

District of Hudson's Hope

Bylaw 775

Fire Protection and Life Safety Bylaw

WHEREAS the Council has established the Hudson's Hope 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 District of Hudson's Hope, in an open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "District of Hudson's Hope Fire Protection and Life Safety Bylaw 775, 2009" 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 District.
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 **District** contracts to provide fire protection or assistance response, whether or not the other party to the agreement provides similar services to the **District**;



Fire Protection & Life Safety Bylaw 775

“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 **District**;

“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** by **Council**.

“District” means the District of Hudson’s Hope or the geographic area of the District, as the context requires;

“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 **District**

Fire Protection & Life Safety Bylaw 775

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 Manager of Protective and Inspection Services for the **District**, as appointed by Council, acting as head of the **Fire & Rescue Service**, or a person designated by the Manager to act in the place of the Manager;

“Fire Code” means the *Fire Code Regulation* made under the *Fire Services Act*;

“Fire & Rescue Service” means the Hudson’s Hope Fire & Rescue Service, including both the Downtown Hall and the Beryl Prairie Hall, established in 1968 under Bylaw 1019 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,

Fire Protection & Life Safety Bylaw 775

- (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 fibres, 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 Chief, Captain, Safety Officer, 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,

Fire Protection & Life Safety Bylaw 775

- (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 metres 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 District and, for certainty apply to both existing buildings and buildings under construction.



Fire Protection & Life Safety Bylaw 775

- 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 Hudson's Hope Volunteer Fire Department, established under Bylaw 532 and previous 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. 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 Hudson's Hope Volunteer Fire Department shall now be known as Hudson's Hope **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**, on recommendation of the membership of the **Fire & Rescue Service**.
- d. The **Fire & Rescue Service** is authorised to provide the following services:
 - i. Assistance Response;
 - ii. Investigation of fires to determine cause and prevent recurrence, if possible;
 - iii. Delivery of fire and life safety education programs to the community, its residents and businesses;
 - iv. Fire and life safety inspections of all hotels and public buildings for compliance with the **Fire Code** and this bylaw.
 - v. Plans review of all new construction for comment on fire and life safety issues.
 - vi. Response to the Hudson's Hope Airport (CYNH) for aviation incidents with standard structural firefighting apparatus and training.
 - vii. Services within the **District** and outside the **District**, when contemplated by an **aid agreement**.

11. Fire Chief

- a. The **Fire Chief** shall report to the **District's** Chief Administrative Officer, and shall be responsible for administering this Bylaw, for the management, control and supervision of the **Fire & Rescue Service** and its **members** and for the care,

Fire Protection & Life Safety Bylaw 775

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 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 any thing 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 **District** 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 **District** closed when he deems it necessary to protect life and property;
 - x. collect and disseminate information in regard to fires in the **District**;
 - xi. provide, advise and make recommendations to other officers and employees of the **District**, to **Council**, and to the public, in accordance with any applicable **District** 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;

Fire Protection & Life Safety Bylaw 775

- 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** 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 **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 **District's** jurisdiction. The primary **Incident Commander** shall be the Officer 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

Fire Protection & Life Safety Bylaw 775

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 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
- 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 **District's** buildings and the liability of the **District** 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**.

Fire Protection & Life Safety Bylaw 775

- 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. The 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 section 11(b)(viii) and 11(b)(ix) and posted around the **District**.

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 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 if he deems it in the best interest of the **District** 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 limits

Fire Protection & Life Safety Bylaw 775

- 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**. Persons who drive 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.

Fire Protection & Life Safety Bylaw 775

- d. If an owner of vacant **premises** fails to bring the **premises** into compliance with this Bylaw within twenty-four (24) hours of receiving a notice under Subsection 26(c), or if the **Fire Chief** or **member** is unable to contact the owner within twenty-four (24) hours of finding vacant **premises** in an unsecured state, the **Fire Chief** may cause the **premises** to be secured by **District** 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 2 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 **District** without first having obtained a burning permit from the **Fire Chief** or his designate.
- b. A permit as required in subsection (a) is not required for the following:
 - i. Burning refuse 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 an **Officer**, a **Fire Inspector**, a Bylaw Officer; a Peace Officer, or an employee of the BC Forest Service.
- 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.

Fire Protection & Life Safety Bylaw 775

- 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 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 **Public Works Department** to do so.
- c. No person shall tamper with, or otherwise use in a non-permitted fashion, any component of the **District** water system without authorization under Section 29(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

Fire Protection & Life Safety Bylaw 775

- 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 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

Fire Protection & Life Safety Bylaw 775

- 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 33(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 **District**, at the fee rates specified in Schedule "A", for the cost to the **District** 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 **District** the applicable fee for each such false alarm in accordance with Schedule "A".
- 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

Fire Protection & Life Safety Bylaw 775

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 must pay the applicable fee prescribed in Schedule "A". 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

- a. 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 **District**, as deemed necessary by the **Fire Chief**.

