

# THE CORPORATION OF THE CITY OF FERNIE



## **Consolidated Fire Protection and Life Safety Bylaw Bylaw No. 2029**

Consolidated to Bylaws:

- 2136, Amendment # 1
- 2300, Amendment # 2
- 2320, Amendment # 3
- 2388, Amendment # 4
- 2411, Amendment # 5

All persons making use of this consolidated version of the City of Fernie Bylaw No. 2029 are advised that it has no legal sanction; that the amendments have been embodied for convenience of reference only and that the original bylaws must be consulted for all purposes of interpreting and applying the Bylaw. Subsections or sections of the original bylaw and/or amendments which have been repealed have not been included in this consolidation.

Certified copies of all City Bylaws are available from the City Clerk.

*Amended 2024-06-11*

**THE CORPORATION OF THE CITY OF FERNIE**  
**BYLAW NO. 2029**  
**A bylaw to regulate fire protection and life safety**

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**WHEREAS** pursuant to Section 63 and Section 66 of the *Community Charter*, Council may make fire protection regulations for the protection of persons and property; and

**WHEREAS** pursuant to Section 8 of the *Community Charter*, Council may establish a Fire Rescue Service and further may regulate and control same;

**NOW THEREFORE** the Council of the Corporation of the City of Fernie in open meeting assembled enacts as follows:

**SECTION 1 - TITLE**

1.1 This Bylaw may be cited as the “*Fire Protection and Life Safety Bylaw*”.

**SECTION 2 - DEFINITIONS**

2.1 For the purposes of this Bylaw, the following definitions shall apply:

**Access Route** means private road, driveway, lane or portion of a yard which has been provided for access by fire department equipment in accordance with the British Columbia Fire Code;

**Alarm** means the giving, signaling or transmission to any public fire hall or fire dispatch or company or to any officer or employee thereof, whether by telephone, spoken word or otherwise, of information to the effect that a fire or emergency situation exists at or near the place indicated by the person giving, signaling, or transmitting such information;

**Apparatus** means any vehicle provided with machinery, devices, equipment, or materials for fire suppression and assistance response as well as vehicles used to transport fire fighters or supplies;

**Approved** means approved by an officer as being in compliance with this bylaw;

**Assistance response** means rescue operations, mutual aid to other fire departments or public authorities under agreement, initial response to hazardous material emergencies and other public service in response to an emergency;

**Authority Having Jurisdiction** means any person or agency authorized by this or any other bylaw, regulation or statute to inspect and/or approve anything or place;

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

**Building Manager** includes the owner, occupier, their agents, and any resident manager of a building;

**Burn Permit** means a document issued by the Director of Fire and Emergency Services authorizing a Category 2 or Category 3 open fire under the terms and conditions specified in the permit, substantially in the form set out in Schedule “B” Burn Permit attached to and forming part of this bylaw;

**Category 2 Open Fire** means an open fire, other than a campfire, that burns:

- material in one pile not exceeding 2 m in height and 3 m in width,
- material concurrently in 2 piles each not exceeding 2 m in height and 3 m in width, or
- stubble or grass over an area that does not exceed 0.2 ha.

**Category 3 Open Fire** means an open fire that burns:

- material concurrently in 3 or more piles each not exceeding 2 m in height and 3 m in width,
- material in one or more piles each exceeding 2 m in height or 3 m in width,
- one or more windrows, or
- stubble or grass over an area exceeding 0.2 ha.

**City** means the Corporation of the City of Fernie;

**Clearing Waste Fire** means any outdoor fire in which only waste resulting from brush clearing, tree clearing, or stump removal, or from agricultural operations on land zoned for agricultural use is burned;

**Combustible Liquid** means any liquid having a flash point at or above 37.8 degrees Celsius and below 93.3 degrees Celsius;

**Construction Waste** means any waste or refuse created through construction, repair, or demolition of a building or structure;

**Consumer Fireworks** means low-hazard firework articles designed for recreational use by the public as defined in Class 7.2.1 of the Explosives Act (R.S., 1985, c.E17) or any successor legislation excepting Display Fireworks, Christmas crackers, sparklers and caps for toy guns;

**Cost Recovery** means the method the City may use to recover any costs and expenses of and incidental to the taking of certain measures pursuant to this bylaw;

**Council** means the Municipal Council of the City;

**Dangerous Goods** means any element or combination of elements including an organism, which, because of toxic or other inherent characteristics, may constitute a hazard to life, safety, health or the natural environment including a fire hazard, and, without limitation include:

- a) liquid chlorine, liquefied petroleum gas, liquefied natural gas, or other flammable or combustible liquids;
- b) explosives
- c) gases, including compressed gases or dissolved gases under pressure;
- d) flammable solids, including substances liable to spontaneous combustion or substances that on contact with water emit flammable gases;
- e) oxidizing substances, including organic peroxides, chlorides, chlorates or nitrates;
- f) poisonous or infectious substances;
- g) radioactive materials
- h) corrosives; and
- i) other dangerous goods.

**Director of Fire and Emergency Services** means a person appointed by the Chief Administrative Officer to be in charge of the Fire Rescue Service, and includes any other person authorized to act on behalf of the Director;

**Display Fireworks** are high-hazard firework articles, as defined in the Explosives Act (R.S., 1985, c.E-17) or any successor legislation and generally described as large fireworks used for public firework displays and designed for use by professionals. These articles include items such as aerial shells, cakes, roman candles, waterfalls, lances and wheels;

**Equipment** means any tools, contrivances, devices or materials used by Fernie Fire Rescue to combat and incident or other emergency;

**Explosive Regulatory Division** means the Explosive Regulatory Division of the Mineral Technology Branch of Natural Resources Canada;

**False Alarm** in respect of a fire alarm means the activation of an alarm system resulting in the direct or indirect notification of the Fire Rescue Service of the City to attend the address of the alarm system, where there is in fact no emergency situation at that address;

In respect of a security alarm means the activation of an alarm system resulting in direct or indirect notification of the RCMP to attend the address of the alarm system, where

there has been in fact no unauthorized entry or commission of an unlawful act or in relation to the premises at that address;

**Firefighter / Inspector** means every career member of the Fire Rescue whose duties include Fire Prevention, Fire Suppression, and or emergency response, authorized in writing to carry out fire inspections in the City;

**Fire Alarm System** means all equipment forming part of or used in connection with a fire alarm system or fire detection system, including without limitation, batteries, alarm gongs, horns, buzzers, switches, wiring, relay apparatus, sensors, and other accessories;

**Fire Code** means the British Columbia Fire Code 1998 enacted by B.C. Regulation 285/98 under the Fire Services Act, as amended or replaced from time to time;

**Fire Department Connection** means a connection through which the Fire Rescue Service can pump water into the standpipe system and or sprinkler system;

**Fire Pit Permit** means a document issued by the Director of Fire and Emergency Services authorizing a campfire in an outdoor recreational fire pit under the terms and conditions specified in the permit, substantially in the form set out in Schedule "F" Fire Pit Permit attached to and forming part of this bylaw;

**Fire Prevention** means that part of fire protection activities exercised in advance of the outbreak of fire to help prevent loss of fire and property due to fire;

**Fire Protection** means all aspects of fire safety, including by not limited to fire prevention, fire fighting, or suppression, pre-fire planning, fire investigation, public education, and information, training or other staff development and advertising;

**Fire Rescue Service** means Fernie Fire Rescue Service, of the Corporation of the City of Fernie as established and continued as a fire rescue service pursuant to section 8(2) of the Community Charter, S.B.C. 2003C. 26;

**Flammable liquid** means any liquid having a flash point below 37.8 degrees Celsius and having a vapour pressure not exceeding 275.8 kPa (absolute) at 37.8 degrees Celsius;

**Full Service means** – is the Service Level that includes activities that are undertaken by firefighters and officers trained in the full spectrum of Competencies outlined in the NFPA 1001 Firefighter 2, Standard for Fire Fighter Professional Qualifications as well as the relevant competencies of NFPA 1021 Standard for Fire Officer Professional Qualifications for officers;

**Incident** means a fire, explosion, situation where a fire or explosion is likely, a Dangerous goods leak or spill or any other situation that presents a danger or possible

danger to life, safety, health, the natural environment or property and to which Fernie Fire Rescue has responded;

**Incident Commander** means any member of Fernie Fire Rescue Service who may be in charge of an incident;

**Member** means any person that is an employee or paid on call member of the Fire Rescue Service;

**Non Standard Events** means any event which is beyond the normal emergency response for the Fire Rescue Service, including but not limited to;

- a) Security following a fire incident, while waiting for insurance adjuster(s) to attend for purposes of investigation.
- b) Security following containment of a natural gas distribution line break, caused by a contractor or property owner, while waiting arrival of natural gas agency to repair the break.

