



Manitoba Municipal Officials Guide



OUR MISSION

“To safeguard both persons and property from fire and life safety hazards through Education, Investigations, Emergency Response and Code Application”

For further information in Eastern Manitoba, please contact:

Direct line 1-204-945-3322
Toll free 1-800-282-8069
Fax 1-204-948-2089
E-mail: firecomm@gov.mb.ca

For further information in Western & Northern Manitoba, please contact:

Direct line 1-204-726-6855
Toll free 1-888-253-1488
Fax 1-204-726-6847
E-mail: firecomm@gov.mb.ca





Table of Contents

Introduction.....	1
The Fire Service of Today.....	1
Office of the Fire Commissioner.....	3
Legislation Affecting Emergency Services & Building Standards... 5	
The Municipal Act	5
The Fires Prevention and Emergency Response Act.....	6
The Buildings and Mobile Homes Act.....	8
The Building Standards Board.....	8
The Wildfires Act.....	8
The Dangerous Goods Handling & Transportation Act.....	9
The Emergency Measures Act.....	9
The Highway Traffic Act	10
Manitoba Public Insurance Corporation Policies.....	11
The Emergency Medical Response and Stretcher Transportation Act.....	11
The Workplace Safety and Health Act	11
Workers Compensation Act	12
Bill C-45.....	13
The Provincial Mutual Aid System	13
Awards.....	15
Associations	16
The Manitoba Association of Fire Chiefs (MAFC).....	16
The Canadian Association of Fire Chiefs (CAFC)	16
The Canadian Association of Fire Investigators (CAFI).....	17
The Manitoba Building Officials Association (MBOA).....	17
Conferences.....	17
The Manitoba Emergency Services Conference.....	17
The Manitoba Association of Fire Chiefs Conference.....	18
The Manitoba Building Officials Association Conference	18
Fire Chief's Responsibilities.....	18
Municipal Officials Role.....	20





Introduction

Advances in technology, higher public expectations, a global awareness to the threat of terrorist attacks and increased legislative requirements have all played a significant role in the increased demands and expectations placed upon the Manitoba Fire Service over recent years. More than ever before, the local fire department is now being called upon to respond to a broader range of emergency incidents. This increase in demands and expectations is followed closely by the commitment to enhanced training programs, new equipment requirements, supporting by-laws and policies and operating guidelines.

The Municipal Officials Guide, hereafter referred to as “the Guide”, has been developed by the Office of the Fire Commissioner (OFC) with the goal of assisting municipal officials to better understand the fire service of today, including the expectations, responsibilities and challenges faced by the Manitoba Fire Service. The Guide has also been developed with the goal of providing municipal officials with a better understanding of the role and responsibilities of the municipal corporation and municipal officials in meeting the challenge of providing this essential service.

This Guide is also intended to provide municipal officials with a brief overview of the resources available to municipalities and the fire service, information on the various acts and regulations that govern the emergency services and building standards, as well as provide an overview of the necessary elements of an effective community fire protection program.

Finally, this Guide is intended to provide municipal officials with information about the OFC and the services provided by the various sections of the Office in direct support of municipal councils and local fire departments. We hope that you will find this Guide informative and helpful. You are encouraged to contact us directly at the numbers provided or to access our website at www.firecomm.gov.mb.ca, should you require further information on a topic of interest to you or your municipal fire department.

The Fire Service of Today

Most often, the average citizen perceives the fire service as only being their local community Fire Department. In reality, the Manitoba Fire Service is comprised of a wide variety of career, paid on-call and volunteer fire departments, various levels and branches of government, regulatory bodies, codes and standards boards as well as a variety of associations and support agencies that may be international, national or provincial in scope. These are very diverse groups who are continually involved in the development of improved legislation and regulations, technical specifications and evaluation procedures regarding building construction, safety systems, emergency planning, fire fighting and emergency response procedures.



As an example, the Manitoba Fire Code is a regulation under *The Fires Prevention and Emergency Response Act*. The Manitoba Building Code and the Manitoba Plumbing Code are regulations under the *Buildings and Mobile Homes Act*. These codes specify minimum requirements to protect life safety in all types of occupancies across the province.

The National Fire Protection Association (NFPA) is an internationally recognized standards writing body that develops recommended practices and specifications covering all types of fire fighting and safety equipment, fire fighter qualifications and rescue procedures, as well as guidelines for fire department organizations and emergency management. Many of the standards that set the bench mark for the Manitoba Fire Service are NFPA standards.

Agencies such as the Canadian Standards Association (CSA), the Underwriters Laboratories of Canada (ULC) and the National Research Council (NRC) set standards and test products to ensure they are safe to use and ensure products such as fire extinguishers, alarms and detection and suppression systems will work as stated. Many other organizations support the local fire department in a wide range of public safety issues.

Beyond the traditional role of fire fighting, today's fire departments are called upon to provide an ever increasing variety of non fire-suppression related activities. These include: fire and life safety education programs, fire prevention inspections, emergency medical response, response to hazardous materials incidents, response to motor vehicle collisions and all types of special rescues. Many municipalities have chosen to adopt the term of “**Emergency Services Department**” which better reflects the all-encompassing scope of services provided by their departments.

In the eyes of the general public, your Emergency Services Department personnel are considered to be the professionals for your area and are therefore relied upon to respond quickly and professionally to virtually any type of emergency that the public may find themselves in. An increased level of public expectation, a heightened awareness of legislative and regulatory responsibilities and concern over personal and environmental risks, have all placed an increased level of responsibility on municipal officials, fire officers and front line emergency responders. In order to meet these challenges, the need for an increased level of training for municipal officials, fire officers and front line responders cannot be over emphasized.



