



CITY OF RICHMOND

***FIRE PROTECTION and LIFE SAFETY
BYLAW NO. 8306***

FIRE BYLAW

BYLAW NO. 8306

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CITY OF RICHMOND
FIRE BYLAW NO. 8306

The Council of the City of Richmond enacts as follows:

PART ONE: ADOPTION AND APPLICATION OF THE FIRE CODE

- 1.1 The **Fire Code**, as amended or replaced from time to time, is adopted and made part of this Bylaw as a regulation of the City.
- 1.2 Any person who contravenes, violates or fails to comply with a provision of the **Fire Code** commits an offence under this Bylaw.

PART TWO: INTERPRETATION AND GENERAL PROVISIONS

2.1 Words and Phrases

- 2.1.1 Unless specifically defined herein, words and phrases used in this Bylaw shall be construed in accordance with the meanings assigned to them by the **Fire Services Act**, the **Building Code**, the **Fire Code** or the *Community Charter* S.B.C. 2003, c. 26, as the context and circumstances require.

2.2 References

- 2.2.1 Any reference to the **Fire Chief** shall include a reference to any person duly authorized by the **Fire Chief** to exercise any of the **Fire Chief's** powers or to carry out any of the **Fire Chief's** duties under this Bylaw.

2.3 Definitions

- 2.3.1 Schedule "A" of this Bylaw contains definitions of words and phrases used in this Bylaw.

2.4 Severability

- 2.4.1 If any part, section, subsection or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw will be deemed to have been enacted without the invalid portion.

2.5 Conflict

2.5.1 In the event of a conflict, discrepancy, variation or inconsistency between this Bylaw and the *Fire Services Act*, the **Fire Code** or the **Building Code**, the provisions of the *Fire Services Act*, the **Fire Code** or the **Building Code**, as the case may be, shall prevail over the provisions of this Bylaw to the extent of any conflict, discrepancy, variation or inconsistency.

2.6 Application

2.6.1 The provisions of this Bylaw apply to all **buildings, structures, premises** and conditions within the City and, for certainty, apply to both existing **buildings** and **buildings under construction**.

2.7 Gender and Number

2.7.1 Wherever the singular or masculine is used in this Bylaw, the same shall be construed as meaning the plural, feminine or the body corporate or politic where the context so requires.

PART THREE: FIRE DEPARTMENT

3.1 Continuation

3.1.1 The **Fire Department** is hereby continued for the purposes of providing the fire suppression, fire prevention and rescue services contemplated under this Bylaw.

3.2 Fire Chief

3.2.1 The **Fire Chief** shall report to the **City's** General Manager for Law and Community Safety, and shall be responsible for administering this Bylaw, for the management, control and supervision of the **Fire Department** and its **members** and for the care, custody and control of all **buildings, apparatus** and equipment of the **Fire Department**.

3.2.2 The **Fire Chief** and any **officer, member** or other person authorized by the **Fire Chief** to act on behalf of the **Fire Chief**, may exercise one or more of the following powers:

(a) make and enforce rules for the proper and efficient administration and operation of the **Fire Department** and change, replace or withdraw the rules;

- (b) enter on property and inspect **premises** for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from fire;
- (c) take measures considered necessary to prevent and suppress fires, including the demolition of **buildings** and other structures to prevent the spreading of fires;
- (d) require an **owner** or **occupier** to undertake any actions the **Fire Chief** considers necessary for the purpose of removing or reducing any thing or condition the **Fire Chief** considers is a **fire hazard** or increases the danger of fire;
- (e) exercise the following powers under Section 25 of the **Fire Services Act**:
 - (i) if an emergency arising from a **fire hazard** or from a risk of **explosion** causes the **Fire Chief** to apprehend imminent and serious danger to life or property, or of a panic, the **Fire Chief** may immediately take steps to remove the hazard or risk,
 - (ii) if the **Fire Chief** believes that conditions exist in or near a hotel or public **building**, that, in the event of a fire, might seriously endanger life or property, the **Fire Chief** may immediately take action to remedy the conditions to eliminate the danger and may evacuate and close the hotel or public **building**; and

without limiting the foregoing, for these purposes may evacuate a **building** or area, and may call on police and other fire prevention authorities who have jurisdiction to provide assistance;
- (f) provide for **assistance response**;
- (g) request that any person at or near an **incident** render reasonable aid to mitigate the **incident**;
- (h) enforce this Bylaw and any other **City** bylaws, rules, orders and regulations for the prevention and suppression of fire and the protection of life and property;
- (i) inquire into, investigate and record the causes of fires in the **City**;
- (j) collect and disseminate information in regard to fires in the **City**;
- (k) investigate and make inquiries into fires;
- (l) research best practices in methods of fire prevention;

(m) provide, advise and make recommendations to other officers and employees of the **City**, to **Council**, and to the public, in accordance with any applicable **City** policies and procedures, in relation to:

- (i) the provision of adequate water supply and pressure;
- (ii) the installation and maintenance of **fire protection equipment**;
- (iii) the enforcement of measures for the prevention or suppression of fire and the protection of life and property;
- (iv) life safety or rescue equipment; and
- (v) fire prevention generally.

3.3 Right to Enter

3.3.1 The **Fire Chief** and any other **officer** or **member in charge** at an **incident** is authorized to enter **premises** where an **incident** has occurred and to cause any **member**, **apparatus** or equipment to enter the **premises**, as deemed necessary, in relation to an **incident**.

3.4 Prevention, Control and Enforcement

3.4.1 The **Fire Department** may take all necessary measures for the prevention, suppression, control and extinguishment of fires, for mitigating the effects of **incidents** involving **dangerous goods**, and for the protection of life and property, including conducting **assistance response** and administering emergency medical services.

3.5 No Interference

3.5.1 A person must not interfere with or refuse to permit any **member** to enter into or upon **premises** in relation to which an alarm or other request for assistance has been received or in or upon which a **member** has reasonable grounds to believe that an **incident** has occurred or may occur.

3.5.2 A person must not interfere with any **member** or refuse to permit any **member** to enter into or upon **premises** or a fire scene to determine

- (a) the cause and origin of a fire;
- (b) the activation of a **fire alarm system**, or
- (c) the presence and functioning of a **sprinkler system** or other fire or life safety protection system.

3.6 Prohibition Against Entry

- 3.6.1 A person must not, except as authorized by the **Fire Chief**, an **officer** or a **member in charge** at an **incident**:
- (a) enter any **building** or **premises** threatened by an **incident**;
 - (b) enter within an area designated by ropes, guards or tape erected by or under the direction of a peace officer or a **member** across or around any street, lane, alley or **building**; or
 - (c) refuse to move from such designated area when directed to do so by a peace officer or a **member**.

3.7 False Representation

- 3.7.1 A person must not make false representation as to being a **member** of the **Fire Department**, or wear or display any **Fire Department** badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.

3.8 No Obstruction at Assistance Response

- 3.8.1 A person must not impede, hinder or obstruct any **member** at an **assistance response** and every person must comply with orders or directions of a **member** engaged in an **assistance response**.
- 3.8.2 Any person refusing to comply with an order of a **member** under Section 3.8.1 may be removed from the scene of such **assistance response** by a peace officer or any **member**.

PART FOUR: PERMITS

4.1 Permit Required

- 4.1.1 Every person must obtain a **permit** issued by the **Fire Department** to do any of the following:
- (a) store, handle, use or dispose of **flammable** or **combustible liquids**:
 - (i) in excess of five (5) litres in any dwelling unit or other **premises** used for human habitation,
 - (ii) in excess of twenty-five (25) litres in any other **building** or occupancy, or
 - (iii) in excess of twenty-five (25) litres outside a **building**;
 - (b) install gasoline, diesel or oil tanks or dispensing pumps;

- (c) process, blend or refine **flammable** or **combustible liquids**;
- (d) store **flammable** or **combustible liquids** in stationary or underground tanks;
- (e) establish:
 - (i) a refinery,
 - (ii) a plant for storing or handling crude petroleum,
 - (iii) premises handling or storing **dangerous goods**, or
 - (iv) a distillery;
- (f) light, ignite, start or burn, or cause, suffer or allow to be lighted, ignited; started or burned, any fire in the open air or within any portable incinerator, chiminea or other portable appliance or device for any purpose, unless expressly exempted under Section 4.5.1 of this Bylaw;
- (g) install a fuel oil or oil burning equipment or device, including controls, piping, vents and storage containers required for or by the equipment or device;
- (h) use open flames for display purposes; or
- (i) prescribe a **building's** occupancy load.