**Noxious Material** includes tires, plastics, rubber products, drywall, demolition or construction waste, paint, special waste, animal organic waste, vegetable waste, food waste, biomedical waste, tar, asphalt products, battery boxes, and waste petroleum products and any other product that produces heavy black smoke, noxious odors or toxic residue when burned;

**Occupant** means and shall include the registered owner and any lessee, tenant, and licensee of any building or premises;

**Open Burn** means any outdoor combustion occurrence and its effect of smoke, flame, light or heat and, without limiting the generality of the foregoing, any combustion involving the actual burning of wood and or other wastes which results in their destruction or absorption;

**Permittee** means and includes person(s) of either sex, associations, corporations, partnerships or companies, whether acting by themselves or by a servant, agent or employee; the singular shall, when necessary be held to mean and include the plural, and the masculine, the feminine and the converse;

**Playbook** – means the mandatory minimum training standards set under paragraph 3 (3) (b) of the Fire Services Act (B.C.) by the Office of the Fire Commissioner and approved by the Minister of Justice, entitled British Columbia Fire Service Minimum Training Standards: Structure Firefighters – Competency and Training Playbook (September 2014), as same may be amended, revised or replaced from time to time;

**RCMP** means a member of the Royal Canadian Mounted Police;

**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 and audible alarm signal or alerting a monitoring facility;

**Service Area** includes the City, and all those areas outside the boundaries of the City that are subject of an agreement to provide fire protection services;

**Service Level** – means the level of service to be provided by a fire department, as determined by the Departments Authority having Jurisdiction (AHJ). The AHJ may select a Service Level from among one of the following options: Exterior Operations, Interior Operations or Full Service Operations;

**Shipping Container** a standardized container, typically constructed of steel, designed to facilitate the transport of goods by one or more modes of transport without intermediate reloading. Other names for a shipping container include intermodal shipping container, sea can, and ISO container;

**Ventilation Index** means the Environment Canada forecast ventilation index which provides regional information on airflow venting;

All other words and phrases shall be construed in accordance with the meaning assigned to them by the current “B.C. Building Code”, “Fire Services Act” or “B.C. Fire Code” as the context and circumstances require;

## **2.1 Adoption of British Columbia Fire Code**

The British Columbia Fire Code, as amended, is hereby adopted and forms part of this bylaw and shall be applicable with the municipality.

## **SECTION 3- FIRE RESCUE SERVICE OPERATIONS**

### **3.1 Establishment**

The Fernie Fire Rescue Services is hereby established to provide those services set out herein. The head of the Fire Rescue Service shall be known as the Director of Fire and Emergency Services.

### **3.2 Full Fire Service Operations Level Policy**

- a) The City of Fernie, Fire Rescue Services Department will provide Full Fire Service Operations Level as detailed by the British Columbia Fire Service Minimum Training Standards Structure Firefighters Competency and Training Playbook, (2<sup>nd</sup> Edition, Amended May 2015).
  
- b) The City of Fernie, Fire Rescue Services Department will train to a Full Fire Service Operations Level Fire Suppression as required by the British Columbia Fire Service Minimum Training Standards Structure Firefighters Competency and Training Playbook (2<sup>nd</sup> Edition, Amended May 2015).

### **3.3 Responsibilities**

The Fernie Fire Rescue Services shall be responsible for:

- a) All aspects of fire protection including but not limited to;
  - i. the suppression of all types of fires
  - ii. fire prevention inspections
  - iii. fire cause determination
  - iv. fire and life safety education
  - v. general fire prevention activities
  - vi. pre-fire planning
- b) The delivery of medical assistance as first medical responders;
- c) The rescue of persons from potentially dangerous situations in which the members have been trained;
- d) The mitigation of vehicles damaged and patients injured in motor vehicle accidents, both within the fire service district and the RDEK when called upon.
- e) The identification of dangerous goods and taking the appropriate actions based on the product and to a National Fire Protection Association "Awareness" Level.

### **3.4 Management and Control**

The Director of Fire and Emergency Services shall be responsible for the management control and supervision of the Fernie Fire Rescue Service, for all Fernie Fire Rescue Service personnel and the discipline thereof, and for the care custody, and control of all buildings, apparatus, and equipment of the Fernie Fire Rescue Service.

### **3.5 Limits of Jurisdiction**

The limits of the jurisdiction of the Fernie Fire Rescue Service shall be within the boundaries of the City and no apparatus of the Fernie Fire Rescue Service shall be used outside the boundaries of the City without an express written agreement to provide fire protection services, or in the event the Fernie Fire Rescue Service is called upon by the RCMP or British Columbia Ambulance Service to attend at a motor vehicle accident or life threatening incident beyond these confines, under the auspices of the Provincial Emergency Program.

### **3.6 Policies and Operational Guidelines**

The Director of Fire and Emergency Services may, from time to time, make policies and operational guidelines for the proper and efficient administration and operation of the Fire Rescue Service, and may vary, alter, or repeal such policies and operational guidelines as deemed fit or necessary.

### **3.7 Right to Enter**

- a) The Incident Commander is empowered to enter premises or property where the incident occurred or any neighbouring premises or property and to cause any member, apparatus, or equipment to enter, as deemed necessary, in order to combat, control or deal with the incident.
- b) The Incident Commander is empowered to enter, pass through, or over buildings or property adjacent to any incident and cause member of the Fire Rescue Service to enter or pass through or over buildings or property, where he deems it necessary to gain access to the incident or to protect any person or property.

### **3.8 Fire Protection File Searches**

There will be a fee charged to any person seeking a file search on occupancies, outstanding fire code violations or infractions or other related information, in accordance with Schedule "A" , Cost Recovery.

### **3.9 Contamination and Replacement of Equipment**

The Director of Fire and Emergency Services shall charge an owner or occupant of a premises for the replacement or repair of Fernie Fire Rescue Service equipment where, as a result of an incident at or near their premises, such equipment has been damaged or contaminated by a hazardous substance or dangerous goods and will require decontamination repair or replacement. The fee is payable as specified in Schedule "A" Cost Recovery. Failure of the owner or occupant to pay a fee charged within three (3)

months will result in those costs being added to and form part of the taxes payable on the property in arrears.

### **3.10 Demolition of Buildings**

The Incident Commander shall have the authority to cause the demolition of any building or part of a building which, in that member's judgment, should be demolished in order to prevent the spread of fire and further damage to property or injury to persons and possible loss of life.

### **3.11 Prevention, Control and Enforcement**

The Fernie Fire Rescue Service may take all necessary measures for the prevention, control, and extinguishment of fires and for the protection of life and property. The Director of Fire and Emergency Services and any member may enforce the Fire Code and any applicable municipal bylaws and regulations for the prevention and suppression of fires.

