

DISTRICT OF TUMBLER RIDGE

BYLAW No. 680, 2019

A Bylaw to Establish a Municipal Fire Department and to Regulate Fire Protection, Prevention and Life Safety.

WHEREAS the Municipality may, by bylaw, establish and operate a Municipal Fire Department; AND WHEREAS, Council may, by bylaw, regulate Fire Prevention Protection and Control Services.

NOW THEREFORE the Council of the District of Tumbler Ridge, in open meeting assembled, enacts as follows:

CITATION

1. This bylaw may be cited as the "District of Tumbler Ridge Fire Protection Bylaw No. 680, 2019.

REPEAL

2. District of Tumbler Ridge Fire Services Bylaw No. 573, 2011 and its amendments are hereby repealed.

INTERPRETATION

3. In this bylaw:

"Accessory Building" means any building or structure that is used in conjunction with the principal **building**, but cannot be used as a principal **building**, and is located on the same lot;

"Administrator" means the **person** appointed from time to time as the Chief Administrative Officer of the Municipality;

"Alarm" means the giving, signalling 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, signalling or transmitting such information;

"Apparatus" means any vehicle provided with machinery, devices, equipment, or materials for firefighting as well as vehicles used to transport firefighters or their supplies.

"CAN/CSA B-365" means the installation standard for solid-fuel burning appliances as published by the Canadian Standards Association as amended from time to time;

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

“Building Code” means British Columbia Building Code as amended from time to time;

“Bylaw Enforcement Officer” means every person designated by Council as a bylaw enforcement officer for the District, and every peace officer;

“Canadian Standard” means the performance testing of solid-fuel-burning stoves, inserts, and low-burn-rate factory-built fireplaces using respective standards published by the Canadian Standards Association as amended from time to time;

“Certified Wood Burning Appliance” means a solid-fuel-burning appliance that bears a certification mark certifying conformity with the Canadian Standard;

“Cost Recovery” means the method the District may use to recover any costs and expenses of and incidental to the taking of certain measures pursuant to this Bylaw;

“Council” means the duly elected Council of the District of Tumbler Ridge;

“Director of Operations and Infrastructure” means the person duly appointed as such from time to time by Council and includes any person appointed or designated by the Director to act on his behalf;

“District” means the Corporation of the District of Tumbler Ridge;

“Emergency” means any situation where there exists a potential hazard to life or property, requiring immediate action;

“False Alarm” means the activation of an alarm system resulting in the direct or indirect notification of the Fire Department to attend the address of the alarm system, where there is in fact no emergency situation at that address;

“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 device, sensors, and other accessories;

“Fire Chief” means the person appointed from time to time as the Director of Protective Services and Chief of the Fire Department of the Municipality or an officer, member or inspector authorized by the Fire Chief to act on his behalf;

“Fire Code” means the British Columbia Fire Code as amended or replaced from time to time;

“Fire Department” means the Fire Department of the Municipality continued by this bylaw;

“Fire Department Connection” means a connection through which the Fire Department can pump water into the standpipe system and/or sprinkler system;

“Fire Protection Equipment” means fire alarm systems, automatic sprinkler systems,

special extinguishing systems, portable extinguishers, water supplies for fire protection, standpipe and hose systems, fixed pipe fire suppression systems in commercial kitchen exhaust systems, smoke control measures, emergency lighting and emergency power installations;

“Fire Protection Technician” means a person who has provided the Fire Department with acceptable documentation demonstrating they are qualified to perform inspections and testing on fire extinguishers, fire alarm systems, sprinkler systems, or other fire protection equipment;

“Fire Safety Plan” is a set of emergency procedures and guidelines to be followed in the event of a fire in a building as set out in Division B, Section 2.8.2 of the **Fire Code**;

“Garbage” means any household and commercial waste or refuse;

“Incident” means any situation that presents a danger or possible danger to life, safety, health, the natural environment or property and to which the Fire Department has responded;

“Incident Command” means the most senior officer at an incident. In the event that an officer is not in attendance at an incident the most senior member in attendance at that incident will assume Incident Command;

“Noxious Material” includes tires, plastics, rubber products, demolition and construction wastes, special waste as defined in the *Environmental Management Act*, animal organic waste, vegetable waste, food waste, biomedical waste, waste petroleum products, chemically treated paper and cardboard or any Prohibited Material as identified in Schedule A of the *Open Burning Smoke Control Regulation*;

“Occupant” includes any ‘owner’ and ‘occupier’ of any parcel of real property or part thereof, as defined in the *Community Charter*;

“Officer” means the **Fire Chief**, Deputy Fire Chief, Captain, Lieutenant, Safety Officer, or any member designated by the **Fire Chief** to act in the capacity of an officer;

“Open Burning” means the combustion in the open air of yard and garden waste, land clearing debris, or any other material, including burning of any of these materials in a container, but does not include **recreational fires**, the combustion of gas, propane, or charcoal in a barbecue or hibachi for the purpose of cooking food;

“Peace Officer” includes a member of the Royal Canadian Mounted Police, an officer with the Fire Department, any District bylaw enforcement officers or any other person employed for the preservation and maintenance of the public peace.

