

For Information Only

Proposed Changes to Fire Protection and Prevention Legislation

Presented To: Emergency Services Committee

Presented: Wednesday, Apr 18, 2018

Report Date: Wednesday, Mar 28, 2018

Type: Correspondence for Information Only

Resolution

For Information Only

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to the strategic priorities of: Quality of Life and Place, and Responsive, Fiscally Prudent, Open Governance.

Report Summary

This report aims to provide information to the Emergency Services Committee on recent changes being proposed by the Ministry of Community Safety and Correctional Services (MCSCS) to the Fire Protection & Prevention Act 1997 (FPPA).

There are three proposed regulatory changes being considered:

1. Mandatory training and certification for firefighters; 2. Community Risk Assessments; and 3. Public Reporting on Fire Responses.

These changes, if they proceed as proposed, will bring significant impacts to Greater Sudbury Fire Services; most notably, increased training costs, time and effort, and issues with recruitment and retention.

The Ministry of Community Safety and Correctional Services (MCSCS) sought public consultation on the proposed regulations between January 25th and March 18th, 2018. The Community Safety Department submitted comments during this process expressing their support of the positions of both the Association of Municipalities of Ontario (AMO) and the Ontario Association of Fire Chiefs (O AFC).

Financial Implications

Signed By

Report Prepared By

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Division Review

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Financial Implications

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There are no financial implications at this time as the legislation has not yet passed final reading, and the program has not been clearly defined.

Once the program has been defined and the legislation is passed, a report will come to Emergency Services Committee detailing the resources required to implement.

MCSCS Proposed Changes to Fire Service Regulations

Managers' Report Presented to: Emergency Services Committee on April 18, 2018

Background

The Ministry of Community Safety and Correctional Services (MCSCS) has proposed changes to the Fire Protection & Prevention Act 1997 (FPPA). The three proposed regulatory changes being considered include: mandatory training and certification for firefighters; community risk assessments; and public reporting on fire response. These regulatory changes arose as a result of MCSCS's establishment of the Fire Safety Technical Table. The mandate was to address public and firefighter safety based on coroner's inquests over the last few years. The Table included representatives from municipalities, firefighter associations and fire departments, including composite and volunteer fire departments.

The Ministry developed draft regulations to address the recommendations from the Table and released them for public consultation in January and February of this year. If these changes proceed as proposed, it will bring significant impacts to Greater Sudbury Fire Services. The Community Safety Department submitted comments during this process expressing local concerns as well as support of the positions of both the Association of Municipalities of Ontario (AMO) and the Ontario Association of Fire Chiefs (OAFIC). These submissions are attached in the Appendix for your information.

The proposed legislative changes to the FPPA are in line with the National Fire Protection Association (NFPA), an international trade organization that creates and maintains private, copyrighted standards and codes for usage and adoption by local governments. NFPA's code development process is open and consensus-based, meaning that anybody can participate in the development of these documents. More than 9,000 volunteer committee members with a wide range of professional expertise periodically review all NFPA codes and standards. The three proposed changes to the legislation are summarized below.

1. Mandatory Certification and Training for Fire Protection Services

The MCSCS has proposed the establishment of mandatory certification requirements, as set out by NFPA, for all new firefighters (both career and volunteer). The level of certification is dependent on the types of skills and services being provided and is laid out for many different employees within the fire service including: suppression firefighters, pump operators, technical rescuers, fire officers, and fire educators. These certification requirements would come into force January 1, 2019 with the exception of technical rescue certifications, which would come into force January 1, 2020. The MCSCS is also proposing that the mandatory certification requirements be applied to existing career and volunteer firefighters currently working in fire department, through a grandfathering and testing process, which would come into force on January 1, 2020.

The proposed legislation does not differentiate between career and volunteer firefighters. Within the legislation a firefighter is a firefighter. If they are going to perform a certain level and type of service, they must be trained and certified to do so under the applicable NFPA standard.

