



# **THE CORPORATION OF THE CITY OF PORT COQUITLAM**

## **BYLAW NO. 3562**

### ***A Bylaw to provide for Fire Protection matters within the City***

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***Whereas pursuant to the Community Charter, the Fire Services Act and other legislation, Council may provide for Fire Protection matters for the City;***

***Now therefore Municipal Council of The Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:***

#### **1. CITATION**

This Bylaw may be cited for all purposes as the “Fire and Emergency Services Bylaw, 2006, No. 3562”.

#### **2. INTERPRETATION**

##### **2.1 DEFINITIONS:**

In this Bylaw:

“**Access Route**” means a private road, driveway, lane or portion of a yard, which has been provided for access by Fire Department Vehicles or Equipment in accordance with the British Columbia Building Code;

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

“**Apparatus**” means any Vehicle provided with machinery, Equipment, or materials for Fire Protection, and any Vehicle used to transport personnel or supplies;

“**Assistance Response**” means:

- a) first response to medical emergencies by the use of an automatic external defibrillator, cardiopulmonary resuscitation, spinal management and other first responder assistance;
- b) first response to accidents, whether natural or man-made disasters, escapes of poisonous or noxious materials or other hazardous material Incidents, or other circumstances that have caused or may cause harm to persons or property; and
- c) rescue operations.

**“Approved”** means Approved by an Officer as being in compliance with this Bylaw;

**“Assistant Fire Chief”** means a person appointed as an assistant to the Fire Chief;

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

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

**“City”** means the Corporation of the City of Port Coquitlam;

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

**“Council”** means the Council of the Corporation of the City of Port Coquitlam;

**“Deputy Fire Chief”** means a person appointed by Council as second in command to the Fire Chief;

**“Department”** means the Port Coquitlam Fire and Emergency Services Department;

**“Fire Protection”** means all aspects of fire safety, including but not limited to, Fire Prevention, fire fighting or suppression, pre-fire planning, fire investigation, training, staff development and advising on fire safety matters;

**“False Alarm”** means any Alarm, regardless of how caused, necessitating a response by the Department where a fire or emergency does not exist;

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

**“Fire Chief”** means the person appointed by Council as head of the Department;

**“Fire Code”** means the British Columbia Fire Code, enacted by B.C. Regulation 318/2003, under the *Fire Services Act*, as amended or replaced from time to time;

**“Firecrackers”** means small Low Hazard Fireworks or small High Hazard Fireworks with entwined fuses used solely as noisemakers, and not for pyrotechnic effect, including, without limitation, bottle rockets and screechers;

**“Fire Protective Services Division”** means the division within the Department responsible for fire and hydrant inspections, fire cause determination and fire arson investigations and activities exercised in advance of the outbreak of fire to help prevent loss of life and property due to fire;

**“Fire Protective Services Officer”** means a Member of the Department, assigned to the Fire Protective Services Division and authorized in writing by the Fire Chief to be a Local Assistant to the Fire Commissioner;

**“Fire Safety Plan”** is a set of emergency procedures and guidelines to be followed in the event of a fire in a Building;

**“Fireworks”** means manufactured goods intended to be used for pyrotechnic effect that are classified by the Canada Explosive Regulations as Low Hazard Fireworks for recreation (Class 7.2.1) such as firework showers, fountains, golden rain, lawn lights, pinwheels, volcanoes and sparklers;

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

**“Garage”** means a Building, or any portion of any place or premises used as a place of business for the purpose of maintaining, fueling, keeping, repairing, or demolishing Vehicles;

**“High Hazard Fireworks”** means manufactured goods intended to be used for pyrotechnic effect that are classified by the Canada Explosive Regulations as High Hazard Fireworks (Class 7.2.2), but does not include Firecrackers;

**“Incident”** includes any emergency or non-emergency call that the Department is requested to attend;

**“Low Hazard Fireworks”** means manufactured goods intended to be used for pyrotechnic effect that are classified by the Canada Explosive Regulations as Low Hazard Fireworks for recreation (Class 7.2.1) such as firework showers, fountains, golden rain, lawn lights, pinwheels, volcanoes and sparklers, but does not include Firecrackers;

**“Member”** means any person appointed by the Fire Chief as a Member of the Department and includes without limitation the Officers, Firefighters, and administrative staff of the Department;

**“Movie/TV Pyrotechnics”** means any Low Hazard Fireworks or High Hazard Fireworks utilized at a movie or television production;

**“Mutual Aid”** means the provisions of services to a person, including the Provincial Ministry of Forests, pursuant to a Mutual Aid agreement between the City and that person;

**“Occupant”** includes the registered owner and/or any lessee, tenant and licensee of any Building or premises;

**“Officer”** means a Member appointed by the Fire Chief as an Officer or captain of the Department, but nothing in this Bylaw makes such persons Officers for the purpose of section 146 of the *Community Charter*;

**“Officer in Charge”** means the Fire Chief or, in his absence, the senior ranking Officer or Member of the Department who is present at the location of an Incident;

**“Public Services”** means public information, education and prevention programs, as they relate to fire safety, public safety, and emergency preparedness for the City and its communities;

**“Roman Candles”** means a ground level firework that is capable of projecting or discharging a charge or a series of charges or pyrotechnical effects more than three (3) metres and which has a tube size of ¾” or less;

**“Sprinkler System”** includes all equipment forming part of or used in connection with an automatic fire Sprinkler System, including without limitation, all heads, valves, piping, switches, sensors, relay Apparatus, and other accessories;

**“Standpipe System”** means an arrangement of piping, valves, hose connections, and allied equipment installed in a Building or structure, for the purpose of extinguishing a fire, thereby protecting a Building or structure and its contents in addition to protecting the Occupants;

**“Trade Waste”** means waste and abandoned materials resulting from the operation of an industry or business including paper, boxes, packing cases, wrapping material, sweepings, and all flammable materials of a like nature;

**“Underground Tank”** means a tank installed wholly or partly under the surface of the ground and used or intended for the storage of flammable or Combustible Liquids or gases;

**“Vehicle”** includes all types of motor Vehicles, farm tractors, and mobile machinery, or any other self-propelled machinery.

