THE CORPORATION OF THE TOWN OF GODERICH
BY-LAW NO. 31 OF 2020

BEING A BY-LAW TO PROVIDE FOR THE ESTABLISHMENT AND
REGULATION OF A VOLUNTEER FIRE DEPARTMENT AND TO REPEAL
BY-LAW 30 OF 1998

WHEREAS the Municipal Act authorizes the establishment of a Municipal Fire
Department;

AND WHEREAS the Town of Goderich desires to establish a Volunteer Fire
Department;

NOW THEREFORE the Council of the Corporation of the Town of Goderich enacts as
follows:

1. Definitions:

   “Corporation” means the Corporation of the Town of Goderich

   “Council” means the Council of the Town of Goderich

   “Department” means the Goderich Volunteer Fire Department

   “Fire Chief” means the one person appointed by a by-law of the Council for the
municipality to act as Fire Chief.

   “Fire Committee” means a Committee comprised of Town of Goderich Council
representatives, one Township of Ashfield-Colborne-Wawanosh Representative
and one Central Huron representative.

   “Deputy Fire Chief” means the one person appointed by the Council of the
municipality to act in the place of the Fire Chief in his/her absence, or in the case
of a vacancy in the Fire Chief position.

   “Fire Protection” means a range of programs designed to protect the lives and
property of the inhabitants of the Fire Department response area from the adverse
effects of fires, sudden medical emergencies or exposure to dangerous conditions
created by man or nature and includes fire prevention and public education,
rescue and suppression services.

   “Volunteer Fire Fighter” means a person who voluntarily acts as a fire fighter for
a nominal consideration or honorarium.

2. A Municipal Fire Department is hereby continued under the authority of the
Municipal Act to be known as the Goderich Volunteer Fire Department.

3. The Department shall consist of a Chief, a Deputy Chief, and Captain and fire
fighters as determined by Council.
4. Every member of the Department shall be 18 years of age or over. Every member of the Department shall hold a valid DZ licence and must be renewed every 5 years. When renewing the DZ licence, a medical examination must be completed.

5. a) The Chief and Deputy Chief shall be appointed by by-laws passed by Council and shall hold office until such by-laws are rescinded.

   b) All officers shall be appointed by the following process:
      - must have 5 years fire service (must be consecutive and can also be service from one or more departments)
      - must submit their names to the Chief by a certain date
      - selection is made from the submitting candidates for interviews
      - interviews are conducted with the Chief, Deputy Chief and other Captains on the department and Town Administration, as required
      - following the interview process, the successful candidate is selected

   c) All volunteer firefighters shall be appointed by the Captains of the Goderich Fire Department which shall consist of the Chief and Captains, and the said Executive shall require every application to be in writing, and they may accept or reject any application provided. However, every volunteer firefighter and auxiliary firefighter shall serve a probationary period of six months before final acceptance.

   d) In the event that a vacancy occurs in the Department and it is deemed appropriate by the Executive to fill the same with an existing auxiliary member, it shall not be a requirement that the most senior auxiliary member fill the vacancy.

6. a) The Fire chief may suspend any Captain or fire fighter for insubordination, inefficiency, gross misconduct, or repeated failure to attend practices or fires.

   b) The Fire Chief shall submit a report to the Fire Committee outlining the reasons for suspension.

   c) The suspended member may apply, in writing, to appear before the Fire Committee for a hearing. The Fire Committee and the Fire Chief will determine the appropriate course of action to settle the dispute.

7. The annual cost of operating the Department shall be included in the annual estimates of the municipality as recommended by the Fire Committee.

8. The estimates, as submitted by the Fire Committee of Council, shall be in the form required by the Treasurer and shall include all costs pertaining to capital purchases and operating expenses for the Fire Department.

9. a) Remuneration for the Chief, Captains and firefighters, is determined based on the annual Fire Department budget approval plus remuneration based on service provided. (Volunteer Firefighter calculation).

   b) The Chief of the Fire Department shall ensure attendance records are kept of all members for all fires and practices and the said attendance record shall be the basis upon which the amount paid to the Department for attendance at fires is divided.

