THE CORPORATION OF THE VILLAGE OF POUCE COUPE
BYLAW 967, 2014

FIRE PROTECTION & LIFE SAFETY

WHEREAS the Village of Pouce Coupe Council has established the Pouce Coupe Volunteer Fire Department and the *Community Charter* authorizes the Council to regulate, prohibit and impose requirements in relation to Municipal Services; and

WHEREAS the *Community Charter* authorizes Council, by bylaw, to regulate, prohibit and impose requirements in relation to emergency exits, smoke alarms, and any matter within the scope of the *Fire Services Act,* and to authorize the municipal fire chief to exercise certain powers in relation to the prevention and suppression of fires; and

WHEREAS the *Fire Services Act* requires that Council provide for a regular system of inspections of hotels and public buildings in the municipality;

NOW THEREFORE, the Council of the Village of Pouce Coupe, in an open meeting assembled, ENACTS AS FOLLOWS:

1) This Bylaw may be cited as the "Village of Pouce Coupe Fire Protection and Life Safety Bylaw 967, 2014" and its purpose is to provide for the following:
   a) the continuation of the Fire & Rescue Service;
   b) fire protection and prevention activates in the community; and,
   c) the life safety of all residents of, and visitors to, the community.

PART 1: ADOPTION AND APPLICATION OF THE FIRE CODE

2) The British Columbia Fire Code is adopted and made part of this bylaw as a regulation of the Village of Pouce Coupe.

3) Any person who contravenes, violates or fails to comply with a provision of the **Fire Code** commits an offense under this bylaw.

PART 2: DEFINITIONS

4) 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* as the context and circumstances require

5) Definitions

"Aid agreement" means an agreement in writing under which the Village contracts to provide fire protection or assistance response, whether or not the other party to the agreement provides similar services to the Village;

"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 emergencies or incidents, floods, earthquakes or other natural disasters, escape of dangerous goods, rail transport or aeronautical incidents, motor vehicle or other accidents, or circumstances necessitating rescue efforts;

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

"Building Code" means the *British Columbia Building Code* made under the *Local Government Act;*

"Combustible Material" means any material capable of being ignited;

"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 the Council for the Village of Pouce Coupe;

"Dangerous goods" means those products or substances that are regulated under the Canada *Transportation of Dangerous Goods Act* and its Regulation;

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

"Director of Public Works" means the person designated by council as the Director of the Public Works Department for the Village of Pouce Coupe.

"District" means the Pouce Coupe Fire Protection District;

"Emergency Access Route" means a portion of a private roadway or yard providing an access route for Fire & Rescue Service 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;

"False Alarm" means the activation of a fire alarm system or security alarm system as a result of which fire and police services are provided by or on behalf of the Village 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 premises in which it is installed;

"Fire Chief" means the Director of Protective Services for the Village, as appointed by Council, acting as head of the Fire, Rescue, Emergency Management and By-law Enforcement Service, or a person designated by the Director to act in the place of the Director;

"Fire Code" means the *Fire Code Regulation* made under the *Fire Services Act;*

"Fire & Rescue Service & Fire Department" means the Pouce Coupe Fire & Rescue Service (Fire Department), including the Pouce Coupe Fire Protection District, established in 1932 under Bylaw and continued under this Bylaw;

"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 & Rescue Service or the egress of occupants in the event of fire;

"Fire Inspector" means the Fire Chief and every Officer of the Fire & Rescue Service and 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 proprietor and given the responsibility and authority to supervise and maintain a fire safety plan;

"Fire Safety Plan" means a 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;

"Flammable Material" means any free burning material including but not limited to solids, combustible dust, combustible fibers, flammable liquid, flammable gas, and liquefied flammable gas;

"Incident" means an event or situation to which the Fire & Rescue Service has responded or would normally respond;

"Incident Commander" means the member of the Fire & Rescue Service who has assumed responsibility for management of fire and rescue operations at an incident, or who performs this role under the authority of the Fire Chief;

"Member" means a person employed, whether full-time, part-time, or as a volunteer, and holding a position within the Fire & Rescue Service as an officer or firefighter;

"Monitoring Service" means a person, partnership or corporation engaged in the business of monitoring alarm systems and reporting the occurrence of alarms to the Fire & Rescue Service;

"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, Assistant Deputy Chief, Safety Officer , Training Officer, Captain, Lieutenant, and any member designated by the Fire Chief to act in the capacity of an officer;

"Open Air Fire" means any outdoor fire which is not contained within a portable device designed for cooking food in the outdoors, and without limiting the generality of the forgoing may include grass fires, brush fires, campfires, and structure fires;

"Owner" means a person who has ownership or control of real or personal property, and includes, in the case of real property,

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 for the strata plan;

"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;

"Premises" includes the whole or any part of a parcel of real property and any buildings or structures on the property;

"Public Works Department" means the Public Works Department of the District;

"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;

"Service Provider" means any person, partnership or corporation who in their course of business provides a technical service involving fire protection or life safety equipment;

"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;

"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 meters in height.

