

DISTRICT OF INVERMERE
Bylaw No. 1420, 2010

A bylaw to establish the Regulations for the Prevention of Fires and the Protection of Persons
and Property

WHEREAS in Council may, pursuant to Section 8 of the Community Charter, R.S.B.C. 2003, provide any service that the Council considers necessary or desirable, including the provision of fire protection and life safety service;

AND WHEREAS it is deemed desirable to establish and make regulations for Invermere Fire Rescue Service;

AND WHEREAS it is deemed desirable to provide regulations for the protection of people and property within the corporate limits of the District of Invermere

NOW THEREFORE the Council of The District of Invermere, in open meeting assembled, hereby enacts as follows:

SECTION 1 - TITLE

- 1.1 This bylaw may be cited as “District of Invermere - Fire Prevention Bylaw Number 1420, 2010”.

SECTION 2 - INTERPRETATION

- 2.1 Metric units are used for all measurements in this bylaw. The approximate imperial measure equivalent of those units in currently-used units of Canada measure is shown in brackets following each metric measurement, and such bracketed figures are included for convenience only and do not form part of this bylaw.

- 2.2 The British Columbia Fire Code Regulations, as amended from time to time, are hereby adopted and made applicable within the District.

- 2.3 **Definitions:**

B.C. Building Code – means the British Columbia Building Code 2006, adopted by BC Reg. 216/2006, as amended or re-enacted from time to time.

B.C. Fire Code – means the British Columbia Fire Code 2006, adopted by BC Reg. 175/2006, as amended or re-enacted from time to time.

Campfire - means a contained outdoor fire, not exceeding 0.5 meter in diameter (1.6 ft.) and 0.5 meter (1.6 ft.) in height.

Council - means the Council of The Corporation of the **District** of Invermere.

District – means the Corporation of the District of Invermere

Dwelling Unit - means a **Suite** operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons usually containing cooking, eating, living, sleeping and sanitary facilities.

False Alarm - means an alarm activated for a purpose other than where an emergency exists and necessitating a response by the Invermere Fire-Rescue Services.

Fire Department – means Invermere Fire-Rescue Services

Fire Chief - means the person appointed by Council as head of the Invermere Fire-Rescue Services and a person:

- a) Designated by Council to act in the place of the **Fire Chief**;
- b) For the purposes of a local assistant under the *Fire Services Act*, who is authorized in writing by the Fire Chief, Council or Office of the Fire Commissioner to exercise the powers of a local assistant;
- c) Appointed by council as the Deputy Fire Chief; and
- d) For the purposes of exercising the powers of the Fire Chief under section 66 of the *Community Charter*, who is acting under the authority of the **Fire Chief**.

Hazardous – means any condition or thing that the Fire Chief considers is a fire hazard or that may increase the risk of the start, spread or danger of fire.

Inspector - means a bylaw enforcement officer, peace officer or designated

Member of the Invermere Fire-Rescue Services, the Fire Chief, and a person acting under the authority of the Fire Chief.

Member – means a paid or volunteer **Member** of Invermere Fire-Rescue Services; and includes the Fire Chief and an **Inspector**.

Nuisance - means:

- a) the act of creating or maintaining a fire that does not comply with the requirements of this bylaw or of an **Open Burning** permit, which causes a response by Invermere Fire-Rescue Services; or
- b) any act or operation which interrupts the ability of the Invermere Fire-Rescue Services to carry out its duties without encumbrance.

Occupant or Occupier - means the resident **Owner**, lessee, licensee or tenant of any building to which any provisions of this bylaw apply.

Occupancy - means the use or intended use of a building or part of it for the shelter or support of persons, animals or property.

Officer – means a **Member** of Invermere Fire-Rescue Services appointed by

of the Fire Chief and given specific authority to assist the Fire Chief in his or her duties.

Open Burning - means the combustion or burning of any substance or material in the open air by any means, but shall not include:

- a) the operation, using charcoal briquettes, propane or natural gas of an outdoor barbecue intended for and used solely for the preparation of food;
- b) fires used by Invermere Fire-Rescue Services authorities for the purpose of education, training and other Invermere Fire-Rescue Services purposes;
- c) fires used or recommended by the Ministry of Forests to manage ecosystems for purposes of silviculture management, forest fuel management, fire hazard reduction, wildlife enhancement, domestic range improvement and the use of fire as a means of fire control;
- d) **Campfires** and;
- e) **Outdoor Fireplaces**.

