

Type of Decision									
Meeting Date	Thursday, September 8, 2016				Report Date	Monday, September 5, 2016			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed

#08/09/16/1102 – OFMEM Request for Information

SUBJECT: Compliance with the Ontario Fire Marshal and Emergency Management Request for Information

RECOMMENDATION:

Council to provide direction to staff.

WHEREAS the Ontario Fire Marshal has requested a substantial amount of information concerning our efforts to comply with the provincial legislation concerning fire services and emergency management; some of which is on our website, has already been submitted or simply does not exist due to the size and composition of our municipality;

AND WHEREAS the compilation and submission of this information will be time consuming for already time strapped staff and is due within the next two weeks;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby direct staff to

BACKGROUND/EXECUTIVE SUMMARY:

The request from the Fire Marshal’s Office is made under the legislation which follows.

Although this will be time consuming; it appears we must comply.

HCM is in compliance with its legislated duties with respect to Emergency Management and the guidelines under the Fire Prevention and Protection Act. What we do not have are detailed accounts of what was done and by whom. We simply do it.

The list of documents requested is significant; some of which do not exist within our municipality. A municipality without a fire department is required to complete certain activities as on the attached guideline.

Due to our size, often these “programs” are verbal. Staff sit down, talk about what the plan is for the year and then just do it. We have a budget line for these purposes for Fire and Emergency Management which is used. We do not have a written policy or program, we simply look at the guidelines and then do it.

For example, in 2016 Bob Labre, our Community Fire Safety Officer contacted the people at Haven extinguishers to come out to June Jazaar to provide information to residents. At the same event we set up a table and hand out information about Emergency Preparedness and Fire Safety and have a draw for fire and emergency management equipment and supplies open only to our residents.

At Canada Day we handed out additional materials in the welcome packages. Information is available in the municipal office and on-line. Fire safety and Emergency management information is included in almost every newsletter. A special “Fire, Emergency and Safety” Newsletter is created each spring. Still we do not have a policy or procedure written down. It takes time we do not have.

The information requested for Emergency Management purposes is signed off on every year. We have always been compliant with emergency management – they already have most of the information requested within the organization somewhere.

Finally, any policies, procedure or by-laws we have related to Fire and Emergency Management are posted on-line.

FINANCIAL CONSIDERATIONS/BUDGET IMPACT:

Although we do have most of what is being requested; it will be time consuming and time is short with a small staff.

POLICY IMPACT:

OTHERS CONSULTED/RESOURCES:

Approved and Recommended by the Clerk	
Melinda Reith, Municipal Clerk	Melinda Reith

From the *Fire Protection and Prevention Act*

Powers of Fire Marshal

- 9. (1)** The Fire Marshal has the power,
- (a) to monitor, review and advise municipalities respecting the provision of fire protection services and to make recommendations to municipal councils for improving the efficiency and effectiveness of those services;
 - (b) to issue directives to assistants to the Fire Marshal respecting matters relating to this Act and the regulations;
 - (c) to advise and assist ministries and agencies of government respecting fire protection services and related matters;
 - (d) to issue guidelines to municipalities respecting fire protection services and related matters;

- (e) to co-operate with any body or person interested in developing and promoting the principles and practices of fire protection services;
- (f) to issue long service awards to persons involved in the provision of fire protection services; and
- (g) to exercise such other powers as may be assigned under this Act or as may be necessary to perform any duty assigned under this Act. 1997, c. 4, s. 9 (1).

Duties of Fire Marshal

- (2) It is the duty of the Fire Marshal,
 - (a) to investigate the cause, origin and circumstances of any fire or of any explosion or condition that in the opinion of the Fire Marshal might have caused a fire, explosion, loss of life or damage to property;
 - (b) to advise municipalities in the interpretation and enforcement of this Act and the regulations;
 - (c) to provide information and advice on fire safety matters and fire protection matters by means of public meetings, newspaper articles, publications, electronic media and exhibitions and otherwise as the Fire Marshal considers advisable;
 - (d) to develop training programs and evaluation systems for persons involved in the provision of fire protection services and to provide programs to improve practices relating to fire protection services;
 - (e) to maintain and operate a central fire college;
 - (f) to keep a record of every fire reported to the Fire Marshal with the facts, statistics and circumstances that are required under this Act;
 - (g) to develop and maintain statistical records and conduct studies in respect of fire protection services; and
 - (h) to perform such other duties as may be assigned to the Fire Marshal under this Act. 1997, c. 4, s. 9 (2).

Offences

- 28. (1) Every person is guilty of an offence if he or she,
 - (a) hinders, obstructs or interferes with the Fire Marshal, an assistant to the Fire Marshal or a fire chief in the exercise of his or her powers and duties;
 - (b) prevents an inspector from entering land or premises under section 19 or 20, refuses to answer questions on matters relevant to the inspection or provides the inspector with information, on matters relevant to the inspection, that the person knows, or ought reasonably to know, to be false or misleading;
 - (c) subject to subsection (2) contravenes any provisions of this Act or the regulations; or
 - (d) refuses or neglects to obey or carry out the directives of the Fire Marshal, an assistant to the Fire Marshal or a fire chief given under the authority of this Act. 1997, c. 4, s. 28 (1); 2002, c. 18, Sched. N, s. 6.

Same

- (2) A person who contravenes a provision in Part IX of this Act is not guilty of an offence. 1997, c. 4, s. 28 (2).

Penalty

- (3) An individual convicted of an offence under subsection (1) is liable to,
- (a) in the case of an offence other than one described in clause (b), a fine of not more than \$20,000 or imprisonment for a term of not more than one year, or both; and
 - (b) in the case of an offence for contravention of the fire code, a fine of not more than \$50,000 or imprisonment for a term of not more than one year, or both. 2005, c. 33, s. 8.

Same

(4) A corporation convicted of an offence under subsection (1) is liable to a fine of not more than \$100,000. 2005, c. 33, s. 8.