4.2 Permit Application

- 4.2.1 Every application for a **permit** shall be made in the form prescribed by the **Fire Chief** from time to time.

4.3 Permit Issuance

- 4.3.1 Where an application for a **permit** is made to the **Fire Department** on the prescribed form, the **Fire Department** may issue the **permit** if:
 - (a) the receptacles, vehicles, **buildings** or other places to be used have been inspected and approved by a **Fire Inspector**, where the **Fire Chief** considers such inspection necessary;
 - (b) the proposed activity, operation or occupancy complies with this Bylaw and all other applicable Provincial and Federal enactments and bylaws of the **City**; and
 - (c) the applicant has paid the applicable fee prescribed in Schedule "B" of this Bylaw.

4.4 Permit Conditions

- 4.4.1 Every **permit** required by Section 4.1 shall be subject to the following conditions:
- (a) a **permit** may not be transferred to another person;
 - (b) a change in use or **occupancy** of a **building** or **premises** requires a new **permit**;
 - (c) the **Fire Chief** may suspend or revoke a permit if there is a violation of:
 - (i) any condition under which the **permit** was issued, or
 - (ii) any requirement of this Bylaw or other applicable legislation; and
 - (d) the permit must be posted in a conspicuous place in or on the **premises** which are subject to the **permit**, or carried at all times during the permitted use or activity and produced on request by a **member**.

4.5 Open Air Burning

- 4.5.1 No **permit** is required for open air burning:
- (a) within a natural gas, charcoal, or propane fuelled outdoor heater, outdoor fireplace, barbeque or other appliance designed and used for the cooking of food; or
 - (b) by the **Fire Department** for the purpose of training **members** in structural fire fighting methods, fire investigation procedures or for the purpose of elimination of fire **hazards**.
- 4.5.2 In addition to the conditions established in Section 4.4.1, every **permit** issued for open air burning shall be subject to the following requirements and conditions:
- (a) a minimum of one (1) adult must be in attendance at all times during burning;
 - (b) only one burning site pile, no larger than five cubic metres, is permitted;
 - (c) a burning site pile shall be not less than 30.5 metres (100 feet) from
 - (i) any combustible structure or **combustible material**;
 - (ii) any standing timber and surrounding brush; or

- (iii) any watercourse.
- (d) a burning site pile shall be not less than 30.5 metres (100 feet) from the property lines of all adjacent improved lots in developed areas, except that this distance may be reduced if considered safe by the **Fire Chief**, and written consent is obtained from the **occupiers** of all adjacent improved lots;
- (e) burning must not commence prior to 7:00 a.m. and no stumps, trees or other fuel may be added to the fire after sunset;
- (f) when added to a fire, logs, stumps or other fuel shall be placed on the pile and not dropped or pushed on by use of a bulldozer or similar equipment;
- (g) where required by the **Fire Chief**, an adequate fire fighting water supply, fire fighting equipment and staff capable of deploying the water supply and fire fighting equipment shall be readily available;
- (h) in all cases:
 - (i) rubber tires, roofing materials and petroleum products shall not be used to start or feed a fire; and
 - (ii) standing crops shall not be burned.
- (k) where required by the **Fire Chief**, the burning site must be inspected and approved by the **Fire Chief** prior to the commencement of operations and is subject to future inspections at any time;
- (l) if, at anytime a **permit** is suspended or cancelled, the fire must be extinguished, a new **permit** applied for in writing, and the site and operation re-inspected before recommencing burning; and
- (m) the **permit** holder shall comply with all other conditions, restrictions and requirements imposed by the **Fire Chief**.

4.5.3 The **Fire Chief** may refuse to issue and may revoke or suspend a **permit** for open air burning if, in the opinion of the **Fire Chief**, burning under the prevailing weather conditions or other circumstances could reasonably be expected to be hazardous to public safety or health or to create a nuisance.

PART FIVE: FIRE PROTECTION EQUIPMENT

5.1 Buildings and Occupancies

- 5.1.1 Every **owner** of **premises** must ensure that all **fire protection equipment** required under the **Building Code** or **Fire Code** shall be inspected, tested and maintained in accordance with good engineering practices and the

applicable standards, requirements and guidelines of the **Building Code**, the City's *Building Regulation Bylaw No. 7230*, the **Fire Code**, this Bylaw and all other applicable enactments, all as amended or replaced from time to time, and any equivalents or alternative solutions required or accepted under those enactments.

5.2 Connections for Building Sprinkler and Standpipe Systems

- 5.2.1 **Fire Department** pumper connections shall be located and positioned in accordance with the **Building Code** or as approved by the **Fire Chief**.
- 5.2.2 All **Fire Department** pumper connections and protective caps shall be kept in place at all times and, where such connections or protective caps are missing, the **building owner** or **occupier** shall promptly cause the connections to be examined for accumulated material, back-flushed if such material is present or suspected, or upon the direction of a **Fire Inspector**, and shall ensure the connections and caps are replaced.
- 5.2.3 Every **owner** or **occupier** of a **building** must ensure that accesses to **Fire Department** connections for sprinklers or standpipe systems are clearly identified, functional, kept in good repair and maintained free of obstructions at all times.
- 5.2.4 Every **owner** or **occupier** of a **building** shall ensure that signs are displayed identifying:
 - (a) which **Fire Department** connection serves a particular **sprinkler** or **standpipe system**; and
 - (b) the maximum pumping inlet pressure at a **Fire Department** connection.

5.3 Sprinkler Systems

- 5.3.1 Every **owner** of **premises** for which a **sprinkler system** is required under the **Building Code** must, in accordance with the requirements of the **Fire Code**, maintain, repair and upgrade the **sprinkler system** to accommodate any material change in use or **occupancy** that results in a greater **fire hazard** than that which the **sprinkler system** was intended to accommodate.
- 5.3.2 Where a **Fire Inspector** considers that a change in the use or **occupancy** of a **building** equipped with a **sprinkler system** may create an increased **fire hazard**, such that the use or **occupancy** exceeds the criteria for which the **sprinkler system** was designed, the **Fire Inspector** may require the **owner** or **occupier** to provide confirmation to the **Fire Inspector** by a professional engineer that the design limitations of the original **sprinkler system** installation standard have not been exceeded.

- 5.3.3 The confirmation referred to in Section 5.3.2 shall be in a form acceptable to the **Fire Inspector** and shall identify, without limitation:
- (a) the sprinkler design standard used for comparative analysis;
 - (b) the available water supply for sprinkler and hose allowances;
 - (c) the current:
 - (i) **occupancy** hazard or commodity classification,
 - (ii) method of packaging and encapsulation,
 - (iii) method of storage of commodities (e.g. by rack, palletized, solid pile, solid shelving),
 - (iv) height of storage, and
 - (v) clearance between racks, piles or stacks;
 - (d) the required level of manual fire fighting equipment (e.g. fire hose and portable fire extinguishers);
 - (e) the required and available density of water application;
 - (f) the required design area of water application;
 - (g) the **fire alarm system** and central station connection; and
 - (h) a statement of the current status and level of performance of the **sprinkler system**, including whether the **sprinkler system** conforms or does not conform to the identified design standard, and if non-conforming, provide specific instructions for the improvement of the **sprinkler system**, reduction of the fuel load or other alternative solutions acceptable to the **Fire Inspector**.

5.4 Sprinkler System or Standpipe Operations – Building Demolition

- 5.4.1 When a **building** equipped with a **sprinkler system** or a standpipe is being demolished, the system or standpipe shall be maintained in operation, subject to sequential deactivation, until the demolition work is completed.

5.5 Smoke Alarm Maintenance

- 5.5.1 The **owner** and **occupier** of every **premises** with residential **occupancy** must ensure that smoke alarms are maintained, tested, repaired and replaced in accordance with the requirements of the manufacturer.