“Person” means and includes any individual, corporation, partnership or party and the heirs, executors, property owner or other legal representative of the same, to whom the context can apply according to Law. The singular shall also include the plural and the masculine shall also include the feminine;

“Portable Manufactured Fire Pits” means a professionally designed and constructed

free standing fire place or fire bowl;

“Premises” including the whole or any part of a parcel of real property and any **buildings** or structures on the property;

“Public Building” means any structure, exclusive of a private single family dwelling, used or intended for supporting or sheltering any use or occupancy to which the public is admitted, and including factories within the meaning of the *Factory Act*, warehouses, stores, mills, schools, hospitals, theatres, public halls or offices but does not include mine properties;

“Recreational Fire” means the burning of wood for recreational purposes in a permanent barbeque, fire pit, outdoor fire place or portable manufactured fire pit not larger than 1 metre in diameter that is designed and constructed to confine the fire and is suitable for such a purpose , or within a fully enclosed burner or similar device;

“Solid-Fuel-Burning Appliance” means a piece of equipment which burns biomass fuels and is intended to supply heat to air or water or for cooking purposes. It includes furnaces, boilers, stoves, ranges, space heaters, factory-built fireplaces, and service water heaters. It does not include incinerators, site-built fireplaces or process equipment.

“Sprinkler System” includes all equipment forming part of or used in connection with a fire sprinkler system, including without limitation, all heads, valves, piping, switches, sensors, relay apparatus, and other accessories;

“Yard and Garden Waste” means grass, foliage, pruning's, weeds, crops, stumps and stubble;

And all other words and phrases shall be construed in accordance with the meaning assigned to them by the current **Building Code**, the *Fire Services Act* or the **Fire Code**, as the context and circumstances may require.

FIRE CODE

4. Pursuant to Section 15 of the Community Charter, the Council adopts and establishes the **Fire Code** for the Municipality. The provisions of the **Fire Code** adopted and established are made part of this Bylaw and shall be considered as provisions of this Bylaw.
5. Any person who contravenes, violates or fails to comply with a provision of the **Fire Code** commits an offense under this bylaw.

DESIGNATION

6. This Bylaw is designated under Section 264 of the *Community Charter* as a bylaw that may be enforced by means of a Municipal Ticket Information in the form prescribed.
7. **Officers** and **Bylaw Enforcement Officers** are designated to enforce this bylaw by means of a Municipal Ticket Information under Section 264 of the Community Charter.

FIRE DEPARTMENT ADMINISTRATION

8. The Tumbler Ridge **Fire Department** and the position of **Fire Chief** as the head of the Department are continued;
9. The **Fire Chief** shall be appointed by a resolution of Council;
10. The **Fire Chief** shall:
 - (a) Report to the **Administrator**;
 - (b) Oversee the provision of services for the protection of the lives and property in the **District** from fire hazards;
 - (c) Administer the **Fire Department**;
 - (d) Establish a complement of volunteer firefighters;
 - (e) Establish and maintain a program of training in rescue and fire suppression for all members;
 - (f) Direct and control the members of the **Fire Department** by direct intervention or through appointed subordinate supervisory staff, subject to the *Fire Department Act*.
 - (g) Represent the Protective Services department on the District Occupational Health and Safety Committee and will hold monthly safety meetings with firefighters in accordance with the requirements of WorkSafeBC
11. The **Fire Chief** may make rules and regulations for the proper administration and operation of the **Fire Department**, and for the discipline of its members, and alter or repeal them from time to time as he thinks necessary, and include them in a manual of policies, general rules and standard operating procedures and operational guidelines.
12. The **Fire Chief** is hereby authorized to administer this bylaw.
13. The rank structure of the **Fire Department**, in descending order shall be as follows:
 - (a) **Fire Chief**;
Deputy Fire Chief;
Captain;
Lieutenant;
Safety Officer
Senior Firefighter/Operator;
Firefighter;
Probationary Firefighter.