### **3.12 Commandeering of Equipment**

- a) The Incident Commander is empowered to commandeer privately or publicly owned equipment, which is necessary to deal with an incident.
- b) The originating property owner shall be responsible to pay the charges associated with the commandeering of equipment considered necessary to deal with the incident.
- c) If the originating incident property owner fails to pay the charges by December 31<sup>st</sup> of any year, the charges shall be added to and form part of the taxes payable on the property as property taxes.

### **3.13 Fire Investigation Fee**

For every incident where damage is in excess of \$5,000.00 and for which the Director of Fire and Emergency Services must complete a Fire Investigation and Fire Investigation report in accordance with the *Fire Services Act*, a fee will be charged to the owner of the structure where the damage occurred. This fee is payable as specified in Schedule "A" Cost Recovery. Failure of the owner to pay the fee charged within 3 months of the investigation will result in those costs being added to and form part of the taxes payable on the property in arrears.

## **SECTION 4 -Conduct of Person**

### **4.1 Hindrance**

No person(s) shall impede or hinder in any way the execution of the duties of member, or any other person under the direction of a member in charge at an incident and, without limiting generality of the foregoing, no person shall refuse to permit any member to enter into or upon any premises from which a fire alarm has been received

or in or upon which the member has reasonable grounds to believe that an incident has occurred or may occur.

#### **4.2 Prohibition of Entry**

No person(s) except those duly authorized by the Director of Fire and Emergency Services or any other member in charge at an incident shall enter shall enter any building threatened by an incident or enter any area designate by ropes, guards or tape erected by or under the direction of a police officer or a member across or around any streets, lanes, alleys or buildings or shall refuse to move from such designated area when directed to do so by a police officer or member.

#### **4.3 Traffic Control**

All persons at or near any incident shall obey all traffic control directions given by a police officer or member.

#### **4.4 False Representation**

No person shall falsely represent himself or herself as a member or wear or display any Fernie Fire Rescue Service badge, cap, button, insignia, license plate or paraphernalia for the purpose of such false representation.

#### **4.5 Driving Over Equipment**

No person shall drive a vehicle over any fire hose or equipment of the Fernie Fire Rescue Service unless directed to do so by a police officer of member in charge at an incident.

### **SECTION 5- Outside Open Burning**

#### **5.1 Outside Open Burning**

- a) No person shall light, ignite or start any open fire within the City of Fernie Municipal Boundary without a valid Burn Permit for such fire issued by the Director of Fire and Emergency Services.
- b) No person may cause or allow any Category 2 or Category 3 open fire for which a Burn Permit has been issued, and for which he/she is responsible, to burn before 7:00 a.m. or beyond 11:00 p.m.
- c) The holder of a Burn Permit shall place and keep a competent person at all times in charge of such fire while the same is burning or smoldering and until such fire is completely extinguished and shall provide that person with efficient appliances and equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous to life and property.

- d) No person shall, under any Burn Permit authorization, on or in any fire, burn or allow the burning of any rubber tires, oil, tar, asphalt, shingles, battery boxes, plastic materials, or any similar material which produces heavy black smoke.

### **5.2 Issuing Burn Permits**

- a) Burn Permits shall not be issued for the burning of industrial, commercial or construction waste.
- b) Burn Permits may be issued at the discretion of the Director in respect of:
- i. Purposes of land-clearing and conditional to use of appropriate mechanical devices to ensure clean burning and a good venting index as found on the Environment Canada Weather Centre.
  - ii. Reducing a potential fire hazard as determined by the Director of Fire and Emergency Services;
  - iii. Such other reasons as determined acceptable by the Director of Fire and Emergency Services;
  - iv. Burning for fire training exercises of the Fernie Fire Rescue Service is permitted.
  - v. Open fires for the purpose of heat contained in burn barrels or other containers as approved by the Director of Fire and Emergency Services.

### **5.3. Form of Burn Permit**

Every burn permit issued pursuant to this Bylaw shall be signed by the Director of Fire and Emergency Services, or his designate, and the Permittee and shall contain the details of such burning to be conducted as set out in Schedule "B" attached hereto. Any Permittee committing any breach or breaches of any of the terms and conditions contained in any such Burn Permit shall commit a breach of this Bylaw and shall be liable to penalties contained herein.

### **5.4 Cancellation of Burn Permit**

The Director of Fire and Emergency Services may, at any time, cancel any burn permit by delivering to the Permittee, his agent or servant a burn permit cancellation in the form attached hereto as Schedule "C" and upon receipt of such burn permit cancellation by the Permittee, his agent or servant, the Permittee, his agent or servant, shall thereupon forthwith cause to be completely extinguished any fire or fires set out or lit pursuant to the cancelled burn permit.

## **SECTION 6: Fire Pits**

- 6.1** No person shall light, ignite or start any campfire in a fire pit within the City of Fernie Municipal Boundary unless such campfire is contained within a fire pit for which a valid Fire Pit Permit has been issued by the Director of Fire and Emergency Services.

Fire Pits shall:

- a) be the sole responsibility of the permit holder who shall:
- i. ensure at all times that this Bylaw is being complied with and that no hazard to persons or property, nor nuisance, is created by use of the fire pit;
  - ii. place and keep a competent person at all times in charge of such fire while the same is burning or smoldering and until such fire is completely extinguished and shall provide that person with efficient appliances and equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous to life and property.

### **6.2 Installation of Fire Pits**

- a) Fire pits shall meet the following requirements;
- i. A minimum clearance of 3 metres (10 feet) shall be maintained from any buildings, property lines, overhead wires, trees or any combustible materials; See figure 1 attached to and forming part of this bylaw.
  - ii. Fire pits are not permitted within 1 metre of gas lines.
  - iii. Installations shall have enclosed sides at a depth of no greater than 45 centimetres (18 inches) and a width of no greater than 60 centimetres (24 inches)
  - iv. The non-permeable perimeter shall be surrounded by 1 metre of non combustible material (i.e. crush gravel, rock, concrete)
  - v. A spark arrestor mesh screen of expanded metal to contain sparks shall be provided over the fire.
  - vi. The operation of a domestic outdoor or backyard incinerator or any structure or device serving as a domestic incinerator, is expressly prohibited.
  - vii. The operation of fire enclosures at City Parks for personal warming or the preparation of food is not permitted.
- b) It is the sole responsibility of the applicant to ensure fire pits comply with the requirements of this Bylaw.

### **6.3 Fuel**

- a) Fuel is to be composed only of barbecue briquettes or dry firewood and must be clean burning. Fuel may not extend beyond the confines of the fire perimeter either vertically or horizontally.
- b) No burning of vegetation, household scrap paper, building, and other materials or yard waste is permitted under this bylaw. Burning these materials will create dense smoke, particulates which cause respiratory difficulties, and/or offensive odours.

### **6.4 Application**

- a) Fires are to be supervised at all times by a competent adult person until all fire and smoke have been extinguished.
- b) Fires cannot be started before 7:00 a.m. and must be extinguished no later than 11:00 p.m.
- c) The use of such installations shall ensure that smoke or sparks do not create a nuisance or health or safety hazard to neighbours or other properties.

### **6.5 Fire Pit Permit Fees**

- a) The fee for Fire Pit Permits shall be in accordance with Schedule "A" Cost Recovery attached to and forming part of this bylaw.

## **SECTION 7 – Fireworks**

### **7.1 Sale of Fireworks**

- a) No person shall sell, offer for sale or otherwise dispose of Consumer Fireworks to any person at any time when an open fire ban has been issued by the Director of Fire and Emergency Services for anywhere within the municipal boundaries.