6) Severability

a) If any part, section, or subsection or phrase of this Bylaw is held as 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.

7) Conflict

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

8) Application

a) The provisions of this Bylaw apply to all buildings, structures, premises and conditions within the Village and, for certainty apply to both existing buildings and buildings under construction.

b) Any building which is exempt of the Fire Code may be exempt of the building inspection requirements of this Bylaw if they can provide proof that they are exempt from the Fire Code.

9) Gender and Nature

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

PART 3: FIRE AND RESCUE SERVICES

10) Continuation of Service

a) The Pouce Coupe Volunteer Fire Department, established by the Village of Pouce Coupe and all previous Fire Protection Bylaws, is continued for the purpose of providing fire suppression, fire prevention and rescue services listed in this Bylaw and any Level of Service policy made by Council or Service Agreement signed by Administration. As the department is paid on call, responses will always be dependent on equipment and personnel availability and training undertaken by the members.

b) The Pouce Coupe Volunteer Fire Department shall now be known as Pouce Coupe Fire & Rescue Service to better describe the duties that it performs.

c) The Fire & Rescue Service shall comprise of the Fire Chief, who will be appointed by council, and other officers and members appointed by the Fire Chief.

d) The Fire & Rescue Service is authorized to provide the following services:

i. Assistance Response;
ii. Structural Firefighting
iii. Vehicle Firefighting
iv. Wildland Firefighting
v. Medical First Response
vi. Motor Vehicle Incident Suppression Support
vii. Technical Rescue (Confined Space, Rope, Vehicle, Trench, Collapse etc…)
viii. Investigation of fires to determine cause and prevent recurrence, if possible;
ix. Delivery of fire and life safety education programs to the community, its residents and businesses;

x. Fire and life safety inspections of all hotels and public buildings for compliance with the Fire Code and this bylaw.

xi. Fire and Rescue Services within the Pouce Coupe Fire Protection District, when authorized by agreement.

11) Fire Chief

a) The Fire Chief shall report to the Village Administrator, and shall be responsible for administering this Bylaw, for the management, control and custody and control of all buildings, apparatus and equipment of the Fire & Rescue Service.

b) 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:

i. make and enforce rules, policies or guidelines, as approved by council, for the proper and efficient administration and operation of the Fire & Rescue Service and change, replace or withdraw the rules as necessary;

ii. 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;

iii. take measures considered necessary to prevent and suppress fires, including the demolition of buildings and other structures to prevent the spreading of fires;

iv. require an owner or occupier to undertake any actions the Fire Chief considers necessary for the purpose of removing or reducing anything or condition the Fire Chief considers is a fire hazard or increases the danger of fire;

v. exercise some or all of the powers of the Fire Commissioner under Section 25 of the *Fire Services Act,* and for these purposes that section applies;

vi. commandeer any privately-owned vehicles or equipment which the Fire Chief considers necessary to combat, control or otherwise deal with an incident. All associated and actual costs of such usage will be the sole responsibility of the property owner where the incident occurs;

vii. enforce this Bylaw and any other Village bylaws, rules, orders and regulations for the prevention and suppression of fire and the protection of life and property;

viii. impose a written ban on open fires when he deems it necessary to protect life and property;

ix. declare, in writing, any forested or woodland area within the Village closed when he deems it necessary to protect life and property;

x. collect and disseminate information in regard to fires in the Village and Fire Protection District;
xi. provide, advise and make recommendations to other officers and employees of the Village, to Council, and to the public, in accordance with any applicable Village policies and procedures, in relation to:
    1. the provision of adequate water supply and pressure for firefighting applications;
    2. the installation and maintenance of fire protection equipment;
    3. the enforcement of measures for the prevention or suppression of fire and the protection of life and property;
    4. life safety or rescue equipment; and
    5. fire prevention generally.

c) The Fire Chief is a Local Assistant to the Fire Commissioner as per section 6 of the *Fire Services Act.* The Fire Chief may recommend to the Fire Commissioner that any other officer or member be appointed as a Local Assistant to the Fire Commissioner as well for operational efficiency.