10. The Department shall not respond to any fire calls outside the limits of the municipality, except:

    a) with respect to any fire, which in the opinion of the Chief threatens any property within the municipality;
    b) from a municipality with which an agreement has been entered into provide fire protection on a mutual aid basis or at an annual rate or at a fee per call;
c) where an agreement to provide fire protection to an annual rate or fee per call basis has been entered into with any company, organization or person whose property is situate outside the municipal limits and distant not more than 15 miles therefrom;

d) in the event of the Department answering a call outside the municipality, no more than nine fire fighters and three Captains may accompany the equipment.

11. a) The Chief, or his designate or nominee, shall have charge of the conduct and general operation of the Department, including fighting a fire, responding to a fire alarm, at drills or practices, and the care and maintenance of the fire hall and of all apparatus, equipment and supplies, and shall be responsible for the training of all members.

b) The Chief shall;

i) maintain proper decorum, discipline and efficiency of the Department at fires, alarms and practices and in the discharge of all Department duties in so far as they have a bearing on the efficiency of the Department or the care and maintenance of the fire hall, apparatus, equipment and supplies;

ii) from time to time inspect for fire hazard all manufacturing and mercantile establishments, churches, schools, institutions, public buildings and places of public assembly, and on request inspect residences and designate any Captain or fire fighter as fire prevention inspector to assist in such duties.

c) The Chief or Secretary of the Fire Department shall ensure the following:

i) maintain a book to record the attendance of members of the Department at fires and practices, the particulars of every fire call and every fire reported to the Department and the apparatus, equipment and supplies used for each fire call, and any breakages, shortages or deficiencies in the apparatus, equipment and supplies, and any other information that may be required from time to time by the Council;

ii) submit a report to the Council monthly, or more often if requested, outlining the activities of the Department and the losses in life and property suffered by fire;

iii) submit a report to the Council and Workplace Safety and Insurance Board immediately of any injuries to members of the Department, and any occurrence requiring the suspension or dismissal of any member of the Department;

iv) report promptly all fires to the Fire Marshall of Ontario and the printed forms supplied for such purpose and otherwise comply with the provisions of The Fire Marshall’s Act and Regulations thereunder and other provincial laws for which the Fire Chief is an enforcing officer.

12. The Deputy Chief shall carry out the instructions of the Chief and shall assume the duties of the Chief in his/her absence, and it shall be his/her responsibility to see that all apparatus, equipment and supplies are kept in a clean and serviceable condition and ready for immediate use, and to detail fire fighters for such duties when necessary, and he/she shall report immediately to the Chief any deficiencies or untoward circumstances in connection with the same.

13. All Captains shall carry out the instructions of the Fire Chief and Deputy Fire Chief.
14. The fire fighters, except auxiliary fire fighters, shall respond promptly to all fire alarms, and all fire fighters including auxiliary fire fighters shall attend all practices as far as possible and carry out the instructions of the officers.

15. The Department shall meet at least once a month for practice and instruction in the use of all apparatus, equipment and supplies of the Department and the principles of fire prevention and fire protection.

16. The Incident Commander in charge of the Department at any fire may cause any fence or any out-structure to be removed or torn down, if such removal or tearing down appears necessary to prevent the spread of fire.

17. No persons shall impede, interfere with or hinder any officer or fire fighter in the discharge of his duties at a fire, in responding to a fire alarm or at a practice, and no person shall damage apparatus, equipment or supplies, and no person shall put to any use not authorized by the Fire Chief any apparatus, equipment or supplies.

18. Any person contravening any provisions of Section 17 of this by-law shall, upon conviction therefore, be liable to a fine not less than $250.00 and not exceeding $2,000.00 exclusive of costs or to imprisonment for any term not exceeding thirty days, or to both such fine and imprisonment.

19. The Fire Department Organization Chart is to form part of this by-law and is hereby attached as Schedule A.

20. In case the provisions of this by-law conflict with the provisions of any other by-law, the provisions of this by-law shall prevail.


READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18th DAY OF FEBRUARY, 2020

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MAYOR, John C. Grace

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CLERK, Andrea Fisher