

**TOWN OF LONG HARBOUR-MOUNT ARLINGTON HEIGHTS
FIRE DEPARTMENT BY-LAW**

PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the Towns and Local Service Districts Act Chapter T-6.2, Section 7(1)(f), the Town of Long Harbour-Mount Arlington Heights has made the following By-Law.

RESOLUTION NUMBER: 09-11-25-10



Walter Keating, Mayor



Juanita Gosse, Town Clerk/Manager

1. TITLE

This By-law shall be known and cited as the "Town of Long Harbour-Mount Arlington Heights Fire Department By-Law".

2. INTERPRETATION

In this By-law:

- a. "Fire Chief" means the person appointed under Section 69 of the Towns and Local Service Districts Act (SNL2023 Chapter T-6.2), to the Director of Emergency Services/Fire Chief in accordance with this position's role description.
- b. "Deputy Fire Chief" means the person appointed in the accordance to assist the Fire Chief in the management and operations of the Long Harbour-Mount Arlington Heights Fire Department (LHMAH Fire Department) in accordance with this position's role description, and will act on behalf of the Fire Chief in the case of an absence or a vacancy in the Office of the Fire Chief.
- c. "Automatic Aid" means any agreement between two or more fire departments for immediate joint response on first alarm. Where a municipality agrees to provide an initial response to fires, rescues and emergencies that may occur in a part of another municipality where a fire department is capable of responding more quickly than any fire department situated in the other municipality; or a municipality agrees to provide a supplemental response to fires, rescues and emergencies that may occur in a part of another municipality where the department in the municipality is capable

of providing the quickest supplemental response to fires, recues and emergencies occurring in the part of another municipality.

- d. "Town Clerk/Manager" means the person appointed by council to be the Chief Administrative Officer (CAO for the Town of Long Harbour-Mount Arlington Heights.)
- e. "Core Services" shall mean those services as defined in Schedule "A" of this by-law.
- f. "Corporation" means the Corporation of the Town of Long Harbour-Mount Arlington Heights.
- g. "Council" means the Council for the Town of Long Harbour-Mount Arlington Heights.
- h. "Emergency Activities" are activities of the Fire Department relating to rescue, fire suppression, emergency medical services, and special operations, including response to the scene of the incident and all functions performed at the emergency scene.
- i. "Emergency Response Area" means the geographic area of the Town of Long Harbour-Mount Arlington Heights.
- j. "Fire Department" means the Long Harbour-Mount Arlington Heights Volunteer Fire Department established by the Town of Long Harbour-Mount Arlington Heights under Section 163 of the Towns and Local Service Districts Act.
- k. "Firefighter" means the Fire Chief, the Deputy Chief and any other person appointed to, the Fire Department and assigned to undertake fire protection services.
- l. "FPSA" means the Fire Protection Services Act (SNL2008 Chapter F-11.01), as amended, or any successor legislation, and any regulation made there under.
- m. "Fire Protection Service" means the measures taken to prevent and reduce the impact of fire, to protect life and the safety of persons and property from fire, and the preservation and protection of the environment. It involves the implementation of safety planning practices and drills, and includes education on fire, safety planning, building construction, safe operations, training and testing of mitigating systems.
- n. "Limited Service" means a variation of core services that are provided due to extenuating circumstances. These circumstances can include, but are not limited to, insufficient numbers of firefighters; environmental factors; remote properties;

impediments to access; private roadways, lanes, or drives; obstructions; extraordinary hazards or unsafe conditions; travel distances; water supply; structural integrity.

- o. "Medical Response" shall mean emergency pre-hospital care response and medical acts or other first aid.
- p. "Municipality" means the Town of Long Harbour-Mount Arlington Heights.
- q. "Mutual Aid" means a program to request, provide or receive assistance in the case of a major emergency in a municipality, community or area where resources in a municipality, community or area have been depleted but does not include "Automatic Aid".
- r. "NFPA" means codes, standards, recommended practices, and guides as developed and amended by the *National Fire Protection Association*.
- s. "Officer" means those persons appointed by the LHMAH Fire Department, as meets the qualifications and, if applicable, completes successfully criteria for such appointment to Captains and Lieutenants.
- t. "Search and Rescue" means response and rescue to vehicle extrication, wilderness rescue, water rescue (to include ice water rescue) and any other special rescue required.

