Agenda – Council – October 28, 2009

Report – Standing Policy Committee on Protection and Community Services – October 9, 2009

Item No. 1 Amendment to the Fire Prevention By-law No. 150/2004 – Fire Extinguisher Training
eFile GF-5

STANDING COMMITTEE RECOMMENDATION:

On October 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submits the following to Council:

1. That the Fire Prevention By-law No. 150/2004 be amended to require licensing of fire extinguisher trainers, effective January 1, 2010, as per the draft amending by-law contained in the report from the Winnipeg Public Service dated September 3, 2009.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Protection and Community Services – October 9, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 9, 2009, the Standing Policy Committee on Protection and Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

ISSUE: **AMENDMENT TO THE FIRE PREVENTION BY-LAW RE: FIRE EXTINGUISHER TRAINING**

Critical Path: Standing Policy Committee on Protection & Community Services – Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
P. Kloos Director of Fire Prevention	J. Brennan Fire & Paramedic Chief	N/A	Glen Laubenstein

RECOMMENDATIONS

1. That the Fire Prevention By-law No. 150/2004 be amended to require licensing of fire extinguisher trainers as per the attached amending By-law, effective January 1, 2010.
2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

IMPLICATIONS OF THE RECOMMENDATIONS

General Implications:

- Winnipeg Fire Paramedic Service (WFPS) will partner with the Office of the Fire Commissioner (OFC) and the private sector to increase capacity for fire extinguisher training to the general public.
- Fire extinguisher training for the general public will continue to be delivered by private industry on a “for profit” basis.
- The attached by-law amendments will require anyone who provides fire extinguisher training be issued a license by the WFPS.
- In order to be eligible for a license the candidate must have successfully completed two relevant courses at the Manitoba Emergency Services College or demonstrate that they have received equivalent training. The candidate will be required to provide proof of refresher training every five years.
- WFPS will provide continuous quality improvement checks as deemed necessary on courses registered during the permit process.

- WFPS will maintain the capacity to provide fire extinguisher training to City of Winnipeg staff if needed.

Financial Implications:

This is within approved current and/or capital budget.

HISTORY

Council enacted a new Fire Prevention By-law No. 150/2004, which came into effect on January 1, 2005. The by-law sets out standards and requirements with respect to fire and life safety and stipulates fees to cover the costs of a variety of inspections, permits, licenses, and for certain public education services. Since its implementation, the by-law has been amended to include additional requirements and to clarify some of the technical aspects of the by-law.

The WFPS has historically provided fire extinguisher training to the general public and City employees on a "no cost" or "cost recovery" basis. Over the last few years many private organizations and companies have offered similar training to the public for a profit. In order to avoid competing with private industry and provide more capacity for training to the general public, the WFPS will partner with the OFC and private sector for fire extinguisher training to the general public. The WFPS will continue to provide fire extinguisher training as deemed appropriate (ie. City of Winnipeg employees) and will monitor compliance as necessary for quality assurance purposes through the permit process. This will not only increase the amount of courses available to the general public and avoid competing with the private sector, but will free up WFPS resources for other priorities that the private sector is unqualified and unable to provide such as the Youth Fire Stop program.

The department is recommending the licensing of fire extinguisher trainers to ensure that fire extinguisher training is conducted in a safe manner. In order to qualify to be licenced, trainers will have to successfully complete the following two courses at the Manitoba Emergency Services College:

- Fire and Life Safety Educator I NFPA 1035; and
- Fire Extinguisher Seminar.

Alternatively, applicants will receive a licence if they can demonstrate that they have received equivalent training.

A license fee of $100.00 for a 5 year term will be charged to off-set the costs of administering the licensing system. This license fee will have to be renewed at the end of each 5 year term.

It is recommended that the proposed by-law amendments will come into effect on January 1, 2010 to provide time for fire extinguisher trainers to meet the licensing requirements.

FINANCIAL IMPACT

Financial Impact Statement **Date:** September 3, 2009

Project Name: **First Year of Program** **2010**

Amendment to the Fire Prevention By-Law Re: Fire Extinguisher Training

	2010	2011	2012	2013	2014
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	1,200	1,200	1,200	1,200	1,200
Net Cost/(Benefit)	$ (1,200)	$ (1,200)	$ (1,200)	$ (1,200)	$ (1,200)
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ (1,200)	$ (1,200)	$ (1,200)	$ (1,200)	$ (1,200)

Additional Comments: It is estimated that a minimal number of licenses (12) will be issued each year. There are no additional costs to be incurred in raising this revenue.

original signed by

Bodo G.W. Roloff, CMA
Manager of Finance & Administration

CONSULTATION

In preparing this Report there was consultation with:

City of Winnipeg Legal Services Division
Manitoba Fire Extinguishing Equipment Association

SUBMITTED BY

Department: Fire Paramedic Service
Division: Fire Prevention Branch
Prepared by: P. Kloos, Director of Fire Prevention
Date: September 3, 2009
File No.

THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to amend the Fire Prevention By-law to require licensing of fire extinguisher trainers.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Fire Prevention By-law amended

1 The Fire Prevention By-law No. 150/2004 is amended by this By-law.

New Part added

2. The following is added immediately after subsection 49(2):

PART 7 – FIRE EXTINGUISHER TRAINING LICENCE

Fire extinguisher trainers must be licenced

49.1 An individual must not conduct training in the use of a fire extinguisher without holding a valid and subsisting licence issued under this Part.

Issuing fire extinguisher training licence

49.2(1) Subject to subsection (2), a designated employee may issue a licence authorizing an individual to conduct training in the use of a fire extinguisher only if the individual

(a) pays the fee set out in Schedule "A" for the licence.

(b) within a two year period prior to applying for the licence, has successfully completed the following courses provided by the Office of the Fire Commissioner for the Province of Manitoba at the Manitoba Emergency Services College:

(i) Fire and Life Safety Educator I NFPA 1035; and

(ii) Fire Extinguisher Seminar.

Chief may approve equivalent qualifications

49.2(2) Notwithstanding clause 49.2(1)(b), the Chief may authorize a licence to be issued under subsection (1) or renewed under subsection 49.3(2) to an individual who has successfully completed education and training programs or courses that the Chief considers to be equivalent to the education and training required by clause 49.2(1)(b).

Expiration of licence
49.3(1) A licence expires on December 31 of the fourth year after the year it was issued.

Renewal of licence
49.3(2) A designated employee may renew a licence issued under subsection 49.2(1) only if the individual

(a) pays the fee set out in Schedule "A" for the licence; and

(b) either provides evidence that he or she has met the qualifications set out in clause 49.2(1)(b) within two years prior to the renewal date or qualifies for a renewal of the licence under subsection 49.2(2).

Schedule "A" amended
3 The following is added at the end of the section in Schedule "A" entitled "Licence Fees":

Fire extinguisher training licence fee (five years) $100.00

Effective date
4 This By-law comes into force on January 1, 2010.

DONE AND PASSED, this day of , 2009.

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Mayor

_____
City Clerk

Approved as to content:

_____
Fire and Paramedic Chief

Approved as to form:

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For Acting City Solicitor/Manager of
Legal Services