## 2.2 INTERPRETATION

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

In the event of a conflict between this Bylaw and the *Fire Services Act* or the Fire Code and any regulations thereunder, the provisions of the Act shall prevail.

## 2.3 ADOPTION OF B.C. FIRE CODE

The substantive regulations (but not the procedural or remedial provisions) of the Fire Code are hereby adopted and made part of this Bylaw such that every provision of the Fire Code shall be considered a provision of this Bylaw.

## 3. FIRE AND EMERGENCY SERVICES DEPARTMENT

### 3.1 ESTABLISHMENT

There is established and continued in the City a Department to be known as “Fire and Emergency Services Department.”

### 3.2 ADMINISTRATION

The Fire Chief is authorized to administer this Bylaw.

### 3.3 REFERENCES TO FIRE CHIEF

All references in this Bylaw to the Fire Chief include the Deputy Fire Chief and Assistant Fire Chiefs acting on the Fire Chief's behalf or during the absence of the Fire Chief.

### 3.4 POWERS OF FIRE CHIEF

- a) The Fire Chief may 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 a fire.
- b) The Fire Chief may take measures to prevent and suppress fires, including the demolition of Buildings and other structures to prevent the spreading of fires.
- c) The Fire Chief may require an owner or occupier of real property to undertake any actions directed by the Fire Chief for the purpose of removing or reducing anything or condition that the Fire Chief considers is a fire hazard or increases the danger of fire.
- d) The Fire Chief may exercise all of the powers of the fire commission under section 25 of the *Fire Service Act*, and for these purposes that section applies.

### 3.5 SCOPE OF DEPARTMENT

The Department is empowered to provide:

- a) Fire Protection;
- b) Assistance Response;
- c) Public Services;
- d) Mutual Aid; and
- e) Emergency Preparedness Program.

### 3.6 LIMITS OF JURISDICTION

The Department may provide services outside the boundaries of the City:

- a) Pursuant to a written agreement providing for the supply of emergency equipment and personnel outside the City's boundaries; or
- b) When approval for an extra-territorial activity has been given by the Council or Chief Administrative Officer (CAO); or
- c) When extra-territorial assistance is required by Provincial Emergency Response Personnel.

### 3.7 PREVENTION, CONTROL AND ENFORCEMENT

The Department may take all necessary measures for the prevention, suppression, control and extinguishment of fires, for mitigating the effects of dangerous goods Incidents and for the protection of life and property, including rescue operations and the administration of first aid.

- a) The Fire Chief or any Officers or Members may exercise the powers provided by the *Fire Services Act* and they may enforce the *B.C. Fire Code* and any City bylaws and regulations for the prevention and suppression of fires. The Fire Chief may charge for the use of fire services and auxiliary equipment and personnel.
- b) The Officer in Charge at an Incident may order the removal of any Vehicle, material, chemical, or other matter or thing which impedes the mitigation of, or may worsen, an Incident.
- c) The Officer in Charge at an Incident may establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by the Officer in Charge.
- d) No person shall enter the boundaries or limits of an area prescribed in accordance with Section 3.7(c) unless authorized to enter by the Officer in Charge.
- e) The Officer in Charge at an Incident may direct or caused to be directed vehicular and pedestrian traffic as necessary for the control of the Incident.
- f) No person at an Incident shall impede, obstruct, or hinder a Member or other person assisting or acting under the direction of the Officer in Charge.
- g) No person at an Incident shall drive a Vehicle over any equipment without permission of the Officer in Charge.

### 3.8 SPRINKLER SYSTEM OPERATIONS

When a Building equipped with a Sprinkler System is being demolished, the Sprinkler System shall be maintained in operation subject to sequential elimination, until demolition work is completed.

### 3.9 CONTAMINATION AND REPLACEMENT OF EQUIPMENT

The Fire Chief may charge an owner or Occupant of a premise a fee, in accordance with Schedule 1, for the replacement or repair of the Departmental equipment where as a result of an Incident at their premises, such equipment has been damaged or contaminated by a hazardous substance or dangerous good and will require decontamination, repair or replacement.

### **3.10 FIRE INVESTIGATION INFORMATION REQUESTS**

The Fire Department may charge a fee to any person seeking information on Fire Investigations as regulated by the *Freedom of Information and Protection of Privacy Act*.

### **3.11 FIRE INVESTIGATION FEE COST RECOVERY**

For every Incident where damage is in excess of \$5,000 and for which a Fire Investigation and Fire Investigation report must be completed by the Fire Chief or an Officer designated by the Fire Chief in accordance with the Fire Services Act, a charge or fee for the investigation shall be levied against the owner of the structure where the damage occurred, in accordance with Schedule 1. This section does not apply unless the person who prepares the Fire Investigation report concludes that the fire resulted from an action or condition of the premises that violates any enactment.

## **4. FIRE PREVENTION REGULATIONS**

### **4.1 ACCUMULATION OF COMBUSTIBLES**

No owner or occupier of property shall permit any accumulation on the property of combustible growth, waste or rubbish of any kind, which is liable to catch fire and endanger persons or property.

All growth, waste or rubbish of any kind which is liable to catch fire and endanger persons or property, shall be removed by the owner or Occupant, of the property on which the growth is located.

### **4.2 ACCUMULATION OF DAILY COMBUSTIBLES**

Every owner or Occupant of any Building or property who makes, stores, uses, or has charge or control of any shavings, excelsior, rubbish, sacks, bags, litter, straw, waste-paper, paper boxes or any other flammable material, shall at the close of business on each day cause all such material to be compactly baled or stacked in a safe manner, or stored in non-combustible receptacles having tight fitting, non-combustible lids, which lids shall be kept closed at all times except when refuse is being placed in the containers.

### **4.3 STORAGE OF COMBUSTIBLE MATERIALS**

Every owner or operator of a business shall provide a non-combustible container with a self-closing lid, to store cleanup rags or shop towels for products subject to spontaneous combustion, until safely removed from the Building. Lids are to be kept closed at all times except when refuse is being placed in the containers.

