

MUNICIPALITY OF THE DISTRICT OF ARGYLE <b>POLICY AND ADMINISTRATION MANUAL</b>	REFERENCE NUMBER _____
SECTION <b>PROCEDURE AND ORGANIZATION OF COUNCIL</b>	SUBJECT <b>Fire Department and Emergency Services Provider Registration</b>

## 1. PURPOSE

1.1. The **Municipality of Argyle** shall register a Fire Department or Emergency Services Provider, with or without conditions, in accordance with Section 294 or Section 295 of the *Municipal Government Act*, as applicable, if:

- a. The applicant is a body corporate (a society under the *Societies Act* of Nova Scotia, a company under the *Companies Act* of Nova Scotia, or a body corporate pursuant to other legislation);
- b. The Municipality is satisfied that the applicant is capable of providing the services being offered, based upon the information provided in the application and upon other information received by the Municipality.
- c. The applicant carries a minimum of **\$5,000,000** in liability insurance for the vehicles it owns or operates and a minimum of **\$5,000,000** in liability for insurance for claims brought against it for wrongful acts or omissions respecting the fire services and/or emergency services which it provides;
- d. The applicant does not provide fire response and/or emergency services for profit;
- e. The Municipality does not otherwise provide, assist or work with others to provide the same services for the same coverage area unless the Municipality and two or more fire service and/or emergency service providers (one of which is the applicant) have expressly agreed to have overlapping primary service providers;
- f. The applicant has completed and signed an application in the form provided by the Municipality (Appendix A);

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- g. The applicant has provided a list of its active volunteers and their training record in a format acceptable to the Municipality;
  - h. The applicant has provided a schedule of mutual aid agreements with identification of approval details from the Municipality.
2. The CAO or their designate may approve the registration for the Fire Department or Emergency Services Provider to provide all of the services outlined in the application form or may limit the services by making revisions to the application form. The Municipality may also include conditions to the approval.
  3. The CAO may engage fire chiefs or other volunteers in any of the nine fire departments to assist in the determination that the services outlined in the application can be delivered by that department.
  4. The Municipality shall provide a copy of the approved and signed unamended or amended application form along with any conditions to the applicant, or if the application is not approved, shall notify the applicant accordingly.
  5. Registration as a Fire Department or Emergency Services Provider is effective upon approval of the application by the CAO or their designate.
  6. A registered Fire Department or Emergency Services Provider may provide the services outlined in its approved application, subject to any conditions imposed by the Municipality.
  7. By no later than April 1 of each year, each registered Fire Department and Emergency Services Provider must apply to renew its registration by submitting a new application for registration in the form at Appendix A and providing the information required in paragraph 1 of this Policy. The CAO or their designate shall process the application in accordance with paragraphs 2 and 3 by no later than April 30.

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8. If a registered Fire Department or Emergency Services Provider fails to apply to renew its registration as required by paragraph 6, its registration as a Fire Department or Emergency Services Provider shall be automatically be withdrawn for cause.

9. In the event an applicant is dissatisfied with a decision of the CAO or their designate to refuse a registration or a registration renewal, or to impose conditions or amendments upon the registration, the applicant may appeal to Council by written notice to the Municipality's Clerk within 15 days of receiving notification under paragraph 3.

10. In addition to any other cause for revoking registration, non-compliance with any conditions of registration or with the terms of this Policy, or failure or inability to perform the services to the standards established pursuant to this Policy or otherwise mandated by Council or other regulatory authorities, shall be cause for revocation of registration as a Fire Department or Emergency Services Provider, or for imposing additional conditions upon the registration.

<u>Chief Administrative Officer's Annotation for Official Policy Book</u>	
Date of Notice to Council Members	
Of Intent to Consider [7 days minimum]: April 26, 2022	
Date of Passage of Current Policy: May 10, 2022	
I certify that this Policy was adopted by Council as indicated above.	
	<u>May 10, 2022</u>
Warden	Date
	<u>May 10, 2022</u>
Chief Administrative Officer	Date

**Appendix A:**

**Municipality of Argyle**

Application for Registration as a  
Primary Fire Response or  
Emergency Services Provider

Applicant: \_\_\_\_\_

Contact Person & Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Incorporated body under: *Societies Act* OR *Companies Act* (circle one)  
Registry of Joint Stock Companies Registration # \_\_\_\_\_  
Registration Expiry Date: \_\_\_\_\_

Number of Department members: \_\_\_\_\_

Insurance Provider: \_\_\_\_\_

Insurance Policy Period: \_\_\_\_\_

Motor Vehicle Liability Limit: \_\_\_\_\_

General Liability Insurance Policy Limit (minimum 5 million): \_\_\_\_\_

Complete financial statements from the previous fiscal year are required as part of the Application for Registration.