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2. Community Risk Assessment

The proposed Community Risk Assessment regulation details a process to identify, analyze, evaluate and prioritize public safety risks which should form the basis of City decision-making on the provision of fire protection services, fire safety education and fire prevention programs.

The risk assessment legislation contains nine profiles that must be completed within five years of the date of enforcement of the regulation (January 1, 2019) and must be reviewed annually and updated to properly reflect the current profiles. There will be a standard mandatory reporting form which will be set out by the Ontario Fire Marshall (OFM).

3. Public Reporting on Fire Responses

The public reporting regulation is set to be in force as of January 1, 2020, with a goal to increase transparency and accountability by ensuring that fire services submit data on a number of response time criteria. These reporting measures would be reported to Council prior to submission to the OFM who will then publish publically in a manner yet to be determined. While not implicitly stated within the regulation, as was done regarding firefighter certification, the proposed reporting standards are based on the NFPA standards. The NFPA 1710 standard is for full-time fire services and the NFPA 1720 standard is for volunteer and composite fire services. Since Greater Sudbury has a composite fire response model, we may need to use both standards depending on response zone and stations. Additionally, there are response times listed for fire departments to report on emergency medical responses.

Analysis

While the Community Safety Department supports the work of the Fire Safety Technical Table and also recognizes that regulatory change is a necessary step in the modernization of Ontario's Fire Services, we have identified several concerns with the proposed legislative changes related to firefighter certification:

- Training Costs
- Training Capacity
- Time-lines
- Recruitment and Retention of Volunteer Firefighters
- Technology Support (e-learning at stations)
- Provincial liability indemnification
- Two-year intern application
- Grandfathering process

We have also identified some concerns regarding the proposed Community Risk Assessments and Public Reporting requirements but in those cases, the impact to the City is not as significant as the Firefighter Certification requirements.

It is important to understand that each municipality has the ability to not only determine whether fire suppression services are established but to also set levels of service. So while the proposed changes in

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the FPPA direct minimum training requirements for firefighters, each municipality has the ability to determine service levels within the confines of the community. However, the proposed legislative changes mean that if the City wishes to continue to provide established suppression services and/or technical rescue such as water rescue or vehicle extrication, then CGS firefighters will need to be trained and certified to the appropriate level.

The standard to which a front-line firefighter must be certified to is NFPA 1001 which has two components: Firefighter Level 1 and Firefighter Level 2. Level 1 certification is deemed to be the standard for fire suppression activities for exterior attack only, while Level 2 is intended for both interior and exterior attack. The following table details the Mandatory Certification within the proposed legislation.

Item	Column 1 Fire protection service	Column 2 Certification standard
1.	Fire suppression activities, if the level of service provides for exterior attack only	NFPA 1001, "Standard for Fire Fighter Professional Qualifications", 2013 Edition, Level I
2.	Fire suppression activities, if the level of service provides for exterior and interior attack	NFPA 1001, "Standard for Fire Fighter Professional Qualifications", 2013 Edition, Level II
3.	Pump operations	NFPA 1002, "Standard for Fire Apparatus Driver/Operator Professional Qualifications", 2017 Edition, Chapter 5
4.	Supervise other firefighters	NFPA 1021, "Standard for Fire Officer Professional Qualifications", 2014 Edition, Level I
5.	Develop, implement or deliver a public education program and supporting materials	NFPA 1035, "Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist and Youth Firesetter Program Manager Professional Qualifications", 2015 Edition, Chapter 4, Level I
6.	Fire prevention inspections or plans examination activities	NFPA 1031, "Standard for Professional Qualifications for Fire Inspector and Plan Examiner", 2014 Edition, Level I
7.	Training courses for fire protection services	NFPA 1041, "Standard for Fire Service Instructor Professional Qualifications", 2012 Edition, Level I
8.	Dispatch fire department resources (personnel and equipment)	NFPA 1061, "Professional Qualifications for Public Safety Telecommunications Personnel", 2014 Edition, Level I
9.	Fire investigation activities	NFPA 1033, "Standard for Professional Qualifications for Fire Investigator", 2014 Edition
10.	Technical rescue activities	NFPA 1006, "Standard for Technical Rescue Personnel Professional Qualifications", 2017 Edition, in accordance with the level of service provided
11.	Hazardous materials response at the Technician Level	NFPA 1072, "Standard for Hazardous Materials/Weapons of Mass Destruction Emergency Response Personnel Professional Qualifications", 2017 Edition

