

AMENDMENT TO FIRE DEPARTMENT OPERATIONS & FEES BYLAW 55M2014

EXECUTIVE SUMMARY

The Calgary Fire Department (Fire Department) has proposed text to amend Bylaw 55M2014, City of Calgary Fire Operations and Fees Bylaw. The proposed amendment would give authority to the General Manager of Community Services & Protective Services to appoint the Fire Chief, bringing the hiring process into alignment with the process for hiring directors and equivalent positions across The City. Previously, the bylaw stipulated that City Council hold the authority for this appointment.

ADMINISTRATION RECOMMENDATION(S)

That the Standing Policy Committee on Community and Protective Services recommends that Council give three readings to the proposed bylaw to amend Bylaw 55M2014, City of Calgary Fire Operations and Fees Bylaw (Attachment 1).

PREVIOUS COUNCIL DIRECTION / POLICY

On 2014 October 06, Council approved Bylaw 55M2014, City of Calgary Fire Operation and Fees Bylaw (Attachment 2). This bylaw combined three existing bylaws, into one single governing document. The three bylaws that were replaced by Bylaw 55M2014 were:

- Bylaw 37M84, The Calgary Fire Department Bylaw
- Bylaw 40M2003, The Fire Fees Bylaw
- Bylaw 48M2003, The Commercial Burning Bylaw.

Bylaw 55M2014 came into effect 2015 January 01 and provides the Fire Department with its authorities, governance and operating framework.

BACKGROUND

Bylaw 37M84, passed in 1984, provided that the Fire Chief was appointed by Council and reported through a Board of Commissioners. This was in alignment with the Municipal Government Act (MGA) of the day. In 1995, the MGA adopted a model of governance which replaced the Board of Commissioners with a Chief Administrative Officer (the City Manager). Accordingly, in 1999, Bylaw 52M99 amended Bylaw 37M84, removing reference to the Board of Commissioners and leaving the reporting relationship of the Fire Chief unspecified. In 2014, to clarify the reporting relationship of the Fire Chief, Bylaw 55M2014 specified that the Fire Chief is supervised by and accountable to the General Manager, Community Services and Protective Services. The provision from Bylaw 37M84 that the position is appointed by Council was retained.

The current MGA specifies that the position of Chief Administrative Officer (City Manager) must be appointed by Council. The City Auditor is also appointed by Council in accordance with the City Auditor Bylaw 30M2004. The position of the Fire Chief is the only general manager/director level position whose appointment is not the responsibility of the City Manager or his delegate.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In 2014, The City undertook a recruitment process for the Fire Chief position, and Council appointed the current Fire Chief. This recruitment process also yielded the benefit of being able to consider whether the bylaw should continue to provide for the appointment of the Fire Chief

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by Council. Council appointed an interview panel, comprised of three Council members, whose role it was to conduct final interviews for the Fire Chief position, and recommend to Council their selection for Fire Chief. Following the recruitment process, feedback from the interview panel's Council members indicated that the process could be undertaken by Administration, including appointment.

Beyond Council's current bylaw provision, there are no legislative or policy provisions that require The City of Calgary's Fire Chief to be appointed by Council. As the Fire Chief's position in The City of Calgary is akin to a "director", it would be consistent with City of Calgary practices for the Fire Chief to be appointed by the supervising General Manager. In the case of the Fire Chief, this would be the General Manager of Community Services & Protective Services. Were the Community Services & Protective Services General Manager to become responsible for the Fire Chief's appointment, the change would be consistent with the 2014 bylaw change which clarified the accountability of the Fire Chief.

This report is therefore recommending that Council amend its bylaw, and transfer responsibility for the appointment of The City of Calgary's Fire Chief, to the General Manager of Community Services & Protective Services. As is customary practice for director appointments, the decision for Fire Chief appointment would be made in consultation with the City Manager.

Stakeholder Engagement, Research and Communication

The Fire Department has worked with the Law Department to bring this provision up to date to reflect the current practices and municipal environment. The Fire Chief consulted the members of Council who participated on the 2014 interview panel to get their input on the proposed amendment to the Fire Bylaw.

Strategic Alignment

The 2020 Sustainability Direction in the focus area of:

- *Community Well-being: Safety and Resiliency* - Calgary, its communities and neighbourhoods are safe, resilient and supportive.
- *Sustainable Corporation: Effective Service Delivery* – Services and service levels, and business plans and budgets for external and internal programs are aligned to long-term goals, policies, and citizen priorities through regular review and citizen engagement.

Council Priorities:

- *A City of Inspiring Neighbourhoods*: Keep communities safe by meeting and maintaining standards for crime prevention, fire response and enforcement.
- *A Well-Run City*: Continue to transform the organization to be more citizen-focused in its approach and delivery of service.

Council's Fiscal Plan for Calgary 2012-2014:

- Ensuring every Calgarian lives in a safe place and has the opportunity to succeed.

Social, Environmental, Economic (External)

The new bylaw supports administrative processes within The City by aligning the authority for appointment and supervision of the Fire Chief.

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Financial Capacity

Current and Future Operating Budget:

None

Current and Future Capital Budget:

None

Risk Assessment

No significant risks have been identified.

REASON(S) FOR RECOMMENDATION(S):

Approval of the amending bylaw will bring the hiring process for the position of Fire Chief into alignment with the processes for hiring other director and equivalent positions across The City.

ATTACHMENT(S)

1. Proposed bylaw to amend Bylaw 55M2014
2. 55M2014, City of Calgary Fire Operation and Fees Bylaw