Boundaries of Primary Service Territory: \_\_\_\_\_

**Please indicate the service that the department will endeavor to provide by placing an X in the appropriate box. N/A denotes a service not being provided by the Applicant.**

	Structural Offensive	Structural Offensive with Mutual Aid	Structural Defensive	N/A
1. Fire and Fire Related Emergencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*\* Registration as Structural Offensive requires your department to have a minimum of four (4) firefighters trained Level 1 with Fire Control. Alternatively, you do have the option to register as Structural Offensive with Mutual Aid. Please indicate the names of those trained to this standard below. If more space is required, please use the back of this page.*

**1** \_\_\_\_\_  
**2** \_\_\_\_\_  
**3** \_\_\_\_\_

**4** \_\_\_\_\_  
**5** \_\_\_\_\_  
**6** \_\_\_\_\_

7 \_\_\_\_\_

9 \_\_\_\_\_

8 \_\_\_\_\_

10 \_\_\_\_\_

2. All Officers in your department are strongly encouraged to meet the minimum standards of the Nova Scotia Fire Service Officer Qualifications (attached). Please provide a list of Officers for your department and indicate if they meet the minimum Officer Qualifications.

Name	Position	Yes	No	If no, expected date
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____

3. Minimum Equipment Requirements

*Please indicate equipment owned by your department by checking the box*

- An initial attack apparatus. Please provide ULC number and date: \_\_\_\_\_
- Five (5) self-contained breathing apparatus (SCBA), with one spare bottle per pack, that meets the revision cycle standard.

4. Medical Emergencies

Please indicate the names of Medical First Responders (MFRs) in your department registered with the Department of Health through Emergency Health Services.

1 \_\_\_\_\_

6 \_\_\_\_\_

2 \_\_\_\_\_

7 \_\_\_\_\_

3 \_\_\_\_\_

8 \_\_\_\_\_

4 \_\_\_\_\_

9 \_\_\_\_\_

5 \_\_\_\_\_

10 \_\_\_\_\_

**Please indicate the level of service that the department is equipped and trained to perform and will endeavor to provide by placing an X in the appropriate box. N/A denotes a service not being provided by the Applicant.**

Applicants should be aware of NFPA 1670 Standards for Rescue and limit the service they provide to the qualification they possess relevant to the technical categories of Technician, Operational, and Awareness skill categories. *This paragraph applies to all rescue services listed below.*

	Technician	Operational	Awareness	N/A
5. Vehicle Rescue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Water Rescue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Ice Rescue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Structural/Excavation Collapse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. High Angle Rescue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Hazardous Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Other (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Other (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Ground Search and Rescue	<input type="checkbox"/>	Provider Assistance	<input type="checkbox"/>	<input type="checkbox"/>

14. Please indicate any other man-made and/or natural disasters for which your department has the training, equipment, and command system to undertake:

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15. Are there limits to the level of service that will be provided (for example, limited number of responders at certain times, lack of equipment, lack of qualifications) in respect to any of the services checked above? If so, please indicate what these are:

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APPLICANT

As Chief of the \_\_\_\_\_  
(Name of Department)

I have read and understand the Departments' role in the registration process and the "Definitions of Terms Used in the Registration Form" in Appendix B, attached.

I understand by signing this I am not committing my department to any guaranteed level of service or response. As a volunteer organization there may be circumstances where inadequate response to an emergency may occur. We do actively participate in an automatic mutual aid response, however, there is no assurance that mutual aid response will be adequate.