Owner – means the registered **Owner** of an estate in fee simple or his/her agent authorized in writing, **Ownership** in a corporation and a company and includes the tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, corporate and public agency Ownership, and the holder or occupier of land held in the manner described in the *Community Charter* or an authorized agent of the **Owner** acting on their behalf.

Outdoor Fireplace – means a secured container, which is commercially manufactured, certified by the Canadian Standards or a similar entity, and designed with a chamber to hold an outdoor fire, used for heat, light, or cooking purposes.

Permitted Burning Material - means seasoned and dry parts of trees or other vegetation.

Prohibited Burning Materials - means material as defined in Schedule “A” attached to this bylaw.

Residential Premises - means a building occupied as a home or sleeping place by one or more persons, including a hotel, motel, auto court, motor hotel, apartment building, dormitory, rooming house or institution.

Smoke Alarm - means a combined smoke detector and audible alarm device designed to sound an alarm within the **Dwelling Unit, Suite** or room in which it is located upon the detection of smoke within that room.

Smoke - means the gases, particulate matter and all other products of combustion emitted into the atmosphere when a substance or material is burned.

Suite - means a single room or series of rooms of complementary use, operated under a single tenancy, and includes individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories.

Wood Burning Appliance - means a solid fuel burning device including, without limitation, a stove and fireplace insert.

SECTION 3 - FIRE AND RESCUE SERVICE ESTABLISHMENT

3.0 The Municipal Fire – Rescue Service is hereby established and will be known as the Invermere Fire-Rescue Service.

3.1 Jurisdiction of Invermere Fire-Rescue Service

The area of jurisdiction and service of the Invermere Fire –Rescue Service will extend to the geographical boundaries of the Municipality. Assistance will not be provided beyond the geographical boundaries of the Municipality without:

- i) The expressed consent of the Regional District of East Kootenay, providing for fire protection or rescue services or any service listed in 3.2(i), or
- ii) The expressed consent of the Regional District of East Kootenay or a request by the Royal Canadian Mounted Police or BC Ambulance Service, if life is in jeopardy,
- iii) The expressed consent of the Regional District of East Kootenay for a request from the British Columbia Ministry of Forests.

3.2 Fire Department Authority

- (i) Under direction of the Fire Chief, the Fire-Rescue Service provides fire protection services. In addition, the Fire-Rescue Service provides assistance in the following circumstances:
 - a) Rescue
 - b) Pre-fire planning
 - c) Disaster planning
 - d) Preventative patrols
 - e) Other emergency incidents

SECTION 4 - FIRE PREVENTION AND LIFE SAFETY

4.0 Prevention

- 4.0.1 The **Owner** or occupant of any lands, premises, yards or buildings situated within the **District** of Invermere shall at all times keep the same in safe condition so as to guard against starting and the spread of fire.
- 4.0.2 The occupier of real property must keep and maintain in good working order any fire protection related equipment and fire protection structural features required to be installed pursuant to the **B.C. Building Code** or required to be maintained by the **B.C. Fire Code** or other enactment.
- 4.0.3 No person or persons may allow accumulations of empty boxes, barrels, rubbish, trash, waste paper excelsior or any light combustible materials, on any property, or sidewalk or in any alley; except that such materials may be stored in a receptacle of fire resistant material fitted with fire doors, or in metal containers equipped with tight fitting metal lids.
- 4.0.4 The **Owner** or occupier or agent of any vacant building must at all times

keep the building free of debris and flammable material, and keep all openings in such buildings securely fastened and closed so as to prevent the entry of unauthorized persons. After notice of a requirement to secure or repair has been delivered by the **District** to the **Owner** or occupier of a building unsecured for more than a 7 day period, or in a state of repair contrary to this bylaw, a building will be considered a threat to public safety, and **District** Staff or others may enter onto the property to secure or repair as required in the notice. Any charges incurred by the **District** in securing or repairing the building are the responsibility of the **Owner** in accordance with Section 17 of the *Community Charter* and may be collected in accordance with Section 258 of the *Community Charter* as property taxes.

