

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2021-72

**"BEING A BY-LAW TO ADOPT A FIREFIGHTER RETIREMENT POLICY FOR THE
EDWARDSBURGH CARDINAL FIRE DEPARTMENT"**

WHEREAS the Municipal Act 2001, SO 2001, Chapter 25, Section 8(1) states that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and

WHEREAS the Municipal Act 2001, SO 2001, Chapter 25, Section 8(2) states that in the event of ambiguity, the ambiguity shall be resolved so as to include, rather than exclude, municipal powers that existed before the Municipal Act, 2001 came into force; and

WHEREAS the Municipal Act 2001, SO 2001, Chapter 25, Section 9 gives the municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this Act; and

WHEREAS the Municipal Act 2001, SO 2001, Chapter 25, Section 11(2) provides that Municipal Councils may pass by-laws for the health, safety and well-being of the inhabitants of the municipality; and

WHEREAS the Council of the Corporation of the Township of Edwardsburgh Cardinal deems it advisable to adopt a Firefighter Retirement Policy for the Edwardsburgh Cardinal Fire Department.

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

1. That the Firefighter Retirement Policy attached hereto as Schedule "A" is hereby adopted and shall form part of this bylaw.
2. That this bylaw shall come into force and take effect on the date of passing.

Read a first and second time in open Council this 22 day of November, 2021.

Read a third and final time, passed, signed and sealed in open Council this 13 day of December, 2021.

Mayor

Clerk

Firefighter Retirement Policy
Schedule A
Bylaw 2021-71

Purpose:

To establish a retirement policy for the Edwardsburgh Cardinal Fire Department.

Scope:

This policy shall apply to all Edwardsburgh Cardinal Fire Department personnel.

Preamble:

- The Township of Edwardsburgh Cardinal recognizes that the health and safety of its Volunteer Firefighters is paramount.
- Statistics indicate that as human beings age, they become more susceptible to heart failure, stroke and multiple forms of cancer.
- The National Fire Protection Association publish statistics annually that indicate the leading cause of line-of-duty-deaths in Firefighters is cardiac arrest.
- The fire industry has recognized that the business of emergency response is very labour intensive and stressful to firefighters. Even a firefighter who is not participating in physical activity at an emergency is exposed to significant stress related to cognitive and emotional demand.
- The Ministry of Labour has enacted presumptive legislation that designates seventeen types of cancer that may inflict Firefighters. It is also presumed that heart failure within 24 hours of a fire call (or simulated emergency) is caused by the stress of responding to that fire call.
- Bill 181 amended the Fire Protection and Prevention Act to create mandatory retirement of firefighters regularly assigned to fire suppression duties at age 60.
- Human Rights Legislation permits discrimination on the basis of age where it is a reasonable and bona fide qualification because of the nature of the employment.

Policy:

Edwardsburgh Cardinal Fire Department personnel are required to retire on their seniority date after turning 65 years of age.

Phase-in Period:

This policy shall be phased in over a 13-month period. All firefighters over the age of 65 on December 31, 2021 shall retire on/before December 31, 2022.