief, municipalities

6. (1) If a fire department is established for the whole or a part of a municipality or for more than one municipality, the council of the municipality or the councils of the municipalities, as the case may be, shall appoint a fire chief for the fire department.

Same

(2) The council of a municipality or the councils of two or more municipalities may appoint one fire chief for two or more fire departments.

Responsibility to council

(3) A fire chief is the person who is ultimately responsible to the council of a municipality that appointed him or her for the delivery of fire protection services.