PART 9: Emergency Access and Evacuation

43. Fire Safety Plan

Fire Protection & Life Safety Bylaw 775

- 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 a **Fire Inspector**.

46. Street Addressing

- a. Every **owner** of real property in the **District** shall ensure that **District** assigned street addresses are displayed in accordance with the following requirements:



Fire Protection & Life Safety Bylaw 775

- i. the civic address the **District** 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 direction 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 **District** 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 **District'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** or a **Fire Inspector** 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

Fire Protection & Life Safety Bylaw 775

- 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 the **Fire Chief**, who may uphold the order, vary or set aside the order of a **Fire Inspector**, or issue an alternative order.
- e. Every order issued by the **Fire Chief** or a **Fire Inspector** 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 **District** 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;

commits 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. 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 *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

[Signature]

Fire Protection & Life Safety Bylaw 775

- ii. re-inspection of **premises** after an order has been issued under this Bylaw.

File Search Fee

- b. 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 **District** 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 **District** 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 54(a), are the sole responsibility of the owner or occupier.

56. Mutual Aid Cost Recovery

- a. When, because the **District's Fire & Rescue Service** does not have the particular equipment or personnel required to deal with an **incident** on lands located within the **District**, and Mutual Aid Fire Services are provided to the said lands, the **District** 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 **District** 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 **District** 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 **District** is authorized or required to provide work or services to lands or improvements, and the costs incurred by the **District** in carrying out such work or services are not paid when due and payable, the **District** 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.



Fire Protection & Life Safety Bylaw 775

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. District of Hudson's Hope Volunteer Fire Department Establishment and Regulation Bylaw No 532, 1997

Read for a First Time on the 13th day of October, 2009

Read for a Second Time on the 27th day of January, 2010

Read for a Third Time on the 27th day of January, 2010

Adopted on the 8th day of February, 2010

_____

Mayor

_____

Clerk



Fire Protection & Life Safety Bylaw 775

Schedule “A”

Fees

Violation or Action Description	Section	Fee
Standby Crew at Special Effects or Pyrotechnics Event	17(a)	Apparatus costs
Driving over Equipment	23	\$200
Allowing a fire to get out of control through inadvertence	28(e)	\$200
Lighting an Open Air Fire without a permit	28(f)	\$200
Tampering with the District’s water supply system	31(b)	\$500
Attendance - false alarm –contact person not arriving within 30 minutes after alarm – per hour or portion of hour	35(d)(ii)	Apparatus costs
Attendance - false alarm – 2 nd false alarm in 12 months	37(a)	\$ 150
Attendance - false alarm – 3 rd and subsequent false alarms in 12 months	37(a)	\$ 500
Attendance - false alarm – monitoring agency not notified or agency notified fire service in error	38(a)	\$ 200
Re-Inspection or follow-up to an order, first	51(a)	\$ 50
Re-inspection or follow-up to an order, second and subsequent	51(a)	\$ 100
Special Inspection Fee	51(a)	\$ 50
File Search Fee	52(a)	\$ 100
Fire Investigation Fee (incidents over \$5000 property loss)	54(a)	\$500 per day or portion
Nuisance fire investigation, response & abatement	55(a)	Apparatus costs
Mitigation, clean-up, transport, disposal of dangerous goods	55(b)	Apparatus costs

Schedule "A" (Continued)

Cost Recovery Charges

Violation or Action Description	Section	Fee
Replacement of Contaminated Equipment	16(a)	Actual costs
Standby Crew at Special Effects or Pyrotechnics Event	17(a)	Actual costs for equipment replaced
Repair/Replacement of Firefighting Equipment	23	Actual costs
Repair/Replacement of City Water Supply Equipment	31(b), (c)	Actual costs
Vacant premises – securing premises	26(d)	Actual costs
Damaged building – securing premises	27(a)	Actual costs
Work not performed in violation of order	48(f)	Actual costs
Nuisance fire investigation, response & abatement	55(a)	Actual costs
Mitigation, clean-up, transport, disposal of dangerous goods	55(b)	Actual costs
Scene Security Costs	56(b)	Actual costs

Fire Protection & Life Safety Bylaw 775

Schedule "B"

Apparatus and Personnel Costs

Type 1 Engine	\$ 272.00/hr
- <i>Engine 1</i>	
Type 3 Engine - Quick Attack Vehicle	\$ 219.00/hr
- <i>Engine 2</i>	
Type 2 Engine	\$ 245.00/hr
- <i>Engine 4, 5</i>	
Command Vehicle (<i>Bush Patrol Rate</i>)	\$ 69.00/hr
- <i>Command 3</i>	
Chief Officer (<i>Incident Commander Rate</i>)	\$59.00/hr
- <i>Fire Chief, Deputy Chief, Assistant Chief</i>	
Officers (<i>Structural Branch Directors Rate</i>)	\$ 43.00/hr
- <i>Captain, Acting Captain, Safety Officer</i>	
Firefighters (<i>Volunteer Firefighter Rate</i>)	\$33.00/hr