12) Limits of Jurisdiction

a) Except where specifically directed by Council, authorized by an Aid Agreement or upon verbal request to supply fire or rescue services beyond the District's boundaries or under a Provincial Emergency Declaration, no apparatus, personnel or equipment of the Fire & Rescue Service shall normally operate or be used beyond the boundaries of the Village and associated Fire Protection District.
b) In addition to any agreement to provide services beyond the boundary of the District, at the discretion of the Fire Chief or member-in-charge, the Fire & Rescue Service may respond to requests for assistance beyond the boundary of the Fire Protection District that are reasonably accessible. Before authorizing a response outside of the district, the Fire Chief or member-in-charge will ensure that sufficient resources remain in the Fire Protection District to protect its residents. These responses shall be limited to:
    i. Fire suppression services
    ii. Rescue services within the limits of the department's level of service policy, training, and equipment.
    iii. Medical emergencies where BC Ambulance is unavailable, unduly delayed, or unable to access patients.

13) Incident Management

a) The Fire & Rescue Service shall operate under a formal command structure at incidents requiring assistance response, providing for a designated Incident Commander responsible for all Fire & Rescue Service resources responding or at an incident within the Village's jurisdiction. The primary Incident Commander shall be the Fire Chief and in his absence, the Officer or Sr. Firefighter of the first arriving apparatus. Management of Fire & Rescue Service resources may be transferred to a more qualified member present at an incident, as necessary.

14) Right to Enter

a) The Fire Chief and any other Officer or Incident Commander at an incident are 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.

15) Prevention, Control and Enforcement

a) The Fire & Rescue Service 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.

16) Contamination and Replacement of Equipment

a) The Fire Chief may charge an owner or occupant of a property or premises for the full replacement or repair costs of Fire & Rescue Service equipment where, as a result of providing an assistance response at or near the property or premises, such equipment has been damaged or contaminated by a hazardous substance or dangerous goods and requires decontamination, repair or replacement.

17) Standby at Events

a) The Fire Chief may charge an operator, owner or coordinator of an event a fee to provide standby apparatus and personnel. Determination of such resource requirements, their utilization, cost and their duration of use shall be determined prior to the incident in consultation with the Fire Chief. Fees shall be based on rates for apparatus use and actual costs for equipment replacement, as described in Schedule "A" attached hereto and forming part of this bylaw.
b) Examples of events requiring standby could include but are not limited to:
   i) The filming of movies
   ii) The filming of television episodes
   iii) Any pyrotechnic event
   iv) Community Events requiring Medical First Response
c) The Fire Chief may waive these fees for community sponsored events and when it is in the community's best interest.

18) Social Organization

a) The members of the Fire & Rescue Services may organize for social purposes and other purposes intended to further the interests and welfare of the members and the department.
b) No rule or regulations of any such organization shall in any way limit the authority of the Fire Chief in relation to the operations and administration of the Fire & Rescue Services.
c) The security of the Village's assets and the liability of the Village shall not be placed in jeopardy by the social organization.
d) The Social Organization will not bring the reputation of the Fire & Rescue Service into disrepute.

PART 4: CONDUCT OF PERSONS

19) No Interference

a) 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.
b) Persons who interfere with a member in the performance of their duties, or fail to comply with such orders or directions, may be removed from the scene of such assistance response by a Peace Officer or any member.
c) 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

d) 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:

i. The cause and origin of a fire
ii. cause of activation of a fire alarm system, or
iii. The presence and functioning of a sprinkler system or other fire and life safety protection systems

e) A person must not disregard any open fire ban order or forest/woodland closure order issued by the Fire Chief in writing under this by-law or any other relevant piece of legislation.

20) Prohibition Against Entry

a) A person must not, except as authorized by the Fire Chief, an Officer, or an Incident Commander:
   i. enter any building or premises involved in or threatened by an incident;
   ii. 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
   iii. refuse to move from such designated area when directed to do so by a Peace Officer or a member.

