



**Fire Protection and Life Safety Bylaw No. 8306,
Amendment Bylaw No. 9151**

The Council of the City of Richmond enacts as follows:

1. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 2, by deleting subsection 2.6.1 and substituting the following:

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. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 6, by deleting the opening paragraph of subsection 6.1.4 and substituting the following:

6.1.4 Where a contact person fails to respond to a fire alarm and attend the premises within 30 minutes:

3. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 6, by deleting subsection 6.1.4(b) and substituting the following:

(b) the **owner** or **occupier** of the **premises** shall be liable to reimburse the **City**, at the rates in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 for the cost to the **City** of all time during which **Richmond Fire-Rescue apparatus** and **members** were required to remain on standby at the **premises**, commencing after the 30 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**.

4. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 6, by the addition of new subsection 6.3:

6.3 Fire Watch

6.3.1 The owner or occupier of any building in which any of the fire alarm system, automatic sprinkler system, or emergency power system, or any portion thereof, if not operating, shall institute and maintain a **fire watch** in that building until all required systems are in operation.

5. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 9 by the addition of new subsection 9.14:

9.14 Fireworks Regulation

- 9.14.1 A person must not purchase, sell, display for the purpose of sale, offer for sale, give, dispose of or distribute **fireworks** to any person.
- 9.14.2 A person must not possess **fireworks** except as permitted under a **display permit**.
- 9.14.3 Subject to subsection 9.14.4, a person must not ignite, explode, set off or detonate **fireworks**:
- (a) except in accordance with the terms of a **display permit**;
 - (b) in such a manner as may endanger or create a nuisance to any person or property.
- 9.14.4 A person who is permitted by this bylaw to ignite, explode, set off or detonate **fireworks** must only do so on property, whether privately or publicly held, with the written consent of the owner or the agent for the owner of such property.
- 9.14.5 A person may apply to the **Fire Chief** for a **display permit** which authorizes the holder to ignite, explode, set off or detonate **fireworks** in accordance with the terms of the **display permit**.
- 9.14.6 To obtain a **display permit**, the applicant must be at least 18 years of age and submit:
- (a) a completed **display permit** application;
 - (b) an indemnity agreement;
 - (c) an application fee in the amount set out from time to time in the Consolidated Fees Bylaw No. 8636;
 - (d) an authorization signed by the property owner or owner's agents, where the **fireworks** event is to occur on property not owned by the applicant;
 - (e) a certificate of insurance showing evidence that the applicant has comprehensive general liability insurance which:
 - (i) has a coverage limit of not less than \$5,000,000 per occurrence;
 - (ii) includes the **City** as an additional named insured;
 - (iii) has a deductible of not more than \$5,000, unless the **City** advises in writing that it consents to a higher deductible; and
 - (f) proof of Fireworks Supervisor or Pyrotechnician certification issued to the applicant by the Explosives Regulatory Division of Natural Resources Canada at least ten **business days** prior to the fireworks event.
- 9.14.7 The **Fire Chief** is authorized to:

- (a) issue **display permits** to eligible applicants;
 - (b) refuse to issue a **display permit** where the applicant has failed to meet the requirements of section 9.14.6;
 - (c) refuse to issue a **display permit** where the applicant has provided false information on the application for the permit;
 - (d) impose terms and conditions on a **display permit** regarding the following:
 - (i) the location at which the **fireworks** display may take place;
 - (ii) the time or times within which the **fireworks** display may take place;
 - (ii) fire safety precautions which must be taken with respect to the **fireworks** display;
 - (iii) safe storage of **fireworks**;
 - (e) revoke, cancel, or suspend a **display permit** where:
 - (i) the holder has violated the terms and conditions of the **display permit** or the provisions of this bylaw or any applicable provincial or federal legislation;
 - (ii) the holder has acted in such a manner as to endanger property or public safety; or
 - (iii) environmental or weather conditions are such that the use of **fireworks** would endanger property or public safety; and
 - (f) conduct an examination or analysis of an article that appears to be a **firework**, and to prepare a report confirming that the **Fire Chief** has examined or analyzed the item, describing the results of the examination or analysis, and stating whether or not, in the opinion of the **Fire Chief**, the item is a **firework**.
- 9.14.8 The holder of a **display permit** must comply with the terms and conditions specified in the **display permit** and the requirements of this bylaw, all other bylaws of the **City**, and all applicable provincial and federal legislation.
- 9.14.9 In the event that a **display permit** is denied, revoked, cancelled or suspended, the application fee is non-refundable.
- 9.14.10 A **display permit** is:
- (a) valid only for the location and during the times specified in the **display permit**; and
 - (b) not transferable.
- 9.14.11 **Fire inspectors, bylaw enforcement officers, police officers** and others as designated by the **Fire Chief** are authorized to enter on property at any time to determine whether the requirements of a **display permit** and of this and other applicable bylaws of the **City** and any applicable provincial or federal statutes are being met.

6. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 14, by deleting subsection 14.3 and substituting the following:

14.3.1 This bylaw 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.

7. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 14, by the addition of new subsection 14.4:

14.4 Notice of Bylaw Violation

14.4.1 A violation of provisions of this bylaw may result in liability for penalties and late payment amounts established in Schedule A of the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended or replaced from time to time.