3. APPLICATION

- a. The Fire Department is continued under this by law to provide fire protection services for the Corporation and shall be known as the Long Harbour-Mount Arlington Heights Fire Department.
- b. The primary goal of the Fire Department shall be as set out in the attached Schedule A, forming part of this by-law.

4. PROCEDURE

4.1 TERMS AND CONDITIONS OF VOLUNTEER FIREFIGHTERS

- a. The terms and conditions of a volunteer firefighter that comprise the Fire Department shall be determined by the Town Council acting in accordance with

the policies and programs established by the Town Council of Long Harbour-Mount Arlington Heights.

4.2 ORGANIZATION

The Long Harbour-Mount Arlington Heights Fire Department shall be organized as set out in their organizational chart.

Organizational Chart

- Fire Chief
- Deputy Fire Chief
- Lieutenants
- Captains
- Firefighters
- Administration

4.3 CORE SERVICES

- a) For the purposes of this by-law, core services provided by the Fire department shall be as set out in Schedule A, entitled, "Core Services", attached to and forming an integral part of this by-law.
- b) Notwithstanding Section 4.1, due to the Fire Department's reliance upon volunteer firefighters, the topographic and geographic configuration of the response area, the level and amount of equipment at the Fire Department's disposal, and other budgetary constraints, the core services listed in Schedule "A", although approved, may be provided as "Limited Services" at the sole discretion of the Fire Chief. The Corporation of the Town of Long Harbour-Mount Arlington Heights accepts no liability for any delay or inability to supply the services set out in Schedule "A" of this by-law due to the provision of its "Core Services" as "Limited Services" or due to the existence of unsafe conditions encountered on route, impeded access to property, and/or environmental factors or constraints or other similar factors.

4.4 RESPONSIBILITIES AND AUTHORITY OF THE FIRE CHIEF

- a. The Fire Chief is responsible to Council, through the Town Clerk/Manager for the administration and operation of the Fire Department, including the delivery of fire protection services.

- b. The Fire Chief shall be authorized to draft policies for council approval, and the Fire Chief is authorized to create and approve standard operational guidelines (SOGs), and to take such other measures as the Fire Chief may consider necessary for the proper administration and efficient operations of the Fire Department, and effective management of fire protection services without restricting the generality of the foregoing:
- i. For the care, maintenance and protection of all property belonging to the Town of Long Harbour-Mount Arlington Heights.
 - ii. For arranging for the provision of necessary and proper facilities, apparatus, equipment, services and supplies for the Fire Department.
 - iii. For keeping an accurate record, in convenient form for references, of all fires, rescues, suppression, public education, training and emergencies conducted by the Fire Department.
 - iv. For keeping such other records as may be required by Council and the FPSA.
 - v. For preparing and presenting reports on the Fire Department to Council.
 - vi. For preparing and presenting the annual budget estimates of the Fire Department to Council for the Fire Department.
 - vii. The Fire Chief shall implement the policies established by Council to be communicated and maintained to meet legislation and shall be communicated to firefighters through the management team at the LHMAH Fire Department.
 - viii. The Fire Chief shall have all powers, rights and duties assigned to a Fire Chief under the Towns and Local Service Districts Act (SNL 2023 Chapter T-6.2).
 - viii. The Fire Chief may liaise with the Fire Services Division of the Department of Justice & Public Safety and any other office or organization as required by Council or as considered necessary or advisable by the Fire Chief for the proper administration and efficient operation of the Fire Department and the effective management of the fire protection services for the Corporation.

- ix. The Fire Chief may utilize firefighters of the LHMAH Fire Department as the Fire Chief may determine, from time to time, to assist in the performance of his or her duties.

4.5 THE FIRE CHIEF

- a. Shall review, as and when required, the policies and SOG's of the Fire Department and report back to the Town Clerk/Manager.
- b. Shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property.
- c. Shall enforce any and all municipal by-laws with respect to fire prevention.
- d. Shall adhere to the provisions of the *FPSA*.
- e. The Fire Chief is responsible for the enforcement of this by-law, the policies of the Fire Department, and SOGs of the Fire Department.
- f. The Deputy Fire Chief shall be determined in consultation between the Fire Chief and the members of the Fire Department, as and when required. The Deputy Fire Chief shall have the same authority and responsibilities as the Fire Chief and shall perform all of the duties of the Fire Chief in the Fire Chief's absence. The Fire Chief shall designate, in writing, in the absence of himself and the Deputy Chief for an extended period, a Captain to be his/her designate, and the Fire Chief shall report such designation to the Town Clerk/Manager.
- g. The Fire Department, under the supervision of the Fire Chief and direction of Council, shall perform the following duties:
 - a. Administration
 - b. Apparatus, equipment and communication maintenance
 - c. Emergency operations
 - d. Fire prevention
 - e. Fire protection Services
 - f. Training

The responsibility for the performance of such functions may be delegated in writing, by the Fire Chief, to his Deputy Chief, or to an officer or firefighter of the Fire Department. The Fire Chief is responsible for ensuring that functions are applied in accordance with all applicable SOG's, Council policy and by-laws.