21) False Representation

a) A person must not make false representation as to being a member of the Fire & Rescue Service, or wear or display any Fire & Rescue Service badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.

b) A retired member of the department may continue to display a Fire Department Licence plate and paraphernalia as long as he does not represent himself as a current member of the department. The Fire Chief may withdraw the privilege of any retired member to display the Fire Department Licence Plate or paraphernalia if he deems it in the best interest of the Village and the Fire & Rescue Service.

22) Scene Control

a) The Incident Commander at an Incident may establish boundaries or limits and keep unauthorized persons from entering the area within the prescribed boundaries or limit.

b) No person shall enter the boundaries or limits of an area prescribed in accordance with Section 22(a) unless authorized to enter by the Incident Commander

c) The Incident Commander at an incident may temporarily restrict or prohibit vehicular or pedestrian traffic on a roadway as necessary in order to ensure safety of persons and control of the incident

23) Driving Over Equipment

a) No person shall drive a vehicle over any Fire & Rescue Service equipment unless specifically directed to do so by a member. Any

person who drives over fire department equipment, without instruction to do so by a member, may, in addition to any other penalty, be required to pay the actual costs of repairing or replacing damaged equipment.

PART 5: PERMITS AND REGULATION OF FIRE HAZARDS

24) Removal of Fire Hazards

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

25) Explosion or potential Explosion, Emission or Spill of Dangerous Goods

a) Every owner or occupier of premises or a motor vehicle, vessel, aircraft 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.

26) Vacant Buildings

a) For the purpose of this Section, vacant premises includes a lot, building or other structure in respect of which a water, gas 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.

b) The owner of vacant premises must promptly act to ensure that, at all times:

   i. 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

   ii. All openings in the premises are securely closed and fastened in a manner acceptable to the Fire Chief so as to prevent the entry of unauthorized persons.

c) Where an owner fails to securely close a vacant building as required by Subsection 26(b) (ii), 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.

d) If an owner of vacant premises fails to bring the premises into compliance with this Bylaw within seventy two (72) hours of receiving a notice under

Subsection 26(c), or if the Fire Chief or member is unable to contact the owner within seventy two (72) hours of finding vacant premises in an unsecured state, the Fire Chief may cause the premises to be secured by Village 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.

27) Damaged Buildings

a) The owner of a building or other structure that has been damaged due to fire, explosion or similar event must immediately ensure 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, or another solution is made that is acceptable to the Fire Chief. If the owner fails to provide the necessary security to the damaged building within 4 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.

28) Burning Permits

a) No person shall light or start an open air fire within the Village without first having obtained a burning permit from the Fire Chief or Village Administration.

b) A permit as required in subsection (a) is not required for the following:

i. Burning yard or garden waste only in an incinerator covered with a screen to prevent flying sparks and approved by the Fire Chief;

ii. The cooking of food using a portable barbeque apparatus;

iii. Burning on privately owned lands or in developed campgrounds where fireplaces, stoves, and/or fire pits are provided and approved by the Fire Chief.

iv. Burning by the Fire & Rescue Services for the purposes of training.

c) Permits may be issued for a onetime event or for an extended period of time of up to 1 (one) year, and may be revoked by the Fire Chief, an Officer, a Fire Inspector, a Bylaw Officer; a Peace Officer, an employee of the BC Forest Service or by any other person in which the Fire Chief grants authority to do so.

d) Every possessor of such a permit shall be responsible to ensure the fire remains under control and that a responsible person maintains a watch to ensure that the fire does not grow out of control, and has a means to extinguish the fire, such as a garden hose or buckets of water.

e) Any possessor who allows through inadvertence for the fire to get beyond control and so necessitates assistance response by the Fire & Rescue Services shall be liable to a fee as set out in Schedule "A" of this bylaw in addition to the cost of the apparatus and manpower needed to control the fire.

f) Any person who lights or starts a fire without the required permit, shall be

liable for a fine as set out in Schedule "A" of this bylaw in addition to the cost of the apparatus and manpower needed to control the fire.

g) Permit holders shall ensure that all permit conditions are met and that the Environment Canada venting forecast is good before they light any fire.

PART 6: FIRE PROTECTION EQUIPMENT

29) Connections for Building Sprinkler and Standpipe Systems

a) Fire & Rescue Service pumper connections shall be located and positioned in accordance with the Building Code or as approved by the Fire Chief.

b) Every owner or occupier of a building shall ensure that signs are displayed identifying:

i. which Fire & Rescue Service connection serves a particular sprinkler or standpipe system; and

ii. the maximum pumping inlet pressure at a Fire & Rescue Service connection.