5.6 Fire Hydrants

- 5.6.1 The fire hose connection type, hydrant colour coding and location of all fire hydrants and other **Fire Department** connections shall be subject to the approval of the **Fire Chief** and the **City Engineer**.
- 5.6.2 No person except a **member** shall use or take water from any fire hydrant or standpipe, nor make any attachment thereto, without first obtaining written permission from the **City Engineer** to do so.
- 5.6.3 A person must not tamper with the mechanical operation of a fire hydrant.
- 5.6.4 A person must not remove a fire hydrant from its authorized or required location unless authorized to do so by the **Fire Chief** and in accordance with any direction, conditions, measures or requirements of the **Fire Chief**.

5.7 Fire Hydrants on Private Property

- 5.7.1 Where a fire hydrant is located on private property, the **owner** or **occupier** of the **premises** must
 - (a) maintain the space around the fire hydrant with stable ground cover and a clear and unobstructed area for a radius of at least one (1) metre; and
 - (b) maintain ground cover and clearance around the hydrant so as to provide a clear view of the fire hydrant from the street when being approached from either direction.
- 5.7.2 If an **owner** or **occupier** fails to properly maintain the ground cover and clearance around a fire hydrant as required by Section 5.7.1, the **Fire Chief** may issue an order to the **owner** or **occupier** to provide stable ground cover and clearance around the hydrant within a time period specified in the order.
- 5.7.3 If an **owner** or **occupier** fails to comply with an order issued under Section 5.7.2 within the time specified in the order, the **City** may enter onto the property and carry out such work at the cost of the **owner**.
- 5.7.4 The **owner** or **occupier** of **premises** on which a private fire hydrant is installed, must ensure that the hydrant is maintained in good working condition at all times and that the hydrant is inspected, serviced and tested at least yearly by a **Fire Protection Technician** in accordance with the requirements of the **Fire Code**.
- 5.7.5 Without limiting Section 5.7.4, the **owner** of property on which a private fire hydrant is installed must:
 - (a) once a year, have the private hydrant flushed and drained and have all the threads of outlets and caps greased with waterproof grease; and

- (b) provide the **Fire Chief** with a written report of the inspection, servicing and testing performed on the private fire hydrant during the previous twelve months.

5.8 Premises under Construction

- 5.8.1 The owner of premises under construction must ensure that every required emergency access route:
- (a) is finished to a minimum of good compacted gravel or other surface materials acceptable to the **Fire Chief**;
 - (b) provides adequate access for **Fire Department** apparatus;
 - (c) is clearly designated as an **emergency access route**;
 - (d) is maintained at all times free of obstruction; and
 - (e) is secured with a gate, bollard, chain or other structure or assembly approved by the **Fire Chief** prior to installation.
- 5.8.2. Every owner of premises under construction must ensure that water supplies for fire protection are installed when construction commences or as determined by the **Fire Chief** or **City Engineer**.
- 5.8.3 Every owner of premises under construction must ensure that the **Fire Department** is notified of all newly installed fire hydrants prior to their installation so as to permit testing and approval of all such hydrants.
- 5.8.4 During construction, servicing or repairs of private fire hydrants and water supply systems, the owner of the premises must ensure that all fire hydrant conditions affecting fire safety, such as fire hydrants temporarily out of service, low water volumes and low water pressures, are immediately made known to the **Fire Department**.

5.9 Emergency Access Routes

- 5.9.1 Every gate, bollard, chain or other structure used to secure a required primary or secondary **emergency access route** must be approved by the **Fire Chief** prior to installation.
- 5.9.2 Every **emergency access route** must be clearly marked with permanent signage, in accordance with the **Fire Code**, or with highway marking of lines and words, in a size and colour approved by the **Fire Chief**, which must read:

FIRE LANE – NO PARKING

- 5.9.3 Every owner of premises shall ensure that an emergency access route, when secured by a gate, bollard, chain or other structure, has a permanent mounted sign on each side of the obstruction, of a size no less than sixty (60) cm by seventy-five (75) cm, which must read:

**EMERGENCY ACCESS ONLY -
NO PARKING OR OTHER OBSTRUCTIONS
Fire Protection and Life Safety Bylaw No. 8306**

- 5.9.4 A person must not:

- (a) park a vehicle in an emergency access route; or
- (b) interfere with, hinder or obstruct access to an emergency access route by Fire Department apparatus

unless authorized to do so by the Fire Chief and in accordance with any direction, conditions, measures or requirements of the Fire Chief.

5.10 Fire Protection Equipment Orders

- 5.10.1 The Fire Chief may order the owner of an existing multiple-family residential, assembly, mercantile, business and personal services, industrial, care or detention occupancy to provide or make alterations to fire protection equipment and systems including heat and smoke detection, fire alarms, fire extinguishers, exit signs, emergency lighting, fire separations and means of egress in order to provide adequate life safety to its occupants. These requirements will not exceed those established by the Building Code or Fire Code or building regulations established in accordance with the Building Code or Fire Code and may include equivalents or alternative solutions as accepted by the Fire Chief.

PART 6: FIRE ALARM SYSTEMS

6.1 Contact Persons

- 6.1.1 The owner or occupier of any premises with a fire alarm system monitored by an outside monitoring agency must ensure that at least one contact person is available 24 hours a day to attend, when notified by the monitoring agency, to enter and secure the premises at an incident.
- 6.1.2 The owner or occupier of any premises with a fire alarm system not monitored by an outside monitoring agency must maintain and provide to the Fire Department a current list containing the names and telephone numbers of three (3) contact persons, at least one of whom is available 24 hours a day to attend, enter and secure the premises at an incident, and must notify the

Fire Department promptly of any changes in the names or addresses of contact persons.

- 6.1.3 Every contact person designated under Section 6.1.1 or 6.1.2 must have full access to the **premises** for which they have responsibility and must be able to take control of and secure the **premises** from the **Fire Department** on completion of **assistance response** or other **incident**.
- 6.1.4 Where a contact person fails to respond to a fire alarm and attend the premises within 60 minutes:
- (a) the **Fire Department** may use whatever means are necessary to gain entry to the **premises** to investigate the fire alarm without payment to the **owner** or **occupier** of any compensation whatsoever for damage caused to the **premises** by such forced entry; and
 - (b) the **owner** or **occupier** of the **premises** shall be liable to reimburse the **City**, at the rates specified in Schedule "B", for the cost to the **City** of all time during which **Fire Department apparatus** and **members** were required to remain on standby at the **premises**, commencing after the 60 minute time period specified in this Section, until such time as a contact person, **owner** or **occupier** arrives to attend at, provide access to, or secure the **premises**.

6.2 Activation

- 6.2.1 A person must not activate a **fire alarm system** unless:
- (a) there is a fire;
 - (b) the person reasonably believes that a fire or other **incident** is occurring or is imminent; or
 - (c) the activation is carried out for testing purposes by persons authorized by the **Fire Chief**.

PART SEVEN: EMERGENCY ACCESS AND EVACUATION

7.1 Fire Safety Plan

- 7.1.1 The **owner** or **occupier** of any **building** required by the **Fire Code** to have a **fire safety plan** prepared in cooperation with the **Fire Department** must:
- (a) prepare the **fire safety plan** in a form, format and diagram template acceptable to the **Fire Chief** and submit the **fire safety plan** to the **Fire Chief** for review;

- (b) pay the fee prescribed in Schedule "B" of this Bylaw for review of the **fire safety plan**;
- (c) review the **fire safety plan** at least annually in accordance with the requirements of the **Fire Code** and if material changes have occurred in relation to the **building**, use, or **occupancy**, submit an updated plan to the **Fire Chief** for review; and
- (d) locate the **fire safety plan** on the **premises** in a location and manner acceptable to the **Fire Chief** to allow for reference by the **Fire Department**.

7.1.2 The **owner** or **occupier** of every **occupancy** of a **building** required by the **Fire Code** to appoint supervisory staff, must designate trained supervisory staff consisting of a **Fire Safety Director** and at least one **Deputy Fire Safety Director** to act when the **Fire Safety Director** is absent.

7.1.3 Either the **Fire Safety Director** or the **Deputy Fire Safety Director** must be present at the **premises** as required by the **Fire Code**.

