

## **MUNICIPALITÉ DE WALTHAM**

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By-law 01-2013

A By-law to Establish and regulate a Fire Department in the municipality of Waltham

Whereas the Fire Protection and prevention Act authorizes the council of a municipality to establish, maintain and operate a fire department.

Whereas, a notice of motion was given by councilor Marion at the February 5<sup>th</sup> meeting. concerning this by-law.

Consequently Councilor Marion move that the present by-law be adopted seconded by councilor :

Now therefore the Council of the municipality of Waltham hereby enacts as follow:

1. A fire department for the Municipality of Waltham to be known as the Waltham Volunteer fire department is hereby continued and the head of the Fire Department shall be known as the Fire Chief.
2. 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.
3. The Fire Chief shall recommend to the Chief administrative Officer the appointment of any qualified person as a member of the Fire Department, subject to the approved hiring policies of the Corporation.
4. Persons appointed as members of the Fire Department to provide fire protection services shall be on probation for a period of 12 months, during which period they shall take such special training and examination as may be required by the Fire safety cover plan.
5. The remuneration for all volunteer members shall be determined by council on the recommendation of the MRC.
6. The fire chief is responsible to council for proper administration and operation of the Fire department including all fire department functions and programs and will ensure compliance with the fire cover safety plan.
7. The fire chief will implement all approved policies and standards to protect the Fire fighters and the equipment in accordance with the fire cover safety plan. The Fire chief will also implement policies to educate the citizens in mater of prevention of fire.
8. The fire chief will submit annually to council an operation budget as well as a capital need budget.
9. The fire chief as the power to mandate any other officer to take charge of a fire when he cannot be present.
10. The fire chief may reprimand, suspend or recommend dismissal of any member of the fire department if for a just cause and reason he deems it necessary.

11. Prior to any suspension or dismissal of a member , the Fire chief shall immediately report in writing for approval, the suspension or dismissal to the Chief Administrative Officer.
12. A volunteer firefighter shall not be dismissed without the opportunity for a review of termination and explain the case.
13. 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 cover safety plan. The Fire Chief shall be empowered to authorize:
  - a. Pulling down or demolishing any building or structure to prevent the spread of the fire.
  - b. all necessary actions which may include boarding up or barricading of building or property to guard against fire or other danger, risk of accident, when unable to contact the property owner.;
  - c. use of equipment to assist with suppression or demolition and the recovery of such costs;
  - d. Recovery of expenses incurred by such actions for the municipality in the manner provided through the municipal act, the Fire protection and prevention act and any other relevant legislation.
14. The fire department shall not respond to a call with respect to a fire or emergency outside the limits of the municipality without having a mutual agreement signed between the municipalities being serviced. Exceptionally the Mayor or Deputy Mayor may authorize an intervention if an urgent emergency request is made for our assistance. The Fire chief may if in his opinion the fire threatens property in the municipality or property situated outside the municipality that is occupied or own by the municipality. Or on a property that has a specific arrangement with the Fire department. And in a municipality that is part of a regional emergency plan.
15. The municipality of Waltham Volunteer fire department accepts no liability for the delay or inability to supply the services due to the provisions or approved services limited services or due to the existence of unsafe or hazardous conditions encountered en route or at the fire scene, impeded access to property or environmental factors constraints.

This by-law comes into force and effect on the day of passing and publication.

Mayor Garry Marchand: \_\_\_\_\_

Director-General Fernand Roy: \_\_\_\_\_