### **4.4 ENDANGER TO LIFE AND PROPERTY - FLAMMABLE, COMBUSTIBLE, EXPLOSIVE OR ACCUMULATION**

Whenever any flammable, combustible or explosive material or any accumulation of waste materials or refuse of a nature liable to catch fire is situated as to endanger life or property, or to obstruct ingress or egress from a Building, or where a condition exists which is otherwise a fire hazard, an Officer may order the owner or Occupant of the property to immediately have such substance or accumulation or condition removed or otherwise dealt with as may be ordered by the Officer.

If an Order under this section is not complied with, section 19 of this Bylaw applies.

#### **4.5 FIRE DOORS OR FIRE SEPARATION DEVICES**

Where fire doors or fire separation devices are installed in any Building to prevent the spread of fire within the Building, the owner and occupier of the Building shall at all times keep and maintain those doors and devices in good repair and efficient working order.

#### **4.6 QUANTITY & STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS**

At no time shall an owner or occupier store more than 25 litres of a flammable or Combustible Liquid in a portable container(s) on any property. Flammable or Combustible Liquids shall be stored in accordance with the BC Fire Code.

#### **4.7 REFUSE CONTAINERS**

An owner of a Building used for apartment, commercial, industrial or assembly occupancies shall provide refuse containers that are non-combustible and placed not less than five (5) metres from any combustible construction or material or any unprotected Building openings and if the refuse container is stored in an enclosure, the enclosure shall be provided with a noncombustible top or ceiling.

#### **4.8 SIGNAGE FOR COMBUSTIBLE LIQUIDS**

Every owner and Occupant of an area of land or a Building where Combustible Liquids are stored, received, or dispensed shall post "NO SMOKING" signs as described in the B.C. Fire Code.

#### **4.9 CLEANING WITH COMBUSTIBLE LIQUIDS**

No person shall use flammable or Combustible Liquids which could endanger life or property for the purposes of cleaning within any Building.

#### **4.10 FUEL TANKS**

Each operator of a Garage or service shall remove all fuel within the fuel tank of a Vehicle located within a Building prior to any adjustments or relocation of the fuel tank.

#### **4.11 FIRE EXTINGUISHERS**

The owner of a business shall provide and maintain in good working order at least one Approved portable fire extinguisher, available and accessible for emergency use, which the fire extinguisher must comply with NFPA 10 and ULC standards.

#### **4.12 SERVICE STATION ATTENDANTS**

Each operator of a service station shall ensure that all service station attendants have successfully completed a fire safety-training program prior to dispensing of any fuel.

#### **4.13 OUTDOOR STORAGE OF TIRES**

- a) Each owner of property on which tires are stored must store tires such that:
  - (i) the tires on that property do not exceed one accumulation with maximum dimensions of 6' high x 50' long x 15' wide,
  - (ii) the accumulation of tires has open aisles wide enough to facilitate trenching and Fire Fighter access.

- b) Each owner of property on which tires are stored outdoors shall install a security fence around the property sufficient to prevent unauthorized entry.

## **5. OPEN AIR BURNING**

### **5.1 OPEN AIR BURNING PROHIBITION**

Except as specifically allowed under this Bylaw, no person shall light, ignite, start or burn any fire in the open air or in any portable incinerator, outdoor fireplace or other portable appliance or device in the open air for any purpose.

If this section is not complied with, the owner of the premises must pay immediately, upon receipt of an invoice from the City, all fees for any attendance by the Department at the premises as calculated under Schedule 1. Failure for the owner to pay the fee will result in those costs being added to the property taxes of the premises.

### **5.2 EXEMPTIONS TO OPEN AIR BURNING PROHIBITION**

#### **5.2.1 FIRE DEPARTMENT**

Notwithstanding any other provision of this Bylaw, the Department may burn Buildings, structures, or other materials for the purpose of training its personnel or for the purpose of elimination of hazards or any other purpose.

#### **5.2.2 OUTDOOR COOKING**

Notwithstanding Section 5.1, outdoor cooking of foods in barbecues or grills using propane, natural gas or charcoal is permitted.

#### **5.2.3 A1 AGRICULTURAL**

Notwithstanding Section 5.1, outdoor burning by lighting, igniting, starting or maintaining any outdoor fire of any kind within the City, during daylight hours, to allow orchard, berry, and vineyard pruning generated on site on properties zoned A1 Agricultural to be burnt is permitted, provided that a Burning Permit is obtained under Section 5.3.

#### **5.2.4 CAMPFIRES**

Notwithstanding Section 5.1 burning in the open air, wood for campfires is permitted if a Burning Permit is obtained under Section 5.3.

### **5.3 BURNING PERMITS**

- a) Council hereby delegates to the Fire Chief the power to issue or refuse to issue Burning Permits and to establish conditions and restrictions for Burning Permits (except that no Burning Permit for A1 Agricultural property shall be issued for a period of time exceeding fifteen [15] days). Without limitation, the Burning Permit may regulate:
  - (i) the location of a fire;
  - (ii) the dates and times a fire may be maintained;
  - (iii) the maximum area occupied by a fire;
  - (iv) the materials to be burned in a fire;
  - (v) precautions to be taken in connection with the fire.
- b) The owner or occupier of a property may apply for a Burning Permit upon paying the permit fee specified in Schedule 1. The fee is for inspection of a property to ensure all permit requirements are made. Signing of permit is made at that time.

- c) The holder of a Burning Permit shall comply with this Bylaw and other applicable bylaws and all terms and conditions set out in the Burning Permit.
- d) No person to whom a Burning Permit has been issued may burn Trade Waste, tires, animal carcasses, oil, tar, asphalt, shingles, battery boxes, plastic materials, or any similar material which may produce heavy black smoke, on or in any fire.
- e) Every holder of a Burning Permit shall place a competent person in charge of the fire at all times and shall provide that person with sufficient equipment to prevent the fire from getting beyond control or causing damage or becoming dangerous. A fire shall be considered out of control when it spreads beyond the boundaries of the parcel of land on which it was started, or threatens to do so, or when it endangers any person, Building or property.
- f) At any time the Fire Chief may on account of hazardous fire conditions cancel or suspend a Burning Permit or may impose further conditions and restrictions.
- g) The Fire Chief may suspend or cancel a Burning Permit for the failure of the permit holder to comply with a term or condition of the Burning Permit or the failure of the permit holder to comply with this Bylaw.