14. The Tumbler Ridge **Fire Department** shall be responsible for:
- (a) Suppression of all types of fires within Area A, as defined in Schedule A in addition to the heavy industrial park (Schedule B) and other District properties which may not be defined,
 - (b) Suppression of all types of fires within Area B, as defined in Schedule C, where assistance has been requested or mutual aid or Working agreements have been established,
 - (c) Fire cause and determination,
 - (d) Fire inspection activities including commercial inspections when required, residential inspections when requested and pre-fire planning,
 - (e) Fire prevention activities including fire and life safety education,
 - (f) Medical First Responder response,
 - (g) Inter-agency response with BCEHS, TR RCMP, TR SAR, STARS, or any other requesting groups,
 - (h) The rescue of persons from potentially dangerous situations in which members have been trained including motor vehicle incidents, confined space rescue, and low-to-steep embankment rescue.
 - (i) The identification and mitigation of hazards caused by dangerous goods based on the product and to a National Fire Protection Association "Operations" level when necessary.
15. The **Fire Chief** and **Officers** may enforce the **Fire Code** and any **District** bylaws and regulations for the prevention and suppression of fires. The **Fire Chief** and **Officers** may exercise the powers provided by the *Fire Services Act* when necessary.
16. Where the **Fire Department** has responded to a fire call or an **Incident** for the purpose of preserving life or property from injury or destruction, including any such action taken by responding to a **False Alarm**, the **District** may, in respect of any costs incurred by the **Fire Department** in taking such action, charge those costs so incurred by the **Fire Department** to the owner of the **Premises** or the **Person** in possession of the **Premises** where the **Incident** occurred. That charge may be collected as a **Cost Recovery** charge pursuant to section 103.
17. The **Fire Chief** or **Incident Command** is responsible for and is in full command of a fire scene and may require the owner or occupier of the **Premises** at which a fire has occurred and to which the **Fire Department** has responded to ensure that the **Premises** are secure prior to relinquishing possession to the owner or occupier.
18. Where in an **Emergency** arising from a fire, fire hazard, chemical spill, risk of explosion, or other hazard, the officer in command is of the opinion that there is imminent and serious danger to life or property or that panic is imminent, he/she may:
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- (a) Immediately take the steps he thinks advisable to remove the hazard or risk,
 - (b) Cause people to be removed from the area,
 - (c) Order the evacuation of the building or area,
 - (d) Call upon the police to assist and to provide security to the evacuated area.
19. The **Fire Chief or Incident Command** at a fire is authorized to order the demolition of a **Building** or part of it in order to prevent injury or damage to **Persons** or property or the spreading of the fire.
20. The **Fire Chief or Incident Command** is authorized to respond outside of the **District** of Tumbler Ridge municipal boundaries with the appropriate fire/rescue apparatus and personnel to motor vehicle incidents, wildland fires, and medical emergencies.
21. The owner of a fire damaged or otherwise unsafe building shall ensure that the **Premises** are guarded or kept securely so as to prevent the entry of unauthorized **Persons**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI). The MTI fine is specified in Municipal Ticketing Information Bylaw No. 560, 2011, or as amended from time to time.
22. The **Fire Chief** or any other **Officer** in charge of an **Incident** is empowered to commandeer any personnel and privately owned equipment, which is considered necessary to deal with an **Incident**.
23. The owner or occupant of the property on which the incident occurs may, in the **Fire Chief's** discretion, be held responsible to pay the charges associated with the commandeering of equipment.
24. The **Fire Chief or Incident Command** in charge at an **Incident** may enter upon any lands, structure, and **Buildings**, including using forcible entry if no other immediate means of access is available, for the purpose of attending to any fire, smoke alarm, smoke or heat detector, medical or other **Emergency**. The **District** of Tumbler Ridge will not be held liable for any costs associated with the use of forcible entry.
25. During an **Incident** on a **Premise** for which the **Fire Department** has received notice of contact persons, a contact person for that **Premises** must attend the scene, and contact the **Officer** in charge of the **Incident**. At the conclusion of the **Incident**, the contact person shall secure the **Premises** and when appropriate, release fire companies from the **Incident**.
26. At an incident the **Fire Chief or Incident Command** may, at their discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter.
27. No person(s) except those duly authorized by the **Fire Chief or Incident Command** shall enter any building threatened by an incident or enter any area established designated by ropes, guards or tape erected by or under the direction of a police officer

or a member, nor shall any person refuse to move from such designated area when directed to do so by a police officer or member.