7.1.4 The **owner** or **occupier** of every **occupancy** of a **building** required by the **Fire Code** to appoint a **Fire Safety Director** must produce evidence, on request by the **Fire Department**, that the **Fire Safety Director** and alternate person or persons have been trained in a form and manner acceptable to the **Fire Chief**.

7.2 Pre-incident Plans

7.2.1 The **Fire Chief** may require, as part of a **fire safety plan**, a **pre-incident plan**.

7.2.2 Where a fire pre-plan program is required, every **owner** or **occupier** of **premises** must include as part of a **required fire safety plan**, a **pre-incident plan** and a site plan diagram of the **premises** to be submitted, along with the **fire safety plan**, to the **Fire Chief** in a format and form acceptable to the **Fire Chief**.

7.3 Access and Keys

7.3.1 Every owner or occupier of

- (a) **premises** having a **fire alarm system** or an **automatic fire sprinkler system**; and
- (b) all apartment **buildings**, whether rental or strata owned

must ensure that access and required keys to the following areas are readily accessible to the **Fire Department** at all times:

- (c) all common floor areas, service rooms and roof areas;
- (d) all doors that are locked from the exit stairs to floor areas;
- (e) as required to recall elevators and to permit independent operation of each elevator;
- (f) all fire alarm control and annunciator panels and fire fighter telephone boxes; and
- (g) as may be required by the Fire Chief for the purpose of responding to the **fire alarm system** or automatic fire sprinkler system.

7.4 Fire Safety Plan Storage Box

7.4.1 The **Fire Chief** may require an **owner** or **occupier** of:

- (a) a multi-family complex **building**;
- (b) a **building** over three (3) stories tall;
- (c) a **building** where **dangerous goods** are stored;
- (d) a **building** where hazardous operations or processes as described in the **Fire Code** are conducted; or
- (e) a **building** equipped with a **fire alarm system** or automatic sprinkler system;

to install a weatherproof **fire safety plan** storage box, of a type and in a location approved by the **Fire Chief** and accessible by any **member** using a **Fire Department** lock box key.

7.4.2 **Fire safety plans** must be kept in the storage box required in this Section for reference by the **Fire Department**.

7.5 Fire Department Access

7.5.1 The **Fire Department** shall at all times have the right to access a **fire safety plan** storage box required under Section 7.5 and access keys required under Section 7.4, and may use any means available to obtain such access.

7.6 Obstructions

7.6.1 A person must not install or maintain any wire, barbed wire, razor ribbon, fence, cable, aerial, antenna or other obstruction on any **building** roof,

parapet wall or openings in an exterior wall required by the **Building Code** or the **Fire Code** for **Fire Department** access, so as to obstruct access or egress, cause a hazardous condition, or interfere with **Fire Department** operations in the event of fire or other **incident**.

7.7 Storage on Roofs

7.7.1 A person must not cause to be placed, stored, or maintained upon any roof or balcony any hazardous materials or any material or object which may interfere with access or egress or **Fire Department** operations in case of fire or other emergency, and shall remove all such objects or materials upon the order of a **Fire Inspector**.

7.8 Passageways on Roofs

7.8.1. A person must not obstruct access passageways on a roof surface required by the **Fire Code** or **Building Code**.

7.9 Evacuation of Buildings

7.9.1 The **Fire Chief** or **officer in charge** at an **incident** may order the evacuation of a **building**, structure or area which, in the opinion of the **Fire Chief** or **officer in charge**, is endangered by fire or other risk to life, and no person other than the **Fire Chief**, a **member** or other person authorized by the **Fire Chief** or the **officer in charge** at an **incident**, shall remain in or enter that **building**, structure or area after such an order is made.

7.9.2 The **Fire Chief** or **officer in charge** at an **incident** may post a notice on any **building** or structure warning that occupancy of the **building** may be hazardous or that no occupancy of the **building** is permitted.

7.10 Street Addresses

7.10.1 An **owner** of real property in the **City** shall ensure that street addresses are displayed in accordance with the following requirements:

(a) the civic address that the **City** has assigned to that property must be displayed and must be legible from a minimum distance of fifteen (15) metres, with each address number assigned to each **building** being not less than the minimum size specified in Table 7.10;

(b) where a property includes multiple **buildings** with separate addresses assigned to each of the **buildings**, the **building** address is to be displayed on each **building** in accordance with paragraph (a);

- (c) where a **building** is set back from the street or roadway fronting the property such that the assigned civic addresses are not clearly identifiable due to the distance from the street or roadway, or where landscaping or architectural appendages or other obstructions obstruct the visibility, assigned civic addresses shall be displayed at the driveway entrance from the street or road serving the **building** as well as on the **building** itself;
- (d) assigned civic addresses must be displayed on a weather-resistant sign permanently mounted on a post and must be highly visible from all directions of traffic flow;
- (e) where unusual circumstances exist, the **Fire Chief** may require that a direction indicator or other means of readily identifying and locating a **building** be provided;
- (f) letters or numbers must be of a colour which contrasts with the background colour of the **building**; and
- (g) if a required **emergency access route** is from a street or route other than that to which the City has assigned a civic address, a sign must be posted indicating the civic address in a location approved by the **Fire Chief**.

Table 7.10

Distance measured from public street curb to building	Size Height (mm)	Stroke Width (mm)
Up to 15 m	75	18.0
>15 m to 20 m	100	25.0
> 20 m to 25 m	150	32.0
> 25 m to 35 m	200	38.0
> 35m to 40 m	250	42.0
> 40 m	300	50.0

PART EIGHT: INSPECTION OF PREMISES

8.1 Authority for Inspection

8.1.1 The **Fire Chief** and any **member** designated by the **Fire Chief**, are hereby authorized to enter at all reasonable times upon any **premises** to inspect and determine whether or not:

- (a) the **premises** are in such a state of disrepair that a fire starting therein might spread so rapidly as to endanger life or other **premises** or property;
- (b) the **premises** are so used or occupied that fire would endanger life or property;
- (c) **combustible** or explosive **materials** are being kept on the **premises** or other flammable conditions exist in or about the **premises** so as to endanger life or property;
- (d) in the opinion of the **Fire Chief** or a **member**, a **fire hazard** exists in or about the **premises**; or
- (e) the requirements of this Bylaw and the **Fire Code** are being complied with.

8.2 Entry for Inspection

8.2.1 A person must not obstruct, hinder or prevent the **Fire Chief** or any **member** from entering into or upon any **premises** for the purpose of inspecting the **premises** in the ordinary course of their duties.

PART NINE: REGULATION OF FIRE HAZARDS

9.1 Removal of Fire Hazards

9.1.1. A person must not cause or permit **combustible materials**, growth, waste or rubbish of any kind to accumulate in or around **premises** in such a manner as to endanger property or to constitute a **fire hazard**.

9.1.2 A **Fire Inspector** may issue an order to any person to remove or otherwise deal with an accumulation of materials or growth referred to in Section 9.1.1, and upon receipt of such order, that person shall take whatever action is specified in the **Fire Inspector's** order within the time period specified therein, failing which the **Fire Department** may take whatever action is necessary to remove the **fire hazard** at the expense of the person to whom the order is directed or the **owner** or **occupier** of the **premises**.

- 9.1.3 Lids on all containers and doors to rooms or spaces provided for the storage of **combustible materials** or **flammable materials** shall be kept closed at all times except when such materials are being placed in the containers, rooms or spaces.

9.2 Refuse and Recycling Containers

- 9.2.1 Subject to Subsection 9.3.2, an **owner** or **occupier** of **premises** with multi-family residential, commercial, professional service, institutional, industrial or assembly **occupancies** must ensure that all refuse and recycling containers used be non-combustible and are stored not less than three (3) metres from any:
- (a) **combustible materials** including, without limitation, construction materials;
 - (b) unprotected **building** openings or overhangs; or
 - (c) in another location acceptable to the **Fire Chief**.
- 9.2.2 Where the clearances required by paragraph 9.2.1 are not feasible, a non-combustible container with self-closing lids and no hold-open devices may be stored in a location approved by the **Fire Chief** and not less than one (1) metre from **combustible materials**, standing vegetation or unprotected **building** openings.