## **6. FIREWORKS**

### **6.1 FIREWORKS REGULATIONS**

- a) No person may possess for purposes of re-sale or distribution, offer for sale, store, distribute or sell:
  - (i) Low Hazard Fireworks,
  - (ii) High Hazard Fireworks, or
  - (iii) Firecrackers.
- b) Subject to subsections (6.2) and (6.3), no person shall possess for purposes of use, use, set off, explode or discharge:
  - (i) Low Hazard Fireworks,
  - (ii) High Hazard Fireworks, or
  - (iii) Firecrackers.

### **6.2 EXEMPTION TO FIREWORKS REGULATIONS**

Subsection 6.1(b) does not apply if a person has received a Fireworks Permit from the Fire Chief to use, set off, explode or discharge any Low Hazard Fireworks, High Hazard Fireworks or Firecrackers for religious, ceremonial, celebratory or business related purposes. The applicant for a Fireworks Permit must pay the permit fee specified in Schedule 1. When issuing a Fireworks Permit, the Fire Chief may impose any and all conditions, which he deems necessary to provide for the protection of persons and property. The person to whom a Fireworks Permit is issued is responsible for ensuring compliance with all provisions contained in the permit and this Bylaw.

### **6.3 FIREWORKS PERMIT REQUIREMENTS**

Before a Fireworks Permit is issued, the registered owner of the property must be the applicant for the Permit or must have provided written consent to the applicant to seek such a permit.

### **6.4 LIGHTING OF FIREWORKS**

No person shall point or direct a Low Hazard Firework, a High Hazard Firework or a Firecracker at any person, animal, structure, Vehicle or other object where the Low Hazard Firework, High Hazard Firework or Firecracker is in the process of being used, set off, exploded or detonated.

### **6.5 HIGH HAZARD AND MOVIE PYROTECHNICS FIREWORKS PERMITS**

The Fire Chief may issue a Pyrotechnics Permit to light or explode High Hazard Fireworks or “Movie Pyrotechnics” to a person who is over the age of eighteen (18) years and who has a valid certification as required by the Department of Energy, Mines & Resources, Canada, Explosives Branch provided that the applicant pays the fee specified in Schedule 1, meets all the requirements of this Bylaw and first:

- a) Submits a copy of the Explosive Resource Division Event approval.
- b) Submits a Fire Safety Plan in a form acceptable to the Fire Chief and a site plan, drawn to scale with the direction of firing, separation distances, position of ramps and mortars, any significant ground features, rights of way, Buildings or structures, overhead obstructions, parking areas or spectator viewing areas, fallout zone, north arrow, traffic control plans and location of emergency Vehicles.
- c) Submits an event description, including a time schedule of the event, attendance estimates, lists of Fireworks to be used, firing procedures, emergency response procedures and a list of crew Members.
- d) Submits proof acceptable to the Fire Chief that the applicant holds either a valid Supervisors Level 1 card or, for unconventional sites as defined by the Explosive Regulatory Division, a valid Supervisors Level 2 card, issued by the Explosive Regulatory Division, Department of Energy, Mines & Resources, Canada.

### **6.6 PYROTECHNICS PERMIT REQUIREMENTS**

Every Pyrotechnics Permit must:

- a) Specify the Fireworks that the permit holder is authorized to light or explode.
- b) Specify the day and the hours on which, and the description of the property or place where the Fireworks may be discharged and used.
- c) Include a Fire Safety Plan specific to that permit.

## 6.7 APPLICANT REQUIREMENTS

Every holder of a Pyrotechnics Permit must:

- a) Present the Pyrotechnics Permit to the seller of the High Hazard Fireworks.
- b) Light or explode only those Fireworks specified in the Pyrotechnics Permit.
- c) Light or explode the Fireworks only in accordance with the terms of the Pyrotechnics Permit.
- d) Light or explode the Fireworks only in accordance with the Approved Fire Safety Plan.
- e) Ensure that the Fireworks are only lit or exploded under his or her direct supervision and responsibility.
- f) Ensure that the use, handling, discharge, sale, possession and storage of the Fireworks conforms in every respect to the regulations made under the *Explosives Act of Canada*, the Fireworks manual as published by the Explosives Branch of Canada, and this Bylaw.

## 6.8 FIRE PROTECTION AT MOVIE/TV PYROTECHNICS

Fire Protection required at a Movie Pyrotechnics display shall be an amount as Approved by the Fire Chief or designate with consideration to the minimum staffing requirements as reviewed at the site for the appropriate life safety and emergency resource needs.

## 7. SECURING VACANT PREMISES

### 7.1 DUTY OF OWNER

Every owner of a permanently vacant or unoccupied premises must ensure the premises is made and kept secure against unauthorized entry or occupation by one or more of the following methods:

- a) affixing structural barriers to windows and other points of ingress using materials and installation effective to preclude entry;
- b) installing security fencing or other perimeter barriers;
- c) installing a security lighting system so long as such lighting does not impact any neighbouring properties; or
- d) employing security or guard patrols on a frequent and periodic basis.

### 7.2 REQUIREMENT BY OFFICER

If an Officer finds vacant or unoccupied premises, which are accessible, contrary to Section 7.1 the Officer may contact the owner of the premises and inform the owner that the premises must be secured against unauthorized entry.

### **7.3 NON-COMPLIANCE BY OWNER**

If an owner fails to bring the premises into compliance with Section 7.1 within 24 hours of receiving notice to do so, the Officer may have the premises secured by a contractor who may board up or otherwise secure doors, windows and other points of entry into the premises in order to prevent fires.

### **7.4 ORDER FOR SECURITY**

The owner of a fire-damaged Building shall ensure that the premises are guarded or that all openings of the Buildings are kept securely closed and fastened so as to prevent the entry of unauthorized persons. If the owner fails to provide the necessary security to the fire damaged Building within a reasonable time, then the Fire Chief or designate may have the work performed at the expense of the owner.