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

FIRE PROTECTION AND LIFE SAFETY

29. No **Person** shall construct or alter a **Building** that does not conform to the Life Safety & Fire Safety regulations contained in the **Building Code** and the **Fire Code**.
30. Each **Occupant** of a **Building** or **Premises** must ensure the **Fire Alarm System**, **Sprinkler System**, fire extinguishers and emergency lighting are maintained and tested as required by the **Fire Code** by a **Fire Protection Technician**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
31. Records of service testing and maintenance of a **Fire Alarm System** or **Sprinkler System** must be retained at the **Building** or **Premises** to which they pertain by the owner of that **Building** or **Premises**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
32. When an **Officer** or a Firefighter attends a **premise** where a **Fire Alarm System** or a **Sprinkler System** has been activated without proper cause, resulting in a **False Alarm**, the **Occupant** and Building Manager of the **Premises** must immediately correct the deficiencies and provide a fire watch where deficiencies are unable to be corrected. If the **Occupant** fails to correct those deficiencies, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
33. Any **Occupant** of **Premises** where there is an automatic **Sprinkler System** or a **Fire Alarm System** must notify the Tumbler Ridge **Fire Department** and their monitoring provider prior to any service, test, repair, maintenance, adjustment, alteration or installation of that system which might activate a **False Alarm**.
34. The owner or **Occupant** of any **Building** containing an Automatic **Sprinkler System** or a **Fire Alarm System** may be assessed a charge as a **Cost Recovery** charge pursuant to section 73 for any **False Alarm** that occurs when the owner or **Occupant** fails to notify the Tumbler Ridge **Fire Department** and their monitoring provider prior to service, testing, repair, maintenance, adjustment or alterations, or installation of that system.
35. The owner of every business must provide and maintain in good working order at least one approved portable fire extinguisher, available and accessible for emergency use. The fire extinguisher must comply with the **Fire Code**. All fire extinguishers must be tested and serviced at least yearly by a **Fire Protection Technician**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
36. Where fire doors or fire separation devices are installed in any **Building** to prevent the spread of fire within that **Building**, those doors or devices must comply with the **Building Code** and the **Fire Code** and at all times be kept and maintained in good repair and

efficient working order. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).

37. All chimneys, flues, or stacks and all pipes, caps or connections used in connection therewith shall be kept and maintained in good order at all times, and the **Fire Chief** may order them to be cleaned if, in his opinion, a fire may be caused or the danger of one is increased because of their dirty condition. According to the British Columbia **Fire Code**, deposits of soot or creosote shall not be permitted to accumulate so that it causes a fire hazard. In the event of a chimney fire, the **District** may charge the owner of the property on which the fire starts for the cost incurred by the **District** to extinguish the fire, as a **Cost Recovery** charge as pursuant to section 103.
38. The owner of any vacant **Building** in the municipality shall at all times keep the **Building** free from debris and flammable material and shall keep all openings in the **Building** securely fastened and closed so as to prevent the entry of unauthorized persons. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
39. The owner of any vacant lot in the municipality shall protect all gas services (including gas lines, gas meters, gas fixtures, etc.) on that property from any mechanical damage. If not complied with, and a gas service is damaged, the **District** of Tumbler Ridge may charge the owner of the property for the cost incurred by the **District** of Tumbler Ridge to respond to that emergency as a cost recovery charge as pursuant to section 103.
40. No **Person** shall sit, stand, place or leave any article, thing or matter in such a manner as to interfere with the means of egress or access within or outside any **Building** or Premises. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
41. To allow for the access of emergency vehicles, no **Person** may block or obstruct **Building** access routes at any time. If the requirements in this section are not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
42. No **Person** shall drive, push or pull a vehicle of any kind over a fire hose or fire equipment. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
43. No **Person** shall tamper with, remove, destroy, render inoperative or interfere with any **Fire Protection Equipment** or part thereof, which is provided for the protection of property or **Persons**, whether public or private. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
44. No **Person** shall activate a fire alarm except when there is a fire, or for testing purposes. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
45. No **Person** shall use or operate any fire extinguisher, or other **Fire Protection Equipment** of any kind, except for the purpose for which that extinguisher or equipment is intended. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).

46. No **Person** shall use or allow to be used a standpipe or hydrant, or affix a hose to a standpipe or hydrant without permission from the **Fire Chief** or the **Director of Operations and Infrastructure**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
47. No **Person** shall allow a vehicle or other thing to obstruct a fire lane or access to a hydrant or standpipe. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
48. No unauthorized **Person** shall park a vehicle in the prohibited area at the Fire Hall. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
49. Where there is a contravention of section 47 or 48 the **Fire Chief** may have the obstructing vehicle or object removed at the owner's expense.
50. For the purpose of sections 47 and 48, the owner of a motor vehicle shall be held liable for any violation of this bylaw and "owner" shall include a person in possession of a motor vehicle under a contract and in whose name alone the motor vehicle is registered.
51. All District Hydrants shall be painted RED and be kept clear of growth and debris,
52. An **Occupant** must, with respect to private fire hydrants on their **Premises**:
- (a) Not less than once a year have all components of the hydrant inspected, serviced and tested, in accordance with the British Columbia **Fire Code**, by a **Fire Protection Technician** and submitted to the **Fire Department**;
 - (b) Retain records of inspections and maintenance required for a least three years;
 - (c) Notify the **Fire Department** of all repairs to hydrants;
 - (d) Wrap all hydrants which are out of service for repair, or not yet in service, with burlap, black polyethylene plastic sheeting or by other means agreeable to the **Fire Chief**;
 - (e) Keep hydrants clear of ice, snow, shrubs, trees, structures and other obstructions and clearly identify their locations;
 - (f) Paint hydrants the same colour scheme as the **District** hydrants;
 - (g) Ensure that no **Person** places or leaves any vehicle, article, thing or matter in such a manner as to interfere with free access or approach to any hydrant or other **Fire Department** connections.
53. All **Buildings**, sites, storage areas or other areas as required by the **Fire Code** Division B Part 2 section 2.8 *Emergency Planning* shall have a **Fire Safety Plan**. Measures within a **Fire Safety Plan** must conform to the **Fire Code** Division B Part 2 section 2.8.2 *Fire Safety Plan* and shall be produced and submitted to the **Fire Department** for approval. All **Fire Safety Plans** must be submitted in a format acceptable to the **Fire Chief**. All **Occupants** of **Premises** where a **Fire Safety Plan** is required must review