9.3 Flammable or Combustible Liquids

- 9.3.1 A person must ensure that all **flammable** or **combustible liquids** are stored in accordance with the **Fire Code**.
- 9.3.2 A person must not use any **flammable** or **combustible liquid** which reasonably could be expected to endanger life or property for the purposes of cleaning within any **building**.

9.4 Order to Remove Flammable or Combustible Material

- 9.4.1 Upon receiving an order of the **Fire Chief**, a person must remove, dispose of or otherwise deal with **flammable** or **combustible material**, including but not limited to **combustible** or **flammable liquid**, **combustible metal**, and **flammable fibre** or **gas**, immediately or within a time period established in the order, failing which the **Fire Department** may take whatever action is necessary to remove the **flammable** or **combustible material** at the expense of the person to whom the order is directed or the **owner** or **occupier** of the **premises**.

9.5 Vehicle Fuel Tank

- 9.5.1 Without limiting any other provision in this Section, an **owner** of a vehicle must ensure that fuel within the vehicle's fuel tank is removed to a safe area acceptable to the **Fire Chief** prior to any adjustment to, or relocation of, the fuel tank from its original position on the vehicle.

9.6 Explosion or Potential Explosion, Emission or Spill of Dangerous Goods

- 9.6.1 Every **owner** or occupier of **premises** or a motor vehicle, vessel or railway rolling stock, must report immediately to the **Fire Chief** when an **explosion** or a discharge, emission, escape or spill of **dangerous goods** occurs or where the potential exists for an explosion or a discharge, emission, escape or spill of **dangerous goods**.

9.7 Vacant Premises

- 9.7.1 For the purpose of this Section, **vacant premises** includes a lot, **building** or other structure in respect of which a water or electricity service has been intentionally discontinued, other than for temporary maintenance, repair or upgrading, so that the condition of the **premises** is not suitable for human habitation or other **occupancy** that is normally permitted.
- 9.7.2 The **owner** of **vacant premises** must promptly act to ensure that, at all times:
- (a) the **premises** are free from litter and debris or accumulations of **combustible** or **flammable materials** except where storage of **combustible** or **flammable materials** is in strict accordance with the **Fire Code** and this Bylaw; and
 - (b) all openings in the **premises** are securely closed and fastened in a manner acceptable to the **Fire Chief** so as to prevent fires and the entry of unauthorized persons.
- 9.7.3 Where an **owner** fails to securely close a vacant **building** as required by Subsection 9.7.2 (b), the **Fire Chief** may, by notice in writing, order the **owner** to secure the **building** or other part of the **vacant premises** against unauthorized entry in a manner set out in the notice.
- 9.7.4 If an **owner** of **vacant premises** fails to bring the **premises** into compliance with this Bylaw within twenty-four (24) hours of receiving a notice under Subsection 9.7.3, or if the **Fire Chief** or **member** is unable to contact the **owner** within twenty-four (24) hours of finding **vacant premises** in an unsecured state, the **Fire Chief** may cause the **premises** to be secured by **City** employees or agents, who may board up or otherwise secure doors,

windows and other points of entry into the **premises** in order to prevent fires and unauthorized entry, at the cost and expense of the **owner**.

9.8 Damaged Buildings

9.8.1 The **owner** of a **building** or other structure that has been damaged due to fire, **explosion** or similar event must immediately act to ensure that the **building** is guarded or that all openings and points of entry into the **building** are kept securely closed and fastened in a manner acceptable to the **Fire Chief** so as to prevent the entry of unauthorized persons. If the **owner** fails to provide the necessary security to the damaged **building** within 2 hours of being notified by the **Fire Chief** or following an **incident**, the **Fire Chief** may cause the work to be carried out at the cost and expense of the **owner**.

9.9 Exhibits, Fairs, Trade Shows or Vehicle Displays

9.9.1 Every **owner** or **occupier** of **premises** containing or used for an exhibit, fair display, trade show display or vehicle display must comply with all applicable provisions of the **Fire Code** and, without limiting the generality of the foregoing, must ensure that:

- (a) no exhibit or display is placed in a lobby or foyer or so as to obstruct the required width of an exit way;
- (b) aisles of a minimum of three (3) metres (10 feet) are maintained at all times between displays and the travelled distance to an exit door by an aisle is not be more than forty five (45) metres (150 feet);
- (c) a display of automobiles, motorcycles, scooters, or other vehicles in a public **building**, other than a **building** constructed and classified for such purpose by the **Building Code**, meets the following requirements:
 - (i) vehicle batteries must be disconnected and the battery cables placed or tied in a position to prevent accidental battery contact;
 - (ii) fuel tanks must be equipped with a key-locking cap or other similar device; and
 - (iii) the quantity of fuel in the fuel tanks must not exceed the lesser of one quarter (1/4) of the tank capacity or nineteen (19) litres (5 gallons).

9.10 Commercial Cooking Equipment

- 9.10.1 Every **owner** or **occupier** of a commercial cooking facility must ensure that the cooking equipment is inspected and maintained in accordance with the requirements of the **Fire Code** and, without limiting the generality of the foregoing, must ensure that:
- (a) all hoods, grease removal devices, fans, ducts and other appurtenances of commercial cooking equipment are cleaned at least monthly to prevent grease and other combustible residues;
 - (b) all commercial cooking equipment exhaust systems are serviced and cleaned at least every six months by a **Fire Protection Technician**; and
 - (c) the instructions for manually operating the fire protection systems are posted conspicuously in the kitchen as part of a **fire safety plan**.

9.11 Dangerous Goods

- 9.11.1 If the **Fire Chief** is satisfied on reasonable and probable grounds that a discharge, emission or escape of **dangerous goods** has occurred and that immediate action is necessary in order to carry out any reasonable emergency measures, he or she may take such action or cause such action to be taken by any person the **Fire Chief** considers is qualified to do so.

9.12 Combustible Dust and Removal

- 9.12.1 A person must not cause, permit or allow the accumulation of any **combustible dust** or particulate on floors, walls, ledges, or other exposed **building** structural members, piping, conduit, electrical equipment, surface or on the roof of any **building** on which dust may settle, where the accumulation is sufficient to create a **fire hazard** or risk of **explosion**.
- 9.12.2 A person must not use compressed air or other means to blow **combustible dust** from ledges, walls and other areas unless all machinery in the area has been shut down and all sources of ignition removed.
- 9.12.3 The removal and collection of small quantities of loose **combustible dust** may be accomplished with an approved industrial vacuum cleaning system.
- 9.12.4 A person must ensure that metallic dust must be stored in tightly covered metal containers in a cool, dry place.
- 9.12.5 An **owner** or **occupier** of **premises** must ensure that **dust** removal is carried out in a form and manner acceptable to the **Fire Chief** and that the acceptable form and manner is included in the **building's fire safety plan**.

9.13 Electrical Extension Cords

9.13.1 A person must not create a **fire hazard** by using an **extension cord** as a substitute for permanent wiring.

PART TEN: SAFETY TO LIFE

10.1 Exits and Means of Egress

10.1.1 Every **owner** or **occupier** of **premises** must at all times ensure that all exits and means of egress required under the **Building Code**, *Fire Services Act*, **Fire Code** or the City's *Building Regulation Bylaw No. 7320*, all as amended from time to time, are properly maintained and remain unobstructed at all times.

10.1.2 An **owner** or **occupier** must not install or permit or allow the use of a smoke emitting **security alarm system** or other such system which upon activation may obstruct an exit or means of egress or potentially result in confusion to **occupiers** or to fire fighters.

10.1.3 An **owner** or **occupier** must ensure that every required exit door located in an open floor storage area shall be served by an aisle that::

- (a) is kept clear at all times of any materials or products;
- (b) has a clear width of not less than 1100 mm (44 inches);
- (c) extends from the exit door past the storage area and into the open floor area a minimum of 1800 mm (72 inches);
- (d) is provided with adequate emergency lighting coverage;
- (e) has a painted yellow boarder 100 mm (4 inches) in width with diagonal lines spaced 300 mm (12 inches) apart between the aisle borders; and
- (f) where the painted yellow border extends into the open floor area, has the word "EXIT" painted on the floor with an arrow directing occupants towards the exit.

10.1.4 No locking devices other than locking devices permitted by the **Building Code** shall be installed on any required exit doors.