### **7.5 FEE OF BOARDUP**

If action is taken in default under Section 7.3 or 7.4 of this bylaw, the City may recover the expenses incurred from the owner, together with costs and interest at the rate of the *Taxation (Rural Area) Act*, in the same manner as City taxes.

### **7.6 FEES FOR ATTENDANCE**

Every owner of a vacant or unoccupied premise in violation of Section 7 must pay immediately, upon receipt of an invoice from the City, all fees for inspections in accordance with Schedule 1. Failure for the owner to pay the fee will result in those costs being added to the property taxes of the premises.

## **8. INSPECTION OF PREMISES**

Pursuant to section 16 of the *Community Charter*, City officials and employees may enter on property to inspect and determine whether all regulations, prohibitions and requirements are being met, all in accordance with the provisions of section 16 of the *Community Charter*.

### **8.1 FAILURE TO PROVIDE ACCESS FOR FIRE INSPECTION**

Where an owner or Occupant has been notified of an inspection to be conducted under this bylaw or any other enactment relating to fire safety, the owner or Occupant must attend at the premises at the date and time specified in the notice to provide access for an inspection. If the owner or Occupant does not attend on the inspection date, without explanation in advance, a fee will be charged for that inspection attempt and each additional inspection attempt required in accordance with Schedule 1. Failure for the owner or Occupant to pay the fee will result in those costs being added to the property taxes of the owner of the property.

## **8.2 AUTHORIZATION TO ENTER**

Every Officer may enter, at all reasonable times, on every property which is subject to this bylaw, to:

- a) ascertain whether this Bylaw is being observed; and
- b) inspect premises for conditions which may cause a fire or increase the danger of a fire or increase the danger to persons.

## **8.3 OBSTRUCTION**

No person shall obstruct or interfere with the Fire Chief or an Officer designated by the Fire Chief while they are carrying out any inspection pursuant to this Bylaw, the Fire Code or the Fire Services Act.

## **8.4 PROVISION OF INFORMATION**

Every Occupant of premises shall provide all information and shall render all assistance required by the Fire Chief or an Officer designated by the Fire Chief in connection with the inspection of such premises pursuant to this Bylaw, the Fire Code and the Fire Services Act.

## **8.5 FALSE INFORMATION**

No person shall withhold or falsify any information required by the Fire Chief or an Officer designated by the Fire Chief or in connection with a permit issued under this Bylaw or refuse to assist in the carrying out of any inspection pursuant to this Bylaw, the Fire Code or the Fire Services Act.

## **9. FREQUENCY OF INSPECTIONS**

### **9.1 TABLE OF OCCUPANCY & FREQUENCY OF INSPECTIONS**

The Department shall conduct inspections of the following classes of premises (or occupancies) at least as frequently as is set in the following table.

**Occupancy Class**  
**Description**  
**Frequency**

A-1	Assembly Occupancies Performing Arts	Yearly
A-2	Assembly Occupancies Art Galleries, Libraries Courtrooms	Yearly
A-2	Assembly Occupancies Churches	Every 6 months
A-2	Assembly Occupancies Schools	Every 6 months
A-2	Assembly Occupancies Restaurants, Community Halls	Yearly
A-3	Assembly Occupancies Arena, Swimming Pools	Every 6 months
B-1	Institutional Occupancies, with detention or restricted facilities, jails etc	Yearly
B-2	Institutional Occupancies, Requiring special treatment - Hospitals	Every 6 months
B-2	Institutional Occupancies, Requiring special treatment - Rest Homes, Group Homes	Every 6 months
C	Apartments, Hotels, Motels, Rooming Houses, Licenced Guest Houses	Every 6 Months
D	Business occupancies and Professional Services, Banks, Offices	Yearly
E	Mercantile Occupancies, Retailers	Yearly
F-1	Occupancies with High Hazard and Flammable materials	Every 6 months
F-2	Industrial with Medium hazard content	Yearly
F-3	Industrial Occupancies with Low Hazard	Yearly

**9.2 INSPECTION FEE**

If there are any violations under the B.C. Fire Code, Fire Services Act or this Bylaw while performing an inspection as set out in the above chart, an Officer will write an Order requesting the violation(s) be corrected within a defined time period and will advise of a return date for a re-inspection to ensure correction(s) is made. If the Order for Deficiencies has not been complied with upon the re-inspection, a fee will be charged for that re-inspection and each additional re-inspection if required in accordance with Schedule 1. Failure for the owner or Occupant to pay a fee will result in those costs being added to the property taxes of the owner of the property.

## **10. REFERENCE REQUIREMENTS**

### **10.1 OCCUPANCY REFERENCE REQUIREMENTS**

The owner or Occupant of a premise having either a Fire Alarm System or a Sprinkler System, monitored or non-monitored, is required to establish contact persons by submitting on a form Approved by the Fire Chief, yearly or on a change in reference contacts, the names and phone numbers for three persons (“contact persons”) who will be available to attend, enter and secure the premise. The form, which can be obtained from the Department, must contain the written consent of the persons to act as contact persons.

### **10.2 FAILURE TO PROVIDE CONTACT PERSON INFORMATION**

Failure to comply with the requirements in Section 10.1 will result in a fee being levied against the owner or Occupant for any standby time at a premise where an Alarm has resulted and the Department has attended and where a contact person has not attended within the required time as specified in Section 10.3. Failure of the owner or Occupant to pay will result in those costs being added to the property taxes of the owner of the property.

### **10.3 RESPONSIBILITY OF CONTACT PERSONS**

A contact person must attend all Alarms within 45 minutes when requested by the Department and must attend and contact the Officer in Charge.

### **10.4 CHANGES TO DESIGNATED CONTACT PERSONS**

Any changes to designated contact persons or their phone numbers during the current year must be submitted to the Department on the specified form as Approved by the Fire Chief.

### **10.5 FULL ACCESS FOR CONTACT PERSONS**

Contact persons must have full access to the Building for which they have been designated as a contact person and be able to take control of the Building on completion of the Incident.