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Training Costs

Training for career firefighters would be performed on duty and thus no additional costs would be incurred for training hours; however, volunteer firefighters would require additional training hours above the existing hours. To certify a new volunteer to NFPA 1001 (Level 1&2) within a two-year timeframe, a volunteer would need to attend and be paid for an additional hours at a cost of \$2,706 per firefighter. With an annual intake of nearly 40 volunteer firefighters per year, this would result in an additional cost of approximately \$108,240 per year for the City of Greater Sudbury. The following table details these requirements and the associated costs.

NFPA 1001 New Recruit Training	Level 1 (exterior)	Level 2 (interior)
Total Training Hours	120	80
New Recruit Training	*20	-
Annual Minimum Training Requirements per CBA	**24	**24
Additional Training Required Per New Recruit	76	56
Average probationary rate & volunteer firefighter rate	\$ 20.50	\$20.50
Total cost per new recruit (over 2 years)	\$1,558	\$1,148
Average number of new recruits per year (cohort)	40	40
NFPA 1001 Certification Cost per level	\$62,320	\$45,920
Total Certification Training Cost per cohort		\$108,240

* Approx. 20 hours of new hire training is dedicated to corporate training (i.e. health and safety, WHMIS, etc)

** Minimum volunteer training required within the collective agreement (they may attend more).

Estimated costs related to Technical Rescue will be in addition to the NFPA 1001 Level 1&2 training (200 hours). For example, nine of the City's fire stations currently offer Vehicle Rescue. To certify to the Operational level, allowing firefighters to respond utilizing a piece of equipment such as the "jaws of life" would require an additional 40 hours of training per firefighter for a total cost of \$136,776.

Maintenance of the current technical rescue capabilities within our stations are noted in the table below and would require an additional 200 hours of training per firefighter at a total cost of \$235,176 for current personnel. This is in addition to costs associated with the base firefighter training requirements previously identified (i.e. NFPA 1001). The following table details only the costs associated to technical rescue under Item #10 Technical Rescue of the Mandatory Certification.

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NFPA Standard:	Hours of Training	# of Stations	# of Career	# of Volunteers	Training Costs
1006 (8) - Vehicle Rescue: Operations Level	40	14	108	139	\$136,776
1006 (9) - Animal Rescue: Technician Level	20	7	108	25	12,300
1006 (16) - Surface Water Rescue: Technician Level	20	7	108	25	12,300
1006 (19) - Ice Rescue: Technician Level	30	7	108	25	18,450
1006 (21) - Watercraft Rescue: Technician Level	30	7	108	25	18,450
1006 (22) - Floodwater Rescue: Technician Level * Assumes pre-requisites are completed	60	7	108	25	36,900
TOTAL	200				\$ 235,176

The increased costs associated with the proposed regulatory changes are substantial. In order to offset the costs being downloaded by the Province to our municipality, the Community Safety Department supports AMO's recommendation for adequate provincial funding to support the implementation and certification compliance of firefighters in meeting the new standards so that this does not become an unfunded mandate.

Training Capacity

The Greater Sudbury Fire Service only has three training officers to provide training and testing to nearly 400 firefighters. The time requirement to meet basic certification for new firefighters will be substantive. On average, each year the Service recruits approximately 40 firefighters to fulfill career and volunteer positions. The proposed standards will significantly increase the amount of time and cost to complete recruitments. This may require additional full time staffing and associated funding for the Fire Services Training Section which is being investigated in more detail.