14.4.2 A violation of provisions of this bylaw may be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c.60*.

8. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 15, by deleting subsection 15.1.1 and substituting the following:

15.1.1 Every person who applies for any of the following services of **Richmond Fire-Rescue** must pay the applicable fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 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 an existing **pre-incident plan**;
- (g) for a security alarm routed to **Fire Department**;
- (h) for providing public education services including, but not limited to, fire extinguisher training; and
- (i) file records research.

9. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 15, by deleting subsection 15.4.1(d) and substituting the following:

(d) carries out 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 **Richmond Fire-Rescue** in abating that nuisance by responding to and investigating the fire, loss or false alarm, calculated in accordance with the rates in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 of this bylaw.

10. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended at Part 15 by the addition of new subsections 15.5.6 through 15.5.10:

15.5.6 A person must not cause, permit, or allow, a security or fire alarm:

(a) to **sound** continuously or sporadically for a period of more than 2 hours;
or

(b) to continue to **sound** once the **premises** or **vehicle** is secure.

15.5.7 For the purposes of subsection 15.5.6, a person is deemed to have caused the **sound** even if the sounding of the alarm arose from malfunction of the said alarm.

15.5.8 In the event of a violation of subsection 15.5.6, an **inspector** may stop the alarm from sounding by:

(a) in the case of a house alarm, entering onto the property, including entering into any buildings on the property, and disabling the alarm by whatever means possible; and

(b) in the case of a **vehicle** alarm, by having the alarm disconnected and towing the **vehicle**, at the owner's expense, to a secure storage yard.

15.5.9 Neither the **City**, any **City** employee, **Police Officer**, nor any persons authorized by the **City** to enforce subsections 15.5.6, 15.5.7 and 15.5.8 may be found liable for any action taken in good faith, pursuant to those subsections.

15.5.10 Every owner or occupier of real property from which a **false alarm** has been generated must pay to the **City** the amount set out from time to time in the Consolidated Fees Bylaw No. 8636.

11. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended by deleting Schedule "A" and substituting the following:

SCHEDULE "A"
to Fire Protection and Life Safety Bylaw No. 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;

“**business day**” means Monday through Friday, inclusive, except where such day falls on a statutory holiday;

“**Bylaw Enforcement Officer**” means an employee of the **City** appointed by Council for enforcement of **City** bylaws;

“**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**;

“display permit” means a permit issued pursuant to section 9.14.7;

“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, police, bylaws and health inspector services, or any of them, 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-Rescue for the **City**, acting as head of **Richmond Fire-Rescue**, 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 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 **Richmond Fire-Rescue** or the egress of occupants in the event of fire;

“Fire Inspector” means the **Fire Chief** and every **member** of **Richmond Fire-Rescue** 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;

“**fire watch**” means a fire warning and inspection process within a building that includes the following:

- (a) posting of written notices at all entrances and exists on each floor stating that a Fire Watch is in effect and its expected duration;
- (b) an hourly physical inspection of all public areas and building service rooms equipped with a fire alarm detection device;
- (c) notation in an entry book at least one every hour of the conditions noted by the person(s) performing the Fire Watch;
- (d) some provision on site for the person(s) performing the Fire Watch for the making of 911 emergency call(s); and
- (e) posting of instructions in the building as to the alerting of all occupants of the building of alternate actions to be taken in case of an emergency.

“**fireworks**” means any article containing a combustible or explosive composition or any substance or combination of substances prepared for, capable of, or discharged for the purposes of producing a pyrotechnical display which may or may not be preceded by, accompanied with, or followed by an explosion, or an explosion without any pyrotechnical display, and includes, without limitation, barrages, batteries, bottle rockets, cannon crackers, fireballs, firecrackers, mines, pinwheels, roman candles, skyrockets, squibs, torpedoes, and other items of a similar nature, that are intended for use in pyrotechnical displays or as explosives or that are labelled, advertised, offered, portrayed, presented or otherwise identified for any such purpose;

“**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 **Richmond Fire-Rescue** has responded or would normally respond;

“**Inspector**” includes a **Bylaw Enforcement Officer** employed by the **City**, a **Police Officer**, the Chief Public Health Inspector, and any employee acting under the supervision of any of them;

“**member**” means a person employed by the **City** and holding a position within **Richmond Fire-Rescue** 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 **Richmond Fire-Rescue** 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;

“**Police Officer**” means a member of the Royal Canadian Mounted Police;

“**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 **Richmond Fire-Rescue** 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;

“**Richmond Fire-Rescue**” means that department of the City responsible for providing fire and rescue services;

“**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;

“**sound**” means an oscillation in pressure in air which can produce the sensation of hearing when incident upon the ear;

“**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 is there is no floor above it, that portion between the top of such floor and the ceiling above it;

“**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; and

“**vehicle**” means the interpretation given in the *Motor Vehicle Act*.

12. The **Fire Protection and Life Safety Bylaw No. 8306**, as amended, is further amended by replacing each reference to “the **Fire Department**” with “**Richmond Fire-Rescue**”.
13. The **Fireworks Regulation Bylaw No. 7917**, as amended, is hereby repealed
14. The **Fire Department Establishment Bylaw No. 4987**, as amended, is hereby repealed.
15. This Bylaw is cited as “**Fire Protection and Life Safety Bylaw No. 8306, Amendment Bylaw No. 9151**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

JUL 28 2014

JUL 28 2014

JUL 28 2014

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>[Signature]</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

MAYOR

CORPORATE OFFICER