

The United Townships of Head, Clara & Maria
PUBLIC FIRE SERVICE REVIEW



HERE IS YOUR CHANCE TO BE HEARD. COUNCIL IS CONSIDERING OPTIONS FOR FIRE SUPPRESSION WITHIN THE MUNICIPALITY. WE ARE HOLDING A PUBLIC MEETING SO THAT YOU CAN HAVE YOUR SAY!

WHAT TYPE OF SERVICE DO YOU WANT? NEED? ARE YOU WILLING TO PAY FOR?

COME OUT AND MAKE YOUR VOICE HEARD!

**SATURDAY
FEBRUARY 16/08
AT 9:00 A.M.
TOWNSHIP HALL
STONECLIFFE**

What about my insurance costs?

In the past, insurance professionals have been consulted and have assured us that there is no way, with the distances between hamlets and lack of a true fire department under the Office of the Fire Marshal, that we could meet the standards necessary to secure reduced insurance rates for our residences. The corresponding increase in your taxes to provide such a service would negate any insurance savings you might see.

Current Situation and Concerns

In September of 2007 questions concerning the policies, practices, and procedures of the municipality and the fire service were raised by one of the volunteers. Upon investigation by staff, more questions were raised than were answered. Further, it appears that there have been changes to the understanding that we had been operating under, specifically as to MNR requirements / services and to health and safety. (article p.2, *How a Council...*)

As a result, a more careful review of the service was warranted and has determined that certain areas require immediate attention. Changes are required before the 2008 fire season to ensure the safety of the volunteers and to protect the municipality from liability. These changes may require substantial additional funding. And so this meeting. Council is seeking your input.

In order to be compliant under current legislation, we will have to develop proper Health and Safety policies and training programs to adequately protect our volunteers! We have to **formally appoint** "competent" supervisors under the *Occupational Health and Safety Act*.

In order for us to continue our protection agreement with the Ministry of Natural Resources we need to change our training methods and levels. We will have to begin keeping accurate training records and we will have to appoint or hire a

trainer "qualified" under the Office of the Fire Marshal.

Additionally, Council is concerned with the lack of volunteers and the future of our service. We have a dedicated group of volunteers who we acknowledge and appreciate, however, we cannot expect these people to volunteer indefinitely. In order to man a service into the future, we need more people to become involved.

If we cannot recruit volunteers what options do we have for fire protection service within our municipality?

OUR OPTIONS

1. Maintain our volunteer fire service and the current agreement with the MNR. This would involve having all volunteers complete the SP100 level training as required by the MNR. It would further involve development of proper health and safety policies to help reduce liability for the municipality and to protect the volunteers. (additional criteria on page 4)
2. Establish a volunteer fire service without the MNR agreement—not recommended.
3. Obtain protection services from neighbouring municipalities. We have approached our neighbours to request services from their departments. Response from Papineau/ Cameron and Laurentian Hills has been negative. They are not in

a position to offer support.

4. Organize a true fire department under the Office of the Fire Marshal. (Cost prohibitive.)
5. Amend our agreement with the MNR to a Full Protection Agreement which would involve an insurance type comprehensive protection charge. This charge would be \$1.01/hectare (based on a 9 year old agreement). This agreement and rate may change as the Province deems it necessary, but would remain at \$1.01 for 2008. We have 5,073 hectares of private land within the municipality. The total annual cost under today's agreement would be \$5,580.30 per year. This would be the total costs to the municipality whether we had 1, 10 or 100 fires. The term of the agreement would be from 1–5 years and can begin in 2008 with a letter from Council requesting that the current agreement be modified.
6. Amend our agreement with the MNR to a full protection agreement for a year or more in order to recruit and properly train volunteers. Once we have reorganized our service, we could revert to the type of reciprocal agreement that we have now. (For additional information please see the complete reports to Council on our webpage under Agenda and Reports to Council.)

How a Council Determines a Level of Service

A Municipality's Responsibility

In 1997, *The Fire Protection and Prevention Act* was passed combining a number of other acts mandating the provision of fire protection.

Under the Act, a simplified risk assessment must be completed for each community to determine the needs and circumstances of the municipality and to establish (and fund) the level of fire protection, prevention and public fire safety education required.