Timelines

Given the amount of time and resources necessary to implement the changes required by the proposed legislation, along with suggestions to clarify some of the language, we support the recommendation by AMO and OAFB to extend the deadlines. Consideration of the municipal political landscape with an upcoming election and resulting delay in the adoption of the 2019 budget until after the end of this year must be taken into account. Additionally, current tax rates have already been approved through the 2018 budget process and there is no mechanism to adjust in-year. Without the time to establish proper funding through the normal budget process, the Service will not be able to achieve compliance within the timelines being proposed.

Lastly, certifications for technical rescue disciplines are complex and require the completion of a number of prerequisites. This means that compliance would not be achievable across the Fire Service within the proposed the timelines. Additionally, some materials for the technical rescue certification currently do

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not exist. The additional recommended time will allow municipalities to complete the necessary planning, training and funding decisions, prior to the compliance period.

Recruitment and Retention of Volunteer Firefighters

As one of the largest composite fire services in the Province, Greater Sudbury currently has over 260 volunteer firefighters, and shares AMO's concern that if this regulation is instituted, the substantial time commitment required for certification will further erode the ability to attract, recruit and retain volunteer firefighters. With an annual attrition rate of 15%, the Service needs to recruit 40 new volunteer firefighters each year to maintain the current complement. Requiring a commitment of 200 hours to attain NFPA 1001 certification may be too much for volunteer firefighters to dedicate and thus could be detrimental to both the attrition and recruitment rates. These training hours are related specifically to firefighter certification and do not address additional hours required for technical rescue and corporate training (i.e. health and safety).

Technological Support & Other Concerns

The ability to support the proposed changes over a short time period would require significant investment in technology to support an online Learning Management System (LMS). The current infrastructure within many fire stations would not support this learning model and substantial funding would be required to enable volunteer firefighters to obtain certification.

We have also noted other areas of concern within our submission to the MCSCS many of which align with AMO and the OAF. In summary, we believe the new internship period should be expanded to allow for Officer level positions to have the same advantage. We agree with AMO's concern of the significant risk of potential liability associated with not certifying under the grandfathering clause and only requiring certification for new hires. We further agree with the OAF position, that the grandfathering clause should be reevaluated, "to be made as broad as possible with updated eligibility so all current fire service personnel could be grandfathered to their current level". The Department also supports AMO's position in asking for provincial liability indemnification for all municipal governments who comply with the new regulations, similar to what occurred in the Province of Quebec. This would help to protect the City of Greater Sudbury for all existing firefighters not certified to the new mandatory standard for all categories of fire operations.

Community Risk Assessment

The Community Safety Department supports OAF's position with respect to community risk assessments. Municipal Property Assessment Corporation (MPAC) data should be used to classify building usage and amendments should be made to existing municipal agreements regarding what information is available to fire services. Finally, reporting against provincial trends would be more appropriate than making comparisons to other "like" municipalities.

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Public Reporting on Fire Responses

The Community Safety Department shares both AMO's and OAF's positions on the proposed public reporting regulation. Until the Ontario Standard Incident Reporting (SIR) system is overhauled and inconsistencies are corrected, the goal of standardization outlined will be unachievable and municipalities will continue to struggle with flawed data results. There are also many ambiguous and uncertain terms and definitions contained within the proposed public reporting legislation. It is also apparent that the reporting standards within the legislation align with NFPA 1710 and 1720, however without reference to such and with a glaring omission in allowances for local populations, densities and distances; the regulation lacks consistency and accuracy. Lastly, within the proposal are reporting metrics that are already the legislatively mandated responsibility for Paramedic Services within Ontario. This being the case, these measures should not be part of Fire Service reporting.