- 4.0.5 The **Owner** of a fire damaged building will ensure that the building is either guarded or all openings secured to prevent unauthorized entry.
- 4.0.6 The occupier of any lands, premises, facilities of buildings must at all times keep same in safe condition so as to guard against starting or spreading of fire by complying with the requirements of Division B of the **B.C. Fire Code**. In particular, and without limiting the generality of the foregoing, an occupier must, where applicable:
- I. Maintain the required vehicle access for Invermere Fire-Rescue Service;
 - II. Maintain a means of egress;
 - III. Provide and maintain an approved fire safety plan;
 - IV. Maintain fire hydrants in an approved manner;
 - V. Maintain the fire alarm;
 - VI. Maintain emergency lighting and exit lighting;
 - VII. Maintain commercial cooking equipment;
 - VIII. Maintain portable fire extinguishers; and
 - IX. Maintain an automatic sprinkler and /or standpipe and hose system.
- 4.0.7 Every mobile caterer carrying on business within the **District** and utilizing commercial cooking equipment that creates grease laden vapours in a confined compartment must maintain and operate exhaust and hood systems that comply with Section 2.6.1.9 of the **B.C. Fire Code**.
- 4.0.8 No person may **Smoke** in areas where conditions may cause a fire or explosion and “No Smoking”, signs shall be posted by the building **Owner** or an authorized agent. Of the **Owner** acting on their behalf
- 4.0.9 The **Owner** of a building having a fire alarm system or a sprinkler system, must maintain and provide a current list of accessible contact person(s) to Invermere Fire Rescue Services. Contact person(s) must be available to attend all alarms within 1 hour from the time they are notified.
- 4.1 **Open Burning**
- 4.1.1 Except as otherwise provided, no person may light, ignite or allow or cause to be lit or started a fire of any kind in the open air.
- 4.1.2 Despite section 4.1.1, the Fire Chief may issue a Special Burning Permit in the form of Schedule “B” for open air burning of material:

- a) accumulated from urban interface clearing;
- b) accumulated from agricultural pruning and land clearing;
- c) to remove a fire hazard; or
- d) for a special public function.

4.1.3 With the exception of special public functions, a "Special Burning Permit" will not be issued for properties less than 2 hectares (5 acres) in size.

4.1.4 No person, including a person to whom a Special Burning Permit has been issued under this bylaw shall burn any material as outlined on Schedule "A" - Prohibited Material

4.1.5 Every person to whom a Special Burning Permit has been issued or to whom any of the conditions listed in section 4.1.8 apply must place and keep a competent person at all times in charge of the fire while the same is burning or smouldering and until the fire is completely extinguished, and must provide that person with sufficient resources to prevent the fire from causing damage or becoming **Hazardous** or becoming dangerous to life or property. The permit holder must take all action required to control the fire until it is extinguished. The permit holder must extinguish a fire that is **Hazardous** or is ordered extinguished by the Fire Chief.

4.1.6 No person may start a fire if wind and weather are such that to do so is likely to be **Hazardous** or when banned under Provincial regulation.

4.1.7 Despite the issuance of a Special Burning Permit, every person must comply with the requirements set out in the **Open Burning Smoke** Control Regulation, BC Reg. 145/93 enacted under the Environmental Management Act (SBC 2003) c. 53, both as amended from time to time. Such requirements include, but are not limited to, the required distance **Open Burning** must be from buildings, duration of **Smoke** release, **Smoke** free periods per year, weather conditions and **Smoke** reduction measures.

4.1.8 A Special Burning Permit is not required for:

- a) fires used or recommended by the Ministry of Forests to manage ecosystems for purposes of silviculture management, forest fuel management, fire hazard reduction, wildlife enhancement, domestic range improvement and the use of fire as a means of fire control;
- b) open air burning for Fire-Rescue Services training exercises;
- c) **Campfires** and **Outdoor Fireplaces** using fuel of seasoned wood charcoal briquettes, propane or natural gas, being used for the purpose of cooking, providing heat or providing light and meeting the following criteria:

1. **Campfires** and **Outdoor Fireplaces** are situated not less than 5 meters (15 feet) from any combustibles including but not limited to buildings, shed, shrubs, grassy field, or from a property boundary.