The Office of the Fire Commissioner

The Manitoba Office of the Fire Commissioner operates as a Special Operating Agency (SOA), hereafter referred to as “the Agency”, and is a Division of the Department of Labour and Immigration. The Agency provides a wide spectrum of mandated services and related activities. No one service area of the Office stands alone. All areas are fundamentally inter-related with the Education & Training Section being the unifying and defining component. These services break down into six (6) broad categories:

Administration - The Administration Section is responsible for those activities that provide overall leadership and direction to the Agency. All planning for fiscal, operational, human resource management and policy development is the responsibility of this Section. The Administration Section collects and analyses records on fire loss and mutual aid activities in Manitoba and publishes statistical data on fires. This data provides the Agency, law enforcement agencies and the Manitoba Fire Service with detailed information on areas of concern.

Codes and Standards - The Codes and Standards Section of the Agency is responsible for the effective administration and enforcement of the Manitoba Building, Plumbing and Fire Codes across the Province of Manitoba. These efforts are achieved through consultation, building plan examination, inspections and the issuance of permits (building/plumbing/occupancy). The Codes and Standards Section provides building inspection services under contract to many municipalities across Manitoba.

Education and Training - The OFC is committed to providing comprehensive emergency management; emergency response and fire and life safety training that meet the needs of the municipal officials, emergency services and private industry of Manitoba. Training is provided through the Manitoba Emergency Services College (MESC) located in Brandon, as well as through our network of community based trainers within your respective departments. The fire and life safety component reaches all levels of the general public and addresses all areas of fire and life safety. The MESC receives accreditation for its training programs through the International Fire Service Accreditation Congress (IFSAC) as well as the Canadian Medical Association (CMA).

Emergency Response - Under the direction of the Fire Commissioner, the Agency provides Emergency Response services on behalf of the Province of Manitoba. *The Fires Prevention and Emergency Response Act* outlines the Agency’s responsibilities with regard to emergency response and incident management. The province has recently placed a higher level of responsibility on the Agency to ensure that an effective Incident Management System is established at every emergency or disaster site in the Province of Manitoba.

The Agency carefully monitors emergency incidents throughout the province and has established an Incident Command and response system that responds in support of municipalities, mutual aid districts or law enforcement Agencies to any incident that is too large or complex for the local authority to manage alone.



The Agency has adopted the **Incident Command System (ICS)** as the Provincial Incident Management System of choice.

The following list provides an overview of the Agency's emergency response capabilities:

- Incident Command support to local authorities and law enforcement agencies
- Coordination of the Provincial Urban Search and Rescue (USAR) response Team
- Coordination of the Provincial Volunteer Ground Search and Rescue (GSAR) network
- Coordination of the Provincial Critical Incident Stress Management (CISM) network
- Coordination of three (3) Hazardous Materials Technician response teams
- A Chemical, Biological, Radiological & Nuclear (CBRN) response team
- Community protection capability during wild-land / urban interface fires
- A fleet of support and logistical vehicles for all types of terrain
- A fully operational mobile camp and Incident Command centre

A key component of the Emergency Response Services offered by the Agency involves the delivery of Critical Incident Stress Management (CISM) Services. CISM helps to reduce the psychosocial impact of responding to incidents that have the potential to create significant levels of stress to responders. The Agency provides this very important service to all emergency responders on behalf of the province.

Fire Investigations - The Office of the Fire Commissioner is mandated under *The Fires Prevention and Emergency Response Act* to determine the cause and origin of every fire in Manitoba. This is often determined at the local level however, in many instances the services of the OFC are called upon by local law enforcement or fire officials to either assist in determining the fire cause or take the lead in the fire investigation. The information gathered at the fire scene and compiled by the Statistics Section is used to design fire and life safety programs for target groups and to reduce fire loss across Manitoba. Fire Investigators work closely with law enforcement and fire officials to determine the cause and origin. Arson Strike Force models have been organized in Winnipeg, Brandon, Thompson and other centres in an effort to combine the efforts of all three Agencies to combat arson.

Municipal Support - The Municipal Support section of the OFC provides consultative services to municipal councils and their respective fire departments. These services include assisting municipalities in the development of fire protection by-laws, developing agreements in the area of fire protection and emergency response, as well as assisting municipalities develop and implement fire prevention inspection programs within their municipality. In addition to consultative services, the Municipal Support section is also responsible for the maintenance of the provincial Mutual Aid System.



Legislation Affecting Emergency Response Services and Fire and Building Standards

The Government of Manitoba has made the Continuing Consolidated Statutes of Manitoba (CCSM) and supporting regulations available on the internet. You can visit the website at <http://web2.gov.mb.ca/laws/statutes.ccsm.index.php> to gain access to these.

Every municipal office should have copies of the most recent *Acts* available on file.

The Municipal Act

Section 264 of *The Municipal Act* establishes that every municipality must provide fire protection services within its boundaries to reduce the danger of fire. Services may include education programs, inspections of property, the installation of alarms, instructions on fighting fires, the provision of fire fighting equipment and a fire protection force. It is important to note that recent changes to *The Fires Prevention and Emergency Response Act* have made fire safety inspections of designated properties mandatory (refer to *The Fires Prevention and Emergency Response Act* for further details).

Section 265 states that fire protection services may be provided by a fire protection force comprised, in whole or in part, of volunteers. Once again, it is important to note that although the term “volunteer” is still widely used in the fire service, whether responders are full-time career, paid on-call or true volunteers, they are still considered to be employees of the municipality under *The Workplace Safety and Health Act*.