Conclusion/Next Steps

While the Community Safety Department supports the intent of this legislation to improve firefighter and community safety, the speed in which this regulatory change being proposed, creates a significant challenge for the Municipality. Representing municipalities and their fire services, both AMO and the OAF consultative submissions are in alignment with each other and are reflective of concerns for Greater Sudbury. Together, all are recommending a series of amendments to the proposals and state that without provincial support, in terms of funding and resources, compliance may not be achievable within the proposed timelines. With a lack of time for preparation, municipalities may be forced to make some difficult decisions regarding service levels. The Fire Service continues to monitor this evolving issue to determine what if any amendments come out of the consultation process. In addition, we continue to evaluate training options that would allow us to deliver firefighter certification training within the new legislative framework, if passed.

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Resources Cited

Ontario Ministry of Community Safety and Correctional Services. (1997). Fire Protection and Prevention Act. Retrieved from the Government of Ontario website:

<https://www.ontario.ca/laws/statute/97f04>

Association of Municipalities of Ontario – Final Response and Information on Proposed MCSCS Fire Regulations. Retrieved from the AMO website:

<https://www.amo.on.ca/AMO-PDFs/Letters/2018/Fire-Regulations-Response-FINAL-2018-03-07.aspx>

Ontario's Regulatory Registry - Ministry of Community Safety and Correctional Services: Public consultation on proposed regulations for mandatory training and certification and conducting community risk assessments. Retrieved from the Government of Ontario website:

<http://www.ontariocanada.com/registry/view.do?postingId=26546&language=en>

Ontario's Regulatory Registry - Ministry of Community Safety and Correctional Services: Public consultation on a proposed regulation for public reporting on fire department response times. Retrieved from the Government of Ontario website:

<http://www.ontariocanada.com/registry/view.do?postingId=26806&language=en>

Ontario Association of Fire Chiefs – Response and Information on Proposed MCSCS Fire Regulations. Provided by OAFC.

Office of the President

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March 7, 2018

The Honourable Marie-France Lalonde
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RE: Comments on Draft Fire Regulations (Proposal No: 18-CSCS002 & 18-CSCS004)

Dear Minister Lalonde:

The Association of Municipalities of Ontario (AMO), representing municipal governments who are the employers and funders of fire services in Ontario, would like to provide our comments on three draft regulations to the *Fire Protection and Prevention Act, 1997* (FPPA), that were recently released by the Ministry of Community Safety and Correctional Services (MCSCS):

1. Firefighter Certification;
2. Community Risk Assessment; and
3. Public Reports.

Municipal governments are in general supportive of the efforts to modernize the FPPA and enhance the professionalism of the Fire Services that serve Ontario communities. MCSCS established the Fire Safety Technical Table (Table) in January 2017, to provide advice to the Ministry on current and future fire safety challenges and opportunities, identify priorities for action, and support the development of evidence-based recommendations that will enhance fire safety in Ontario.

Since the Table was established, AMO has been attending these monthly meetings with the Ontario Association of Fire Chiefs (O AFC), Toronto Fire Services, the Ontario Professional Fire Fighters Association, and the Fire Fighters Association of Ontario, to provide informed input to your Ministry officials on minimum standards for professional fire service qualifications. There was not always consensus at the Table; however, there were active discussions. The Table's input was considered by MCSCS staff towards the development of these draft regulations, for your final review and approval.

Local elected officials across Ontario share in the Province's commitment to keep our communities safe by providing public and firefighter safety, and are interested in finding ways to modernize fire service delivery in this province. However, as the sole funders of fire

services in Ontario, we are recommending that the Ministry adopt key amendments to these proposed regulations before they are finalized as well as providing explicit provincial implementation resources and measures.

We are very concerned about the fiscal impacts of these proposed regulations and would ask for a public provincial commitment, prior to these regulations receiving approval, for adequate financial funding for implementation so that they do not become an unfunded mandate. We understand that MCSCS will be surveying fire services shortly to get a better handle on the resource needs for successful implementation, particularly with respect to the draft Firefighter Certification regulation, however, we need an upfront commitment from the Province that appropriate funding will be provided.