The demographic profile, building stock profile, local and provincial fire loss profiles are all taken into account. This is how it was decided that our community would be best served by a Volunteer Wildfire Service and a Municipal Forest Fire Management Agreement with the Ministry of Natural Resources.

More recently, in 2004, Bill C-45 amended the *Criminal Code of Canada* so that in the case of an injury or fatality, in any workplace, the employer and the supervisor can now be held criminally responsible, face fines and/or jail time. Subsequently, liability issues need to be considered.

The *Occupational Health and Safety Act* legislates that ...

27. (1) A supervisor shall ensure that a worker,

(a) works in the manner and with the protective devices, measures and procedures required by this Act and the regulations; and

(b) uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn.

Additional duties of supervisor

(2) Without limiting the duty imposed by subsection (1), a supervisor shall,

(a) advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;

(b) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for protection of the worker; and

(c) take every precaution reasonable in the circumstances for the protection of a worker. R.S.O. 1990, c. O.1, s. 27.

To date these new laws and amendments have not been given adequate consideration within our organization. We have not performed our due diligence in identifying dangers and protecting our volunteers.

If it can be proven that carelessness, lack of training or inadequate equipment is identified as the cause of any injury, incident or fatality the supervisor at the work site (or fire scene) can be held personally liable and face criminal charges.

When an accident happens, one of the first questions asked is whether a municipality has a training program delivered according to a recognized standard and a formalized curriculum. Do we have proper policies and training in place to protect our workers? Does the municipality have competent supervisors appointed and records to support the type of training that the workers receive? Does the department have the proper equipment? Were the workers providing the type of service that they were equipped, trained and mandated to provide? The answer to most of these questions currently is NO, we do not have these policies in place.

The municipality has both responsibility and liability to consider.

The duties of care as specified under the *Occupational Health and Safety Act* are not being fulfilled within our structure and organization. Currently, the municipality does not have proper policy, procedures, documentation or reports to satisfy the Ministry of Labour that we have completed our due diligence should an incident occur. This needs to change.

A Fire Department?

We do not have the finances, manpower, equipment or experience to properly equip a "fire department" under the Office of the Fire Marshal (OFM). Costs of an appropriate truck would be in excess of \$250,000. Protective clothing for firefighters, which need to be replaced regularly, would cost between \$3,000 to \$3,500 per volunteer and completely replaced after use/damage and time.

What We Have

After consideration of all the issues and in consultation with the MNR and the OFM, the Municipality entered into a Municipal Forest Fire Management Agreement with the MNR and created a group of volunteers to operate under by-law which created a "Volunteer Wildfire Service". The "Level of Wildfire Service Document" for Head, Clara & Maria was created to mandate the services that our volunteers could provide. We are only allowed to provide services as outlined in this by-law. (please visit our webpage for fire related by-laws and appendices)

Our Current MNR/Municipal Fire Agreement

Pursuant to the *Forest Fires Prevention Act* each municipality is responsible to extinguish grass, brush, and forest fires on private lands within its limits; the MNR to provide the same services on Crown lands. The municipality may enter into an agreement with the MNR to provide services for all areas of a municipality. Currently we have an agreement with the MNR whereby we are responsible to: develop a forest fire prevention plan and program; control open air burning through a fire permit system; and at our own expense, agree to suppress grass, brush and forest fires within the Municipal Protection Area. Under the agreement, we can call in the MNR to assist if the fire within our area is beyond our capabilities. The agreement also allows for first response teams to take action until jurisdiction is determined. If we are first on the scene, we can take action and may receive compensation from the province should the fire be under their jurisdiction. Correspondingly, if the fire is on private/municipal property we will be invoiced by the province. In the past

both of these events have occurred. We have received compensation from the MNR, we have also paid the MNR for their services.

In order to continue our agreement with the MNR, the regional office recommends that we have our people update their training to the SP100 level (which is the training required of MNR firefighters). The cost of this training is \$800 per volunteer for the 2008 season. This training is valid for two years. After two years recertification is required at a cost of \$100-\$200 per volunteer for 2010 and every year thereafter. The MNR in Pembroke is willing to assist us in any way they can to provide that training. It will be at our cost however; they are willing to allow us to participate in training with them, space and time allowing. There is also the opportunity to have a private provider run the training. We are no longer able to do it ourselves. The S103 manuals that were originally purchased for our use were intended for use by designated fire departments under the OFM. These departments have Fire Chiefs who have received recognized training techniques under the OFM and therefore can provide instruction on the S103 package. We do not have a recognized fire chief under OFM.