## **11. FIRE & EMERGENCY SERVICE ACCESS REQUIREMENTS**

### **11.1 FIRE SAFETY PLAN REQUIREMENTS AND REVIEW**

All Buildings, sites, storage areas or other areas as required by the Fire Code shall have a Fire Safety Plan. Measures within a Fire Safety Plan shall conform to the Fire Code and shall be produced and submitted to the Department for review. All Fire Safety Plans shall be submitted in a manner that is acceptable to the Fire Chief. All owners or Occupants of occupancies where a Fire Safety Plan is required shall review their Fire Safety Plans annually and submit updated plans to the Department for review. A fee will be charged for review of the Fire Safety Plan in accordance with Schedule 1.

## **11.2 ADDRESSING OF OCCUPANCIES**

Each owner of property, whether or not there is a Building on the property, must ensure that the property is individually addressed with the address assigned by the City. An individual address must be placed on new or existing Buildings or structures in such a position as to be plainly visible and legible from the street, road, fire lane, or other right of way or easement and at the front of the structure. If the property is vacant, the address must be as close as possible to the access entrance. The address must be conspicuous and legible from a distance of 15 metres.

### **11.2.1 SIZING OF ADDRESSES**

The letters or numbers of any addresses shall be a minimum of 5 inches in height and no less than ½" in a width stroke.

### **11.2.2 COLOUR OF ADDRESS LETTERING**

The letters or numbers shall be of a colour in contrast with any background colour of the Building.

## **12. FIRE ALARM AND SPRINKLER SYSTEM ACTIVATION**

### **12.1 MAINTENANCE OF FIRE ALARM AND SPRINKLER SYSTEMS**

Each owner or occupier of Buildings or premises shall ensure the fire Alarm and Sprinkler Systems are maintained and tested in conformance with the B.C. Fire Code Regulations.

### **12.2 RETAINMENT OF RECORDS**

Records of service testing and maintenance of a Fire Alarm System or Sprinkler System must be retained on site by the owner.

### **12.3 CORRECTION OF DEFICIENCIES**

When the Department attends a premises where a Fire Alarm System or a Sprinkler System or call for emergency response is requested without proper cause, the occupier of the premises shall immediately correct the deficiencies to the Fire Alarm System and Sprinkler System.

### **12.4 COST RECOVERY FOR FAILURE TO NOTIFY**

The owner, Occupant or lessee of any occupancy containing a fire Sprinkler System or a Fire Alarm System shall be charged a fee in accordance with Schedule 1 for any False Alarm activated following a failure to notify the Department prior to service, testing, repair, maintenance, adjustment or alterations, or installation of the system, which would result in an emergency response. Failure of the owner or Occupant to pay will result in those costs being added to the property taxes of the owner of the property.

## **13. HYDRANTS, HOSE AND STANDPIPES**

### **13.1 HYDRANTS**

- a) No person shall install or permit any obstruction within one (1) metre of a hydrant or Standpipe System.

- b) No person may attach anything to a hydrant or Standpipe System and unauthorized attachments may be removed by the Department.
- c) The owner of every Building which is equipped with a Sprinkler System shall install a fire hydrant within 45 metres of each Department connection to the Sprinkler System.
- d) Excepting employees of the City acting within the scope of their duties, no person shall make use of standpipes or hydrants without first obtaining a permit from the City's Engineering Department.
- e) No person shall park within five (5) metres of a Fire Hydrant.

### **13.2 PRIVATE HYDRANTS**

- a) Each owner of property on which a private hydrant is located must ensure that the private hydrant conforms to all standards set out in the BC Building Code.
- b) Each owner of a property on which a private hydrant is located shall not less than once a year have all components of the hydrant inspected, serviced and tested by a qualified technician and submit the results to the Department.
- c) Each owner of a property on which a private hydrant is located shall maintain the hydrants so that they are capable of providing the flow and pressure of water for which they were designed and the owner shall submit a copy of the service record to the Department.
- d) During installation, servicing or repairs of a private hydrant or if the hydrant should be temporarily out of service or at the time of any other condition affecting fire safety, such as low water volumes or low water pressure, the owner of the property shall immediately notify the Department in writing.

### **13.3 FIRE HOSE**

No person shall stand, walk on, or drive over a hose belonging to the Department or be within nine (9) metres of a hose line.

## **14. EMERGENCY ACCESS**

### **14.1 EMERGENCY ACCESS TO BUILDINGS**

To allow for the access of emergency Vehicles, each owner and occupier of property must ensure that Access Routes to Buildings on that property are unobstructed at all times.

### **14.2 DURING CONSTRUCTION PHASES**

Each owner and occupier of property on which construction is occurring must ensure that Access Routes are unobstructed and have a surface condition suitable for the access of emergency Vehicles.

### 14.3 SECURITY GATES

No person may install a gate across a fire lane or other assemblies used to secure primary or secondary Access Routes unless the installation has been Approved by the Fire Chief PRIOR to installation.

### 14.4 SIGNAGE

Each owner of property shall ensure that all Access Routes to Buildings on that property have "NO PARKING - FIRE LANE" signs permanently posted at each entrance and at intervals not less than ten (10) metres apart.

## 15. FUEL DISPENSING STATIONS / UNDERGROUND TANKS

### 15.1 REGULATION

No person shall operate a fuel dispensing station or install any storage tank or pump, or measuring device, used or intended to be used, for the purpose of dispensing Flammable Liquids or Combustible Liquids unless that person has a Fuel Dispensing/Underground Tank Permit from the City.

- a) Council hereby delegates to the Fire Chief the power to issue or refuse to issue Fuel Dispensing/Underground Tank Permits and to establish conditions and restrictions for Fuel Dispensing/Underground Tank Permits.
- b) The owner or occupier of a property may apply for a Fuel Dispensing/Underground Tank Permit upon paying the permit fee specified in Schedule 1.

### 15.2 APPLICATION

Every person applying for a Fuel Dispensing/Underground Tank Permit shall:

- a) state the name, address and telephone number of the applicant and contractor;
- b) state the location of the proposed installation;
- c) provide two copies of specifications and scaled plans showing:
  - (i) the location of storage tanks in relation to adjacent tanks, Buildings, fuel dispensing devices, property lines and fencing;
  - (ii) the location of all the major piping, valves, pumps and associated appurtenances;
  - (iii) the location of the fuel dispensing system;
  - (iv) the location of existing and proposed Buildings;
  - (v) the size, capacity and use of the storage tanks to be installed;
  - (vi) the standard to which the storage tanks have been constructed;
  - (vii) the type and trade names of the pumps and measuring devices to be installed.
- d) The holder of a Fuel Dispensing/Underground Tank Permit holder shall comply with this Bylaw and other applicable bylaws and all terms and conditions set out in the Fuel Dispensing/Underground Tank Permit.