2. **Campfires** contained and maintained in a manner that will prevent any fire from escaping or growing bigger than 0.5 meter in size.

4.1.9 The Fire Chief may take any action to ban, extinguish or require extinguishment of any burning under Special Burning Permit or the conditions of section 4.1.8 that the Fire Chief considers **Hazardous**.

4.1.10 Section 4.1 – **Open Burning**, does not apply to burning by a farm business on the lands of a farm operation, as defined in, and in compliance with the terms of, the *Farm Practices Protection (Right to Farm) Act*, RSBC 1996, Chapter 131, as amended from time to time.

4.2 **Wood Burning Appliances**

4.2.1 No **Owner** or occupier of real property may cause or permit **Smoke** from the burning of prohibited materials as under Schedule “A” in a **Wood Burning Appliance**.

4.2.2 No person may install a **Wood Burning Appliance** after the adoption of this bylaw that does not comply with the emission standards established by the Canadian Standards Association or the United States Environmental Protection Agency, as outlined in the Solid Fuel Burning Domestic Appliance Regulation, 302/94 enacted under the *Environmental Management Act*, as amended from time to time.

4.3 **Smoke alarm Installation and Maintenance**

4.3.1 Every **Owner** of a residential premise in the **District** must ensure that **Smoke Alarms** are installed and maintained in every **Dwelling Unit** or **Suite** and in each sleeping room not within a **Dwelling Unit**, except for institutional occupancies which are required by enactment to have a fire alarm system.

4.3.2 Every **Owner** must test the **Smoke Alarms** in compliance with the manufacturer's recommendation within the **Dwelling Unit**, **Suite** or sleeping room to ensure that the **Smoke Alarm** is functioning correctly. If a **Smoke Alarm** is not functioning correctly, the occupant, if he or she is not the **Owner**, must inform the **Owner** immediately of becoming aware of the failure, and the **Owner** forthwith repair or replace the **Smoke Alarm**.

4.3.3 **Smoke Alarms** required under this bylaw must conform to the Canadian standard set by Underwriters Laboratories Canada (CAN/ULC) – “S531 Standard for **SMOKE ALARMS**”, and be installed and maintained in conformance with “CAN/ULC - S553 Standard for the Installation of **Smoke Alarms**”.

4.3.4 Without limiting section 3.4.3, a **Smoke Alarms** required for a residential premise must be installed in accordance with the British Columbia Building Code.

4.4 **Automatic Systems**

4.4.1 Every **Owner** or occupier must notify Invermere Fire-Rescue of any work on or malfunction of fire alarm system, to avoid false fire alarms being received.

4.4.2 Every **Owner** occupier must replace faulty alarm components in an expeditious manner to prevent undue **False Alarms** being transmitted to Invermere Fire-Rescue Services.

4.4.3 If the **Owner** or the occupier fails to keep the fire alarm system in repair, or to notify the **Fire Department** of testing, maintenance or any condition that causes Invermere Fire-Rescue Service to be summoned unnecessarily, the **Owner** or occupier as applicable is liable to a fine as per section 8.2 of this bylaw.

4.5 **Fireworks**

4.5.1 The manufacture, storage, transportation and sale of fireworks shall conform to the *Federal Explosives Act* and Explosives Regulations, and amendments thereto.

4.5.2 The handling and discharge of fireworks, low and high hazard as defined by the *Federal Explosives Act* and Explosives Regulations, shall conform to the Fireworks Manual (Explosive Division), as published by the Department of Energy, Mines and Resources.

4.5.3 a) Except as herein under provided, Class 7.2.1, low hazard fireworks, as defined by the *Federal Explosives Act* and Explosives Regulations, shall not be sold or discharged within the municipal boundaries from the period of May 1 to November 1 of each year or when an open fire ban has been issued.

b) Class 7.2.1 low hazard fireworks, as defined by the *Federal Explosives Act* and Explosives Regulations may be sold and discharged with the written approval of the **Fire Chief**.

c) Class 7.2.1 low hazard fireworks, as defined by the *Federal Explosives Act*, and Explosives Regulations, shall not be directly or indirectly sold, given or furnished to a person under the apparent age of eighteen (18) years.