### **7.2 Use of Fireworks**

- a) It shall be unlawful for any person to fire, set off or explode Consumer or Display Fireworks within the City of Fernie Municipal Boundary, unless a Fireworks Permit has been issued by the Director of Fire and Emergency Services.
- b) No person may cause or allow the firing, setting off or explosion of Consumer Firework for which a Fireworks Permit has been used, and for which he/she is responsible, when an open fire ban has been issued by the Director of Fire and Emergency Services for the City of Fernie.

### **7.3 Issuing Fireworks Permits**

- a) Fireworks Permits shall not be issued for Consumer Fireworks during an open fire ban.
- b) Fireworks Permits shall not be issued for Consumer Fireworks to any one under 18 years of age.
- c) Fireworks Permits may be issued at the discretion of the Director of Fire and Emergency Services for Display Fireworks during an open fire ban.
- d) Fireworks Permits shall not be issued for Display Fireworks without evidence in the form of a valid Fireworks Supervisor Certificate issued by Natural Resources Canada that the Applicant is authorized by Natural Resources Canada to possess and fire or set off Display Fireworks.
- e) Every person applying for a Fireworks Permit to fire, set off or explode Consumer or Display Fireworks must be the same person who will supervise the firing, setting off or explosion of the Consumer or Display Fireworks.
- f) Applicants shall pay a fee for Fireworks Permits as presented in Schedule "D" attached hereto.

### **7.4 Form of Fireworks Permit**

- a) Every Fireworks Permit issued pursuant to this Bylaw shall be signed by the Director of Fire and Emergency Services, or his designate, and the Applicant and shall contain the details set out in Schedule "D" attached hereto.
- b) Any Applicant committing any breach or breaches of any of the terms and conditions contained in any such Fireworks Permit shall commit a breach of this Bylaw and shall be liable to penalties contained herein.

## **7.5 Cancellation of Fireworks Permit**

- a) The Director of Fire and Emergency Services may, at any time, cancel any Fireworks Permit by delivering to the Applicant, his agent or servant a Fireworks Permit Cancellation in the form attached hereto as Schedule "E". Upon receipt of a Fireworks Permit Cancellation, by the Applicant, his agent or servant, the Applicant, his agent or servant, shall immediately cease the firing, setting off or exploding of any Consumer or Display fireworks pursuant to the cancelled Fireworks Permit.

## **7.6 Exemptions**

Section 7 of this bylaw does not prohibit or regulate the use of torpedoes, flares, fuses or similar pyrotechnic devices used by motorists, railroads, police or other agencies for signaling purposes or illumination.

## **SECTION 8 - Inspections**

### **8.1 Authority to Enter**

The Director of Fire and Emergency Services or any Inspector is hereby authorized to enter at all reasonable times upon any property in order to ascertain whether the requirements of this bylaw are being complied with and, in addition to the powers vested by the *Fire Services Act*, is hereby authorized and empowered to inspect premises for conditions which may cause fire or increase the danger of fire or the danger to persons, and to deal with any matter in a manner not repugnant to any provision of the *Fire Services Act* or regulations thereunder.

### **8.2 Provision of Information**

Every occupant of premises shall provide all information and shall render all assistance required by the Director of Fire and Emergency Services or an Inspector in the connection with the inspection of such premises pursuant to this bylaw.

### **8.3 False Information**

No person shall purposely withhold or falsify any information required by the Director of Fire and Emergency Services or Inspector, nor refuse to assist in the carrying out of an fire inspection pursuant to this bylaw, the Fire Code or the *Fire Services Act*.

### **8.4 Obstruction**

No person shall obstruct or interfere with the Director of Fire and Emergency Services or Inspector while any inspection is being carried out pursuant to this bylaw, the B.C. Fire Code, or the *Fire Services Act*.

### **8.5 Remedial Orders**

The Director of Fire and Emergency Services or Inspector is hereby authorized and empowered to issue orders in writing requiring the correction or removal of any condition or thing in or about any building or structure, which is in contravention of this bylaw, and every occupant shall be responsible for the carrying out of every requirement of every such order.

### **8.6 Dating of Orders**

Every order issued by the Director of Fire and Emergency Services or Inspector pursuant hereto shall state a date by which the said order shall be carried out, which date shall be fixed having 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.

### **8.7 Re-Inspection Fee**

Where more than two inspections are required because of the work or position of work with respect to a fire inspection is not in compliance with the provisions of this Bylaw or the Fire Code; or the work was incomplete or not ready for inspection at the time notification was given to the Director of Fire and Emergency Services or Inspector to inspect or on the date specified in the previous fire inspection for the completion of the work, the fee for each inspection after the second inspection shall be subject to Schedule "A" Cost Recovery.

## **SECTION 9 – Building Addressing**

### **9.1 Commercial and Multi Residential Properties**

Commercial and multi residential properties shall post the civic address on the building. The numbers used shall be a minimum of 100 mm in height and must be of a colour that contrasts with the surface on which they are mounted. The address shall be clearly visible from the main road.

### **9.2 Individual Units Within Commercial and Multi Residential Properties**

Units within commercial and multi-residential properties shall post their unit number in a visible location, at the entry to the unit. The numbers used shall be a minimum of 100 mm in height and must be of a colour that contrasts with the surface on which they are mounted.

### **9.3 Single Family Dwellings**

Single family dwellings shall post their civic address in a location that is clearly visible from the main road. The numbers used shall be a minimum of 100 mm in height and must be of a colour that contrasts with the surface on which they are mounted. Multiple single family dwellings that are accessed by a common driveway shall have the addresses accessed by the driveway posted at the entry to the driveway. The numbers

used shall be a minimum of 100 mm in height and must be of a colour that contrasts with the surface on which they are mounted.

#### **9.4 Multi Residential Complex Site Plans**

All multi residential complexes shall provide a posted site plan at the main driveway entry to the complex. The site plan shall be clearly visible upon entry to the complex and shall clearly indicate the location, address or number of each unit and access to the units within the complex.

### **SECTION 10 - Nonstandard Events**

The Director may charge an owner or occupant of a premises for the cost of a response by the Fire Rescue Service to nonstandard events that are a result of an incident at or near their premise. The fee is payable as specified in Schedule "A" Cost Recovery. Failure of the owner or occupant to pay a fee charged within three (3) months will result in those costs being added to and form part of the taxes payable on the property in arrears.

### **SECTION 11 – Alarms**

#### **11.1 Owner's Responsibility**

The owner or occupier of real property shall be responsible for the proper use, installation, maintenance, and operation of any security alarm system or fire alarm system installed on or in the real property in order ensures the prevention of false alarms.

#### **11.2 Notice to Fire Rescue Service and RCMP**

Every owner or occupier of real property who uses a fire alarm system or a security alarm system must keep the Fire Rescue Service and the RCMP informed by notice in writing of the names addresses and telephone numbers of:

- a) A monitoring service if applicable;
- b) At least (3) three persons who will be known as Property References who may be contacted in the event of an alarm.

#### **11.3 Responsibility of Contact Persons**

Contact persons must attend all alarms within thirty (30) minutes when requested by the Fire Rescue Service or Police and must attend to secure the premises and when appropriate, release the Fire Rescue Service or RCMP from the incident. Contact persons must be capable of operating the alarm system and able to safeguard the premises.

#### **11.4 Failure of Contact Parties to Arrive**

Failure of a notified contact person to respond within the specified time will result in a cost recovery for standby time as specified in Schedule "A" Cost Recovery. Failure of the owner or the occupant to pay a fee charged within three (3) months will result in those costs being added to the property taxes of the owner of the property.

### **11.5 Changes to Designated Contact Person**

Any changes to designated contact persons or their phone number during the current year must be submitted to the Fire Rescue Service and RCMP.

### **11.6 Full Access for Contact Persons**

Contact persons must have full access to the building and/or occupancy of which they have responsibility and are able to take control of their building or occupancy on completion of the incident from the Fire Rescue Service or Police.