their **Fire Safety Plans** annually and submit updated plans to the **Fire Department** for review. Should **Occupants** not need to update their current **Fire Safety Plan**, notification non-update must still be forwarded to the **Fire Department**. Changes to **Fire Safety Plan** must be submitted to the **Fire Department** for review. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).

54. An owner or occupier of a building or structure must ensure that the civic address for the property at which the building or structure is located is posted so as to be clearly visible from the road using numbers that shall be a minimum of 7.63 millimetres (3 inches) in height and of a colour that contrasts with the surface that they are mounted.
55. The owner or occupier of a commercial or multi-residential use property shall ensure that the unit number for each individual unit within a commercial or multi-residential use property are posted in a visible location at the entry to each unit, using numbers that shall be a minimum of 7.63 millimetres (3 inches) in height and of a colour that contrasts with the surface that they are mounted.
56. Vehicles used for the transportation of dangerous goods shall not be parked in residential areas or within 23 metres (75 feet) of any public or institutional building which shall include, but is not limited to, any hotel, theatre, restaurant or school.
57. If the requirements in this section are not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).

FIRE INSPECTIONS

58. The **Fire Chief** and **Bylaw Enforcement Officers** may enter, at all reasonable times, on any property subject to this Bylaw, to ascertain whether the requirements of this Bylaw, the **Fire Code** or any orders issued pursuant to this Bylaw or the **Fire Code** are being observed or to carry out testing required or authorized by this Bylaw.
59. Inspections in accordance with section 58 shall be conducted on an annual basis for all buildings containing commercial occupancies as well as high risk home based or residential business occupancies.
60. The **Fire Chief** is authorized to inspect **Premises**, including private dwellings, in the **District** for conditions which may cause a fire or increase the danger of a fire, or increase the danger to **Persons** from fire.
61. No **Person** shall obstruct or interfere with the performance by the **Fire Chief** or any other **Person** of any function the **Fire Chief** or that other **Person** is authorized to carry on under this Bylaw. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
62. Where an **Occupant** who has been notified of an inspection to be conducted by an **Officer** pursuant to this bylaw or any other enactment relating to fire safety, fails to attend at the premises at the date and time specified, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).

63. Every **Occupant** of a **Premise** must provide all information and must render all assistance required by an **Officer** in connection with the inspection of such premises pursuant to this Bylaw, the **Fire Code** and the *Fire Services Act*. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
64. No **Person** shall purposely withhold or falsify any information required by an **Officer** or in connection with a permit issued under this Bylaw or refuse to assist in the carrying out of any inspection pursuant to the Bylaw, the **Fire Code** or the *Fire Services Act*. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
65. An **Officer** is hereby authorized and empowered to issue remedial orders in writing requiring the correction or removal of any condition or thing in or about any **Building** or **Premises** or property which is in contravention of this Bylaw, and every **Occupant** or that **Building** or **Premises** or property shall carry out of every requirement of that order. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
66. Every order issued by an **Officer** pursuant hereto must state a date by which the order shall be carried out, which date must, in the discretion of the issuing **Officer**, 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.
67. If there are any violations under the **Fire Code**, *Fire Services Act* or this bylaw while performing a fire inspection, an **Officer** will write an order requesting that the violations be corrected within a defined time period and will advise of a return date for a re-inspection to ensure that the corrections are made. If the **Occupant** has not complied with the order, upon the re-inspection a subsequent order will be written requesting any continuing violations be corrected within a defined time period and will advise of a return date for a re-inspection to ensure that the violations are corrected. If the order from the re-inspection has not been complied with after the second re-inspection, a fee may be charged for that re-inspection and each additional re-inspection if required. The charge is subject to **Cost Recovery** in accordance with section 103.
68. The **Occupant** of a **Building** or **Premises** having either a **Fire Alarm System** or an automatic **Sprinkler System**, whether monitored or not monitored, must provide the **Fire Department**, yearly and on a change in contact information, the names and phone, cellular phone, pager and beeper numbers, as available, for three persons who will be available to attend, enter and secure the **Premises** in case of **Alarm** or **Incident**. Contact persons must have full access to the **Building** or **Premises** of which they have responsibility and be able to take control of the **Building** or **Premises** on completion of the **Incident** from the fire company. Any changes to designated contact persons or their contact numbers during the current year must be submitted to the **Fire Department**.
69. Failure to comply with the requirements in section 68 will result in a charge being levied against the owner or occupant for any standby time at a **Building** or **Premises** where an alarm has sounded, the **Fire Department** has attended, and a contact person has not attended within the time specified in section 70. This charge is subject to **Cost Recovery** in accordance with section 103.