4.6 **Address Identification**

All buildings or structures situated on any lot or parcel of land within the municipal boundaries shall be properly identified with numbers facing the **District** road which accesses the property, indicating their **District** address as designated by the District of Invermere. All address numbers shall be a minimum of six (6) inches with a half (1/2) inch stroke in contrasting colours to the base colour of the building or structure. Address numbers shall not be obstructed by shrubs, trees, beams or any other material that would impair quick and easy identification.

4.7 **Hydrant and Water Supply Systems on Private Property**

4.7.1 For fire fighting purposes, all water supply systems on private property shall conform to District specifications and be installed to be capable of providing fire flows as determined by the latest issue of "Water Supply for Public Fire Protection" published by the Public Fire Protection Survey Services and the Insurance Bureau of Canada, or as otherwise approved by the **Fire Chief**.

4.7.2 For fire fighting purposes, all new water supply systems on private property shall meet flow and pressure requirements according to **District** specifications or as otherwise approved by the **Fire Chief** and Public Works Manager.

- 4.7.3 Prior to proceeding with construction of any new water system or extension to an existing system, the applicant shall submit plans of proposed fire hydrant locations and all components of the water distribution system to the **Fire Chief** for approval.
- 4.7.4 Buildings under construction shall have:
- a) Roads finished to a minimum standard as provided for in the British Columbia Building Code, Part 3, that provides for required access and egress for Fire and Rescue Department apparatus; and
 - b) Water supplies for fire protection, when required, and as determined in subsections 4.7.1, shall be installed as soon as practical as determined by the **Fire Chief** and the Public Works Manager. The Invermere Fire-Rescue Services shall be notified of all newly installed fire hydrants, with recorded testing results, so that such hydrants may be tested and approved.
- 4.7.5 All installations of fire hydrants on private property or private water systems shall be designed and supervised by a professional engineer.
- 4.7.6 During construction, servicing or repairs within a subdivision, the owner shall ensure that all fire hydrant conditions affecting fire safety such as fire hydrants, temporarily out of service, low water volumes, pressures, etc., are made known to the Invermere Fire-Rescue Services immediately.
- 4.7.7 Bulk plants, sawmills and other major occupancies shall be provided with fire hydrants and a water supply with pressure and quantity adequate to meet the probable fire demands as determined by the BC Building Code.
- 4.7.8 Records of all inspections and maintenance required for Subsection 206 shall be submitted annually to the Manager of Building Safety and Inspection Services with copies to the **Fire Chief** or his designate. These records shall be in the format as set by **District** policy:
- a) Hydrants shall be maintained in operating condition;
 - b) All fire hydrants shall be inspected and maintained in accordance with District of Invermere policy;
 - c) All valves in the water distribution system shall be operated annually during non-freezing weather and provided with any maintenance that may be required;
 - d) The Invermere Fire-Rescue Services shall be notified of all repaired fire hydrants so that such fire hydrants may be flow tested and approved;
 - f) All fire hydrants out of service for repair or not yet in service shall be wrapped with burlap or black polythene plastic sheeting;
 - g) Fire hydrants shall be kept clear of ice, snow, shrubs, trees, structures and other obstructions and their locations shall be clearly identified;
 - h) Fire hydrants shall be painted in accordance with the paint schedule as set by District of Invermere policy.
- 4.7.9 Failure to provide the **District** with confirmation of the required service in accordance with subsection 3.7.8 or failure to repair a malfunctioning fire hydrant or valve within seven (7) days may cause the **District** to have the work performed at the expense of the owner. The owner shall be liable to a charge, at cost, for such work payable to the **District**. If

such charge remains unpaid on December 31st of the year in which the charge was levied, the amount so unpaid shall be entered on the real property tax roll in respect of the property receiving the assistance and shall be collected as taxes in arrears for said property.

- 4.7.10 Fire hydrants are for the use of the **District** and Invermere Fire-Rescue Services only. Fire hydrants may only be operated for the purpose of inspection, testing or servicing or as otherwise approved by the **Fire Chief**, his designate or Public Works Manager.