I declare that the information provided in response to this Application for Registration as a Primary Fire Response or Emergency Services Provider under the *Municipal Government Act* with the [Name of Municipality] is true to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_

\_\_\_\_\_  
Name of Chief – ***Please Print***

\_\_\_\_\_  
Signature of Chief

MUNICIPALITY

Date of Approval of Registration Application: \_\_\_\_\_

\_\_\_\_\_  
Name of Chief Administrative Officer (CAO) – ***Please Print***

\_\_\_\_\_  
Signature of CAO or his or her designate

**Please note:** Explanation of the terminology used in this registration form is provided in the Information from the Office of the Fire Marshal included as Addendum "B" in the Guide Respecting Fire and Emergency Services in the *Municipal Government Act* Resource Binder, a copy of which is attached for your reference. To register, a department must be incorporated and hold any valid liability insurance that is required by municipal policy. The department must operate on a not-for-profit basis. The registration does not make the department an agent of the **[Municipality]**. This registration may be modified by notifying the Municipality thirty days in advance. The **[Municipality]** may revoke this registration for cause.

## Appendix B:

### **Evaluation of Services Provided and Level of Service for Use with Application for Registration as a Fire Department or Emergency Services Provider under the Municipal Government Act**

**Spelling out the specific parameters of services to be provided allows the fire department to plan, staff, equip, train, and deploy members to perform these duties. It also gives the governing body an accounting of the costs of services and allows it to select those services they can afford to provide. Likewise, the governing body should identify services it cannot afford to provide and that it cannot register the department to deliver.**

To assist the fire service and the municipal units, the Department of Municipal Affairs has developed a sample registration form that includes a check list for key services and level of abilities. The use of this form is not compulsory. Each municipality should develop its own registration process in accordance with the *Municipal Government Act*.

**The Office of the Fire Marshal will not be evaluating fire departments; the registration process is between the municipality and the fire department.**

The industry standards most widely used and accepted for the fire service are from the National Fire Protection Association (NFPA). Standard 1500 for Firefighter Occupational Health and Safety is the cornerstone upon which each fire department attempts to meet a standard of safety. The key to this standard is that, "no activity is undertaken unless the benefit outweighs the risk." There are sections such as physical fitness requirements and recruiting that may require a different approach by individual fire departments.

NFPA standards are updated on a 3-6 year frequency and it is recommended that the most recent version of any particular standard be used when referenced.

#### **Definition of Terms Used in the Registration Form**

##### **1 to 3. Fire and Fire Related Emergencies:**

**Structural Offensive:** means the activities of rescue, fire suppression, and property conservation in buildings, enclosed structures, vehicles, vessels, or like properties that are involved in a fire or emergency situation. Departments should have firefighters trained to NFPA 1001, protective personal equipment, man-down alarms, an accountability system, adequate water supply, adequate pumping capacity and an incident command system. Departments should also have the proper training and protective clothing for wild land fires in accordance with the Department of Natural Resources' provincial standard. Shipboard firefighting, if provided, should be carried out following the NFPA standard 1405 Guide for Land-Based Fire Fighters Who Respond to Marine Vessel Fires. Protection of Aircraft at airports by volunteers, if provided, should be in accordance with Transport Canada guidelines.

**Structural Defensive:** means actions that are intended to control a fire by limiting its spread to a defined area, avoiding the commitment of personnel and equipment to dangerous areas. Defensive operations are generally performed from the exterior of structures and are based on determination that the risk to personnel exceeds the potential benefits of offensive actions.

Such determining factors may include, but not limited to, the extent of fire within the structure, existing water supply for fire load, number of trained personal on site and foremost, risk of personnel versus reward. Also, be advised that an attack strategy may change from defensive to offensive should any or all of the fore mentioned factors change. Fire departments without the ability to carry out structural firefighting may register as providing property protection through defensive strategies. Training for defensive fire operation personal is extensive but less rigorous than NFPA 1001 (a guideline is provided on the Fire Service Association of NS website). Rescue may be undertaken if the benefit warrants the risk. Departments should have proper training and protective clothing for wild land fires in accordance with the Department of Natural Resources' provincial standard.