### **11.7 Monitoring Service to Telephone Premises First**

It shall be an offense for a monitoring service to report an alarm to RCMP, other than a hold up alarm unless it has first place a telephone call to the premises from which the alarm was sent to verify that the alarm incident is not a false alarm.

### **11.8 Fees to be charged for Attendance at False Alarms**

The owner or occupier of real property to which the services of the Fernie Fire Rescue Service or RCMP are provided in response to a false alarm, of a fire or security alarm system, shall pay to the City the cost for standby time as specified in Schedule "A" Cost Recovery. Failure of the owner or occupier to pay the fee charged within 30 days will result in those costs being added to the property taxes of the owner of the property.

## **SECTION 12 – Use of Fuel Burning Appliances after Fire**

No person shall utilize a fuel burning appliance, including, but not limited to, a fireplace, woodstove, or other similar appliance used for the combustion of wood or other flammable substance subsequent to a chimney fire attended by Fire Rescue Services until such time as a qualified Wood Energy Technical Training certified technologist has certified that the appliance and the chimney flue, pipe and flue pipe may be safely used and such certification has been provided to the Director of Fire and Emergency Services.

## **SECTION 13 - Shipping Containers**

### **13.1 Requirements for all Shipping Containers in Fernie**

The following restrictions apply to all shipping containers whether in use permanently or temporarily when not loaded on a vehicle:

- a. A Shipping Container shall be considered a building, as defined in the Zoning Bylaw 1750 as amended and must comply with the BC Codes where:
  - i. It is used for the storage of any flammable or combustible liquids, gases or materials;
  - ii. It had electrical, plumbing, or gas services connected to it;
  - iii. The use of the Shipping Container falls within an occupancy class pursuant to BC Building Code.

- b. A Shipping Container shall be vented to the satisfaction of the City of Fernie as follows:
- i. one ventilation opening within 150 mm of the floor in the container door primarily used for opening
  - ii. one ventilation opening within 150 mm from the top of the container on the opposite end from the doors for cross ventilation
  - iii. the high ventilation opening cannot be directly venting toward a structure
  - iv. neither ventilation opening can be obstructed by stored materials at any time and must be kept clear of internal and external debris
  - v. Ventilation openings must conform to the following minimums:
    1. For shipping containers  $\leq 6$ m in length; each opening must be at least 0.3 m X 0.3 m
    2. For shipping containers  $\leq 6$ m in length; each opening must be at least 0.5 m X 0.5 m
    3. openings will be covered by open grate wire mesh with greater than 50% free area
- c. Placards for all stored dangerous goods must be visible on the two sides of the shipping container most visible to first responders to the satisfaction of the City of Fernie.

## **SECTION 14 – General Provisions**

### **14.1 Penalties**

A person is guilty of a contravention of this Bylaw and commits an offence who:

- a) violates any provisions of this bylaw;
- b) causes or permits any act or thing to be done in contravention or violation of any provisions of this bylaw;
- c) neglects or omits to do anything resulting in a contravention of this bylaw.
- d) For each day that a contravention of this bylaw occurs, such shall constitute a separate and distinct offence.
- e) Every person who commits an offence under this bylaw is liable to:
  - i. a fine and penalty of not more than \$1,000.00 and not less than \$100.00 for each offence if issued a violation ticket;
  - ii. a fine and penalty of not more than \$10,000.00 and not less than \$500.00 for each offence if prosecuted pursuant to the provisions of the *Offence Act*, R.S.B.C., Chapter 338.

- f) The Municipality may restrain a person who contravenes this Bylaw by making application to a Court of competent jurisdiction for injunctive relief in addition to any penalty that may be imposed pursuant to 14(1) hereof.

**14.2 Severability**

If any part, subsection or phrase of the bylaw is held to be invalid in a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw will be deemed to be enacted without the invalid portion.

**14.3 Repeal**

The following Bylaws and all amendments thereto are hereby repealed:

- a) Bylaw No. 1511, cited as the *Fire Department Establishment Bylaw*;
- b) Bylaw No. 1838, cited as the *Control and Regulation of Outside Fires Bylaw*;
- c) Bylaw No. 1821, cited as the *False Alarm Bylaw*.

**14.4 Effective Date**

This Bylaw shall be in force and effective on the date of it's adoption.

Introduced and read a first time this 28<sup>th</sup> day of March, 2006.

Read a second time, as amended this 8<sup>th</sup> day of May, 2006.

Read a third time this 8<sup>th</sup> day of May, 2006.

Finally passed and adopted this 23<sup>rd</sup> day of May, 2006.

(Original signed by Giuliano)  
MAYOR

(Original signed by Garand)  
CLERK

**SCHEDULE "A"      COST RECOVERY**

<b>Item</b>	<b>Fee</b>
Fire Pit Permits	\$30 (New Permit) \$30 (Permit Renewal with Changes) \$0 (Permit Renewal without Changes)
Fire Protection File Searches	\$50
Contamination and replacement of equipment	Equipment costs or acceptable decontamination costs including taxes, plus a 15% administrative fee.
Fire investigation fee	\$500
Illegal Open Burning	\$300 for first hour (one hour minimum), \$400 per hour
Standby Time	\$500 per hour, or any portion thereof
Re-inspection fee	\$200.00 for each inspection after the second fire inspection
Non standard events	Cost of manpower and equipment required after an incident has been contained, including taxes and 15% administrative fee.
Failure of contact parties to arrive	\$400 per hour (one hour minimum)

**SCHEDULE "B"**  
**Burn Permit**  
**Fernie, BC**

Permit No. \_\_\_\_\_

Subject to the terms and conditions contained herein and Bylaw No. 2029, **AUTHORITY IS HEREBY GRANTED TO**

\_\_\_\_\_ OF \_\_\_\_\_ Fernie, BC

to set or light a Category 2 or Category 3 fire upon the following lands and premises, namely,

\_\_\_\_\_, Fernie, BC.  
**(Street address and/or location)**

For the purpose of:

\_\_\_\_\_  
\_\_\_\_\_

between the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

The Permittee agrees to comply with all Provincial fire regulations pertaining to Category 2 and Category 3 Fires. In addition, in consideration of the granting of this Burn Permit, the Permittee hereby agrees to the following additional terms and conditions of the issuance, set forth below and shall perform any *Special Precautions* prescribed pursuant to the permit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IN WITNESS WHEREOF** the Parties hereto have affixed their signatures this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**CITY OF FERNIE FIRE RESCUE SERVICES**

PER: \_\_\_\_\_  
Authorized signature

\_\_\_\_\_  
Registered Property Owner

## **SPECIAL PRECAUTIONS**

### **Permittee Read Conditions Carefully**

- (1)** Every Permittee starting a fire as authorized by this Burn Permit shall place and keep a competent person at all times in charge of such fire while the same is burning or smoldering and until such fire is completely extinguished and shall provide that person with efficient appliances and equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous to life and property.
- (2)** No Permittee shall, on or in any fire, burn any rubber tires, oil, tar, asphalt, shingles, battery boxes, plastic material, or any similar material, which produces heavy black smoke.
- (3)** The granting of a Burn Permit pursuant to this Bylaw shall not create the Permittee as an agent or servant of the city of Fernie, nor shall the City be liable or responsible in any way for claims for damages or otherwise for loss suffered or occasioned by any person as a result, directly or indirectly, of a fire set of lit pursuant to this Burn Permit. The Permittee indemnifies and saves harmless the City, its servants, and agents against any such claim or damages.
- (4)** The Permittee agrees to pay the City all costs incurred by the City, its servants or agents, and suffered or occasioned by it or them, in controlling or extinguishing any fire or fires set out or lit pursuant to this Burn Permit; and the Permittee agrees that the City, its servants or agents, shall be the sole judge or judges as to the necessity of doing any act or thing or incurring any costs or expenses to control or extinguish any fire referred to in this clause.