We are also very aware that many small municipalities will not be able to maintain a viable volunteer fire service if the proposed Firefighter Certification regulation is instituted, even if provincial funding is provided to assist implementation. These volunteer firefighters are deeply committed to their communities, however, the imposition of mandatory training and examination requirements may demand too much for too little return from them. These municipal governments will likely soon face the hard and public discussion of what fire services, beyond the FPPA required fire safety public education and fire prevention, can be realistically provided to their community.

We, along with the OAF, are asking that the draft Public Reports regulation be put on hold until an overhaul of the Ontario Standard Incident Reporting (SIR) is completed through the Table. Further, the current draft Public Reports regulation is not drafted well, has ambiguous language within it, and appears to be setting service level expectations for volunteer fire service response times (either within a composite service or a volunteer) as if they were full-time urban fire services. It is a municipal government's responsibility to set the level of fire services, including reporting standards. This draft regulation has been a challenging matter at the Table with a very short time for consideration and discussion. We are asking you directly that this proposed regulation not be approved at this time, even if some of the language is clarified in the next few weeks.

Further, we are frustrated and disappointed to see that MCSCS is proposing that medical response times by municipal fire services are included in the draft Public Reports regulation. AMO's and municipal governments' strong opposition to the provincial proposal to have fire-medical pilots is well known. The inclusion of medical responses in the draft regulation could be seen as a back-door measure to provide additional support for a fire-medical program in Ontario. It is exceedingly problematic that this draft regulation includes an Advanced Life Support response time for fire when this doesn't currently exist in Ontario along with a different AED onsite response than is legislatively required for paramedics, fire services, and citizen responses. We would respectfully demand that no medical response times are included in a future Public Reports regulation for municipal funded fire services.

As you will hear from our municipal members and the OAF, implementing these fire regulations will take substantial effort, time, and financial resources to ensure that they can comply with the legislation by the proposed commencement dates. While the proposed

Firefighter Certification regulation does state that some of the mandatory certification to be required for only new hires, it is our concern that there is great liability risk to a municipal government if it does not certify to the new mandatory standard for all categories of fire operations.

Therefore, AMO is asking that provincial liability indemnification be provided legislatively to accompany these draft regulations. This indemnification should be in place for all municipal governments who comply with these new regulations at least 12 months before the Firefighter Certification regulation comes into force. We understand that the Province of Quebec provided such indemnification as a quid pro quo for the requirement of mandatory certification of fire service personnel.

This is essential protection as throughout this exercise the Table has not received information on what the gap might be between those fire personnel that are, or could be, certified and those that will need to receive immediate training in order to be able to be certified by the time the regulation comes into force. For these reasons, we are asking for the certification regulation not to come into force until at least January 2020. We know that the Ministry staff have tried to gather this information, however, the gap analysis is not available. Therefore, current final decisions cannot be evidence-based, rather they need to be done from a risk mitigation perspective.

We do thank the Ministry for its commitment to make sure all the training and associated examinations related to the mandatory Firefighter Certification regulation will be provided at no charge to the municipal fire service. That said we do need new financial resources to cover the expected staffing costs for training that this new regulation will require.

We also ask that grandfathering provisions associated with this mandatory certification are made as broad as possible. In the ideal state, grandfathering should be re-opened with updated eligibility, so all current fire service personnel could be grandfathered to their current level. At a minimum, grandfathering should be re-opened to all fire services as those who could have been certified in 2014, when voluntary, should have every opportunity to be certified now.

In closing, we are asking for the proposed Public Reports regulation not go forward at this time and the following key amendments or provincial commitments, prior to the proposed Firefighter Certification and the Community Risk Assessment regulations, be approved:

- Provincial commitment to fund new firefighter certification costs so that it is not an unfunded mandate for municipal governments;
- The Province provide, in legislation, liability indemnification for all municipal governments who certify their firefighters to the standards in the Firefighter Certification regulation and that this is done at least 12 months before this regulation comes into force;
- The proposed Firefighter Certification regulation does not come into force any earlier than January 1, 2020;

- Technical amendments to the draft Firefighter Certification Community Risk Assessment as per the attached appendix as well as those provided in the OAFC submission;
- The draft Public Reports regulation be held and not approved until Ontario's Standard Incident Response (SIR) framework, system improvements, and implementation strategies are discussed and consensus is achieved at the Table; and
- Medical responses are not included in any future reporting requirements for municipal funded fire services.