Section 266 provides for agreements with neighboring municipalities or fire protection forces for those smaller communities and rural municipalities who lack the resources to either establish a fire department, purchase equipment capable of handling major fires or emergency incidents or where geographic boundaries make it more reasonable to enter such an agreement. Section 266 also authorizes municipalities to participate in the Provincial Mutual Aid System.

Section 267(1) allows a municipality or a party to fix a fee, other charge, or determine a method of a charge, for responses by the fire department to false alarms caused by automatic fire detection systems.

Section 268 authorizes municipalities to allow their fire departments to “provide other services.” This includes response to dangerous goods incidents and relief of illness or injury. When drafting or reviewing municipal fire protection by-laws, it is very important to consider the various activities that your fire department could potentially be involved in and ensure that they are provided with the proper authority and training to respond to these type of emergency incidents.



Section 270 outlines the power of a fire protection force and the authority provided to a fire department, to take such action as it considers reasonably necessary to prevent injury and to preserve life and property (subject to the council's approval under Section 268).

The Fires Prevention and Emergency Response Act

Note: The Manitoba Fire Code (MFC) is a regulation under this Act.

Proclaimed into force on November 1, 2006, *The Fires Prevention and Emergency Response Act*, hereafter referred to as "the Act", has been updated in order to provide a greater level of protection to the citizens of Manitoba. Under the revised Act, the Fire Commissioner and local authorities have been given greater responsibilities and the supporting authority to safeguard both people and property from fire and life safety hazards through training and education, investigations, inspections, emergency response and effective code application.

The *local authority*, often referred to within this Act, relates to a municipality, an incorporated community established under *The Northern Affairs Act*, the Minister of Northern Affairs in those areas not within the boundaries of an incorporated community, or a Local Government District (LGD).

The following persons are considered to be local assistants under this Act and therefore are delegated certain responsibilities and authority by the Fire Commissioner:

- a) the *Chief of the fire department* of a local authority or, for a local authority that does not have a fire department;
 - I. the *chief administrative officer*, in the case of a municipality
 - II. the *community administrative officer*, in the case of an incorporated community established under *The Northern Affairs Act*
 - III. the *person designated by the Minister responsible for the administration of The Northern Affairs Act*, in those areas not within the boundaries of an incorporated community
 - IV. the *resident administrator*, in the case of a local government district or
- b) a person designated in writing as a *local assistant* by the Fire Commissioner.

It is very important for local authorities and local assistants to become familiar with their respective responsibilities under the Act. These include, but are not limited to, investigating and reporting of fires within their jurisdiction, as well as filing annual reports about emergency response resources with the Agency.

Section 5 of the Act provides the Fire Commissioner with the authority to exercise certain powers at the scene of an emergency or disaster if deemed necessary to meet the needs of the emergency and to eliminate or reduce its effect.



These include, but are not limited to, ordering an evacuation of land or premises, calling on a peace officer or police force to assist with the evacuation and to implement an Incident Management System to direct and manage the incident and all emergency response personnel in attendance, including those of a local authority. Under this Section, local authorities are required to comply with the directions provided.

In an effort to improve the safety and coordination of efforts at the scene of an emergency or disaster, Section 22 of the Act requires local authorities to establish a local Incident Management System that is consistent with that of the Fire Commissioner's for directing and managing response services at the site of any emergency or disaster within its jurisdiction. The Province has adopted the ***Incident Command System (ICS)*** as the Incident Management System of choice. It is imperative that municipal officials and fire officers become familiar with the ICS System and that the local emergency plan is exercised annually.

Under the revised Act, local authorities are required to enforce the Manitoba Fire Code within their jurisdiction. This includes establishing a system for conducting regular fire prevention inspections of prescribed buildings as set forth by regulation and ensuring that the local assistant or a person exercising these powers, duties and functions carries out those inspections. Local authorities will also be responsible for developing a record maintenance system for fire inspections carried out within their jurisdiction in accordance with Section 21 of this Act. The Office of the Fire Commissioner is available to assist the local assistant in the performance of these inspections upon request.

This Act provides the local assistant, through the Fire Commissioner, with considerable authority to inspect buildings for fire and life safety hazards and to order remedial action. A streamlined order and appeal process in the revised Act provides the local authority with the necessary tools to carry out enforcement of the Manitoba Fire Code within their jurisdiction.

Also under the Act, the OFC offers Critical Incident Stress Management (CISM) services that can assist emergency service responders to cope with the trauma and stress that can be created when responding to "traumatic" incidents. Fire Service responders have access to seven (7) teams across Manitoba who can provide a range of services including debriefings, defusings, support to significant others, etc.

Finally, Section 46 of the revised Act provides for the development of future regulations that will assist the Fire Commissioner, local authorities and all those delegated powers under this Act, in the performance of their duties. It is extremely important that municipal officials and local assistants become fully aware of their responsibilities and delegated authorities relating to the performance of their duties and the administration of the Act.



The Buildings and Mobile Homes Act

NOTE: The Manitoba Building Code and Manitoba Plumbing Code are regulations under this Act.

The Codes and Standards section of The Office of the Fire Commissioner has dedicated its efforts to the effective administration and enforcement of the Manitoba Building, Plumbing and Fire Codes for the citizens of Manitoba. These efforts are achieved through consultation, building plans examination, inspections and the issuance of permits (building, plumbing and occupancy) in areas of the province assigned the responsibility under *The Buildings and Mobile Homes Act*, hereafter referred to as “the Act”. The Codes and Standards Section also administers and enforces the regulations pertaining to mobile homes, recreational vehicles and travel trailers. The Codes and Standards Section is contracted by many municipalities on a “fee for service” basis to administer and enforce their areas of responsibility for the Manitoba Building and Plumbing Codes.