- e) At any time the Fire Chief may on account of hazardous fire conditions cancel or suspend a Fuel Dispensing/Underground Tank Permit or impose further conditions and restrictions.
- e) The Fire Chief may suspend or cancel a Fuel Dispensing/Underground Tank Permit for the failure of the permit holder to comply with a term or condition of the Fuel Dispensing/Underground Tank Permit or the failure of the permit holder to comply with this Bylaw.

### **15.3 AUTHORIZATION OF COVERAGE**

No person shall cover any storage tank, associated piping or appurtenances without first obtaining written authorization from a Member of the Department.

## **16. PERMITS**

### **16.1 TIMELINE OF PERMITS**

Any permit issued pursuant to this Bylaw authorizing work to be done shall be void and of no effect if the work is not commenced within the time stated within the permit.

### **16.2 LOCATION OF PERMIT**

A permit issued pursuant to this Bylaw shall be valid only for the location for which the permit has been issued.

## **17. UNDERGROUND PARKING AREAS**

### **17.1 STORAGE OF FLAMMABLE AND COMBUSTIBLE PRODUCTS**

The owner of each property must not store flammable and combustible products in underground parkades unless they are contained in a room specifically designed for such storage.

### **17.2 ALTERATIONS - EXIT DOORS**

No person shall alter any exit door from an underground parking area unless a Member of the Department gives authorization for the alteration.

### **17.3 LOCKING DEVICES – EXIT DOORS**

The owner of each Building shall not install locking devices on any exit doors from an underground parking area except in accordance with the BC Building Code.

## **18. PENALTIES AND ENFORCEMENT**

### **18.1 VIOLATION OF BYLAW**

Every person who violates any provision of this Bylaw is guilty of an offense punishable on summary conviction and shall be liable to a fine of not less than \$500.00 and not more than \$10,000.00 or to imprisonment for not more than six (6) months or both.

Each offence under the preceding section shall be deemed to be a continuing, new and separate offence for each day during which the offence continues.

**18.2 MUNICIPAL TICKETS/SCHEDULE 1**

This Bylaw is enforceable by Municipal Ticket Information pursuant to the Ticket Information Utilization Bylaw, 1992, No. 2743 and/or by Fees/Charges/Cost Recovery as outlined in Schedule 1 of this Bylaw as amended

**18.3 POSTED NOTICE**

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

**18.4 IMPERSONATION**

No person shall falsely represent that he or she is a Member of the Department.

**18.5 ENTRY ON DEPARTMENT PROPERTY**

No person shall enter on any premises occupied by the Department, without the permission of the Fire Chief or an Officer of the Department.

**19. COST RECOVERY**

- a) Wherever this Bylaw imposes a requirement on a person that something be done, Council may, by resolution, direct that the person take the action and then provide written notice of the resolution to the person. If, after receiving written notice, the person does not take the action within the time permitted in the resolution, the City staff may:
  - (i) fulfill the requirement at the expense of the person, and
  - (ii) recover the costs incurred from that person as a debt.
- b) Any debt resulting from section 19.a may be recovered pursuant to s. 258 of the *Community Charter*.

**20. SEVERABILITY OF PROVISIONS**

If any section, subsection or clause of this Bylaw is declared or held to be invalid by a court of competent jurisdiction, then that invalid portion will be severed and the remainder of this Bylaw will be deemed to have been enacted and adopted without the invalid and severed section, subsection or clause.

21. **REPEAL**  
“Fire Department Establishment Bylaw, 1997, No 2967” and “Fire Protective Services Bylaw, 2002, No. 3351” are hereby repealed.

*Read a first time by the Municipal Council this 10<sup>th</sup> day of October, 2006.*

*Read a second time by the Municipal Council this 10<sup>th</sup> day of October, 2006.*

*Read a third time by the Municipal Council this 10<sup>th</sup> day of October, 2006.*

*Reconsidered, finally passed, and adopted by the Municipal Council of The Corporation of the City of Port Coquitlam this 19<sup>th</sup> day of October, 2006.*

S.W. YOUNG  
*Mayor*

S. RAUH  
*Corporate Officer*

Record of Amendments

<u>Bylaw No.</u>	<u>Amendments</u>	<u>Date</u>
3654	Schedule 1	2008 11 24

# SCHEDULE 1

## PERMITS:

Burning Permit	5.3(b)	\$25.00 non-refundable
Fireworks Permit	6.2	\$20.00
High Hazard or Movie Pyrotechnics Fireworks Permit	6.6	\$150.00 + GST
Fuel Dispensing/Underground Tank Permit	15.1(b)	\$100.00 + GST

## FEES AND CHARGES:

Fire Prevention Bylaw, No. 3562	SECTION		
Contamination and replacement of damaged equipment, hazardous material, or dangerous goods.	3.9	Equipment replacement cost as follows:	
		• Level A Kappler Hazmat Responder Chemical Suits	\$1,230.00
		• Level B Kappler CPF 3 Chemical Suits	\$144.00
		• Level C Kappler CPF 2 Chemical Suits	\$48.00
		• Safety Boots, Tingley NFPA Hazproof	\$140.40
		• Safety Boots NFPA Firefighting Rubber	\$150.00
		• Safety Boots NFPA Firefighting Leather	\$330.00
		• Nitrile Chemical Protective Gloves	\$3.30
		• Neoprene Chemical Protective Gloves	\$3.60
		• PVC Chemical Protective Gloves	\$3.30
		• Butyl Chemical Protective Gloves	\$36.00
		• Viton Chemical Protective Gloves	\$120.00
		• Leather utility work gloves	\$13.20
		• Leather NFPA Firefighting Gloves	\$90.00
		• Chem Tape	\$16.80
		• Barricade Tape	\$14.40
		• 8 mil Poly Tarp	\$28.80
		• Overpack Drum Containment System	\$373.20
		• Drain Covers Neoprene	\$31.80
		• Pelican 4000 Kinglites (Trucks)	\$145.20
		• Pelican Stealthlites (Firefighter)	\$44.73
		• Coveralls Nomex	\$285.00
		• Angus 1¾" Fire Hose	\$408.00
		• Angus 2½" Fire Hose	\$733.82
		• Akron Assault Nozzle	\$734.06
		• Hazmat Transfer Pump	\$270.00

