

ADOPTED by Council at its meeting held November 7, 2011 [M321-2011]

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Windsor, Ontario November 7, 2011

REPORT NO.12 of the
PUBLIC SAFETY STANDING COMMITTEE
of its meeting held September 21, 2011

Present:
Councillor Jones, Chair
Councillor Dilkens
Councillor Gignac
Councillor Maghnieh
Councillor Payne

That the following recommendation of the Public Safety Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Gignac

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute the necessary Fire Protection agreement with the Town of Tecumseh, permitting Windsor Fire to respond to a large fire or explosion at the Aabco site, upon the following terms:

- a) One year term with automatic annual renewals;
- b) Costs to be recovered at the MTO rate in effect at the time of the occurrence;
- c) Termination upon 90 days notice;
- d) Windsor Fire not obligated to respond (such as in the case of personnel availability);
- e) Windsor Fire will assume command if first on scene. Command will be transferred to Tecumseh upon their arrival. Unified command will then be set up between the agencies; and such agreement is satisfactory in form to the City Solicitor, in technical content to the Fire Chief, and in financial content to the City Treasurer; and further

THAT the Town of Tecumseh **BE REQUIRED** to assume all risks and associated costs including WSIB as it relates to Windsor firefighters from the time the service is activated until the City of Windsor Fire Department ends their service.

Carried.

SF/11171, Livelink 15488

Clerk's Note: The report dated August 29, 2011 from the Deputy Chief and the Manager of Administration titled "Fire Protection Agreement" is **attached** as background information.



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IRPERSON

NOTIFICATION :				
Name	I Address	I Email Address	I Telephone	IFAX
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**THE CORPORATION OF THE CITY OF WINDSOR
Public Safety Standing Committee - Administrative Report**

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MISSION STATEMENT:

"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"

LiveLinkREPORT #: 15488 SF/11171	Report Date: August 29, 2011
Author's Name: Deputy Chief Steve Laforet & Sherri Arsenault	Date to Standing Committee: September 21, 2011
Author's Phone: 519 999-8141 519-999-8148	Classification #:
Author's E-mail: slaforet@city.windsor.on.ca; sa:rsenault@city.windsor.on.ca	

To: Public Safety Standing Committee

Subject: Fire Protection Agreement

1. RECOMMENDATION: City Wide: Ward(s): ___

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute the necessary Fire Protection agreement with the Town of Tecumseh, permitting Windsor Fire to respond to a large fire or explosion at the Aabco site, upon the following terms:

- a) One year term with automatic annual renewals;
- b) Costs to be recovered at the MTO rate in effect at the time of the incurrence;
- c) Termination upon 90 days notice;
- d) Windsor Fire not obligated to respond (such as in the case of personnel availability);
- e) Windsor Fire **will** assume command if first on scene:- Command will be transferred to Tecumseh upon their arrival. Unified command will then be set up between the agencies; and such agreement is satisfactory in form to the City Solicitor, in technical content to the Fire Chief, and in financial content to the City Treasurer.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

In August 2008, as a result of the fatal Sunrise Propane explosion that occurred in Toronto, which caused considerable damage and disruption to the City, a review panel was struck to evaluate the existing practices and make recommendations to improve the safety standards of propane operating systems.

In December 2008, the government made amendments, to the regulations under the Technical Standards and Safety Act, 2000 to implement the recommendations of the Propane Safety Review panel. The amendments were made to O. Reg. 211/01 (Propane Storage and Handling) and to O. Reg. 2115/01 (Fuel Industry Certificates.). These amendments included a requirement for certain propane transfer facilities in Ontario (retail outlet, filling plant, cardlock/keylock, private outlet or container refill centre) to have a risk and safety management plan (RSMP) in place as a condition of licensing beginning January 1, 2011.

A Level 1 **Risk and Safety Management Plan (RSMP)** must be completed by propane facilities with a total propane storage capacity of 5,000 U.S. water gallons (USWG) or less, and facilities with fixed propane storage of exactly 5,000 USWG and no more than 500 USWG in additional portable propane storage. These small facilities will complete a template RSMP and will liaise with their local fire department in order to have the fire department review and provide comments on the emergency response and preparedness plan. The fire service has no approval, only comment, on these submissions. These comments are meant to address any concerns regarding the emergency procedures we may have in regards to the specific facility.

A Level 2 RSMP is required for larger propane transfer-facilities. The Level 2 RSMP must include a hazard and risk analysis, cover mitigation measures when necessary, and include fire service approval of fire safety, fire protection and emergency preparedness elements of the RSMP. The fire service guidelines developed for RSMPs apply to the Level 2 RSMPs and have not been changed.

Prior to this program being initiated, the fire department had very little contact with these sites, as they are inspected by TSSA, and fall under their applicable legislation. With the new program, the fire department is responsible for providing response and apparatus information, providing and identifying municipal contact/alternate information, reviewing the RSMP's for the existing sites, inspecting the sites under the auspices of the fire code, and developing a record management system for those RSMP's submitted.

-3 - DELSO

Aabc9 Propane is a Level 2 facility within the Town of Tecumseh. Upon review of this facility by Tecumseh Fire it became apparent that if there was an explosion or large fire at this facility, Tecumseh may experience difficulties with the initial response. As a result Tecumseh has requested that Windsor Fire enter into a Fire Protection Agreement as allowed under the Fire Prevention & Protection Act (FPPA). The agreement would allow for Windsor Fire to respond to the above location and bill for the recovery of cost associated, in the unlikely event this situation occurs. A number of steps have been taken by Tecumseh Fire to make the operator as safe as possible. The trigger for a Windsor response would be a large fire or explosion at the Aabco facility reported to Windsor Fire Rescue Services (WFRS) communication center. Windsor Fire response would be comprised of 2 engines, 1 truck and a command car. The duration of the agreement would be one year with an automatic renewal each year. Either party can terminate the agreement with 90 days notice. There will be a clause that states there is no mandatory obligation for WFRS to provide the response if we do not have the personnel available. For example, if all units were tied up in Windsor at a large fire. Windsor Fire will assume command if first on scene. Command will be transferred to Tecumseh upon their arrival. Unified command will then be set up between the agencies. There are no water supply issues and there are no bridges or access problems identified at this time.

4. FINANCIAL MATTERS:

We will charge the current MTO fee in effect at the time of the response. The present MTO fee is \$410.00 per hour, per vehicle.

5. CONSULTATIONS:

Doug Pitre, Fire Chief, Town of Tecumseh.
Cheryl Glassford - Legal Department

6. CONCLUSION:

It is important to note that the likelihood of this event occurring is extremely rare. However, a response to this location under the circumstances noted above would be beyond the scope of a Mutual Aid Response. The number of units and duration of response require that a Fire Protection Agreement be entered into. All other response requirements for assistance within the

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Fire Chief

**V rie Critchley
City Clerk/Licence Commissioner and
Corporate Leader Public Engagement and
Human Services**

City Solicitor & Corporate Leader
Economic Development & Public Safety

~~Deputy Chief~~

~~Sherri Arsenault
Manager of Administration~~

APPENDICES:

NOTIFICATION :				
Name	Address	Email Address	Telephone	IFAX