Areas of the province not covered by the Codes and Standards Section become the responsibility of the municipal authority. *The Municipal Act* and *The Buildings and Mobile Homes Act* require local authorities to adopt and enforce the Manitoba Building and Plumbing Codes in their jurisdictions. *The Fires Prevention and Emergency Response Act* requires local authorities to adopt and enforce the Manitoba Fire Code. The various Sections of the OFC are available to provide advice to the local code authorities and building officials.

The Building Standards Board

The Manitoba Building Standards Board hereafter referred to as “the “Board” is appointed by the Lieutenant Governor of Manitoba. The role of this Board is to provide advice to the Minister of Labour and Immigration and the Fire Commissioner on the Manitoba Building, Plumbing and Fire Codes. The Board is made up of members representing the key stakeholder groups concerned with building construction, building standards and fire and life safety in all forms of occupancies. The interests of the Association of Manitoba Municipalities (AMM) and the Manitoba Association of Fire Chiefs (MAFC) are represented on this Board.

The Wildfires Act

The purpose of *The Wildfires Act* is to protect life and property across the province from the destructive powers of out of control wildfires. Originally “Part 1” of the old *Fires Prevention Act*, *The Wildfires Act* was proclaimed into force on January 1, 1998 as a stand alone Act and applies to all land within Manitoba. Municipal officials, particularly those in or near wooded areas, should be familiar with this Act and in particular, the following Sections:

Section 1	Definitions
Section 7	Officer’s power
Section 8	Duties to control fires



Section 9	Duty of owner or occupant
Section 12	General prohibitions
Section 13 - 17	Municipal duties and responsibilities
Section 18 - 19	Burning permits and outdoor fires
Section 20 - 22	Travel permits & powers of evacuation
Section 23 - 25	Work permits
Section 26	Railway operations
Section 31	Cost recovery
Section 35	Offences
Section 37	Ministerial regulations

The Dangerous Goods Handling & Transportation Act



Under this Act, environmental officers and/or inspectors are granted considerable authority to control, contain and clean up dangerous goods in the event of an environmental accident. In most emergencies however, the local fire department will be either first on the scene or called to the incident to provide decontamination, fire protection or assistance in the clean up.

Relevant Sections of this Act that municipal officials and first responders should become familiar with include:

Section 20	Powers of an environmental officer
Section 28	Reporting of an environmental incident
Section 29(1)	Special powers of environmental officer and inspectors
Section 30(1)	Issuance of instructions by an environmental officer
MR 439 / 87	Environmental accident reporting regulation

The Emergency Measures Act



The Emergency Measures Organization (EMO), established under this Act, will assist local authorities in the preparation of local emergency plans, as well as assisting municipalities in practicing their local emergency plans, by conducting “table top” or simulated exercises within the community. The local fire department is obviously an integral part of local emergency planning and therefore should be involved in the development and exercising of the local emergency plan.

It is a requirement under Section 8 of *The Emergency Measures Act* that every local authority prepares and adopts local emergency plans and that they review and revise their plans from time to time as required. Generally the fire department, local EMS or police are the first to respond to an emergency incident, evaluate the situation and notify those concerned. However, it is the fire department that usually has the training, equipment and knowledge to safely and effectively manage many of the large scale emergencies. The decision to implement the local emergency plan, in whole or in part, rests with the local authority.



Manitoba EMO personnel are available to assist the local authority with the implementation of their local emergency response plans, including establishing Emergency Operations Centres (EOC), reception centres for evacuees, as well as coordinating requests for resources or outside agencies to support the operations at the site of the emergency or disaster.

Relevant Sections of *The Emergency Measures Act* that municipal officials and emergency services personnel should become familiar with include:

Section 1	Definition of “local authority”
Section 8(1)	Powers of local authorities
Section 8.2	Emergency prevention orders
Section 9	Implementation of emergency plans
Section 10	Declaration of a state of emergency
Section 11	State of local emergency
Section 12	Emergency powers
Section 13	Compensation for loss
Section 15	Termination of state of local emergency
Section 18	Exemption from civil liability
Section 20	Offense / Penalty
Section 21	Minister’s order to prevail

The Highway Traffic Act

Emergency response vehicles are designated as Class 4 vehicles and are subject to the provisions of this Act. Provisions are made for members of municipal fire departments and local ambulance services to use red flashing lights on their personal vehicles while responding to emergencies.

Section 106 of the Act specifically addresses the operation of emergency vehicles and therefore should be reviewed with all fire department members on a regular basis. All emergency vehicle operators require a minimum of a Class 4 driver’s licence and depending on the vehicle may also require an air-brake endorsement. *The Highway Traffic Act* is reviewed as part of the Emergency Vehicle Driving Skills seminar offered by the Manitoba Emergency Services College.

Relevant Sections of *The Highway Traffic Act* that municipal officials and emergency services personnel should become familiar with include:

Section 38	Lighting equipment on emergency vehicles
Section 106	Operation of emergency vehicles
Section 118	Following fire apparatus too closely
Section 119	Driving over fire hoses



Manitoba Public Insurance Corporation Policies



All emergency response personnel are encouraged to carry maximum liability coverage to protect the individual and the community in the event of an accident on route to an emergency. Municipalities may be subject to dual liability if the volunteer's insurance coverage is inadequate.

Manitoba Public Insurance Corporation (MPIC) recommends that emergency vehicles be insured for an amount well above basic coverage in order to provide the municipality with the greatest level of protection.

