



Bill No. XXX

**BY-LAW NUMBER 2025-XXX**

**A By-law to Establish and Regulate the Barrie Fire and Emergency Service and to repeal By-law 2012-200.**

**WHEREAS**, the Municipal Act, S.O. 2001, c. 25, Section 8, shall be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and, enhance their ability to respond to municipal issues;

**AND WHEREAS**, the Municipal Act, S.O. 2001, c. 25, Section 9, and 11 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS**, the Municipal Act, S.O. 2001, c. 25, Section 10 (2), provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein including the health, safety and wellbeing of persons;

**AND WHEREAS** Section 2(1)(a)(b) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4 (FPPA), requires municipalities to establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention and provide such other fire protection services as it determines may be necessary with its needs and circumstances;

**And WHEREA** Section 5 (0.1) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4 (FPPA) provides that a municipality may establish, maintain and operate a fire department for all or any part of the municipality;

**AND WHEREAS** Council has adopted the Barrie Fire and Emergency Service Fire Master Plan, which outlines strategic objectives and services;

**AND WHEREAS** by motion 25-G-XXX, the Council of The Corporation of the City of Barrie deems it expedient to repeal By-law 2012-200 and pass a new By-law establishing and regulating the Barrie Fire and Emergency Service.

**NOW THEREFORE** the Council of The Corporation of the City of Barrie enacts as follows:

## 1. Definitions

In this by-law unless the context otherwise requires:

- **“Approved”** means approved by council;
- **“Assistant Deputy Fire Chief”** means the person(s) appointed by by-law of Council to act in the place of the Deputy Fire Chief in the Deputy Fire Chief’s absence, or in the case of a vacancy in the position of Deputy Fire Chief and/or Fire Chief;
- **“Automatic Aid”** means a service agreement that ensures the closest available fire service responds, regardless of municipal boundary.
- **“BFES”** means the Barrie Fire and Emergency Service.
- **“CAO”** means the Chief Administrative Officer/City Manager of the City of Barrie.
- **“Chief Fire Official”** means the Fire Chief or their designate acting under authority of the FPPA;
- **“Community Emergency Management Coordinator (CEMC)”** means the municipal employee or member designated to coordinate the emergency management program in accordance with the *Emergency Management and Civil Protection Act* (EMCPA).
- **“Community Risk Assessment (CRA)”** means an assessment prepared under Ontario Regulation 378/18 identifying fire risks in the community to inform fire protection services.
- **“Corporation”** means the Corporation of the City of Barrie;
- **“City of Barrie”** means the land within the geographical boundaries of the City;
- **“Council”** means the Council of the Corporation of the City of Barrie;
- **“Department”** means the Barrie Fire and Emergency Service;
- **“Deputy Fire Chief”** means the person(s) appointed by by-law of Council to act in the place of the Fire Chief in the Fire Chief’s absence, or in the case of a vacancy in the position of Fire Chief;
- **“Designate”** means a member of the Department who is designated as an Assistant to the Fire Marshal in accordance with section 6(6) of Part II of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4.
- **“Emergency Management and Civil Protection Act (EMCPA)”** means the legislation governing municipal emergency programs in Ontario.
- **“Fire Chief”** means the person appointed by by-law of the Council to act as the head of the fire department, and who is ultimately responsible to the council of the municipality that appointed them for the delivery of fire protection services, in accordance with section 6(3) of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4. The Fire Chief may report through the General Manager of Community & Corporate Services or other senior municipal official as designated by the municipality.

- **"Fire Protection Services"** include fire suppression, fire prevention, public education, emergency medical response, hazardous materials response, technical rescue, dispatch, training, and other services as defined under the Fire Protection and Prevention Act ("FPPA").
- **"Fire and Emergency Service"** means the emergency services provided by the City of Barrie including fire suppression, fire prevention, public education, communications, preservation of property and the environment, public assistance, technical rescue, hazardous materials response, tiered medical response, fire investigations and training of persons involved in the provision of those services;
- **"Fire Fighters Association"** means the Barrie Professional Fire fighters Association;
- **"Member"** means any employee of the Corporation who is employed in the Department;
- **"Mutual Aid"** means a program under which participating municipalities agree to assist each other during emergencies.
- **"National Fire Protection Association (NFPA)"** means a global organization that develops and maintains consensus-based codes and standards for fire and emergency services.
- **"Simcoe County Mutual Aid Agreement(s)"** means a reciprocal agreement entered into between the Fire Departments within the municipalities of Simcoe County whereby one or more municipalities would, upon request, provide fire and/or emergency support service to another to combat any emergency if it could not be handled by the one municipality alone. This does not include special technical services that municipalities may enter into agreements under authority of the Municipal Act or provisions contained in the Fire Protection and Prevention Act;
- **"Workplace Safety and Insurance Board (WSIB)"** means an independent agency of the Government of Ontario that administers compensation and no-fault insurance for workers and employers, and promotes workplace health and safety through compliance, prevention programs, and return-to-work initiatives.