10.1.5 An **owner** of a building which is equipped with a passenger elevator must ensure that a sign is displayed directly above the elevator call button on each floor reading:

**IN CASE OF FIRE, USE EXIT STAIRWAY
DO NOT USE ELEVATOR**

- 10.1.6 The dimensions of each sign required under Subsection 10.1.5 must be at least 75 mm by 130 mm in size and printed on permanent red and white, or white on red plastic laminate or equivalent material.
- 10.1.7 The **owner** of every **building** having three or more storeys must conspicuously display in all stairwells at each floor level, numbers or signs identifying each floor level. If numbers are used, the minimum height of those numbers shall be 150 mm. If wording is used, the dimensions and type must not be less than 50 mm by 150 mm on permanent red on white, or white on red plastic laminate or equivalent material.
- 10.1.8 A person must not hinder or obstruct the self-closing operation of doors in fire separations or doors separating stair enclosures from the remainder of the **building**.
- 10.1.9 A person must not stand, loiter, sit in or otherwise obstruct the aisles, passages or stairways of any church, theatre, hall, skating rink or other place of amusement or public resort or assembly.
- 10.1.10 An **owner** or **occupier** of **premises** must ensure that exit signs are maintained in a clean and legible condition and must be clearly illuminated from behind where such illumination is required by the **Building Code**.
- 10.1.11 An **owner** or **occupier** of **premises** must ensure that self-contained emergency lighting unit equipment and emergency lights are inspected and tested at intervals not greater than one month to ensure that emergency lights will function upon failure of the primary power supply, and at intervals not greater than 12 months to ensure the unit will provide emergency lighting for a duration equal to the design criterion.

10.2 Storage in Buildings, Service Rooms or Areas

- 10.2.1 Every **owner** or **occupier** of a **building** must ensure that no materials or items are stored in storage locker room aisles, elevator rooms, boiler rooms, furnace rooms, rooms that accommodate air-conditioning or heating appliances, pumps, compressors or other **building** services, except that, the **Fire Chief** may permit limited or restricted storage of specific materials or items as part of a **fire safety plan**.
- 10.2.2 Every electrical room and electrical vault shall conform to the *Electrical Safety Regulation* of the *Safety Standards Act* of British Columbia, as amended.

10.3 Tampering with Fire Protection Equipment

- 10.3.1 A person must not tamper with, alter or damage any fire protection equipment or use or operate any fire extinguisher or other fire protection equipment except for the purpose of testing or for the purpose for which the extinguisher or equipment is intended.

PART ELEVEN: INSPECTION OF BUILDINGS

11.1 Frequency of Inspections

11.1.1 The Fire Chief is directed and authorized to:

- (a) establish a regular system for the inspection of all hotels, public buildings, churches, theatres, halls and other buildings used as a place of public resort;
- (b) establish a regular system for the inspection of all other buildings in the City;
- (c) establish classes of buildings and different inspection frequencies for different classes of buildings;
- (d) amend the frequency of inspection schedules from time to time; and
- (e) provide one copy of the current frequency of inspection schedule to each person who requests one.

PART TWELVE: INSPECTION AND TESTING OF FIRE PROTECTION EQUIPMENT

12.1 Maintenance and Testing of Emergency Equipment

12.1.1 Every person who is required under a provision of the Fire Code to perform or cause to be performed, annually or less frequently than annually, an inspection or test of fire protection equipment for a hotel or public building, or to perform or cause to be performed an inspection or test of fire suppression systems in commercial kitchen exhaust systems, shall ensure that:

- (a) the inspection or test is performed by a fire protection technician and in accordance with the Fire Code; and
- (b) the inspection or test is recorded, or the fire protection equipment is tagged or labelled in accordance with the Fire Code and any regulations or bylaws under the *Applied Science Technologists and*

Technicians Act, all as amended from time to time, and in a manner acceptable to the authority having jurisdiction.

- 12.1.2 Every person who owns, controls or otherwise has charge of any fixed **fire protection equipment** must notify the **Fire Department** at any time such system or systems are inoperable or taken out of service, and must notify the **Fire Department** again when service is restored.
- 12.1.3 Every **fire protection technician** who carries out inspections and maintenance of **fire protection equipment** must use the Inspection and Testing form approved under the *Applied Science Technologists and Technicians Act*, as amended or replaced from time to time, and must forward a copy of the completed form upon completion of the inspection or maintenance to the **owner** or **occupier** of the **building**. Upon request by the **Fire Chief**, the owner or occupier must provide a copy of the completed form to the **Fire Department**.
- 12.1.4 A person must not undertake any work or testing on **fire protection equipment** or life safety systems that sends an alarm directly to an alarm monitoring company without prior notice to that alarm monitoring company.
- 12.1.5 The **owner** or **occupier** of every **building** that is equipped with a **fire alarm system** that is not continuously monitored by an approved monitoring agency must ensure that at each manual fire alarm pull station, a permanent sign is mounted reading:

LOCAL ALARM ONLY – IN CASE OF FIRE, TELEPHONE 9-1-1

The dimensions of each such sign must be not less than 50 mm by 100 mm in size and be printed on permanent red on white, or white on red plastic laminate or equivalent material.

PART THIRTEEN: CONTROL OF FIRE ACCESS

13.1 Fire Roads, Fire Trails & Firebreaks

- 13.1.1 The **Fire Chief** may erect or install gates, cables or other devices and may securely lock the same to prevent the use by unauthorized persons of any **emergency access route**, truck trail, driveway, path or highway, whether or not a public highway, over which the **Fire Department** has the lawful right to pass, whether by easement, license, **City** ownership or possession or otherwise, for purposes relating to fire protection or control.

PART FOURTEEN: ENFORCEMENT

14.1 Fire Orders

- 14.1.1 In addition to authority provided for orders by the **Fire Chief** or a **Fire Inspector** elsewhere in this Bylaw, if a person contravenes or fails to comply fully with any provision of this Bylaw, or if conditions exist in or upon any **premises** which in the opinion of the **Fire Chief**, constitute a **fire hazard** or other danger to life or property, the **Fire Chief** may, in writing, issue such order to that person as necessary to ensure full and proper compliance with this Bylaw or to remove or otherwise deal with the **fire hazard** or other danger.
- 14.1.2 An order made by the **Fire Chief** or a **Fire Inspector** under this Bylaw may be served:
- (a) by delivering it or causing it to be delivered to the person to whom it is directed;
 - (b) by sending the order by mail to the last known property owner; or
 - (c) if the person to whom it is directed cannot be found, is not known or refuses to accept service of the order, by posting a copy of the order in a conspicuous place on the **premises** that is subject to the order.
- 14.1.3 If an order has been posted in accordance with 14.1.2, a person must not remove, deface or destroy the order.
- 14.1.4 A person against whom an order has been made under this Bylaw may, before the expiration of ten days from the date of the order, appeal in writing to the **Fire Chief**, who may uphold the order, vary or set aside the order of a **Fire Inspector**, or issue an alternative order.
- 14.1.5 Every order issued by the **Fire Chief** or a **Fire Inspector** shall state a date by which the order shall be carried out, which date shall, in the discretion of the issuer, have regard to the degree of urgency involved in correcting or removing conditions which may tend to increase the hazard of fire or danger to life and property.
- 14.1.6 Where a person is in default of an order made pursuant to this Bylaw, the **City** by its employees, servants or agents may enter the **premises** and effect such work as is required in the notice at the cost and expense of the **owner** or **occupier** of the **premises**, payable upon receipt of invoice from the **City**.

14.2 Penalties

14.2.1 A person who:

- (a) contravenes, violates or fails to comply with any provision of this Bylaw or of any **permit** or order issued under this Bylaw;
- (b) suffers or allows any act or thing to be done in contravention or violation of this Bylaw or any **permit** or order issued under this Bylaw; or
- (c) fails or neglects to do anything required to be done under this Bylaw or any **permit** or order issued under this Bylaw;

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand (\$10,000.00) Dollars, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

14.3 Enforcement by Municipal Ticket

- 14.3.1 This bylaw is may be enforced by means of a ticket issued under the City's *Municipal Ticket Information Authorization Bylaw, No. 7321*, as amended or replaced from time to time.