30) Smoke Alarm Maintenance

a) The owner and occupier of every premises with residential occupancy must ensure that all installed smoke alarms are maintained, tested, repaired and replaced in accordance with the requirements of the manufacturer.

31) Fire Hydrants

a) The fire hose connection type, hydrant colour coding and location of all fire hydrants and other Fire & Rescue Service connections shall be subject to the approval of the Fire Chief and Director of Public Works.

b) No person, except a member, shall use or take water from any fire hydrant or standpipe, nor make any attachment to a fire hydrant or standpipe, without first obtaining written permission from the Fire Chief or Public Works Department to do so.

c) No person shall tamper with, or otherwise use in a non-permitted fashion, any component of the Village water system without authorization under Section 31(b), including, but not limited to pipes, valves, pressure reducers, or pump stations. In addition to any other penalty, the Fire & Rescue Service may recover from any person who contravenes this section the actual cost of repairing the works.

32) Maintenance and Testing of Fire Protection Equipment

a) Every person who is required under a provision of the Fire Code to perform or cause to be performed 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:

   i. the inspection or test is performed by a fire protection technician and in accordance with the Fire Code; and

   ii. 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* and in a manner acceptable to the Fire Chief.

b) Every person who owns, controls or otherwise has charge of any fixed fire protection equipment must notify the Fire & Rescue Service at any time such system or systems that are inoperable or taken out of service, and must notify the Fire & Rescue Service immediately after service is restored.

c) 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,* 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 & Rescue Service.

d) A person shall 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.

33) Emergency Access Routes

a) Every gate, bollard, chain or other structure used to secure a required emergency access route must be approved by the Fire Chief prior to installation.

b) 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"

c) 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

34) Fire Protection Equipment Orders

a) The Fire Chief may order the owner of any building to provide or make alterations to fire protection equipment and systems including, but not limited to 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 in accordance with the Building Code or Fire Code or any equivalent or alternative solution satisfactory to the Fire Chief.

PART 7: FIRE ALARM SYSTEMS

35) Contact Persons

a) Every owner and occupier of any premises with a fire alarm system must maintain and provide to the Fire & Rescue Service, in writing, the names and telephone numbers of three (3) contact persons, at least one of whom is available 24 hours a day by telephone to attend within 30 minutes of notification by the Fire & Rescue Service to enter and secure the premises at an incident.

b) The owner or occupier shall notify the Fire & Rescue Service in writing within 7 days of any changes in the names or addresses of contact persons.

c) The owner or occupier shall provide to every contact person designated under Section 35(a) full access to the premises for which they have responsibility and full authority to take control of and operate the alarm system and secure the premises on completion of assistance response or other incident.

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

i. the Fire & Rescue Service 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 any forced entry; and

ii. the owner or occupier of the premises shall be liable to reimburse the Village, at the fee rates specified in Schedule "A", for the cost to the Village of all time during which Fire & Rescue Service 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. Notwithstanding the forgoing, a minimum of one (1) hour standby time will be charged for personnel and equipment.

36) Activation

a) A person must not activate a fire alarm system unless:

i. There is a fire;

ii. the person reasonably believes that a fire or other incident is

occurring or is imminent; or

iii. the activation is carried out for testing purposes by persons authorized by the Fire Chief or the Fire Code.

37) False Alarm Incident Fees

a) The owner or occupier of premises containing a fire alarm system shall, on the occurrence of a second false alarm and each subsequent false alarm occurring in the 12 month period following the first false alarm to which the Fire & Rescue Service must respond, pay the Village the applicable fee for each such false alarm in accordance with Schedule "A" at the sole discretion of the Fire Chief.

b) Where an owner or occupier makes documented improvements to a fire alarm system through a Fire Protection Technician, or takes other steps acceptable to the Fire Chief, to reduce or eliminate future false alarms, then, upon receipt of an application in writing within thirty days of the most recent false alarm, the Fire Chief may deem for the purposes of section 37(a) that, until another false alarm occurs, no false alarm of the fire alarm system has occurred.

38) Fire Alarm Testing Fee

a) Where a person fails to notify the monitoring company or the Fire & Rescue Service 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 & Rescue Service, that person may be required to pay the applicable fee prescribed in Schedule "A" at the sole discretion of the Fire Chief. This fee will be in addition to any false alarm fees which may apply under Section 35 and will be applied directly to the service provider.