SECTION 5 - INSPECTION OF PREMISES

5.1 Right to Inspect and Test

- 5.1.1 The **Fire Chief**, **Inspector** and any career **Member** of the Invermere Fire-Rescue Services may at all reasonable hours and subject to the terms in the *Community Charter* enter into and upon any property or private **Dwelling Units**:

- a) for the purpose of testing or inspecting;
- b) for the purpose of testing or inspecting buildings, as required by the *Fire Services Act*;
- c) to determine if Invermere Fire-Rescue Services access and an adequate water supply are available for fire suppression purposes; or
- d) to determine if the requirements of this bylaw are being carried out.

5.2 Entry for Inspection

- 5.2.1 No person may obstruct, hinder or prevent any authorized Invermere Fire-Rescue Services **Member** from entering into or upon any property or private **Dwelling Units**.
- 5.2.2 The **Owner** or occupier of a building or property or any other person having knowledge of a building or property must, upon request, give to a **Member** of Invermere Fire-Rescue Services who is carrying out an inspection on a building or property such assistance he may require in carrying out the inspection.

SECTION 6 - RIGHT TO CARRY OUT FIRE SERVICES

- 6.1 The **Fire Chief** at any fire may cause demolition of any building or part of a building which, in his judgment, should be demolished in order to prevent spread of fire or to prevent damage to persons or property or loss of life.
- 6.2 No person may impede, hinder or obstruct the extinguishment by Invermere Fire-Rescue Services of any fire. Every person who fails to comply with the orders or instructions of a **Member** of the Invermere Fire-Rescue Services engaged or about to be engaged in the extinguishment of a fire may be forcibly removed from the scene of such emergency or fire by an Officer, Peace Officer or **Inspector**.
- 6.3 No person may refuse to permit any **Member** of the Invermere Fire-Rescue Services to enter into or on any premises, for which an alarm of fire has been received, or in or upon any premises while the **Member** has reasonable grounds to suspect that a fire exists.
- 6.4 No person shall drive a vehicle over any **Fire Department** equipment.

- 6.5 No person may cause or contribute to the causation of a **False Alarm** which requires Invermere Fire-Rescue Services to be summoned. Any person found so intentionally or negligently causing a **False Alarm** is liable to a fine as per section 7.2 of this bylaw.

SECTION 7 - ENFORCEMENT

7.1 Issuance of Inspection Notice

- 7.1.1 If the **Fire Chief** finds that any provision of this bylaw has been contravened or has not been complied with, or has been complied with improperly or only in part, or that conditions exist in or upon a building or property to which the bylaw applies and which, in his opinion, constitutes a fire hazard or otherwise constitutes a hazard to life and/or property, he may make such notice to ensure full and proper compliance with this bylaw and in particular, but without limiting the generality of the foregoing, he may:

- a) make to the **Owner**, occupier or lessee of the building or property such recommendations as he deems necessary to correct the contravention or to ensure compliance with this bylaw, or to remove the hazards referred to in the bylaw, or
- b) make such notice as he deems necessary with respect to any of the matters referred to in this bylaw.

- 7.1.2 A notice made under this bylaw shall be in writing and must be directed to the occupier, or where the occupier is not the **Owner**, to the **Owner** and occupier of the building or property in respect of which the notice is made.

7.2 Service of Notice

- 7.2.1 An Inspection Notice made under this bylaw shall be served:

- a) by delivering it or causing it to be delivered to the person to whom it is directed; or by
- b) sending the notice by return registered or certified mail to the last known property **Owner** at the **Owner's** last known address; or
- c) after 14 days of sending a notice by return registered or certified mail to the last known property **Owner** at the **Owner's** last known address, post a copy in a conspicuous place on the building or property if the person to whom it is directed cannot be found, is not known or refuses to accept service of notice.

SECTION 8- PENALTIES

- 8.0 If an **Owner** or occupier is in default of a notice made under this bylaw, the **District**, by its workers or others, may enter the property and effect such work as required in the notice, at the expense of the **Owner** or occupier so defaulting, and any charges so incurred and remaining unpaid on December 31 of that year shall be added to and form part of the taxes payable on the real property as taxes in arrears.