## 2. Establishment of the Fire Department

2.1 The Barrie Fire and Emergency Service ("BFES") is hereby established to provide fire protection services within the City of Barrie. 2.2 BFES shall operate under the direction of the Fire Chief and in accordance with this by-law, the FPPA, the EMCPA, and other applicable legislation.

## 3. Composition

3.1 BFES shall consist of:

- Fire Chief
- Deputy Fire Chiefs
- Assistant Deputy Fire Chiefs
- Platoon Chiefs
- Captains

- Firefighters
- Communication Officers
- Communication Operators
- Chief Fire Prevention Officer (CFPO)
- Fire Prevention Officers (including Plans Examiners)
- Fire Prevention Inspectors
- Fire Safety & Public Educators
- Chief Training Officer (CTO)
- Training Officers (including Shift Training Officers (STI's))
- Administrative Support Staff
- Other personnel as authorized by the Fire Chief and approved by the CAO

3.2 The organizational structure of BFES shall be determined by the Fire Chief and approved by the CAO.

#### **4. Duties and Responsibilities**

4.1 BFES shall provide:

- Fire suppression and rescue operations
- Fire prevention, inspection, investigation, and enforcement of the *Ontario Fire Code* and *Building Code Act*
- Public education programs on fire safety
- Emergency response to hazardous materials incidents
- Emergency medical response under tiered response agreements
- Technical rescue, including ice/water rescue, confined space, trench rescue, structural collapse, drone/UAS operations, and high-angle rescue
- Emergency management program development and coordination
- Ongoing training and professional development as required by legislation and NFPA/EMCPA standards
- Maintenance of apparatus, equipment, and facilities
- Dispatch and communication services

4.2 BFES shall also:

- Maintain a Fire Master Plan and Community Risk Assessment (CRA) in compliance with O. Reg. 378/18
- Collaborate with internal departments and external agencies
- Participate in mutual and automatic aid agreements
- Submit annual reports to Council on services, outcomes, and performance metrics

#### **5. Appointments:**

5.1 The Fire Chief shall be appointed by Council and is responsible for the overall administration and operation of BFES, as required by the Fire Protection and Prevention Act, 1997.

- Lead all divisions and personnel within BFES
- Develop and implement operational policies and procedures
- Prepare and manage the department's budget

- Ensure compliance with relevant legislation and standards
- Liaise with Council, CAO, and external partners
- Serve as the Community Emergency Management Coordinator (CEMC) or designate an appropriate officer to fulfill this role

5.2 The Fire Chief may delegate any powers or duties under Sections 14, 19, and 20 of the FPPA in writing to any officer or class of firefighters, subject to any restrictions or limitations set out in the delegation.

5.3 Deputy Fire Chief(s) in the absence of the Fire Chief, the Deputy Fire Chief(s) shall assume responsibility for the administration and operation of the Department. Otherwise, the duties of the Deputy Fire Chief(s) shall be as outlined in the by-law appointing the Deputy Fire Chief.

5.4 Assistant Deputy Fire Chief(s) in the absence of a Deputy Fire Chief and/or the Fire Chief, the Assistant Deputy Fire Chief(s) shall assume responsibility for the Deputy Fire Chief and/or Fire Chief. Otherwise, the duties of the Assistant Deputy Fire Chief(s) shall be as outlined in the by-law appointing the Assistant Deputy Fire Chief.

## **6. Powers of Entry**

6.1 The Fire Chief and authorized personnel may enter premises at reasonable times to conduct inspections, investigations, or carry out duties under the Fire Protection and Prevention Act (FPPA) or *Ontario Fire Code*.

6.2 Entry into dwellings shall only be made in accordance with applicable legislation, including the FPPA, the *Charter of Rights and Freedoms*, and any other relevant law.

6.3 The designation of Assistant to the Ontario Fire Marshal provides authority under the Fire Protection and Prevention Act (FPPA, 1997) to support and uphold the mandates of the Fire Marshal. This designation ensures Barrie Fire and Emergency Services remains aligned with provincial legislation, compliance requirements, and best practices.

## **7. Enforcement**

7.1 The Fire Chief, or designate, shall be authorized pursuant to the FPPA to enforce, and/or shall comply with:

- a) The provisions of the Fire Protection and Prevention Act (FPPA), R.S.O. 1997 c. 4;
- b) All Corporation by-laws relating to fire services;
- c) The provisions of the Department mandate;

7.2 The Fire Chief shall take all proper measures for the prevention, mitigation, control and extinguishment of fires and the protection of life and property and shall exercise all powers mandated by FPPA, and the fire Chief shall be empowered to authorize:

- a) Board up, barricade or otherwise protect any building, structure or property, in order to guard against fire, accident or other danger or risk; and

- b) Pull down or demolish any building or structure, in order to prevent the spread of fire, accident or other danger or risk. The corporation may recover expenses incurred as a result of such necessary action in a manner provided by the Municipal Act, the fire Protection and Prevent Act and/or municipal by-laws, and
- c) Enter and inspect any building or premises in the City of Barrie and direct such alterations to be made and such precautions to be taken as they deem necessary or the purpose of complying with any Statutes or Regulations made for the better protection of life and property.