39) Unmonitored Systems

a) 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"

i. 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 and not obstructed in any way.

PART 8: INSPECTION OF PREMISES

40) Authority for inspection

a) The Fire Chief, a Fire Inspector, and any member designated by the Fire Chief are authorized to enter at all reasonable times upon any premises

to inspect for conditions considered hazardous to life or property as described in the Fire Code and *Fire Services Act.*

41) Entry for Inspection

a) 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.

42) Frequency of Inspections

b) The Fire Chief is directed and authorized to:

i. establish a system for the inspection of all hotels and public buildings, as defined in the *Fire Services Act;* and

ii. establish a regular system for the inspection of other buildings in the Village and Fire Protection District, as deemed necessary by the Fire Chief.

PART 9: EMERGENCY ACCESS AND EVACUATION

43) Fire Safety Plan

a) The owner or occupier of any building required by the Fire Code to have a fire safety plan prepared in cooperation with the Fire & Rescue Service must ensure the fire safety plan is compliant and consistent with the requirements of the Fire Code and must:

i. 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;

ii. 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

iii. 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 & Rescue Service.

b) 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.

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

d) 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 & Rescue Service, that the Fire Safety Director and

alternate person or persons have been trained to the satisfaction of the Fire Chief.

44) Obstructions

a) A person must not install or maintain any obstruction such as, but not limited to, any wire, barbed wire, or razor ribbon fence, cable, aerial, antenna, on any building roof, parapet wall or openings in an exterior wall required by the Building Code or the Fire Code for Fire & Rescue Service access, so as to obstruct access or egress, cause a hazardous condition, or interfere with Fire & Rescue Service operations in the event of fire or other incident.

45) Storage on Roofs and Balconies

a) 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 & Rescue Service operations in case of fire or other emergency, and shall remove all such objects or materials upon the order of the Fire Chief.

46) Street Addressing

a) Every owner of real property in the Village shall ensure that Village assigned street addresses are displayed in accordance with the following requirements:

i. the civic address the Village has assigned to the premises must be displayed on the principal building on the premises and must be legible from a minimum distance of fifteen (15) metres;

ii. where a building is set back from the street or roadway fronting the property such that the assigned street address is not clearly legible from the street or roadway, or where landscaping or architectural appurtenances or other obstructions obstruct the address, the assigned street address shall also be displayed at the driveway entrance from the street or road serving the building on a weather-resistant sign permanently mounted on a post and visible from all directions of traffic flow;

iii. 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;

iv. letters or numbers displayed on a building must be of a colour which contrasts with the background colour of the building or sign; and

v. if a required emergency access route is from a street or route other than that to which the Village has assigned a civic address, a sign must be posted indicating the street address in a location approved by the Fire Chief.

PART 10: SAFETY TO LIFE

47) Exits and Means of Egress

a) 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 Village's *Building Bylaw* are properly maintained and remain unobstructed at all times.

PART 11:ENFORCEMENT

48) Fire Orders

a) 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 may be necessary to ensure full and proper compliance with this Bylaw or to remove or otherwise deal with the fire hazard or other danger.

b) An order made by the Fire Chief under this Bylaw may be served:

   i. by delivering it or causing it to be delivered to the person to whom it is directed;

   ii. by sending the order by mail to the last known property owner; or

   iii. 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 are subject to the order.

c) If an order has been posted in accordance with Section 48(b)(iii), a person must not remove, deface or destroy the order

d) A person against whom an order has been made under this Bylaw may, before the expiration of ten (10) days from the date of the order, appeal in writing to Council through the Fire Chief, who may uphold the order, vary or set aside the order, or issue an alternative order.

e) Every order issued by the Fire Chief shall state a date by which the order shall be carried out, which 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.

f) Where a person is in default of an order made pursuant to this Bylaw, the Village 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.