**SCHEDULE "C"**

**BURN PERMIT CANCELLATION  
Fernie, BC**

**BURN PERMIT NO. \_\_\_\_\_ is hereby cancelled for the following reason:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DATED AT FERNIE, BC this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.**

**Fernie Fire Rescue Service**

**Per: \_\_\_\_\_**

**SCHEDULE "D"**

**City of Fernie – Application and Permit for Fireworks**

Name of Applicant: \_\_\_\_\_ Age: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

THE APPLICANT HEREBY applies to fire, set off or explode fireworks on property within the City of Fernie as follows:

Class of Firework: (*circle the class for use*) Consumer (\$10.00) Display (\$75.00)

**Note:** Events sponsored by the City are not subject to Fireworks Permit Fees. Events held by non-for-profit community-based associations incorporated under the Society's Act. (B.C.) and operating in the City are not subject to fees for Consumer fireworks.

Location: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Description of Event:

\_\_\_\_\_  
\_\_\_\_\_

Estimated Number of Spectators: \_\_\_\_\_

Type and Quantity of Fireworks:

\_\_\_\_\_  
\_\_\_\_\_

Description of Safety Precautions:

\_\_\_\_\_  
\_\_\_\_\_

Contact Name and Number for Organizer or Sponsor of Fireworks Event:

\_\_\_\_\_

Contact Name and Phone Number for Property Owner:

\_\_\_\_\_

THE APPLICANT CERTIFIES that the Applicant understands and will be guided by the provisions of the *Fire Protection and Life Safety Bylaw*, in full force from time to time, and all applicable Provincial and Federal laws and regulations in force from time to time, and any conditions or restrictions imposed in this permit by the Director of Fire and Emergency Services.

***(Display Fireworks Only)***

THE APPLICANT FURTHER CERTIFIES that the Applicant is authorized by Natural Resources Canada to possess and fire, set off or explode “Display Fireworks” as defined in the Explosives Act (R.S., 1985, c. E-17) or any successor legislation.

**Applicant’s Signature:** \_\_\_\_\_

IN CONSIDERATION of being granted this permit, the Applicant covenants that the Applicant will indemnify and save harmless the City and its elected officials, employees, officers, agents and contractors from and against any and all manner of actions or causes of action, damages, costs, loss or expenses of whatever kind (including, without limitation, legal fees) which the City or its elected officials, employees, officers, agents or contractors may sustain, incur or be put to by reason of or arising out of:

1. the issuance of this permit;
2. the fireworks event, including, without limitation, the handling, storage, firing, setting off, exploding or other use of the fireworks in connection therewith;
3. the Applicant’s use or occupation of the location upon which the fireworks event is to occur; or
4. any act or omission of the Applicant or any person from whom the Applicant is at law, responsible, including, without limitation, the non-observance or non-compliance performance of any obligation imposed by federal or provincial law.

THE APPLICANT AGREES to pay a fee to the City of Fernie equivalent to any costs incurred by the City for fire fighting or remediation work, materials and resources expended as a result of a fire caused by fireworks used during the event authorized by this permit. The fees shall be calculated according to Schedule “A” of the *Fire Protection and Life Safety Bylaw (as a Non-Standard event)* in force from time to time.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

PERMISSION IS GRANTED to:

Name of Applicant: \_\_\_\_\_

Mailing address: \_\_\_\_\_ Phone: \_\_\_\_\_

to fire, set off or explode fireworks, in the location and at the date and time set out above, subject to the City's *Fire Protection and Life Safety Bylaw* in force from time to time, and to the following conditions and restrictions:

- This permit is not transferable. Only the Applicant is authorized under this permit to fire or set off or explore fireworks.
- The Applicant may only fire, set off or explode the type and quantity of fireworks described above.

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\_\_\_\_\_  
**Director of Fire and Emergency Services**

\_\_\_\_\_  
**Date of Issue**

***For Office Use Only:***

- Display Fireworks Permit Only** - Copy of Comprehensive General Liability insurance policy (limit of not less than \$5,000,000 and naming the City of Fernie as an additional named insured).
- Display Fireworks Permit Only** - Copy of valid **Fireworks Supervisor Certificate** issued by Natural Resources Canada.
- All Permits (if Applicable) - Property Owner Agreement in the form attached** if the fireworks event is to occur on property that is not owned by the applicant or owned or controlled by the City.
- All Permits (if Applicable) - Agreement of Organizer or Sponsor of Public Fireworks Event in the form attached** if the fireworks event is being organized or sponsored by any person other than the applicant.

**Agreement of Property Owner for Fireworks Event**

Name of Applicant: \_\_\_\_\_

Name of Organizer or Sponsor of Fireworks Event: \_\_\_\_\_

Location of Fireworks Event: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Contact Name; (if any): \_\_\_\_\_

The Property Owner has agreed and consented to the Organizer/Sponsor/Individual holding the Application performing a fireworks event on the date and at the location and time described above. The Applicant has applied the City of Fernie for a permit to perform such fireworks event.

In consideration of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledge by the Property Owner), the Property Owner hereby remises, releases and forever discharges the City of Fernie and its elected officials, employees, officers, agents, contractors of and from any and all matter of actions, damages, causes of actions, suits, debts, claims, demands and damages of any nature or kind whatsoever which the Property Owner may at any time have against the City of Fernie or its elected officials, employees, officers, agents or contractors arising out of any cause, matter or thing in respect or arising out of:

1. the issuance of the permit to the Applicant;
2. the fireworks event, including without limitation, the handling, storage, firing, setting off, exploding or other use of fireworks in connection therewith;
3. the use or occupation of the location upon which the fireworks event is to occur; or
4. any act or omission of the Applicant or Organizer/Sponsor or any person for whom either is, at law, responsible, including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Property Owner acknowledges that he or she has had the opportunity to seek independent legal advice as to the content of this agreement and that he or she is not under any legal disability.

SIGNATURE(S) OF PROPERTY OWNER: \_\_\_\_\_

DATE: \_\_\_\_\_

Agreement of Organizer or Sponsor of Public Fireworks Event

Name of Applicant: \_\_\_\_\_

Location of Fireworks Event: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Name of Organizer or Sponsor of Fireworks Event: \_\_\_\_\_

Phone: \_\_\_\_\_ Contact Name; (if any): \_\_\_\_\_

The Organizer/Sponsor has engaged the Applicant to perform a fireworks event on the date and at the location and time described above. The Applicant has applied to the City of Fernie for a permit to perform such fireworks event.

In consideration of \$1.00 and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledge by the Organizer/Sponsor), the Organizer/Sponsor hereby remises, releases and forever discharges the City of Fernie and its elected officials, employees, officers, agents, contractors of and from any and all matter of actions, damages, causes of actions, suits, debts, claims, demands and damages of any nature or kind whatsoever which the Organizer/Sponsor may at any time have against the City of Fernie or its elected officials, employees, officers, agents or contractors arising out of any cause, matter or thing in respect or arising out of:

1. the issuance of the permit to the Applicant;
2. the fireworks event, including without limitation, the handling, storage, firing, setting off, exploding or other use of fireworks in connection therewith;
3. the use or occupation of the location upon which the fireworks event is to occur; or
4. any act or omission of the Organizer/Sponsor or Applicant or any person for whom either is, at law, responsible, including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Organizer/Sponsor acknowledges that he or she has had the opportunity to seek independent legal advice as to the content of this agreement and that he or she is not under any legal disability.