We trust that the Ministry appreciates the rationale behind why these key amendments are needed, and will recognize the significant burdens and impacts these regulations will have, especially on small, rural and northern municipalities if the fiscal, risk management, timing, and technical aspects are not resolved well.

For these reasons, further consultation with AMO and the municipal sector is needed before finalizing the regulations to ensure that these can be implemented successfully. We look forward to meeting with you soon to discuss these draft regulations.

Sincerely,



Lynn Dollin
AMO President

cc: The Honourable Kathleen Wynne, Premier of Ontario
The Honourable Bill Mauro, Minister of Municipal Affairs

Appendix A

Technical Comments on the Proposed Firefighters Certification

AMO's Proposed Change	Rationale
<p>Intern Firefighter</p> <ul style="list-style-type: none"> ▪ The Internship Program of 24 months needs to be expanded to include all applicable areas and positions, such as Fire Inspectors and Fire Officer I & II, replacing the limiting language found in section 3(b). 	<p>As it is currently written, the regulation only applies to new hires.</p>
<p>Transition</p> <ul style="list-style-type: none"> ▪ In the ideal state, grandfathering should be re-opened with updated eligibility, so all current fire service personnel could be grandfathered to their current level. At a minimum, grandfathering should be re-opened to all fire services as those who could have been certified in 2014, when voluntary, should have every opportunity to be certified now. ▪ OFMEM must also ensure timely access to free, online training and testing for departments. 	<p>Opening the grandfathering provision to <u>all</u> existing firefighters for a limited time could alleviate significant cost pressures for municipalities and unorganized territories. We are aware that there has been significant training over the years to NFPA standards outlined in the regulations, which should limit risk exposure.</p> <p>Access to free, online training and testing will aid the certification process and reduce municipal travel expenses. Otherwise, success/compliance is not likely.</p>

AMO's Proposed Change	Rationale
<p>Commencement</p> <ul style="list-style-type: none"> While departments should begin the work to move their department toward compliance with the regulation, the commencement date should be extended to at least January 1, 2020. Certification for some individual chapters with NFPA 1006 may not be available for the January 1, 2020 deadline. Therefore, additional wording should be added, allowing the Authority Having Jurisdiction (AHJ) to manage the implementation of NFPA 1006 Technical Rescue as the standards are updated, published, and testing/skills are made available, in order to support and complete the certification process. 	<p>A delayed commencement date will enable the provincial government to provide the necessary funding for training and liability indemnification 12 months prior to the regulations coming into force.</p>
<p>Table 1: Mandatory Certification</p> <ul style="list-style-type: none"> Wording should be introduced to ensure future updates to NFPA standards are implemented by the AHJ as standards are updated, published, and testing/skills are made available. 	<p>As certification for some individual chapters within NFPA 1006 may not be available for the January 1, 2020 deadline, allowing the AHJ to implement this, will support and complete the certification process.</p>

