

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 044– 2006

BEING A BY-LAW TO DELEGATE THE AUTHORITY OF THE *FIRE CHIEF* OF THE TOWN OF MILTON TO DESIGNATED STAFF MEMBERS OF THE MILTON FIRE DEPARTMENT.

WHEREAS Section 6 (6) of the Fire Protection and Prevention Act, 1997, S.O. 1997, C. 4, as amended, permits a *Fire Chief* to delegate his or her powers of duties to any firefighter or class of firefighter, subject to such limitations, restrictions or conditions as may be prescribed in the delegation;

AND WHEREAS Subsection 1.1.8 of the Ontario Fire Code permits the powers or duties of the *Fire Chief* to be delegated with the limitations and conditions as set out in the appointment;

AND WHEREAS the *Fire Chief* of the Milton Fire Department recommends the delegation of the powers and authorities of the *Fire Chief* with the limitations and conditions as set out in the appointment;

AND WHEREAS the Council of The Corporation of the Town of Milton recognizes the efficiencies and benefits to customer service associated with the delegation of the powers and authorities of the *Fire Chief* with the limitations and conditions as set out in the appointment.

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

- 1) In the absence of the *Fire Chief* and at such other times deemed appropriate by the *Fire Chief*, the powers and authorities of the *Fire Chief* are hereby delegated to the:
 - a) Deputy Fire Chief(s)
 - b) Chief Fire Prevention Officer

- 2) The powers and authorities of the *Fire Chief* are hereby delegated to the Deputy Fire Chief(s) and the Chief Fire Prevention Officer who are appointed Assistants to the Fire Marshal. The power and authority is limited to review, assessment and approval where the Ontario Fire Code requires the approval of the *Fire Chief* in:
- a) Part 2, Building and Occupant Fire Safety
 - b) Part 3, Property Protection for Industrial and Commercial Occupancies
 - c) Part 4, Flammable and Combustible Liquids
 - d) Part 5, Hazardous Materials, Processes and Operations
 - e) Part 6, Fire Protection Equipment
 - f) Part 7, Inspection Testing and Maintenance of Fire Emergency Systems in High Buildings
 - g) Part 8, Demolition
 - h) Part 9, Retrofit
- 3) The powers and authorities of the Fire Chief are hereby delegated to the Deputy Fire Chief(s) and Chief Fire Prevention Officer who are appointed as Assistants to the Fire Marshal for the additional purpose of issuing a Permit to Conduct Open Air Burning in accordance with the Ontario Fire Code and the applicable Town of Milton By-Laws.
- 4) This By-law comes into effect on the date it is passed by Council.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 23rd day of May, 2006.

Mayor
Gordon A. Krantz

Town Clerk
Troy McHarg