SIGNATURE(S) OF ORGANIZERS/SPONSORS: \_\_\_\_\_

DATE: \_\_\_\_\_

**SCHEDULE "E"**

**City of Fernie – Fireworks Permit Cancellation**

FIREWORKS PERMIT NO. \_\_\_\_\_ is hereby cancelled for  
the following reasons:

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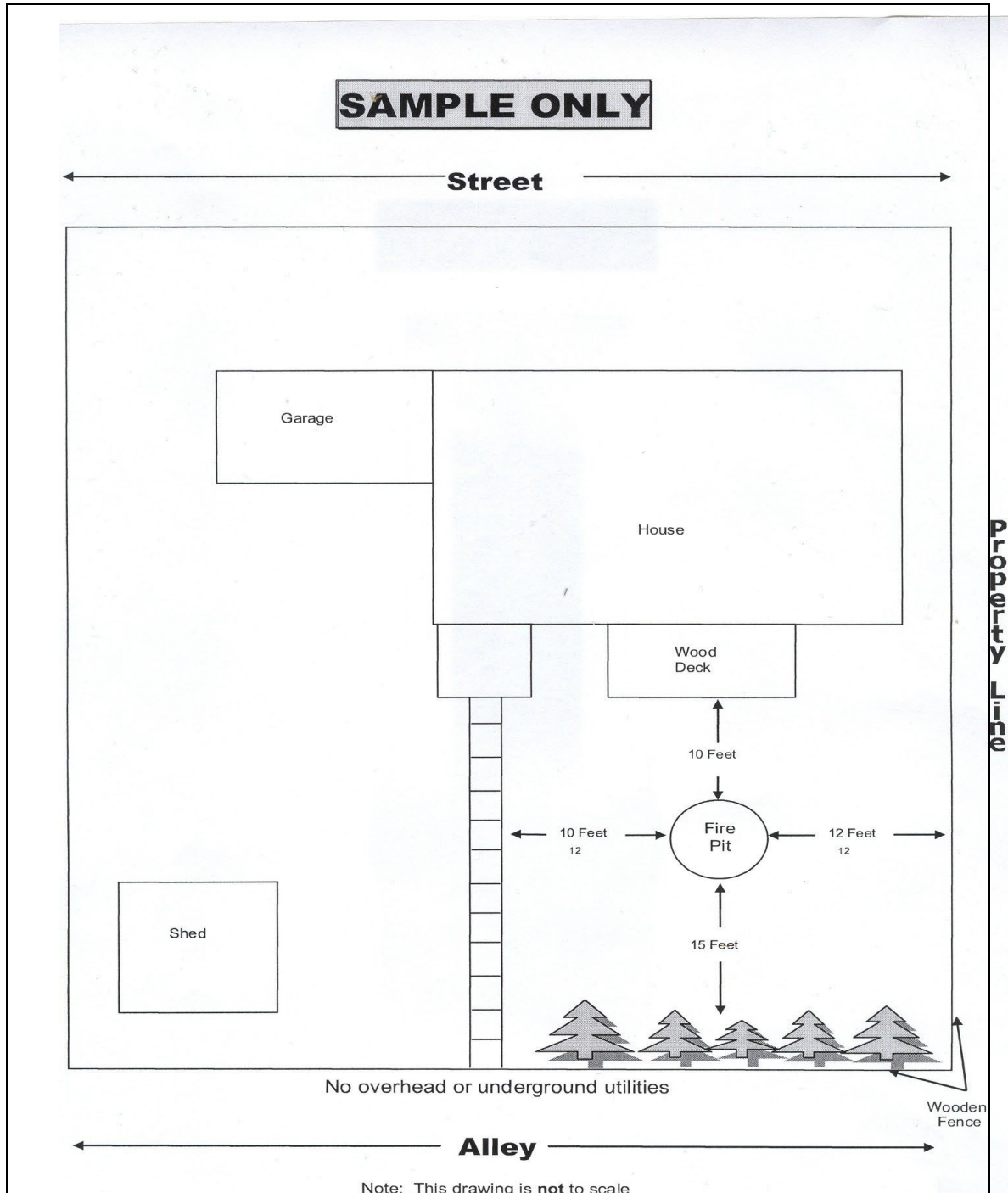
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DATED AT FERNIE, BC this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**Fernie Fire Rescue Service**

**Per:** \_\_\_\_\_

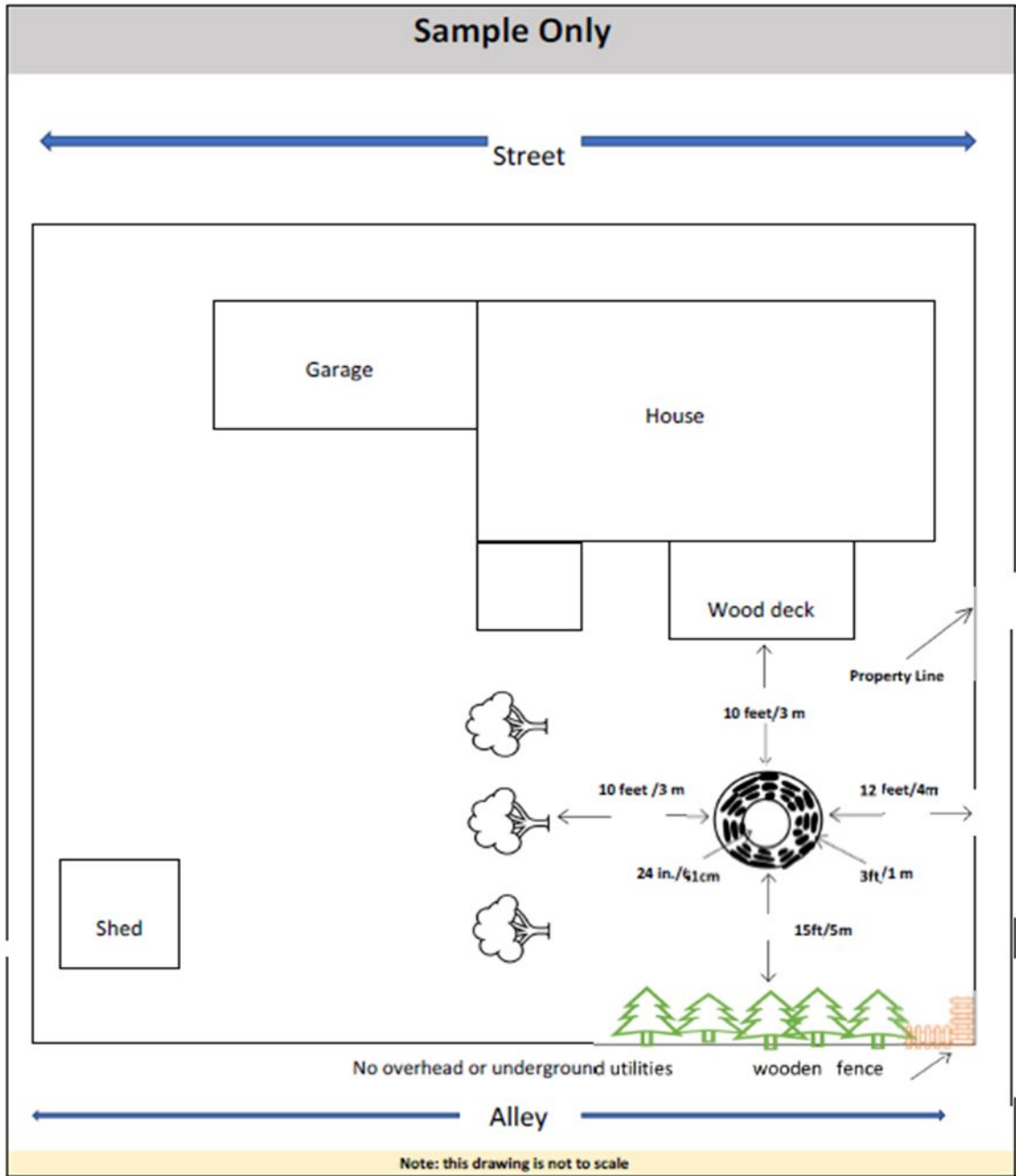


**Figure 1.**  
This drawing does not represent actual measurements and should be used as a guide line incorporating the measurements in the appropriate clause. (6.1)