7.3 The Fire Chief shall implement all approved policies and shall develop such standard operating guidelines, policies and procedures, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all department personnel and department equipment.

7.4 Each Branch of the Department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or a member designated by the Fire Chief. Designated members shall report to the Fire Chief on Branch activities under their supervision and shall carry out all orders of the Fire Chief.

7.5 Where the Fire Chief designates a member to act in the place of an officer in the department, such member, when so acting, has all of the powers and shall perform all duties of the officer replaced.

## **8. Emergency Management**

8.1 BFES shall develop, implement, and maintain a municipal emergency management program in compliance with the EMCPA and O. Reg. 380/04.

8.2 The program shall include:

- Hazard Identification and Risk Assessment (HIRA)
- Development of an Emergency Plan
- Public awareness and education
- Annual training and emergency exercises
- Emergency response and recovery procedures

8.3 The Fire Chief or designate shall serve as the CEMC and coordinate municipal emergency preparedness, response, and recovery operations.

## **9. Agreements**

9.1 The Fire Chief may, subject to Council approval or delegated authority, enter into agreements for:

- Mutual aid with neighboring municipalities
- Automatic aid and tiered response services
- Shared dispatch or communications infrastructure
- Specialized response teams or training collaborations
- Emergency response support with private or public organizations

## **10. Mutual Aid**

10.1 The Department shall not respond to a call with respect to a fire or other emergency outside of the City of Barrie except with respect to a fire or emergency that:

- a) In the opinion of the Fire Chief or designate, threatens property in the City of Barrie or property that is outside the City of Barrie and that is owned or occupied by the Corporation;
- b) Is in a municipality or on other property with which an approved agreement has been entered into to provide fire protection or technical rescue services;
- c) At the discretion of the Fire Chief, to a municipality authorized to participate in the Simcoe County Mutual Fire Aid Agreement established by a fire coordinator appointed by the fire marshal or any other similar reciprocal plan or program, to provide fire protection or technical rescue services; and
- d) Is on property outside the City of Barrie, if the Fire Chief or designate determines that immediate action is necessary to preserve and protect life and/or property and the correct department is notified and/or assumes command. The Fire Chief shall subsequently inform the Chief Administrative Officer of such response.

## **11. Administration and Records**

11.1 BFES shall maintain accurate and up-to-date records, including:

- Emergency incident data and response times
- Fire prevention inspections and enforcement
- Training, certification, and professional development of personnel
- Maintenance and testing logs for equipment and apparatus
- Public education and outreach records
- Workplace safety, WSIB, and injury reports

11.2 An annual report summarizing BFES activities, performance indicators, and key priorities shall be presented to Council.

## **12. Emergency Fire Dispatch Agreements**

12.1 The Fire Chief may enter into Emergency Fire Dispatch Agreements with other municipalities, or extend current agreements, allowing the Department to dispatch another municipality's emergency vehicles.

## **13. Severability Clause**

13.1 If any part of the by-law is found invalid, the remainder continues in force.

## **14. Repeal and Enactment**

14.1 By-law No. 2012-200 and any other by-laws inconsistent with this by-law are hereby repealed.

14.2 This by-law shall come into force and take effect on the date of its final passing.

**References/Compliance:**

- ✓ Fire Department establishment - FPPA s.2(1)(a); s.12
- ✓ Fire Chief appointment and delegation - FPPA ss.6(1), 14, 19–20
- ✓ Duties of the fire department - FPPA s.2(1) and NFPA alignment
- ✓ Organizational structure and personnel roles - OFM Guidelines
- ✓ Community Risk Assessment (CRA) - O. Reg. 378/18
- ✓ Fire Master Plan reference - OFM Best Practice
- ✓ Emergency Management program - EMCPA s.2.1 and O. Reg. 380/04
- ✓ Mutual/Automatic Aid and Tiered Response - FPPA and OFM Guidelines
- ✓ Records, inspections, and reporting - OFM and EMO audit standards
- ✓ Legal entry powers - FPPA s.19

**Summary of Improvements**

| <b>Area</b>                | <b>Old By-law (2012)</b> | <b>New By-law (2025)</b>           | <b>Comment</b>                            |
|----------------------------|--------------------------|------------------------------------|-------------------------------------------|
| Legislative References     | Limited                  | Comprehensive                      | Includes FPPA, EMCPA, CRA, NFPA           |
| Organizational Detail      | General                  | Detailed                           | Identifies key roles and modern structure |
| Emergency Management       | Absent                   | Integrated                         | Ensures EMCPA compliance                  |
| Service Mandate            | General                  | Specific                           | Matches modern FUS/NFPA expectations      |
| Agreements                 | Basic                    | Detailed with authority provisions | Clarifies delegation, approval processes  |
| Performance Accountability | Minimal                  | Defined                            | Enables better Council oversight          |
| Legal Language             | Dated                    | Charter-compliant                  | Improves enforceability                   |