70. A contact person must attend all alarms within 15 minutes when requested by the **Fire Department**.

FIRE INVESTIGATIONS

71. The **Fire Chief** shall be designated as the Local Assistant to the Fire Commissioner as per section 6 of the *Fire Services Act*.
72. The **Fire Chief** shall conduct fire cause and origin investigations for all incidents required under the *Fire Services Act* or the Office of the Fire Commissioner;

SOLID FUEL BURNING APPLIANCES

73. Any **Solid-Fuel-Burning Appliance** installed in the **District** of Tumbler Ridge must comply with the manufacturer's installation instructions as well as the British Columbia **Building Code**, the British Columbia **Fire Code** and CAN/CSA B365-17 or as amended from time to time.
74. All **Solid-Fuel-Burning Appliances** installed or replaced in the **District** of Tumbler Ridge require an inspection by the **Fire Chief** or designate before use.
75. No **Person** shall operate a **Solid-Fuel-Burning Appliance** in such a manner as to discharge air contaminants that are likely to cause or significantly contribute to the cause or injury or damage to human health, plant or animal life or property, or so as to unreasonably interfere with the enjoyment of life or property. If the requirements in this section are not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
76. No **Person** shall install or replace an existing **Solid-Fuel-Burning Appliance** in or about any **Premises** unless the appliance meets the particulate emission requirements of the **Canadian Standard** or the **US Standard**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).

OPENING BURNING

77. No **Person** shall start or maintain, or permit or cause to be started or maintained any **Open Burning** in the **District** except under special circumstances granted by permit in writing by the **Fire Chief**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
78. An applicant for an **Open Burning** permit under this section shall provide the following information to the **Fire Chief**:
- (a) The date(s) and time(s) at which the proposed burning is to be carried on;
 - (b) The location of the proposed burning;
 - (c) The purpose of the proposed burning; and,
 - (d) Any other information relating to the proposed burning requested by the **Fire Chief**.

79. Subject to section 78 if the **Fire Chief** is satisfied that the burning can be safely carried on, he/she shall issue a permit for it, but may impose conditions he/she considers necessary to ensure the burning is safely carried on without getting out of control or causing damage. Without limiting the conditions that may be imposed under this section, the **Fire Chief** may impose a condition prohibiting the burning from being conducted except in a burn pit or burning receptacle acceptable to him/her.
80. The holder of a permit under this section shall:
- (a) Ensure that a competent **Person** is in charge of the fire while it is burning or smouldering, and until it is completely extinguished and shall ensure that **Person** has sufficient tools and equipment to effectively prevent the fire from getting out of control, becoming dangerous or causing damage, and
 - (b) Comply with any conditions imposed by the **Fire Chief** under this section.
81. Applications for permits under section 77 shall be made at the Fire Hall.
82. The **Fire Chief** may revoke a permit issued under section 77 at any time for cause.
83. **Recreational Fires** are permitted in a permanent outdoor fire place, barbecue or fire pits. **Recreational Fires** must:
- (a) Be on private property or public property where authorized;
 - (b) Not be larger than 1 metre in diameter;
 - (c) Be three (3) metres from combustible materials and, or **Buildings** and clear of overhanging materials such as trees;
 - (d) Be dug down to the mineral soil;
 - (e) Be contained by a non-combustible barrier;
 - (f) Be continually attended by an adult until completely extinguished;
 - (g) Have a means of extinguishment such as a shovel, charged hose or 8 litres of water nearby;
 - (h) Not have material piled in excess of 60 cm in height.
 - (i) **Portable Manufactured Fire Pits** shall be permitted provided they meet all of the criteria for **Recreational Fires**, but rather being permanently located, they must be placed on a non-combustible surface which extends at least 1 metre in all directions from the outside diameter of the fire pit.
 - (j) **Portable Manufactured Fire Pits** must be used according to the manufacturer's instructions.

If the requirements in this section are not complied with, the **Fire Chief** may issue a Municipal Ticket (MTI).