## SCHEDULE "F" FIRE PIT PERMIT

<input type="checkbox"/> NEW PERMIT Fee: \$30.00	<input type="checkbox"/> ANNUAL RENEWAL (no changes) No Fee	<input type="checkbox"/> RENEWAL with changes (Diagram needed) Fee: \$30:00
APPLICANT:		
FULL ADDRESS WITH POSTAL CODE:		
PHONE:		
EMAIL FOR FIRE BAN NOTIFICATIONS:		
<input type="checkbox"/> I AM THE OWNER OF THIS PROPERTY		
<input type="checkbox"/> I AM A TENANT OF THIS PROPERTY		
<b>*PROPERTY OWNER'S AUTHORIZATION REQUIRED BELOW*</b> <i>City of Fernie will mail a copy of this permit to them.</i>		
PROPERTY OWNER'S NAME:		
ADDRESS:		
PHONE:		
OWNER'S SIGNATURE:		
<ul style="list-style-type: none"> <li>If required contact <b>BC 1 Call</b> at least 3 days before digging at <b>1-800-474-6886</b></li> <li>Your backyard fire pit is to be used for personal enjoyment only (cooking/warmth).</li> <li>This permit does not allow you to burn yard debris, building materials, construction waste, or garbage. <b>You are permitted to burn clean, dry, untreated firewood ONLY.</b></li> <li>An adult is to be in close proximity to your backyard fire pit at all times.</li> <li>All Fire to be extinguished by 11pm.</li> <li>Persons guilty of an infraction of Fire Protection and Life Safety Bylaw NO. 2029 are liable to the penalties and/or conditions defined in those regulations.</li> </ul>		
<b>THIS PERMIT EXPIRES 1 YEAR FROM DATE OF ISSUE.</b>		
APPLICANT'S SIGNATURE _____		DATE: _____
<b>NOTE: Signature of applicant acknowledges conditions of permit and compliance with the regulations and conditions that govern fire pits and fire pit installation within the City of Fernie in accordance with Fire Protection and Life Safety Bylaw No. 2029 as amended.</b>		
OFFICE USE ISSUED BY: _____		DATE: _____
File Maker Pro: <input type="checkbox"/>		
692-3 <sup>rd</sup> Ave, Fernie, BC V0B 1M0 250-423-4226 email: ferniefr@fernie.ca Website: <a href="http://www.fernie.ca">www.fernie.ca</a>		

Bylaw No. 2029, cited as the *Fire Protection and Life Safety Bylaw*



Is this pit more than 3 metres (10 feet) from any building, property line, overhead wires, trees, or combustible materials? \_\_\_\_\_

Is this pit more than 1 metre (3 feet) away from gas lines? \_\_\_\_\_

Is this fire pit no greater than 45 cm (18 inches) in depth? \_\_\_\_\_

Is this fire pit no greater than 60 cm (24 inches) in width? \_\_\_\_\_

Is this fire pit surrounded by 1 metre (3feet) of non-combustible material? \_\_\_\_\_

\_\_\_\_\_ Does the pit have a spark arrestor mesh screen? \_\_\_\_\_

**Please construct using measurements above**

**Amendments to Bylaw No. 2029, cited as Fire Protection and Life Safety Bylaw**

Bylaw	Amendment	Adoption Date
<p><b>2136</b> <b>Amend #1</b></p>	<p><b>Consumer Fireworks</b> means low-hazard firework articles designed for recreational use by the public as defined in Class 7.2.1 of the Explosives Act (R.S., 1985, c. E17) or any successor legislation excepting Display Fireworks, Christmas crackers, sparklers and caps for toy guns.</p> <p><b>Display Fireworks</b> are high-hazard firework articles, as defined in the Explosives Act (R.S., 1985, c. E-17) or any successor legislation and generally described as large fireworks used for public firework displays and designed for use by professionals. These articles include items such as aerial shells, cakes, roman candles, waterfalls, lances and wheels.</p> <p>That a new "<b>SECTION 7 - Fireworks</b>" be added to the <i>Fire Protection and Life Safety Bylaw</i>.</p>	2010-11-8
<p><b>2300</b> <b>Amend # 2</b></p>	<p><b>Full Service means</b> – is the Service Level that includes activities that are undertaken by firefighters and officers trained in the full spectrum of Competencies outlined in the NFPA 1001 Firefighter 2, Standard for Fire Fighter Professional Qualifications as well as the relevant competencies of NFPA 1021 Standard for Fire Officer Professional Qualifications for officers, as described</p> <p><b>Playbook</b> - means the mandatory minimum training standards set under paragraph 3(3) (b) of the Fire Services Act (B.C.) by the Office of the Fire Commissioner and approved by the Minister of Justice, entitled British Columbia Fire Service Minimum Training Standards: Structure Firefighters – Competency and Training Playbook (September 2014), as same may be amended, revised or replaced from time to time;</p> <p><b>Service Level</b> – means the level of service to be provided by a fire department, as determined by the Departments Authority having Jurisdiction (AHJ). The AHJ may select a Service Level from among one of the following options: Exterior Operations, Interior Operations or Full Service Operations.</p> <p>2. That <b>SECTION 3 – Fire Rescue Service Operations</b> of the <i>Fire Protection and Life Safety Bylaw</i> be amended to include the following:</p> <p><b>3.2 Full Fire Service Operations Level Policy</b></p> <p>a) The City of Fernie, Fire Rescue Services Department will provide Full Fire Service Operations Level as detailed by the British Columbia Fire Service Minimum Training Standards Structure Firefighters Competency and Training Playbook, (2<sup>nd</sup> Edition, Amended May 2015).</p> <p>b) The City of Fernie, Fire Rescue Services Department will train to a Full Fire Service Operations Level Fire Suppression as required by the British Columbia Fire Service Minimum Training Standards Structure Firefighters Competency and Training Playbook (2<sup>nd</sup> Edition, Amended May 2015).</p>	2016-06-27

<p><b>2320 Amend # 3</b></p>	<p>Delete and replace Section 12 – Use of Fuel Burning Appliance after Fire          Add Standby Time to Schedule A</p> <p>Delete from Schedule A:</p> <p>Re-inspection fee \$65.00 for each inspection after the second fire inspection          and substituting therefore:</p> <p>Re-inspection fee \$200.00 for each inspection after the second fire inspection</p>	<p>2017-06-20</p>
<p><b>2388 Amend #4</b></p>	<p>Add “Shipping Container” to Section 2 – Definitions          Section 13 – General Provisions is renumbered Section 14 and remaining subheadings be renumbered          New section “Section 13 - Shipping Containers” added following Section 12</p>	<p>2020-05-25</p>
<p><b>2411 Amend #5</b></p>	<p>Amend Section 2 – Definitions.          Insert new definitions for “Category 2 Open Fire” and “Category 3 Open Fire”          Amend Section 5 – Outside Open Burning          Amend Section 5.2 Issuing Fire Permits          Amend Section 5.3 Form of Fire Permit and 5.4 Cancellation of Burn Permit          Amend Section 6 Backyard Fire Pits          Replace Section 6.1 and replace same          Amend Section 6.2 Installation of Fire Pits          Add new “Section 6.5 Fire Pit Permit”          Amend Schedule “A” to add Fire Pit Permits          Schedules “B” and “F” replaced          Amend Schedule “C”</p>	<p>2020-10-26</p>