PART FIFTEEN: FEES AND COST RECOVERY

15.1 Permit and Service Fees

- 15.1.1 Every person who applies for any of the following services of the Fire Department must pay the applicable fee set out in Schedule "B" of this Bylaw:

- (a) a **permit** required under Part Four;
- (b) review of a new **fire safety plan**;
- (c) review of an existing or amended **fire safety plan**;
- (d) review of a **fire safety plan** for demolition and construction;
- (e) review of a new **pre-incident plan**;
- (f) review of existing **pre-incident plan**; and
- (g) for a security alarm routed to Fire Department.

15.2 Inspection Fees

15.2.1 Every person who obtains any of the following inspections by the **Fire Department** must pay the applicable fee prescribed in Schedule "B" of this Bylaw:

- (a) a special request inspection of a **building**, structure or site to determine compliance with this Bylaw or the **Fire Code**; or
- (b) re-inspection of **premises** after an order has been issued under this Bylaw.

15.3 No Relief from Other Fees

15.3.1 Payment of any of the fees specified in Section 15.1 or 15.2 does not relieve a person from the requirement to pay any other fee prescribed under the **Fire Code**, the **Building Code**, the *Fire Services Act*, another City bylaw or any other applicable legislation.

15.4 Nuisance and Dangerous Goods Incidents

15.4.1 Every person who, wilfully or recklessly and without reasonable cause:

- (a) sets a fire to which the **Fire Department** must respond;
- (b) makes or causes to be made a false alarm;
- (c) causes a fire or loss that can be directly attributed to the use of fireworks contrary to the requirements and restrictions of the *Fireworks Regulation Bylaw No. 7917*, as amended, or;
- (d) carries our open air burning of combustible materials without a permit;

shall be deemed to have caused a nuisance and, in addition to any penalty imposed under this Bylaw or otherwise by law, shall be liable to pay the actual costs and expenses incurred by the **Fire Department** in abating that nuisance by responding to and investigating the fire, loss or false alarm, calculated in accordance with the rates set out in Schedule "B" of this Bylaw.

15.4.2 Every **owner**, carrier, agency, organization or other person having responsibility for the transport, storage or use of **dangerous goods**, shall be responsible, at that person's own cost and expense, for the clean up and safe disposal of all such **dangerous goods** arising from any **incident**, and a person who fails to do so shall be liable to pay the actual costs and expenses incurred by the **Fire Department**;

- (a) the costs and expenses incurred by the **City** or its contractors or agents for the clean up and safe transport and disposal of the **dangerous goods**; and

- (b) the costs incurred by the **Fire Department** in mitigating the **dangerous goods incident**, including without limitation, equipment replacement and decontamination costs.

15.5 False Alarm Incident Fees

- 15.5.1 The **owner** or **occupier** of **premises** containing a **fire alarm system** shall, on the occurrence of a second false alarm and for each subsequent false alarm occurring in any calendar year to which the **Fire Department** must respond, pay the **City** a fee for each such false alarm in accordance with Schedule B.
- 15.5.2 Where an **owner** or **occupier** notifies the **Fire Department** that an alarm from a **fire alarm system** is a false alarm before a vehicle leaves a fire station, the fee prescribed in Schedule "B" shall be reduced by 50%.
- 15.5.3 Where an **owner** or **occupier** makes improvements to a **fire alarm system** or takes other steps acceptable to the **Fire Chief** to reduce or eliminate future false alarms, then, upon receipt of an application in writing, 50% of the fee paid under Section 17.5.1 may be refunded to the owner or occupier.
- 15.5.4 The **Fire Chief** is authorized to implement a false alarm reduction program, in a form and format determined by the **Fire Chief**, for any **building** where the frequent activation of a false alarm signal in the **building** has, in the opinion of the **Fire Chief**, reduced or affected safety to life and property.
- 15.5.5. Where the **Fire Department** is required to respond to a fire alarm in a **building** that is part of a false alarm reduction program and the **owner** or **occupier** of the **building** has failed to participate in the program or comply with the conditions of the program, the **owner** or **occupier** must pay the applicable fee prescribed in Schedule "B" of this Bylaw.

15.6 Security Alarm Incident Fees

- 15.6.1 Where the **Fire Department** is required to respond to any alarm that results from a **security alarm system** being routed to the **Fire Department**, the **owner** or **occupier** of the **premises** must pay the applicable fee prescribed in Schedule "B".

15.7 Fire Alarm Testing Fee

- 15.7.1 Where a person fails to notify the monitoring company or the **Fire Department** when carrying out testing, repair, maintenance, adjustments or alterations to a **fire alarm system**, as required by this Bylaw, and such failure results in the activation of the **fire alarm system** requiring a response by the

Fire Department, that person must pay the applicable fee prescribed in Schedule "B" of this Bylaw.

15.8 General Fee Regulations

15.8.1 Where more than one person is liable to pay a fee or pay for the actual costs and expenses incurred by the **Fire Department**, the fee or the costs and expenses may be imposed among the persons involved on a pro rata basis.

15.8.2 Where under this Bylaw the **City** is authorized or required to provide work or services to lands or improvements, and the costs incurred by the **City** in carrying out such work or services are not paid when due and payable, the **City** may recover those costs from the **owner** of the lands or improvements in the same manner and with the same remedies as ordinary taxes and, if the costs remain unpaid on December 31, they shall be deemed to be taxes in arrear.

PART SIXTEEN - REPEAL

16.1 Repeal of Previous Bylaw

16.1.1 The *Fire Prevention Bylaw No. 4564, 1986* is hereby repealed.

16.1.2 The *Fire Protection Equipment inspection Regulation Bylaw No. 7312, 2002* is hereby repealed.

16.1.3 The *Fire and Security Systems Bylaw No. 7362, 2002* is hereby repealed.

FIRST READING

JUN 23 2008

SECOND READING

JUN 23 2008

THIRD READING

JUN 23 2008

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK

SCHEDULE "A"
to Fire Bylaw 8306

Interpretation

In this Bylaw:

"apparatus" means any vehicle machinery, device, equipment or material used for fire protection or **assistance response** and any vehicle used to transport **members** or supplies;

"assistance response" means aid provided in respect of fires, alarms, **explosions**, medical assistance, floods, earthquakes or other natural disasters, escape of dangerous goods, rail or aeronautical **incidents**, motor vehicle or other accidents, or circumstances necessitating rescue efforts;

"authority having jurisdiction" means any person or agency authorized by this or any other bylaw, regulation or statute to inspect or approve any thing or place;

"building" means any structure used or intended for supporting or sheltering any use or **occupancy**;

"Building Code" means the *British Columbia Building Code*, as amended or re-enacted from time to time;

"City" means the Corporation of the City of Richmond and the geographic area governed thereby, as the context requires;

"City Engineer" means the Director of Engineering for the **City** or a person designated to act in the place of the Director;

"combustible dust" means dusts and particles that are ignitable and liable to produce an explosion;

"combustible fibre" means finely divided, combustible vegetable or animal fibres and thin sheets or flakes of such materials which, in a loose, unbaled condition, present a flash **fire hazard**, including but not limited to cotton, wool, hemp, sisal, jute, kapok, paper and cloth;

"combustible liquid" means a liquid having a **flash point** at or above 37.8 degrees Celsius and below 93.3 degrees Celsius.