An agreement has been made between MPIC and the Manitoba Association of Municipalities (AMM) with respect to reimbursement to municipalities or emergency response departments for expenses relating to emergency response involving motor vehicles insured by MPIC. Predetermined rates have been agreed upon by both parties for what are considered to be either routine or more complex calls. Claims submitted for amounts exceeding the basic rates must be submitted with supporting documentation and justification. A Board represented by MPIC, AMM and the MAFC has been established to review claims that have been appealed.

The Emergency Medical Response and Stretcher Transportation Act



Previously referred to as *The Ambulance Services Act*, *The Emergency Medical Response and Stretcher Transportation Act*, hereafter referred to as "the Act", regulates licensing and standards for emergency medical response and/or stretcher transportation services and their personnel. The responsibility for ambulance services and other Emergency Medical Services (EMS) has shifted in recent years from municipalities to the Regional Health Authorities. However, many municipal fire departments continue to provide first responder - EMS service and therefore familiarity with this Act is very important.

Note: By special order issued by the Minister responsible for this Act, fire department personnel **MAY** operate an ambulance at the scene of an emergency incident when requested to do so by the EMS attendant(s), providing that the municipal fire fighter(s) possess the required Class 4 drivers licence.

The Workplace Safety and Health Act

The Workplace Safety and Health Act, hereafter referred to as "the Act", applies to all municipal employees that are full time, part time, casual or true volunteer. The safety and well being of responders is as important as that of the citizens being rescued or protected. Fire fighter helmets, protective clothing and boots are easily recognized as essential personal protective equipment. However, the fire service is called upon to respond to many types of emergency situations beyond the normal structure fires. Specialized training and personal protective equipment specific to the emergency must be provided as they are essential tools for emergency responders.



Compliance with the provisions of this Act and its supporting regulations cannot be compromised.

Recent amendments to this Act and its supporting regulations have provided an improved level of protection for those involved in fire fighting and rescue operations. In particular, regulation 217/2006 (Section 42) deals specifically with fire fighters and their employers. Other Sections of this all encompassing regulation will also have a bearing on fire department operations. It is very important for municipal officials to become familiar with the various response activities that their fire departments are involved in and ensure that the municipal obligations regarding this Act and its supporting regulations are being addressed.

Other relevant Sections include:

Section 3	Application of the Act
Section 4	General duties of employers
Section 5	General duties of workers
Regulation 217/2006	Workplace Safety and Health Regulation

Workers Compensation Act

All emergency response personnel that are full-time, part time, casual or true volunteers, are considered to be municipal employees or “workers” as defined under the *Workers Compensation Act (the “Act”)*. For casual or volunteer emergency workers, the period of employment begins at the time of the emergency call and continues until a return from the scene. Municipalities must provide compensation coverage for all fire department members.

Recent changes to the Act has included presumptive coverage for fire fighters who have suffered injury as a result of various types of primary cancers or have suffered injury to the heart as a result of attendance at an emergency response. Section 4(5) of the Act outlines the details of the presumptive coverage and explains the coverage provided to both full-time and part-time fire fighters.

More than ever, municipalities and fire department officers have an obligation to ensure that accurate and up-to-date employee records are being maintained. Employee training records, emergency response records, medical examination records and exposure reports, in such cases where employees may have been exposed to or come in contact with hazardous substances or fumes, are all vitally important in order to protect the employee and municipality years after the emergency response.

Relevant Sections of the Act that municipal officials and fire officers should become familiar with include:

Section 1(1)	Definition of “worker”
Section 1(4)	Definition of “casual emergency worker”
Section 1(7)	Period of employment for casual emergency workers
Section 4(5)	Presumption coverage relating to full-time and part-time fire fighters
Section 17	Notice of accident
Section 18	Employer to report accident



Bill C-45 - Amendments to the Criminal Code of Canada affecting the Criminal Liability of Organizations

Bill C-45 was established by the Federal Government of Canada on March 31, 2004. It was referred to as the *Westray Amendment to the Criminal Code*, in memory of the 26 miners that were killed in a tragic coal mining disaster in Pictou County, Nova Scotia.

Bill C-45 added a new Occupational Health and Safety (OHS) duty to the Criminal Code, thereby establishing a new crime of OHS Criminal Negligence in Canada.

Bill C-45 establishes a legal duty for all persons in a position of authority to take reasonable steps to ensure the safety of its workers and the general public. Bill C-45 also provides for organizations, including municipal corporations and/or its officers, to be charged with a criminal offence if it is found that they have not taken “*reasonable steps to prevent bodily harm*” to any person. “*Reasonable steps*” is generally accepted to include compliance with Provincial Workplace Safety and Health Legislation and supporting regulations.

Municipal officials and fire officers must be aware of their responsibilities under the various Acts and regulations governing emergency response operations and must ensure that ongoing training, records management, equipment maintenance and policy and guideline development are a continual part of the fire department’s operations.

The Provincial Mutual Aid System

The Provincial Mutual Aid System is a no-charge reciprocal system of emergency response and assistance that communities and municipalities in southern Manitoba can access through their local fire departments. The main focus of the Mutual Aid System is to make a large number of resources available in a pre-arranged, organized fashion at no additional cost to the community or municipality requiring assistance during a large scale emergency situation.

Mutual Aid may be activated when the fire or emergency is beyond the capability of the responding department. For example, if a fire in your community is too large for your local fire department to handle alone, Mutual Aid could be activated to mobilize additional equipment and personnel. Mutual Aid also offers back-up protection when there are more emergency calls than the local fire department can respond to. For example, if the local fire department is attending to one or more fires or emergency calls, this system provides response to any other fire or emergency that may arise in that community or municipality. All of this additional assistance is provided at no cost.

