



SUBJECT: The Establishing and Regulating By-Law Report

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Karen Roche, Fire Chief

Report Number: BFD-02-23

Wards Affected: All

File Numbers: 755

Date to Committee: March 28, 2023

Date to Council: April 18, 2023

Recommendation:

Approve By-law XX-2023 attached as Appedix A to Burlington fire department report BFD-02-23 to establish and regulate the Fire Department for the Corporation of the City of Burlington and repeal By-Law 90-2012.

Background and Discussion:

An establishing and regulating bylaw is a municipal council document outlining policy for fire departments. It can be used to show how the municipality delivers fire protection services it has determined are necessary according to its needs and circumstances, as is required by the *Fire Protection and Prevention Act, 1997* (FPPA).

When setting or amending the levels of service in the establishing and regulating bylaw, municipal council, in consultation with the fire chief, should keep in mind the following considerations:

- the current needs and circumstances of the municipality;
- requirements and expectations, such as the following:
 - training requirements based on current standards and practices;
 - acquisition and maintenance of appropriate equipment; and
 - appropriate record keeping.
- the extent of fire department funding necessary to achieve and maintain the stated levels of service.

The on-going revisions of by-laws is important to a municipality, not only to demonstrate due diligence and protect itself from potential liability exposure but to maintain community confidence and trust in the City's performance of various services.

For the purposes of this report, the amendments to the Establishing and Regulating By-Law include the following changes:

Preamble – there are no changes to this section.

1. **Content** – Added Definitions:

- City Manager
- Chief Fire Official
- Dangerous Goods
- Enforcement
- Equipment
- False alarm
- Fire alarm system
- Fire Coordinator
- Interior
- Incipient stage
- Mandatory Retirement
- Multiple Family Row Housing.
- Mutual Aid
- NFPA
- Occupancy
- Volunteer Firefighter.

2. **Fire Department Establishment:** there are no changes to this section.

3. **Structure and Employment:** there are no changes to this section.

4. **Duties and Responsibilities:** there are no changes to this section.

5. **Department Divisions:** Each division is specifically named:

- i. Fire Prevention and Public Education,
- ii. Fire Suppression,
- iii. Training,

- iv. Mechanical and Maintenance,
- v. Communications,
- vi. Administrative Services.

6. **“Powers” of the Fire Chief has been amended to “Responsibilities and Authority of the Fire Chief.”** Additional responsibilities are listed:
7. **Emergency Response outside of Municipal Boundaries** – there are no changes to this section.
8. **Levels of Service** – there are no changes in this section, only in Appendix A as described.

Municipal Establishing and Regulating By-law Definition– As per the Ontario Fire Marshal Communique 2017-06; recommends that by-laws are reviewed annually to ensure that the level of services they are providing are in accordance with the current needs and circumstance of their community.

Appendix A – Core Services Provided by the Burlington Fire Department - The following core services were updated and added to Appendix A:

- Fire Prevention and Public Education, including a description of program deliverables, community risk assessments, Inspections and Investigations as per the *Fire Protection and Prevention Act, 1997 (FPPA)*.
- Community Emergency management services was added as per the *Emergency Management and Civil Protection Act*.
- Emergency Responses:
 - Basic Firefighting services
 - Interior firefighting / exterior firefighting
 - Grass, brush wildland firefighting
 - Marine shore-based firefighting.
- Special Response Levels: Clarification of services delivered:
 1. Awareness Level – The level is the most basic, and supports emergency response personnel who respond, or may response to a incident and participate in an indirect rescue support role.

2. Operations Level – This level of qualification expands on scene size-ups, site hazards and safety. Emergency service personnel who respond, or may respond, to a rescue incident and participate in direct rescue operations. The Operations level of qualification is a prerequisite for the Technical level training and certification.

3. Technician Level - This level of qualification targets all emergency service personnel who respond to a rescue incident and participate in direct rescue operations as a technical advisor or member of a Technical Rescue Team. These personnel are qualified to conduct the overall scene operation and plan/execute rescue site activities.

SPECIAL RESPONSE LEVELS √ - refers to Burlington Fire's level of training for each Discipline			
Discipline:	Awareness level	Operations level	Technician level
HazMat Response		√	Hamilton Fire
Confined space	√		Hamilton Fire
Trench rescue	√		Mississauga Fire (By-Law 0047-2017)
Ice / Water Rescue		√	Halton Police /Beach Rescue
Structural Collapse	√		Provincial Team / Toronto USAR Task Forces
High/Low Angle Rope Rescue		√	√

- Emergency pre-hospital care:
 - Approved medical directives from BFD Medical Director.
 - CPR, defibrillation protocols.
 - Regional Tiered Response Services Agreement for “Obvious Threat to Life” (OTL).
 - Medical Priority Dispatch Services call determinants as per the agreed level of response that aligns with the department level of training.
 - The Administration of Symptom Relief drugs such as Epinephrine, Narcan and any other future symptom relief drug administration or enhancements and/or monitoring devices as per our Medical Director

- Community Risk Assessment:
 - The Department will conduct an annual review of the Community Risk Assessment to determine if there is a need for a revision of policies and practices to address changing circumstances.

- Mutual and Automatic Aid – as per Agreements with Hamilton Fire and Mississauga Fire and Emergency Services and Halton Regional Fire Departments.
- Participation in the City of Burlington Emergency Plan Activation and the Halton Region Emergency Plan Activation when warranted.
- Training and Certification: The Ontario government enacted **O. Reg. 343/22**: Firefighter Certification under the Fire Protection and Prevention Act, 1997. The Regulation sets out mandatory minimum certification standards for fire protection services for firefighters in a municipality.
- Communications:
 - The Burlington Fire Department Communications Division provides effective 911 fire call handling and dispatching of resources.
 - Monitor emergency responders and the public during an emergency call. provides 911 fire call handling and dispatching services for the City of Burlington, Town of Oakville, Town of Halton Hills and Milton Fire.
- Maintenance: Complying with the requirements of provincial regulations for maintaining fleet, equipment (both routine and emergency) and providing inspection and testing programs.

Vision to Focus Alignment:

- Excellence in Government
 - Support sustainable infrastructure and a resilient environment.
 - Deliver customer centric services with a focus on efficiency and technology transformation.
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Financial Matters:

Conclusion:

The Fire Chief is responsible for providing City Council with advice on matters of fire safety; but Council has the ultimate responsibility for fire protection.

It is therefore recommended that Council repeal By-law BFD-90-12 and enact the new By-law that takes into consideration the local needs, circumstances, risks, resources,

capabilities, geography, building stock, demographics and legislated changes identified for the City of Burlington Fire Department.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karen Roche". The signature is fluid and cursive, written over a light grey rectangular background.

Karen Roche

Fire Chief

905-333-0772 ext. 6205

Appendices:

Appendix A: Establishing and Regulating By-Law

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer, and the Executive Director of Legal Services & Corporation Council.