Technical Comments on the Proposed Community Risk Assessments Regulation

AMO's Proposed Change	Rationale
<p>Mandatory Use</p> <ul style="list-style-type: none"> ▪ The new requirements for a community risk assessment must be accompanied with guidance and resources from OFMEM and/or MCSCS to ensure that the data that is being required is retrievable, and the forms which are being used are user-friendly and accessible. 	<p>This regulation will require significant support and assistance for small rural and northern municipalities in meeting the new requirements of a community risk assessment. Standardized fillable forms for fire departments, and ensuring the criteria are easy to understand is needed to obtain success/compliance.</p>
<p>Commencement</p> <ul style="list-style-type: none"> ▪ The commencement date should be extended to at least July 1, 2019 or ideally January 1, 2020 to allow municipalities to transition from the existing simplified risk assessment, and become trained on the new requirements. 	<p>This will allow OFMEM & MCSCS to secure resources and roll out the tools that will make success/compliance with this regulation possible.</p>
<p>Schedule 1: Mandatory Profiles</p> <ul style="list-style-type: none"> ▪ The reference to building stock and classifications should use MPAC data to classify building usage in regards to fire risk, with amendments to existing municipal agreements about what information is available to fire services. ▪ The line about reporting the "state of compliance with the fire code" in Section 2 be deleted. 	<p>Further analysis is needed to determine if the MPAC information currently accessible by each municipality is sufficient to complete risk assessment profiles.</p> <p>The line needs to be deleted because it is directly dependent upon municipalities' set level of service for fire prevention (e.g. fire inspections upon request or complaints as permitted, under the FPPA).</p>

AMO's Proposed Change	Rationale
<ul style="list-style-type: none"> ▪ Section 6 needs to be removed. ▪ Section 9(2) should be edited to remove the requirement to compare to other "like" municipalities. 	<p>In a multi-tier government (e.g. lower-tier fire, upper-tier EMS and provincial police), the data required for a public safety response profile, as currently called for in the draft regulation, is not attainable.</p> <p>Comparison to other "like" communities will be difficult to achieve. Reporting to provincial trends would be more appropriate.</p>

Technical Comments on the Proposed Public Reports Regulation for the purposes of illustrating the challenges the current draft contains.

Please note AMO is asking that this draft regulation be put on hold at this time.

AMO's Proposed Change	Rationale
<p>Do Not Approve this Regulation</p> <p>An overhaul of Ontario's Standard Incident Reporting (SIR) framework needs to be completed before any public reporting regulation is approved and implemented.</p>	<p>The Table should reconvene to discuss SIR system improvements and implementation strategies, while the proposed regulation is put on hold.</p>
<p>Medical Responses</p> <p>Medical responses are not included in any future reporting requirements for municipal funded fire services</p>	<p>Not appropriate for fire services reporting in Ontario.</p>
<p>Ambiguous Language</p> <p>The proposed regulation is not reflective of the different types of service delivery across the province. Need to use the terms "full-time", "composite" and "volunteer" firefighters or services for clarity.</p> <p>Greater clarity is needed on who or what the regulation applies to. "Fire departments" are often not a legal entity, and therefore, might not be able to be compelled to report pursuant to the FPPA.</p> <p>The proposed regulation references "non-volunteer firefighters" often," which is not a term used Ontario to describe any member of its fire service. If this is to define full-time firefighters, then use the term "full-time".</p>	<p>The draft language is ambiguous with respect to composite departments and may have the result of volunteers within a composite service being misclassified as full-time firefighters.</p> <p>Wording used throughout the proposed regulation in reference to "fire department" reporting accountabilities is problematic and confusing.</p> <p>This term needs to be clarified to be understood.</p>
<p>Composite Fire Services</p> <p>Reporting by composite fire services should have those areas that are serviced by full-time firefighters should report to urban response standards and the volunteer</p>	<p>Schedule 1.1 (1) appears to have the potential impact of having some composite services into an urban standard reporting as the first truck may not include a volunteer</p>

AMO's Proposed Change	Rationale
firefighters should report to rural response standards.	firefighter but the next few trucks to arrive do have mostly volunteer firefighters.
<p>Response Standards for Volunteer Services</p> <p>Delete the 90% reference in Schedule 2(1) 1 as rural response standards for volunteer fire services do not require a 90% performance level.</p>	<p>It would appear that this proposed regulation is trying to establish service levels not required by the rural response standard in volunteer firefighter service areas. For volunteer services, the response time depends on the population, density and distances to cover.</p>