The Provincial Mutual Aid System is set up under the provision of Section 266 of *The Municipal Act*.



This Section empowers municipalities to enter into agreements with other municipalities for providing or obtaining fire protection or emergency response assistance. Mutual Aid does not affect or replace this authority.

There are seventeen (17) Mutual Aid Districts and three (3) Northern Training Districts across the province. These districts are organized using geographic considerations and response time capabilities of neighbouring departments.

Northern Training Districts are organized in a similar manner to the southern Mutual Aid Districts. However, due to the geographic barriers and long travel distances between communities, reciprocal response is often unrealistic.

Therefore, the primary objective of Northern Training Districts is to ensure that quality training programs are made available to all of the participating communities.

Each Mutual Aid District has an assigned co-ordinator who is responsible for the smooth and orderly response of equipment from one community or municipality to another. The co-ordinator also ensures that during a Mutual Aid call, no community or municipality is left without back-up protection in the event that some other emergency occurs elsewhere within the district.

Each fire department in a Mutual Aid District has a pre-arranged assignment specifying which neighbouring departments they are to back-up and in which priority (i.e. 1st, 2nd, 3rd called in). In other words, every fire department in a Mutual Aid District knows beforehand which town or municipality they may be required to assist or provide coverage for and in what order.

The authority for requesting assistance rests with the Fire Chief or, in their absence, with the Officer in charge of the incident. The Fire Chief or Officer in charge of the scene will request the assistance of the *“first help call department”*, providing pertinent information including directions and specifications regarding the type and amount of resources that are required. Before responding, the assisting department is required to notify the District Mutual Aid Coordinator and notify him or her of the details of the incident and request for assistance. The coordinator is then responsible for arranging the necessary back-up coverage throughout the district. If additional help is required at the scene, the Fire Chief or Officer in charge will call direct to the district co-ordinator who will arrange such assistance and further back-up coverage for the responding department’s area of responsibility.

A community or municipality must pass a by-law to participate in the Mutual Aid System. Mutual aid calls are on a no-charge basis, however, calls which fall under a fire protection agreement are subject to the terms and conditions of that agreement. It should be noted that to qualify as a *“Mutual Aid Call”*, the resources of the requesting department must be fully committed.

In addition to the assurance of assistance, and the availability of specialized equipment when required, participation in the Mutual Aid System has many other advantages. The Office of the Fire Commissioner also provides considerable equipment and training benefits to the Provincial Mutual Aid System, such as:



- **Breathing air compressors** are provided at strategic locations within each district to refill breathing air tanks for all participating departments.
- **Portable radio banks** consisting of a base station and six (6) hand-held units are centrally located in the Mutual Aid District for immediate dispatch when needed.
- **Financial training incentives** of \$6500.00 are annually allocated for each Mutual Aid District to train, certify and/or upgrade the qualifications of members of participating departments. Training must be done by local Emergency Service Instructors and monies are paid directly to the District based on the number of course graduates.
- **Emergency services instructor training** is provided to qualified fire fighters from Mutual Aid Districts. These instructors are employed by the Districts and authorized to deliver training programs available through the Manitoba Emergency Services College.
- **Mutual Aid training programs** conducted at the fire department or Mutual Aid District level. Programs include Fire Fighting Level I & II, Hazardous Materials, Emergency Vehicle Operations, and specialized rescue and emergency medical programs. Fire Service Management courses are also available that work as credits towards Fire Officer Certification.
- **Regional evaluations**, both written and practical are scheduled around the province in strategic regional locations to meet the needs of the Manitoba Fire Service.

Awards

Mary Beth Dolin Meritorious Fire Service Award



The Mary Beth Dolin Meritorious Fire Service Award is available annually to those who have demonstrated excellence, leadership, outstanding achievement, or whose contribution has substantially enhanced the safety of the people of Manitoba. The award is named for Mary Beth Dolin to commemorate her spirit of public service, which exemplifies the unselfish dedication to duty prized within fire services.

Nominees for the award must be current or former residents of Manitoba and current or former members of a Manitoba Fire Service. Nominations are submitted to the Office of the Fire Commissioner, which administers the award and is represented on the selection committee along with representatives from The Manitoba Association of Fire Chiefs, Manitoba Professional Fire Fighters Association and the municipal government. Nomination forms and procedural information are sent to all municipalities and Fire Chiefs each summer for evaluation and presentation in the fall. Only a limited number of these awards (up to three) are given in any one year.



Fire Services Exemplary Service Medal

The Fire Services Exemplary Service Medal is administered by the Chancellery of Canadian Orders and Decorations in Ottawa. To be eligible, fire service members must have completed twenty (20) years of service, at a caliber high enough to warrant consideration by the chairperson of the Manitoba Awards Committee. Nominations can be submitted to the chairperson of the Manitoba Awards Committee, by Municipalities for members of their local fire department. Ten (10) year service bars are also awarded for thirty (30) and forty (40) years of dedicated service to support the twenty (20) year service medal.



Manitoba Association of Fire Chiefs – 25 year Service Award

The twenty-five (25) year Service Medal was a vision of Fire Chief Gary MacGregor of the Gimli Fire Department. The award is administered by the Manitoba Association of Fire Chiefs, with the goal of providing the Fire Chiefs of Manitoba the ability to formally recognize the dedication of Fire Service Personnel, both career and volunteer who have dedicated twenty-five (25) years or more of service to the fire service of Manitoba. More information on eligibility criteria and application forms are available from the MAFC website at www.mafc.ca.