Further, in order to continue with a volunteer service we would need to develop comprehensive Health and Safety policies, a comprehensive Council policy directing the future of the fire service, and more importantly, be able to recruit additional volunteers.

Without an influx of volunteers, continuation of this service is an unlikely possibility but one that needs your input. Do you wish for our fire service to continue? Are you willing to volunteer and complete the required training? Without new people, the future of the fire service is in jeopardy.

FINANCIAL CONSIDERATIONS

History

| Year | Gross Costs | Revenues | Net Cost |
|---------|-------------|-----------|----------|
| 2004 | \$21,646 | \$0.00 | \$21,646 |
| 2005* | \$18,612 | \$11,714* | \$6,898 |
| 2006 | \$24,027 | \$6,435 | \$17,592 |
| 2007** | \$17,700 | \$91 | \$17,609 |
| Average | \$20,496 | \$4,560 | \$15,936 |

Notes: Gross Costs include Community Fire Safety Officer expenses of approximately \$200 per year. They exclude any administrative costs associated with research, committee meetings, payroll, policy development etc.

*2005 revenues are not typical—resulted from insurance payments for assistance with vehicle fire along the highway and charges to a ratepayer for extinguishing a shed fire!

**2007 budgeted costs only—do not reflect true costs as Council put a freeze on spending back in October before all budgeted purchases had been completed for 2007 due to the new information provided to Council!

Options

1. Costs of volunteer service with new training requirements. (Excludes admin costs.) Estimate of 12 volunteers.

Initial training—12 x \$800 = \$9,600 plus

Ave Annual Cost of Fire Service \$15,936 = \$25,536 Minimum cost for 2008 (assuming all equipment and vehicles are operational).

2. No MNR Agreement—Not recommended.

3. Support from Neighbours—Not available.

4. OFM Fire Dept.—Cost Prohibitive.

5. Full MNR Agreement (at current contract prices) - \$5,580.30 per year.

6. Combination of full service agreement for 2008 and amended agreement for future. Combination of above costs.

Other Considerations

- Response time for MNR—approximately 1 hour after call, as is current. Probability of delayed response time due to MNR crews distance and availability.
- Availability of MNR staff—when fire hazard is high in our area, there are crews prepositioned here, we just don't often see them.
- Crews somewhat difficult to recall after shifts are over potentially allowing for times

with no coverage.

- There is a discernable time benefit to having our own service. Depending upon location, response time could be within 1/2 hour (excluding Deux Rivieres). This is a definite benefit however, our current policy states that we might not have a local response depending on availability of volunteers as we have no standby service.
- No option (other than #4) will affect anyone's insurance rates.
- Our fire service is not able to engage any structural or vehicle fire. What they can do is prevent the spread of fire from an existing building (or forest) by creating a barrier between your home and the fire. If the fire is a large forest fire the MNR would likely be here to provide that service anyway. However, time may be of the essence.
- Liability—injury, damage to property—with the current litigious society any applicant need only prove that we are 1% liable to have us 100% responsible for any accident/incident/damage resulting from our activities. This would include auto accidents with any of our equipment and/or damage to private property. The municipality needs to protect itself from liability.

QUESTIONS YOU NEED TO ASK?

- What level of service do I want for my home/property? Am I getting it?
- What is the best option to provide that service? Am I willing to volunteer?
- What is the cost of that service? Am I willing to pay for it?
- Are there other options available?
- Am I benefiting from the current structure and organization?
- What precautions have I, as a homeowner, taken to protect my home?
- Can I depend on my neighbours to help me?
- Is there something Council is not considering?
- Do I care enough to come out and speak up?

Should you not be available to attend this meeting but would like to be heard, please email your concerns to the clerk at twpshcm@xplornet.com, send us a note, drop by the office or call a member of Council.