49) Penalties

a) A person who:

i. contravenes, violates or fails to comply with any provision of this Bylaw or of any permit or order issued under this Bylaw; or

ii. 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

iii. fails or neglects to do anything required to be done under this Bylaw or any permit or order issued under this Bylaw;

is guilty of an offence and shall be liable, upon conviction, to a fine of not more than Ten Thousand ($10,000) Dollars or imprisonment for not more than six (6) months, or both.

b) Where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

50) Enforcement by Municipal Ticket

a) This bylaw may be enforced by means of a ticket issued under the Village of Pouce Coupe *Municipal Ticket Information Bylaw.*

PART 12: COST RECOVERY

51) Inspection Fees

a) Every person who obtains any of the following inspections by the Fire & Rescue Service shall pay the applicable fee prescribed in Schedule "A" of this Bylaw:

i. a special request inspection of a building, structure or site to determine compliance with this Bylaw or the Fire Code; or

ii. re-inspection of a premises after an order has been issued under this by-law

iii. Any person seeking a file search on occupancies for outstanding Fire Code violations or infractions or other related information shall pay the fee specified in Schedule “A".

52) No Relief from other Fees

a) Payment of any of the fees specified in Section 49 or 50 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 Village bylaw or any other applicable legislation.

53) Fire Investigation Fee

a) For every fire incident where damage is estimated to be in excess of Five Thousand ($5000) Dollars and for which the Fire Chief must complete a

Fire Investigation Report in accordance with the *Fire Services Act,* the owner of the damaged structure shall pay the fee specified in Schedule "A".

54) Fire and Dangerous Goods Incidents

a) Every person who, wilfully or recklessly and without reasonable cause sets or causes a fire to which the Fire & Rescue Service must respond shall be liable to pay the actual costs and expenses incurred by the Fire & Rescue Service in responding to and investigating the incident, plus any other applicable fines or fees levied.

b) 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 cleanup 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 & Rescue Service in performing such work including;

   i. the costs and expenses incurred by the Village or its contractors or agents for the cleanup and safe transport and disposal of the dangerous goods; and,

   ii. the costs incurred by the Fire & Rescue Service in mitigating the dangerous goods incident, including without limitation, equipment replacement and decontamination costs.

55) Scene Security Costs

a) If a fire cause or other investigation is required, and cannot be conducted immediately, the owner is required to provide for security in a manner that is acceptable to the Incident Commander and any Peace Officer in charge at the incident.

b) All costs associated with security at an incident, as described in Section 55(a) are at the expense of the owner.

56) Mutual Aid Cost Recovery

a) When, because the Village's Fire & Rescue Service does not have the particular equipment or personnel required to deal with an incident on lands located within the Village or Fire Protection District, and Mutual Aid Fire Services are provided to the said lands, the Village may impose, on the registered owner of the said lands to which the said Mutual Aid Fire Service is provided, all costs associated for Mutual Aid Fire Services as submitted to the Village by the Mutual Aid agency.

b) The cost recovery charges imposed by this Bylaw are due and payable by the registered owner of the lands to which is supplied the Mutual Aid Fire Services within 30 days of the date of an invoice issued by the Village

to the registered owner of the lands for the said Mutual Aid Fire Services.

57) General Fee Provisions

a) Where a fee is charged to the owner or occupier of property under this Bylaw, the Fire & Rescue Service may invoice the owner of the real property in relation to which the fee was imposed.

b) Where a fee is charged to a Service Provider, the Fire & Rescue Service will invoice the service provider directly.

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

d) Where under this Bylaw the Village is authorized or required to provide work or services to lands or improvements, and the costs incurred by the Village in carrying out such work or services are not paid when due and payable, the Village may recover those costs from the owner of the lands or improvements in the same manner and with the same remedies as ordinary taxes.

e) If any fees levied under this bylaw remain outstanding after 90 days then the fees shall be added to, and form part of, the taxes payable on the real property as taxes in arrears. All appropriate penalties and interest will apply.

f) Where Schedule "A" specifies Apparatus Costs, the costs shall be the apparatus costs included as Schedule "B" of the bylaw. Both schedules "A" and "B" are attached and form part of this Bylaw.

Part 13: Repeal

58) Repeal of previous By-laws

a) Upon adoption of this bylaw, the following bylaws will be deemed to have been repealed:

i. Village of Pouce Coupe Volunteer Fire Department Establishment and Regulation Bylaw No 733, 1997

READ A FIRST TIME this 5th day of May, 2014.

READ A SECOND TIME this 5th day of May, 2014.

READ A THIRD TIME this 20th day of May, 2014.

ADOPTED this 20th day of May, 2014.

William E. Plowright
Mayor

Carol D. Bishop
Village Administrator

Certified a true copy of
FIRE PROTECTION & LIFE SAFETY BYLAW NO. 967, 2014
As adopted by Council.

_____
Carol D. Bishop
Deputy Administrator