Associations

There are many professional associations with specific ties to building and code enforcement, fire and life safety and emergency response activities. These include the following:

The Manitoba Association of Fire Chiefs (MAFC) is comprised of members from industrial and municipal fire departments. This group acts as a nucleus for the gathering and dissemination of information affecting the fire service. It promotes discussion and education at its regularly scheduled events and is an effective lobby group for the fire service at the political level. This association holds an annual conference and annual general meeting in a different community in Manitoba in the spring of each year. More information is available on-line at www.mafc.ca.



MANITOBA ASSOCIATION
OF FIRE CHIEFS

The Canadian Association of Fire Chiefs (CAFC) is a non-profit, national public service organization whose primary goals are to reduce the loss of life and property from fire and to advance the science and technology of the fire service in Canada. The CAFC is actively involved in professional and public education programs aimed at improving fire prevention and fire service administration. This association holds an annual conference once a year in a major city in Canada. More information is available on-line at www.cafc.ca.



The Canadian Association of Fire Investigators (CAFI) is a National Association in Canada that informs the fire department personnel, police, Fire Marshals and Commissioners, and insurance investigators about fire investigation techniques and procedures. Any member of these services can become a member of CAFI. A quarterly publication ensures that members are kept informed through various informative articles concerning fire investigation techniques and issues. The association holds annual meetings at various locations across Canada. More information is available on-line at www.cafi.ca.



The Manitoba Building Officials Association (MBOA) represents local government building officials and those involved in building design, construction, testing and research. Association members are employed as building inspectors, architects, engineers, engineering technologists, plan examiners, insurance underwriters and fire prevention officers to name a few. The MBOA provides a forum in which building officials from all areas of the province can discuss and resolve common problems. Increasing interest and concern for the training and further education of building officials has resulted in the establishment of semi-annual seminars which continue to form an important part of the Association's activities. The Association provides a Certification Program for members who meet the educational criteria of the Building Officials Training Program offered at the Manitoba Emergency Services College. More information is available on-line at www.mboa.mb.ca.



Conferences

The Manitoba Emergency Services Conference

The Manitoba Emergency Services Conference is held each October in Brandon by the Office of the Fire Commissioner in cooperation with the Manitoba Association of Fire Chiefs (MAFC). The fall conference offers over thirty (30) different seminars that address a variety of topics relating to emergency response, emergency preparedness, fire and life safety education, emergency services management and emerging issues affecting today's fire service. Seminars are led by the leaders and Emergency Services Instructors (ESI's) of the Manitoba Fire Service, as well as nationally and internationally recognized experts in the fire service.

The Manitoba Emergency Services Conference, often referred to as "*The Training Weekend for the Manitoba Fire Service*" is the largest conference of its kind in Western Canada and attracts over 600 emergency personnel from across Canada. The large supplier display held in Brandon's Keystone Centre attracts suppliers from across Manitoba and Western Canada and provides delegates the opportunity to view and discuss new technology and equipment with peers and marketing representatives. Further information on the Manitoba Emergency Services Conference can be found by going to the Office of the Fire Commissioner website at www.firecomm.gov.mb.ca.



The Manitoba Association of Fire Chiefs Conference

The Manitoba Association of Fire Chiefs (MAFC) Conference is held in a different community in Manitoba in the spring of each year. The conference offers a variety of educational seminars on topics relating to the fire service and emergency preparedness in general. The highlight of the conference is the Annual General Members (AGM) meeting where members are provided the opportunity to vote on various resolutions that are brought forward through the Mutual Aid and Training Districts of the Province. Resolutions are then presented to the Minister of Labour and Immigration by the Association executive on behalf of the Fire Chiefs of Manitoba.

A supplier display attracts suppliers from across Manitoba and Western Canada and provides delegates the opportunity to view and discuss new technology and equipment with peers and marketing representatives. Further information on the MAFC can be found by going to the Association's website at www.mafc.ca.

The Manitoba Building Officials Association Conference

Each spring and fall the Manitoba Building Officials Association (MBOA) hosts educational seminars and workshops for Association members. These training sessions are utilized as credits in the maintenance of the Building Officials Certification Program. In addition to the training sessions, a manufacturer and suppliers tradeshow and the Association's annual general meeting (AGM) is held during the fall seminar. Further information on the MBOA can be found by going to the Association's website at www.mboa.mb.ca.

Participation by municipal officials, fire department personnel, and building officials at the various conferences supports networking with peers, allows new contacts to be made, and promotes enhanced training and education levels of all parties. These are all vital elements to the advancement of your municipal emergency services.

Fire Chief's Responsibilities

In addition to the management and co-ordination of the fire department's emergency response activities, the Fire Chief is charged with ensuring that the fire department is competently trained, properly equipped, and that accurate fire department records are maintained. The Fire Chief is responsible for ensuring that the department is operating in accordance with the various Federal and Provincial Acts, supporting regulations and local municipal by-laws.

The safety of department members must be given the highest priority. All of the department's activities, policies and operating guidelines must be in support of this very important objective. Together, the Fire Chief and municipality must continuously be aware of the possibility of civil litigation being taken or charges under various Acts being laid against the municipality or its representatives as a result of ineffective equipment, techniques or incompetence. This risk can be reduced through effective training, equipment and records management.



Under *The Fires Prevention and Emergency Response Act*, the Chief of the fire department is, by virtue of the position, considered to be a “*local assistant*” to the Fire Commissioner. This delegation of authority is required to be made in writing and is subject to the limitations and conditions that are prescribed or set out in the delegation. Along with the designation of a “*local assistant*”, come various delegated authorities and responsibilities under the Act.