"combustible material" means any material capable of being ignited;

"combustible metal" means a metal, including but not limited to magnesium, titanium, sodium, potassium, calcium, lithium, hafnium, zirconium, zinc, thorium, uranium, plutonium or other similar metals, which ignites easily when in the form of fine particles or molten metal;

"**construct**" includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate or reconstruct;

"**construction**" includes a building, erection, installation, repair, alteration, addition, enlargement, or reconstruction;

"**Council**" means Council for the City;

"**dangerous goods**" means those products or substances that are regulated under the *Canada Transportation of Dangerous Goods Act* and its Regulation, as amended from time to time;

"**Deputy Fire Safety Director**" means a person appointed in writing by a **building owner**, **business owner** or a **Fire Safety Director** and given the responsibility and necessary authority to supervise and maintain a **fire safety plan** in the absence of the **Fire Safety Director**;

"**emergency access route**" means portion of a roadway or yard providing an access route for fire department vehicles from a public thoroughfare, as required under the **Building Code**;

"**explosion**" means a rapid release of energy, that may or may not be preceded or followed by a fire, which produces a pressure wave or shock wave in air and is usually accompanied by a loud noise;

"**extension cord**" means a portable, flexible electrical cord of any length which has one male connector on one end and one or more female connectors on the other;

"**false alarm**" means the activation of a **fire alarm system** or **security alarm system** as a result of which services, including fire and police services, are provided by or on behalf of the **City** and the providers of the services do not find any evidence of fire, fire damage, smoke, criminal activity or other similar emergency;

"**fire alarm system**" means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal or alerting a monitoring facility but does not include a fire alarm system that is intended to alert only the occupants of the dwelling unit in which it is installed;

"**Fire Chief**" means the Director of Fire and Rescue Services for the **City**, acting as head of the **Fire Department**, or a person designated to act in the place of the Director;

"**Fire Code**" means the *Fire Code Regulation* made under the *Fire Services Act* of British Columbia, as amended or replaced from time to time;

"**Fire Department**" means the Richmond Fire Department established in 1988 under Bylaw 4987 and continued under this Bylaw, which is also known as Richmond Fire and Rescue Services;

"**fire hazard**" means any condition, arrangement or act which increases the likelihood of fire or which may provide a ready fuel supply to augment the spread or intensity of a fire

or which may obstruct, delay, hinder, or interfere with the operations of the **Fire Department** or the egress of occupants in the event of fire;

"Fire Inspector" means the **Fire Chief** and every member of the **Fire Department** or any other person designated as such by the **Fire Chief** by name or office or otherwise;

"fire protection equipment" includes but is not limited to, **fire alarm systems, automatic sprinkler systems**, special extinguisher systems, portable fire extinguishers, fire hydrants, water supplies for fire protection, standpipe and hose systems, fixed pipe fire suppression systems in commercial cooking exhaust systems, smoke control measures and emergency power installations;

"Fire Protection Technician" means a person certified under the *Applied Science Technologists and Technicians Act* as a fire protection technologist, or a person having other certification acceptable to the **Fire Chief**, that qualifies the person to perform inspections and testing on **fire protection equipment**;

"Fire Safety Director" means a person appointed in writing by a **building owner** or **business owner** and given the responsibility and necessary authority to supervise and maintain a **fire safety plan**;

"fire safety plan" means a fire safety plan for a **building** required under the **Fire Code** and this Bylaw, that includes, without limitation,

- (a) emergency procedures to be used in case of fire,
- (b) training and appointment of designated supervisory staff to carry out fire safety duties,
- (c) documents showing the type, location and operation of fire emergency systems,
- (d) the holding of fire drills,
- (e) the control of fire hazards, and
- (f) inspection and maintenance of facilities for the safety of the **building's** occupants;

"Fire Services Act" means the *Fire Services Act*, RSBC 1996, c. 144, as amended or replaced from time to time;

"flammable gas" means a gas which can ignite readily and burn rapidly or explosively;

"flammable liquid" shall have the meaning ascribed to it in the **Fire Code**;

"flammable material" means any free burning material including but not limited to solids, **combustible dust, combustible fibres, flammable liquid, flammable gas**, and **liquified flammable gas**;

"flash point" means the minimum temperature at which a liquid within a container gives off vapour in sufficient concentration to form an ignitable mixture with air near the surface of the liquid;

"incident" means an event or situation to which the **Fire Department** has responded or would normally respond;

"member" means a person employed by the **City** and holding a position within the **Fire Department** as an **officer** or firefighter;

"member in charge" means the senior **member** at the scene of an **incident** or the **member** that is appointed as such by the **Fire Chief**;

"occupancy" means the use or intended use of a **building** or part thereof for the shelter or support of persons, animals or property;

"occupier" includes an **owner** or agent of the **owner**, a tenant, lessee, user, agent and any other person who has a right of access to, possession and control of a **building** or other **premises** to which this Bylaw applies;

"officer" means the **Fire Chief**, Deputy Fire Chief, Battalion Chief, Chief Training Officer, Chief Fire Prevention Officer, a Captain and a Fire Prevention Officer and a member designated by the Fire Chief to act in the capacity of an officer;

"officer in charge" means the senior member of the **Fire Department** who is present at an **incident** or a **member** appointed as such by the **Fire Chief**;

"owner" means a person who has ownership or control of real or personal property, and includes, without limitation,

- (a) the registered owner of an estate in fee simple,
- (b) the tenant for life under a registered life estate,
- (c) the registered holder of the last registered agreement for sale, and
- (d) in relation to common property and common facilities in a strata plan, the strata corporation;

"permit" means a current and valid document issued by the **Fire Chief** or a **member** authorizing a person to carry out a procedure or undertaking described in the **permit**, or to use, store or transport materials under conditions stipulated in the **permit**;

"pre-incident plan" means a document that includes general and detailed information about a **building** to assist the **Fire Department** in determining the resources and actions necessary to mitigate anticipated emergencies at that **building**;

"premises" includes the whole or any part of a lot of real property and any **buildings** or structures on the property;

"security alarm system" means a device or devices installed on or in real property and designed to warn of criminal activity or unauthorized entry by activating an audible alarm signal or alerting a monitoring facility;

"sprinkler system" means an integrated system of underground and overhead piping designed in accordance with fire protection standards which is normally activated by heat from a fire and discharges water over the fire area;

"storey" means that portion of a **building** which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it; and

“structure” means a **construction** or portion thereof, of any kind, whether fixed to, supported or sunk into land or water, except landscaping, fences, paving and retaining structures less than 1.22 metres in height.

SCHEDULE "B"
to Fire Bylaw No. 8306

FEES & COST RECOVERY

Fire Department Service or Work	Section	Fee
Permit	4.1	\$20
Permit inspection, first hour	4.3	\$ 80
Permit inspection, subsequent hours or part thereof	4.3	\$ 50
Attendance - Open air burning without permit, first hour	4.5.1	\$350 per vehicle
Attendance - Open air burning without permit, subsequent half-hour or part thereof	4.5.1	\$175 per vehicle
Attendance - Open air burning in contravention of permit conditions, first hour or part thereof	4.5.3	\$350 per vehicle
Attendance - Open air burning in contravention of permit conditions, subsequent half-hour or part thereof	4.5.3	\$175 per vehicle
Attendance - false alarm –contact person not arriving within 60 minutes after alarm – per hour or portion of hour Fire Dept standing by	6.1.4.(b)	\$350 per vehicle
Vacant premises – securing premises	9.7.4	Actual cost
Damaged building – securing premises	9.8.1	Actual cost
Work done to effect compliance with order in default of owner	14.1.6	Actual cost
Review - Fire Safety Plan any building <600 m ² area	15.1.1 (b)	\$100
Review - Fire Safety Plan, building > 600 m ² area	15.1.1 (b)	\$150
Review - Fire Safety Plan, high building, institutional	15.1.1 (b)	\$200
Review - Fire Safety Plan - revisions, each occurrence	15.1.1 (b)	\$ 50
Inspection - 4 stories or less and less than 914 m ² per floor	15.2.1 (a)	\$ 200
Inspection - 4 stories or less and between 914 and 1524 m ² per floor	15.2.1 (a)	\$ 300
Inspection - 5 stories or more and between 914 and 1524 m ² per floor	15.2.1 (a)	\$ 500
Inspection - 5 stories or more and over 1524 m ² per floor	15.2.1 (a)	\$ 700
Inspection or follow-up to an order, first hour	15.2.1 (b)	\$ 80
Re-inspection or follow-up to an order, subsequent hours or part of hour	15.2.1.(b)	\$ 50
Nuisance investigation, response & abatement	15.4.1	Actual cost
Mitigation, clean-up, transport, disposal of dangerous goods	15.4.2	Actual cost
Attendance - false alarm – no false alarm reduction program in place	15.5.1.	\$ 300
Attendance - false alarm –false alarm reduction program in place and participation	15.5.5.	No charge
Attendance - false alarm – caused by security alarm system	15.6.1	\$ 200
Attendance - false alarm – monitoring agency not notified	15.7.1	\$ 200
Alternate solution report or application review	general	\$150