**N/A:** means the department does not respond to these calls.

**Structural Offensive with Mutual Aid:** means that on its own, a fire department meets the requirements of Structural Defensive only and can meet the requirements of Structural Offensive with additional specific resources identified in through a Mutual Aid agreement. The expectation would be that upon arrival, such a department would conduct Defensive operations only and if required, could change to offensive once additional resources arrived on scene and were deployed.

#### **4. Medical Emergencies: response to known medical emergencies.**

**Registered First Responder:** means responders registered with the Department of Health through EHS first responder program and respond to medical calls or provide medical assistance at the scene of an incident.

**Medical Assistance:** means responders who have standard or emergency first aid and respond to medical emergencies or provide medical assistance at a response incident to that level only. Equipment includes a first aid kit.

#### **5.to 9. The following terminology is used in respect to vehicle rescue, water rescue, ice rescue, structural/excavation collapse and high angle rescue:**

These activities should be carried out in accordance with NFPA 1670 Standard for Rescue, 2017 edition or other comparable standard adopted by the municipal unit.

Generally, these terms mean:

**Technician:** First responders at the technician level are those persons who respond, as either initial call out or as a mutual aid response to contain and control the incident. This level of service usually will provide a high degree of intervention.

**Operations:** First responders at the operations level are those persons who respond as the initial response to an incident for the purpose of protecting nearby persons, the environment, or property from the effects of the incident. First responders at the operations level are expected to respond in a defensive fashion to control, prevent a worsening of the incident and provide services within their capabilities.

**Awareness:** First responders at the awareness level are those persons who, in the course of their normal duties, could be the first on the scene of an emergency. First responders at the awareness level are expected to recognize the situation, call for trained personnel, secure the area and provide minimum intervention.

Refer to NFPA 1670 for specifics for each type of rescue.

#### **10. Hazardous Materials:** Response to chemical incidents.

All levels should be in accordance with NFPA 1072 Standard on Professional Competence of Responders to Hazardous Materials Incidents. Fuel spills such as oil, gas and diesel may be handled by all three levels if the spill is minor and stabilized. There is a wide range of service, from a domestic oil spill to an upset gasoline tanker. The important fact is knowing the departments limitations.

**Technician:** Hazardous materials technicians are those persons who respond to releases or potential releases of hazardous materials for the purpose of controlling the release. Hazardous materials technicians are expected to use specialized chemical protective clothing and specialized control equipment.

**Operations:** First responders at the operations level are expected to respond in a defensive fashion to control the release from a safe distance and keep it from spreading. (Note: Firefighters trained to the Level 1 standard are required to be trained to the Operations Level of Hazardous Awareness)

**Awareness:** First responders at the awareness level are those persons who, in the course of their normal duties, could be the first on the scene of an emergency involving hazardous materials. First responders at the awareness level are expected to recognize the presence of hazardous materials, protect themselves, call for trained personnel and secure the area.

#### **13. Ground Search and Rescue:** self-explanatory.

**Provider:** meets the Nova Scotia Emergency Management Office's provincial standard for SAR teams.<sup>[1]</sup>

**Assistance:** members are under the control of a SAR team.<sup>[2]</sup>

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<sup>[1]</sup> EMO does not set standards for NG Ground Search and Rescue, the Red Cross, or any other volunteer organizations. It is the organization's decision to adhere to a standard if so desired. There is no legislative authority to impose anything on NS Ground Search and Rescue Teams.

NS GSAR is aspiring to meet the SARVAC CSA Z1620, Core competency standards for ground search and rescue operations: for Ground Search and Rescue (GSAR) in Canada.

<sup>[2]</sup> At present NS GSAR is tasked by an AHJ (Agency Having Jurisdiction), which is always the police for missing or lost persons. EMO NS does not have a legislative mandate for Search and Rescue. The Police under the *Missing Persons Act* have the legislative mandate and the responsibility. Some police agencies in Canada use police officers to search and some you volunteer teams such as GSAR. EMO NS continues to support NSGSAR administratively.

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# Fire Department and Emergency Services Provider Registration Policy - Editor's Annotations

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## Enabling Legislation

*Municipal Government Act*, R.S.N.S. 1998, c.18:

**3** In this Act,

(ac) “emergency services” means services related to the provision of emergency services, including fire services, emergency medical services, search and rescue, water rescue and assistance and protection for people and property in the event of disasters including, but not limited to, floods, hurricanes, motor vehicle accidents and chemical spills;

(af) “fire department” means an incorporated body that provides fire services and that may, at its option, provide one or more other emergency services, and includes a fire or emergency services department of a municipality, village, fire protection district or other body corporate;

....