- 8.1 Every person that commits an offence under the *BC Fire Code*, as amended from time to time, and as adopted by this bylaw, is deemed to have contravened this bylaw and committed an offence under this bylaw and is liable, upon summary conviction, to a fine not less than \$2,500 and not exceeding \$10,000 and is guilty of a separate offence each day that a violation continues to exist.
- 8.2 Every person who violates the provisions of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of an offence and is liable upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2500, and is guilty of a separate offence each day that a violation continues to exist.
- 8.3 Every person who commits an offense is liable on summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*.
- 8.4 Any of the Bylaw Enforcement Officer, **Inspector** or the **Fire Chief** are designated to enforce this bylaw under section 264(1)(b) of the *Community Charter*.

SECTION 9 - REPEAL

- 9.01 Bylaw Number 52, 1955 and Bylaw Number 934, 1997 of the District of Invermere, and all amendments thereto, are hereby repealed.

SECTION 10 – GENERAL

- 10.0 If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phase.
- 10.1 If the singular or masculine or neuter is used in this bylaw, the same must be construed as meaning the plural, the feminine or body corporate where the context so requires.

READ A FIRST TIME this 8th day of March, 2011.

READ A SECOND TIME this 8th day of March, 2011.

READ A THIRD TIME this 12th day of April, 2011.

ADOPTED this 12th day of April, 2011.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Certified a true copy of Bylaw No. _____
this ____ day of _____, 201__.

Chief Administrative Officer

Schedule "A"

Environmental Management Act, **Open Burning Smoke** Control Regulation, BC Reg. 145/93 as amended from time to time.

Prohibited Material

The following material must not be included with debris that is open burned:

Tires	Treated lumber
Plastics	Railway ties
Drywall	Manure
Demolition waste	Rubber
Domestic waste	Asphalt products
Paint	Fuel and lubricant containers
Hazardous waste	Biomedical waste
Tar paper	

Schedule "B"

PERMITS

B-1 Special Burning Permit (attached are conditions under which burning may be done)

Schedule "B-1"

The District of Invermere
Fire-Rescue Services
914 - 8th Avenue
Invermere, B.C. V0A 1K0
Phone: 342-9281 Fax: 342-2934

SPECIAL BURNING PERMIT

Attached are Special Instructions and Conditions

DATE: _____
Year Month Day

PERMISSION IS HEREBY GRANTED TO:

Applicant: _____
Name

of _____
Address Phone

Person in charge at the burn: _____
Name Phone

☐

Urban Interface Clearing

☐

Land Clearing

☐

Agricultural Pruning

☐

Removal of a Fire Hazard

☐

Special Public Events

Special Instructions and conditions of burning - see reverse

Signature of Applicant

The Permit Expires: _____ PER: _____
Year Month Day Fire Chief or Designate

**Special Instructions and Conditions for the Burning of Waste from
Agricultural Prunings, Urban Interface Fuel Modification and
Land Clearing**

1. The burn must take place on a bona fide farm operation or in an interface area identified in plan Invermere.
2. Only well dried and cured products are to be burned.
3. The ventilation index, as defined in the **Open Burning Smoke** Control Regulation, BC Reg. 145/93, as amended from time to time, must be “good” for the day the **Open Burning** is to be started, and, if applicable, “good” or “fair” for the second day the debris is anticipated to release **Smoke**. In addition, **Open Burning** must not be initiated if the local air flow will cause the **Smoke** to negatively impact on nearby population.
4. Burning will only take place on Monday to Friday of any week.
5. Burning will be permitted between February 28th and April 30th
6. Burning must meet the requirements specified in the **Open Burning Smoke** Control Regulation, BC Reg. 145/93, enacted under the *Environmental Management Act* (SBC 2003) c 53, both as amended from time to time.
7. Special Burning Permits issued will be valid only for that one occasion.
8. Permits will be cancelled if, in the opinion of the **Fire Chief**, the burning is creating a **Hazardous** condition and the fire will be ordered extinguished.
9. All other requests to burn will be referred to the **District** Operations Division for chipping consideration.