The Act outlines the Fire Chief’s responsibility to immediately notify the Fire Commissioner and/or policing authority of all fires within their area of jurisdiction that involve fatalities, injuries, explosions, major loss, suspicious origin or if the Fire Chief requires assistance in determining the cause and origin.

The Fire Chief is responsible for investigating and submitting formal reports of all fires within their area of jurisdiction. The Act provides the Fire Chief with the necessary authority to carry out their responsibilities in the areas of fire investigation and fire safety inspections.

In accordance with the Act, local authorities are required to enforce The Manitoba Fire Code within their area of jurisdiction. In most municipalities this responsibility is delegated to the local Fire Chief (local assistant). Fire Chiefs are encouraged to become familiar with their responsibilities and authorities with respect to enforcing the Manitoba Fire Code, including any other supporting regulations or municipal by-laws that promote a fire safe community.

Fire Chiefs are encouraged to emphasize the importance of fire prevention and public education as the most effective way to protect their community and citizens. Priority should be given to public education programs, particularly those designed for pre-school and school age children. Assistance in this area is available from the Office of the Fire Commissioner.

Seven key components have been identified as being essential elements in developing a comprehensive and efficient Fire Protection System for any fire department. These include:

- A Hazard Analysis and Risk Assessment
- A Public Education Program
- A Fire Prevention Inspection Program
- An Incident Management System
- General Operating Guidelines
- A Training Plan
- A Records Management System

Many of these essential elements have become legislated requirements under various Provincial Acts and regulations over past years. This underlines the importance of each in creating a comprehensive Fire Protection System for your department. As a municipal official responsible for either your community emergency planning or protective services, it is important that you ensure that your department’s plan includes each of these components.



Municipal Officials Role

Municipal councils are responsible to provide a reasonable level of protection through effective emergency planning, emergency service delivery and code enforcement. It is therefore prudent for municipal officials to ensure that an up-to-date Hazard Analysis and Risk Assessment has been completed and maintained for their community and that an effective emergency plan and resources required to deal with any potential emergency are available in a timely manner.

By-laws supporting fire and life safety, such as those requiring regular fire safety inspections in prescribed buildings, yards to be kept in safe condition, or the safe storage of explosives and flammable substances in defined areas, are valuable fire prevention tools to help protect your community. The by-laws must also be enforced and consistently applied.

Emergency response equipment requires continual maintenance and operational checks. The growing demand placed on fire departments to handle virtually any type of emergency also increases the need for resources to provide such services. Effective dialogue with your local Fire Chief throughout the year, and particularly at budget time, is strongly recommended. The cost of a piece of equipment can potentially be recovered the first time it is effectively used to avert a disastrous situation or prevent further personal injury or loss of life.

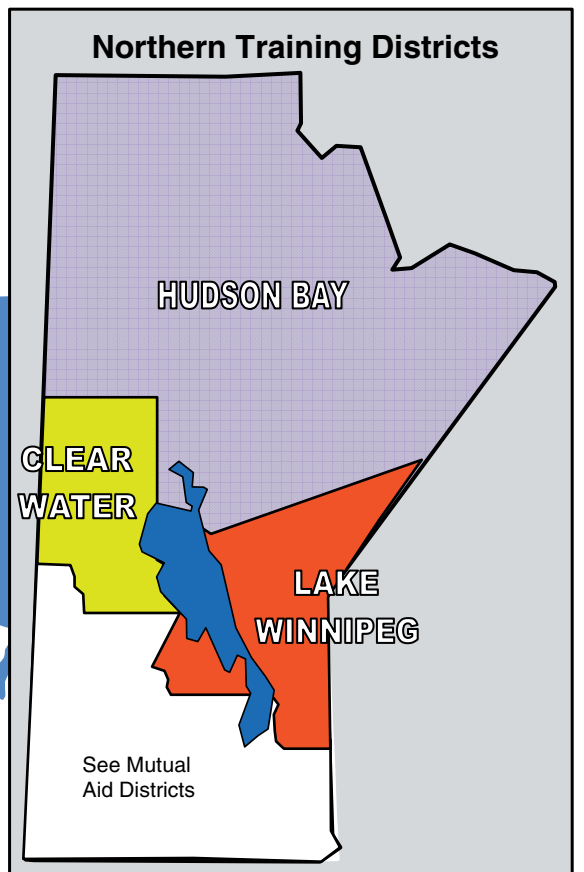
Municipal officials should become familiar with the changing role and increased demand on local emergency services, the various acts and regulations governing and directing emergency response, the workplace, and the training necessary to maintain a high level of service to area residents. As representatives of the “Employer” of the fire department, it is extremely important for municipal officials to become familiar with the responsibilities that come with the position.

The Office of the Fire Commissioner has assigned an Emergency Services Officer to work with you and your fire department. If you have any concerns or questions please contact your local Emergency Services Officer at the numbers listed within this brochure. Further information on the various services available from the Office of the Fire Commissioner and the Manitoba Emergency Services College is available on-line at www.firecomm.gov.mb.ca.

This brochure has been designed to assist municipal officials to increase their personal understanding of the challenges facing today’s Fire Service, as well as to understand the role and responsibilities of the municipality in the delivery of this important public service.



Office of the Fire Commissioner Mutual Aid Districts





1601 Van Horne Avenue East Brandon, Manitoba, Canada R7A 7K2
Phone: (204) 726-6855 Fax: (204) 726-6847 Email: firecomm@gov.mb.ca
Website: www.firecomm.gov.mb.ca
Toll Free: 1-888-253-1488