4.6 GENERAL DUTIES AND RESPONSIBILITIES

Every firefighter shall conduct themselves in accordance with the policies, procedures, rules, guidelines, and by-laws as adopted by the office of the Fire Chief and shall give their whole and undivided attention while on duty to the efficient operations of the Fire Department. Further, they shall perform the duties assigned to them to the best of their ability in accordance with the Departmental policies, and SOGs; or other written agreement that may be applicable; and/or policies, guidelines rules and procedures established by Council.

4.7 PROPERTY

- A. No person shall supply any apparatus, equipment or other property of the Fire department for any personal or private reasons.
- B. No person shall willfully damage or render ineffective or inoperative any apparatus, equipment or other property belonging to or used by the Fire Department.

4.8 FIRE SUPPRESSION

- a. The Fire Chief shall take all appropriate measures for the prevention, control and extinguishment of fires, the protection of life and property, and the protection of the environment, and shall exercise all powers mandated by the Towns and Local Service Districts Act (SNL 2023 Chapter T-6.2).
- b. The Fire Chief shall ensure structural firefighting including limited internal rescue and fire attack are in accordance with the Fire Department's level of training, SOGs, Occupational Health and Safety Guidelines and the number and type of personnel and equipment available to the Fire Department on the scene of each, specific emergency response.

4.9 ADDITIONAL EXPENSES

If, as a result of the Fire department's response to an emergency, or carrying out of any of its duties or functions, the fire Chief or Fire Captain determines that it is necessary to incur additional expenses, retain a private contractor, rent special equipment not normally carried on a fire apparatus or use more materials than are carried on a fire apparatus in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, control and eliminate an emergency, carry out or prevent damage to equipment owned by the Corporation or otherwise carry

out the duties and functions of the Fire Department, such costs shall be borne by the Town.

4.10 EMERGENCY RESPONSE OUTSIDE THE LIMITS OF THE MUNICIPALITY

The Fire Department shall not respond to a call with respect to a fire or emergency outside the territorial limits of the Fire Department's response area as identified in the attached Schedule B forming part of this by-law, with respect to a fire or emergency without consultation with the Fire Chief, the Deputy Fire Chief and the Mayor. This is not withstanding:

- Any Memorandum of Understanding (MOU) currently in place.
- That, in the opinion of the Fire Chief, Deputy Chief or designate of the Fire Department, threatens property in the Municipality or property situated outside the Municipality that is owned or occupied by the Municipality.
- In a Municipality with which an approved automatic aid or mutual aid agreement has been entered into to provide fire protection services.
- On property with which an approved agreement has been entered into with any person or corporation to provide fire protection services.
- At the discretion of the Fire Chief, to a municipality authorized to participate in any mutual aid plan or respond to a request from the Provincial Fire Commissioner to respond to other fire and emergency situations.
- On property beyond the territorial limits of the Fire Department where the Fire Chief, Deputy Fire Chief, or designate determines immediate action is necessary to preserve life and/or property and the correct fire department is notified and/or assumes command or establishes alternative measures, acceptable to the Fire Chief, Deputy Chief or designate.

4.11 SCHEDULES

The following items shall form an integral part of the by-law and shall be attached as schedules:

Schedule A – Core Services

Schedule B – Emergency Response Area

5. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS

Each section of this by-law and each separate part of each section is hereby expressly declared to be separable and, if any section, sentence, portion or part of this by-law shall be declared invalid, such invalidity shall affect only such sections, sentence, portion or part so declared invalid.

6. COMPLIANCE WITH OTHER ACTS AND REGULATIONS

Nothing in this by-law serves to exempt any person from obtaining any License, permission, authority or approval required by any other By-law of the town or any statute or regulation of the Province of Newfoundland and Labrador, and in such cases where more than one Regulation, by-law or statute applies the more restrictive regulation or statute shall apply.