84. The **Fire Chief** may, by notice published or broadcast or both, designate areas that he considers unsafe for open air fires and while a designation under this section is in effect, no Person shall, within any area so designated, start or maintain, or permit or cause to be started or maintained any fire, including Recreational Fires, in the open air. If not complied with, the **Fire Chief** may issue a Municipal Ticket (MTI).
85. No **Person** shall start or maintain a fire where a reasonable person would know:
- (a) That the wind is strong enough to cause sparks or other burning material to be carried to combustible material, or
 - (b) That the fire is within 1 metre of any gas line, or
 - (c) That to do so is likely to be hazardous or create a nuisance.
86. No **Person** shall conduct any **Open Burning** or maintain any **Recreational Fire** in such a manner as to discharge air contaminants that are likely to cause or significantly contribute to the cause of injury or damage to human health, plant or animal life or property, or so as to unreasonably interfere with the enjoyment of life or property. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).
87. No **Person** shall cause or allow any **Garbage** or **Noxious Material** to be burned by **Open Burning** or by a **Recreational Fire**. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI)
88. An **Opening Burning** permit is not required for:
- (a) A Recreational Fire in an approved area and receptacle used for heating or cooking food, or
 - (b) Opening burning conducted by the Fire Department as part of a training exercise.
89. A person who lights, fuels or makes use of a fire must extinguish it immediately when ordered to do so by the **Fire Chief** or a **Bylaw Enforcement Officer**.
90. If a fire is deemed to be out of control, or in contradiction of this bylaw, and the **Fire Department** makes efforts to extinguish that fire, the **District** may charge the owner of the property on which the fire starts for the cost incurred by the **District** to extinguish the fire, as a **Cost Recovery** charge as pursuant to section 103.

FIREWORKS

91. No person shall set off, or caused to be set off, any fireworks within the District except in accordance with this bylaw.
92. No **Person** shall give or sell fireworks to any person under the age of 18 years. If not complied with, the **Fire Chief** or Designate may issue a Municipal Ticket (MTI).

93. No person shall set off, or caused to be set off, any consumer fireworks unless that person is the holder of a valid permit, issued in writing, by the **Fire Chief**.
94. Low-level consumer fireworks (those which are designed to function at heights of 50 metres or less) are permitted to be used by individuals of at least 18 years of age, on private property, within the **District** of Tumbler Ridge provided that they are used:
- (a) in accordance with the manufacturer's instructions, and
 - (b) that there is no campfire ban in effect, and
 - (c) wind speeds are not above 10 kilometres per hour, and
 - (d) that they do not cause a disturbance as defined in the **District** of Tumbler Ridge Noise Bylaw No. 457, 2002, or amended from time to time.
95. An applicant for a **fireworks** permit under this section shall provide the following information to the **Fire Chief**:
- (a) The date(s) and time(s) at which the proposed display is to be carried on;
 - (b) The location of the proposed display;
 - (c) The purpose of the proposed display; and,
 - (d) Any other information relating to the proposed burning requested by the **Fire Chief**.
96. If either section 94 or 95 are not complied with, the **Fire Chief** may issue a Municipal Ticket (MTI)
97. The holder of a permit under this section shall:
- (a) Ensure that a competent **Person** is in charge of the display while it is being set up, in-progress and during clean up activities and shall ensure that **Person** has sufficient tools and equipment to effectively prevent the ignition of a fire from getting out of control, becoming dangerous or causing damage, and
 - (b) Comply with any conditions imposed by the **Fire Chief** under this section.
98. Applications for permits under section 93 shall be made at the Fire Hall.
99. The **Fire Chief** may revoke a permit issued under section 93 at any time for cause.
100. Despite section 93, a permit is not required for fireworks displays under 15m in display height or those conducted by the Fire Department.

STANDBY SERVICES

101. 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. Examples of events requiring standby could include but are not limited to:

- (a) Open air events
- (b) Any pyrotechnic event,
- (c) Community Events requiring Medical First Response.

102. The **Fire Chief** may waive these fees for community sponsored events and when it is in the community's best interest.

COST RECOVERY

103. The **District** may recover all costs and expenses it incurred incidentally to the taking of any measures pursuant to sections 16, 37, 39, 67, 69 and 90 jointly and severally from any **Person** who at the time had the charge, management or control of the **Building, Premises**. If that person fails to pay those costs and expenses within 6 months after they were incurred, the **District** may recover those costs and expenses from the owner of the **Building or Premises** by direct invoice, together with costs and interest at the rate set out in the *Taxation (Rural Area) Act*. Default on those costs, expenses and interest will result in their being added to the property taxes of the owner of the **Building or Premises**.

POSTED NOTICE

104. No Person shall remove, alter, or deface any notice posted pursuant to this Bylaw

TICKETING/ENFORCEMENT

105. Fines associated with issuance of MTI's are specified in Municipal Ticketing Information Bylaw No. 560, 2011, or as amended from time to time.

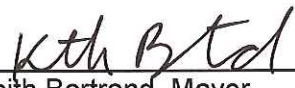
SEVERABILITY

106. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

OFFENCE AND PENALTIES

107. A Person who violates a provision of this Bylaw commits an offence and is liable upon conviction to the penalties provided in the Offence Act.