TOWNSHIPS OF HEAD CLARA &
MARIA

Melinda Reith—Clerk
Ruth Morin—Treasurer
Wilfred Lamure—Road Superintendent
Carol Larocque—Disposal Site Attendant
Robert Labre—CBO—613-586-1950

15 Township Hall Road
Stonecliffe, Ontario
K0J 2K0

Phone: 613-586-2526
Fax: 613-586-2596
Email: New Address

twpshcm@xplornet.com

www.townshipsofheadclaramaria.ca



THE OFFICE OF THE FIRE
MARSHAL APPOINTEE

The Townships of Head, Clara & Maria shall appoint a Community Fire Safety Officer who will complete/or has completed the Basic Fire Prevention and Inspection Course given by the Office of the Fire Marshal. The Townships will, through the Community Fire Safety Officer, provide guidelines detailing fire prevention programs and activities that will aid in reducing or eliminating concerns regarding fire prevention.

The Community Fire Safety Officer will:

- Develop and provide a smoke alarm program with an additional focus on home escape planning;
- Provide fire inspections upon complaint and request;
- Distribute fire safety and education material; and
- Complete a Simplified Risk Assessment to be reviewed annually. ♦

REQUIREMENTS PRIOR TO FIRE SERVICE START UP

Should the volunteers continue to provide service to our municipality the following are areas that require IMMEDIATE attention and policy direction by Council:

- Creation and adoption of a Council Mission Statement detailing the organization, operation, authority, requirements, level of training, etc. of the fire service.
- The need for proper documentation of all aspects of fire service including completion, maintenance and retention of training and personnel files.
- Appointment or training of Chief Fire Warden to appropriate standards as outlined in a proper job description and as per the MNR agreement and the OFM. Determination of whether or not that should be a paid position. Delegation of authority and responsibility for all aspects of the Fire Service to that individual.
- Creation of a proper organization chart that depicts and determines who is qualified to be a supervisor on any scene. (It can no longer be the first person to arrive.) Chain of Command – Suggestions may come from volunteers to Head of Department to Clerk to Committee but it is Council's ultimate decision as to what changes are to be made and how the service is to operate.
- Compliance with the *Occupational Health and Safety Act* through adoption of proper policies as recommended by the Section 21 Ontario Fire Service Health and Safety Advisory Committee to fulfill obligations to our volunteers and protect the municipality from liability in the event of an incident involving serious injury or death.
- External review and inspection of equipment and implementation and documentation of proper maintenance program to ensure that all equipment is safe for our volunteers to use at all times and to ensure that we can prove it to the Ministry of Labour should that be necessary. Again, this is to protect the volunteers from injury or death and the municipality from liability.
- Creation and adoption of proper hiring, discipline, release, call-out, compensation, qualification and safety policies to ensure that all members are treated fairly. When does the clock start? End? Do we pay for travel? From where? What equipment are we authorized to use? Can we direct traffic? Who? When? How? How many people are required to report in before anyone responds to a fire? Can 2 people go out alone? 1? When do we call the MNR? Council policies need to be created and followed. Consequences of non-compliance need to be clearly defined and followed. Implementation of a policy of progressive discipline might be warranted.
- Consideration of health and fitness of volunteers and/or waiver informing the volunteer of all potential dangers associated with their volunteering and their acceptance of those dangers. Creation of a Standard of Health for volunteers. Creation of a document that will allow a volunteer to refuse to perform certain tasks, with no repercussions, if they feel the request is beyond their capabilities or comfort level.
- Complete update of existing Fire Service By-laws as our service is currently undertaking activities that have not been formally approved by Council.
- Plan for the future of the service. What would be an adequate level/component of equipment? When do we stop accumulating equipment? When does equipment need to be replaced? Is our equipment safe? At what point are vehicles/equipment retired?
- Sunset clause—at what point do we determine that we do not have enough volunteers to continue? How do we dissolve the service?
- We need to be careful with the use of titles and public perception. WE ARE NOT A FIRE DEPARTMENT! WE DO NOT HAVE A FIRE CHIEF. We are a Volunteer Wildfire Service and Wilfred Lamure is our Chief Fire Warden.
- These decisions are Councils. They have no easy task ahead of them.
- Lets protect the volunteers and the municipality. Council has requested your input.