**294 (1)** A body corporate may apply to a municipality for registration as a fire department.

**(2)** A municipality shall not refuse to register a body corporate that complies with this Act if the

(a) municipality is satisfied that the body corporate is capable of providing the services it offers to provide;

(b) body corporate carries liability insurance, as required by the municipality;

(c) body corporate does not provide the fire services for profit; and

(d) municipality does not provide the same services for the same area.

**(3)** A fire department, including a fire department of a municipality, village or fire protection district, shall register in each municipality in which it provides emergency services.

**(4)** A registered fire department shall provide the municipality with a list of specific emergency services it will endeavour to provide and the area in which the services will be provided.

**(5)** Registration continues in force until withdrawn by the municipality for cause or the fire department requests that the registration be revoked.

(6) A municipality may grant or lend money to, or guarantee a loan for, a registered fire department for operating or capital purposes.

(7) A municipality may grant or lend assets, without charge, to a registered fire department.

(8) Registration does not make a fire department an agent of a municipality.

(9) A registered fire department is not a municipal enterprise pursuant to the *Municipal Finance Corporation Act*.

...

**295** (1) A body corporate may apply to a municipality for registration an emergency services provider to provide emergency services other than fire services.

(2) A municipality shall not refuse to register a body corporate that complies with this Act if the

(a) municipality is satisfied that the body corporate is capable of providing the services it has undertaken to provide;

(b) body corporate carries liability insurance, as required by the municipality;

(c) body corporate does not provide the emergency services for profit; and

(d) municipality does not provide the same services for the same area.

(3) A body corporate that applies pursuant to subsection (1) shall register in each municipality in which it provides emergency services.

(4) A registered emergency services provider shall provide the municipality with a list of specific emergency services it will endeavour to provide and the area in which the services will be provided.

(5) Registration continues in force until withdrawn by the municipality for cause or the fire department requests that the registration be revoked.

(6) A municipality may grant or lend money to, or guarantee a loan for, a registered emergency services provider for operating or capital purposes.

(7) A municipality may grant or lend assets, without charge, to a registered emergency services provider.

(8) Registration does not make an emergency services provider an agent of a municipality.

(9) A registered emergency services provider is not a municipal enterprise pursuant to the *Municipal Finance Corporation Act*.

## **Important Notice**

The reader is cautioned that editorial and drafting choices involve interpretation of the law. Municipal units should consult with their own legal advisors before relying upon, and applying to their own circumstances, the comments or drafts contained in this Manual.

## **Comment**

- This Policy deals with municipal registration of bodies corporate as a fire department or emergency service provider.
- The *Municipal Government Act* s. 294(2) requires that a municipality register a body corporate as a fire department if the body corporate meets the requirements of the Act. Identical requirements are set out for emergency service providers by s. 295(2) of the Act. The Act requires that a body corporate:
  - be capable of providing the services it offers;
  - carry liability insurance;
  - that fire or emergency services be not-for-profit; and
  - not duplicate services provided by the municipality in the same area.

These requirements are incorporated into s. 1(2), (3), (4) and (5) of the model Policy. The municipality may set out minimum liability insurance requirements in s. 1(3) of this Policy.

- The Policy provides in s. 1(6) for the use of an application form. A model application form is included with the Policy as Appendix A.
- Section 6 of the Policy requires that a Service Provider register annually with the municipality. Although annual registration is not a requirement of the Act, it is recommended as a best practice. Annual registration helps to guarantee that the municipality has the information necessary to make informed decisions with respect to the safety of firefighters and the public. However, annual registration requires more diligence by both the Municipality and Service Providers, so be sure the resources are in place to manage annual registrations.
- Section 8 of the Policy is designed to provide the body corporate with an avenue for appeal to Council should the CAO decide to refuse to register the body corporate as a fire department or as an emergency services provider.
- The chapter # in the policy title bar should be replaced by each municipal unit with the chapter # it assigns to this Policy.