7. EFFECTIVE DATE

This by-law shall come into force on the 12th day of September 2025.

SCHEDULE "A"
CORE SERVICES

Core Services may be limited or reduced due to the Fire Department's composition of volunteer firefighters, the topographic and geographic configuration of the response area, the level and amount of equipment at the Fire Department's disposal, and other budgetary constraints. The Fire Chief may, in his or her sole professional discretion, limit the level of core service that will be provided in certain circumstances. The decision to provide limited services shall be made after assessing the individual circumstances and determining whether the core service can be delivered safely, recognizing all relevant considerations.

The Municipality accepts no liability for the delay or inability to supply the core services listed below due to the existence of unsafe conditions encountered on route, impeded access to property, environmental factors/constraints, and/or the limitations described above.

All emergency responses and training will comply with applicable provincial legislation, in accordance with recognized curriculum and industry standards.

1. FIRE PREVENTION AND EDUCATION

- 1.1 Shall include the distribution of fire and life safety information and public education programs in accordance with the FPSA and Fire Prevention activities and initiatives.
- 1.2 Shall include residential home fire safety, and smoke and carbon monoxide alarm awareness campaigns.
- 1.3 Fire and life safety communications shall be distributed using media tools, social media platforms, in-person educational sessions at Station 1 or at a venue mutually agreed upon by the Fire Department and the user group and other outlets, as appropriate.
- 1.4 Public/community awareness campaigns can be completed with scheduled special events throughout the calendar year. This includes Fire Prevention Week Open House, school fire drills, supporting community events, and any other events at the request of Council.

2. STRUCTURAL FIREFIGHTING: OFFENSIVE AND DEFENSIVE

- 3.1 Structural Firefighting shall include a comprehensive, coordinated arrangement of resources and functions which are organized to respond in a timely, staged manner to targeted fire emergencies, regardless of the cause, and to minimize the impact on persons, property and the environment.
- 3.2 Fire suppression services shall be delivered in defensive mode.

4. WILDLAND FIREFIGHTING

- 4.1 Wildfire services shall include a comprehensive, coordinated arrangement of resources and functions which are organized to respond in a timely, staged manner to targeted wildland fire emergencies, regardless of the cause, and to minimize the impact on persons, property, and the environment within the Municipality.
- 4.2 A wildfire or wildland fire is a fire in an area of combustible vegetation that occurs within the Wildland Urban Interface (WUI).
- 4.3 Wildland fires are uncontrolled fires based on the combination of factors such as available fuels, physical setting, and weather.
- 4.4 All wildland fires must be reported to the Department of Fisheries, Forestry and Agriculture for both operational and statistical purposes by contacting the Forestry Division at Paddy's Pond through local numbers: 709 729-4180 or 709 729-2348.
- 4.5 Upon arrival of the Forestry Division, they will take lead on any wildland fires. The Fire Chief, Deputy Chief or Designate will discuss with the Forestry Division Officer if the LHMAH Fire Department can be released from the active scene or are required for sustained, fire suppression activities.

5. MEDICAL RESPONSE

- 5.1 Medical Response shall include emergency, pre-hospital care response and medical acts or other first aid such as cardiopulmonary resuscitation (CPR), oxygen administration, and application of an Automatic External Defibrillator (AED) as required.
- 5.2 These services shall be maintained as per the Chief's approved Standard Operating Guidelines as appropriate and instituted as per the latest emergency services

agreement and appropriate to the needs of the Municipality as recommended by the Fire Chief.

5.3 The LHMAH Fire Department does not have Provincial Medical Oversight for the administration of prescription or non-prescription medication, nor can they administer Naloxone, in the event of a patient who is suspected of an opioid overdose.

6. VEHICLE EXTRICATION – SEARCH AND RESCUE

6.1 Search and rescue operations shall include land search.

7. WATERCRAFT OPERATIONS- SEARCH AND RESCUE

7.1 Search and rescue operations shall not include performing watercraft-assisted and watercraft-based operations to locate, access, provide treatment and extricate individuals as required.

7.2 SPECIAL OPERATIONS/SEARCH AND RESCUE

8.1 Special operations search, and rescue includes unforeseen events caused by natural disaster, intentional acts, or other unforeseen causes where persons or property are at risk or endangered.

Town of Long Harbour-Mount Arlington Heights Fire Department
Fire Department By-Law

Schedule B – Emergency Response Area

"Add Map showing the LHMAH Response Area"