	3.9 cont'd	<ul style="list-style-type: none"> <li>• Hazardous Goods Trailer \$12,000.00</li> <li>• Orion Multi Gas Detector \$5,160.00</li> <li>• Floor Dry \$13.80</li> <li>• Industrial Universal Sorbant Pads 2'x2' (Bale) \$72.00</li> <li>• Industrial Solvent Sorbant Pads 2'x2' (Bale) \$109.20</li> <li>• Industrial Universal Sorbant Pads 2'x2' (Bale) \$84.00</li> <li>• Industrial Oil Sorbant Booms (Bale) \$138.60</li> <li>• Industrial Solvent Booms (Bale) \$138.00</li> <li>• Industrial Universal Booms (Bale) \$162.00</li> <li>• 4' Diameter Decon Pools PVC \$23.99</li> <li>• Lion Rocky Mtn Commando Turnout \$1,786.80</li> <li>• NFPA Firefighters Helmet \$270.00</li> <li>• PBI, Balaclava hood \$48.00</li> <li>• 1hr Scott 4.5 SCBA \$4,554.00</li> <li>• Ska Pak Confined Space Escape pack \$2,136.00</li> <li>• Air systems C/S ventilation system \$5,040.00</li> </ul> <p>Failure to pay results in costs being applied to the property tax of the owner, as Approved by the Fire Chief.</p>	
Fee charged where fire damage is in excess of \$5,000.00.	3.11	\$500.00 per fire investigation invoiced to the owner/ insurance company. Any charges not paid shall be levied as a tax against the property assessment for the following year.	
Unlawful burning	5.1	<p>Fee for response due to non-compliance with respect to sections 5.1.</p> <ul style="list-style-type: none"> <li>a) Engine(s) - \$600.00 per hour/unit/Incident</li> <li>b) Quint(s) - \$1315.00 per hour/unit/Incident</li> <li>c) Rescue(s) - \$540.00 per hour/unit/Incident</li> <li>d) Special operation &amp; trailer(s) - \$360.00 per hour/unit/Incident</li> <li>e) Duty Chief(s) - \$180.00 per hour/unit/Incident.</li> </ul> <p>Fee based on time spent for response/investigation by Fire Protective Services Personnel due to non-compliance with respect to section 5.1.</p> <ul style="list-style-type: none"> <li>a) Fire Protective Services Captain(s) \$150.00 per hour/unit/incident.</li> </ul> <p>An Administration fee of 15% will be added to the rates above.</p> <p>Any failure to pay results in costs being applied to the property tax of the owner.</p>	

Fire Prevention Bylaw, No. 3562	SECTION	
Fee charged for providing Fire Protection at movie or TV productions as required.	6.9	Current fire equipment and staffing cost recovery as Approved by the Fire Chief.
Fee for Board Up	7.5	<p>Basic call-out: \$300.00</p> <p>Additional openings:</p> <ul style="list-style-type: none"> <li>• Small window or door \$100.00</li> <li>• Large window or patio door \$150.00</li> <li>• Garage door \$200.00</li> </ul> <p>After hours &amp; weekends \$450.00</p> <p>Additional openings:</p> <ul style="list-style-type: none"> <li>• Small window or door \$125.00</li> <li>• Large window or patio door \$185.00</li> <li>• Garage door \$250.00</li> </ul> <p>All prices are subject to GST If power is not available at site, an additional charge of \$75.00 per call-out will apply</p> <p>Security fence installation: \$1.20 per ft</p> <ul style="list-style-type: none"> <li>• Installation labour \$250.00</li> <li>• Minimum charge for installation \$125.00</li> <li>• Minimum charge for additional trips \$1.00 per ft</li> <li>• Remove or reinstall \$125.00</li> <li>• Minimum charge for reinstall \$150.00 each</li> <li>• Damaged or missing panels</li> </ul> <p>All taxes extra</p>
Fees for Attendance and Inspections	7.6	<p>Fee for initial inspection if determined by an inspector that the parcel is a vacant property - \$250.00</p> <p>Each time the City by its Officers, employees, Police Department, contractors, or agents enters on a Parcel to inspect, in the exercise of the City's authority to regulate, prohibit or impose requirements under this Bylaw or another enactment or to attend at the Parcel under section 7, the Owner must pay the City a fee of:</p> <p>a) \$500.00 per inspection</p> <p>b) an additional \$500.00 for a subsequent inspection undertaken if the Owner or occupier has failed to undertake action ordered by the Fire Chief, Council, or a person authorized under the bylaw to order the action;</p> <p>\$500.00 for a Special Safety Inspection.</p>
Failure to Provide Access for Fire Inspection	8.1	\$75.00 per occurrence. Failure to pay results in costs being applied to the property tax of owner.

Fire Prevention Bylaw, No. 3562	SECTION	
Inspection Fee Cost Recovery	9.2	\$75.00 per occurrence. Failure to pay results in costs being applied to the property tax of owner.
Failure to provide contact information	10.2	Fee for emergency response due to contact person not in compliance with respect to section 10.3 a) Engine(s) - \$600.00 per hour/unit/Incident b) Quint(s) - \$1315.00 per hour/unit/Incident c) Rescue(s) - \$540.00 per hour/unit/Incident d) Duty Chief(s) - \$180.00 per hour/unit/Incident.
Review of Fire Safety Plan	11.1	\$100.00 + GST
Failure to notify of testing, repair, maintenance, adjustment, or alteration of Alarm system.	12.4	\$500.00 per Incident. Failure to pay results in costs being applied to the property tax of owner.