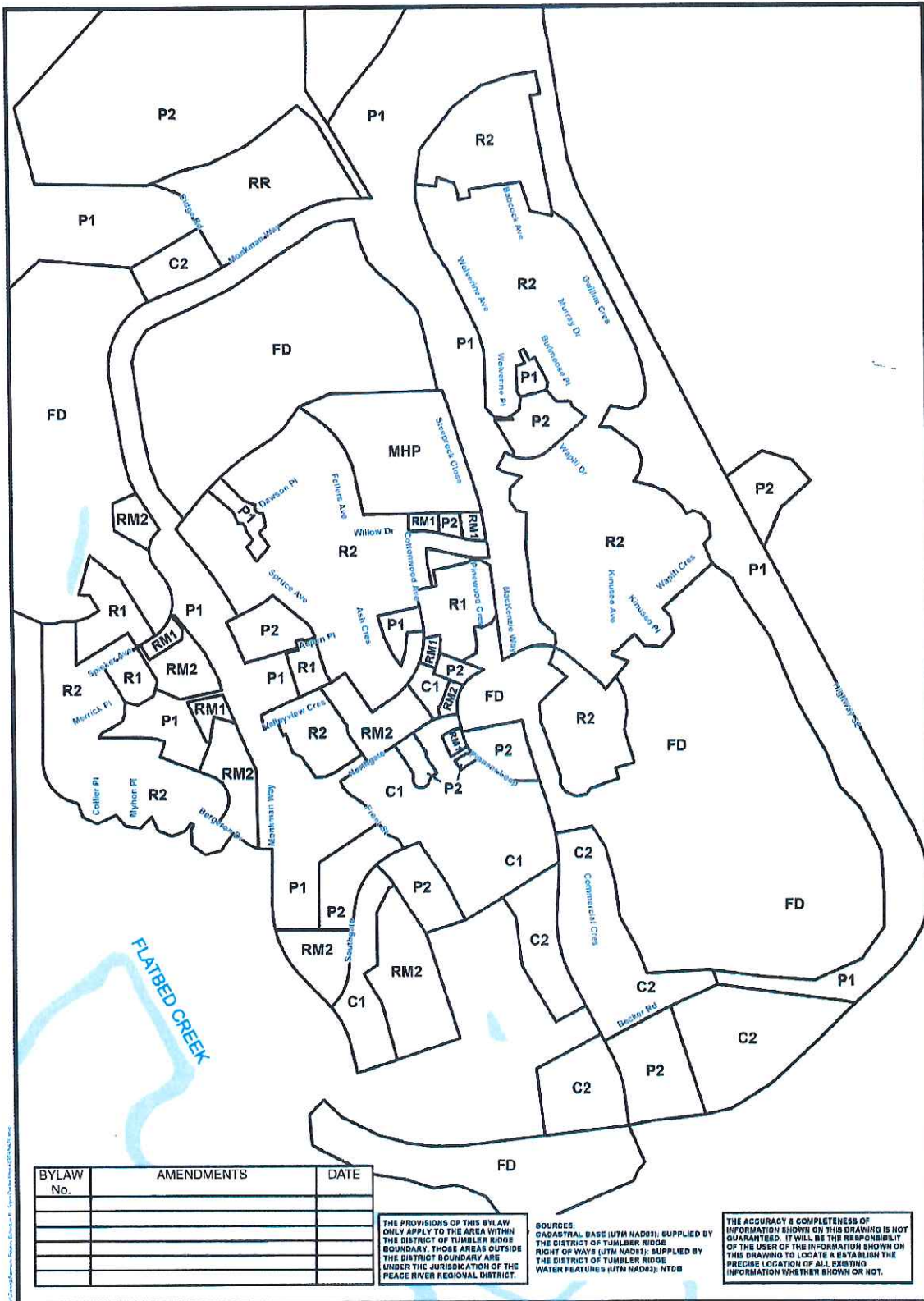
RECEIVED FIRST READING on the	18 th	day of	November, 2019
RECEIVED SECOND READING on the	18 th	day of	November, 2019
RECEIVED THIRD READING on the	18 th	day of	November, 2019
ADOPTED on the	9 th	day of	December, 2019



Keith Bertrand, Mayor



Aleen Torrance, Corporate Officer



LEGEND

R1 - Rural Residential (Single Lot)	RM2 - Residential Medium Density	C2 - District Commercial
R2 - Residential Single Family	RM1 - Residential Medium Density (High Density)	C1 - Highway Commercial
R3 - Rural Residential (Small Lot)	MHP - Manufactured Home Park	M1 - Industrial
R4 - Rural Residential (Large Lot)	FD - Future Development	P1 - Parks, Recreation and Open Space
	C1 - Town Centre Commercial	P2 - Institutional, Schools and Public Use

0 200 400 800 Meters

N

DISTRICT OF TUMBLER RIDGE FIRE PROTECTION BYLAW NO. 680, 2019

SCHEDULE A



