

## TOWN OF SIDNEY

### BYLAW NO. 1627

#### A BYLAW TO PROVIDE FOR FIRE REGULATION

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The Council of the Town of Sidney, in open meeting assembled enacts as follows:

##### **Section 1 Citing**

This Bylaw may be cited as "**Town of Sidney Fire Regulation Bylaw No. 1627**".

##### **Section 2 Scope**

- 2.1 The regulations of the current British Columbia Fire Code, *British Columbia Fire Services Act*, British Columbia Building Code, National Fire Prevention Association Standards and the Town of Sidney Bylaws shall apply to all work falling within the scope of the bylaw.
- 2.2 This bylaw applies to all existing buildings within the Town of Sidney.

##### **Section 3 Application**

- 3.1 As well as the following application listed below, this bylaw applies to buildings or structures that are listed in the *Fire Services Act* and the British Columbia Fire Code Scope and Definition Sections.
- 3.2 This bylaw applies where the whole or part of a building is located either within or into the Municipality.
- 3.3 When a building is damaged by fire, earthquake or other causes, the British Columbia Fire Code shall apply to the work necessary to correct the unsafe conditions.
- 3.4 When an unsafe condition exists in or about a building, this bylaw and all other appropriate regulations and bylaws, and the current British Columbia Fire Code shall apply to the work necessary to correct the unsafe conditions.

##### **Section 4 Definitions**

- 4.1 The words and terms in this bylaw shall have the meaning prescribed in the British Columbia Fire Code and the *Fire Services Act*.

*"Authority having Jurisdiction"* - means to governmental body responsible for the enforcement of any part of these requirements, or the official designated by that body to exercise such a function.

"Town" - means the Town of Sidney.

## **Section 5 Prohibitions**

- 5.1 No person shall prevent or obstruct or attempt to prevent or obstruct entry of the Authority having Jurisdiction at all reasonable times on any property to make an assessment or inspection for any purpose under this bylaw.
- 5.2 No person shall knowingly submit false or misleading information regarding a fire investigation or inspection.
- 5.3 No owner of a public building or hotel as defined in the *Fire Services Act*, or an occupier of premises in a public building, to the extent of the premises that is occupied by the occupier, shall:
- (a) Allow a public building or hotel to be occupied in excess of the maximum occupant load as posted by the Local Assistant Fire Commissioner.
  - (b) Allow the premise to operate without providing and maintaining proper exit hardware on exit doors in accordance with the B.C. Fire Code.
  - (c) Allow the premise to operate without providing and maintaining exits and emergency lighting in accordance with the B.C. Fire Code.
  - (d) Allow the premise to operate without maintaining and inspecting portable fire extinguishers by qualified in accordance with B.C. Fire Code.
  - (e) Allow the premise to operate without maintaining and inspecting fire alarm and voice communication systems by qualified personnel in accordance with the B.C. Fire Code and forwarded the certificates of inspection and maintenance to the Fire Department forthwith upon receipt.
  - (f) Allow the premise to operate without maintaining and inspecting private fire hydrants by qualified personnel in accordance with the B.C. Fire Code.
  - (g) Allow the premise to operate without maintaining and inspecting the automatic fire extinguishing system by qualified personnel in accordance with the B.C. Fire Code and forward the certificates of inspection and maintenance to the Fire Department forthwith upon receipt.
  - (h) Allow the premise to operate without maintaining the fire separations and fire stopping in accordance to the B.C. Building Code.
  - (i) Allow a fire hazard to exist.

(j) Obstruct a Fire Hydrant.

5.4 The owner of any building, or occupier shall notify the Fire Department immediately of the occurrence of fire in the building.

## **Section 6 Responsibilities of the Owners**

6.1 Every owner shall allow the Authority having Jurisdiction to enter any building or premise at any reasonable time for the purpose of administering and enforcing this bylaw.

6.2 Every owner or occupant shall allow entry of the Fire Department to fight any fires or any dangerous conditions that might occur on the property.

6.3 Burning within the Town of Sidney is not permitted. Residential waste, construction site, demolition site, land-clearing and beach fire burning are prohibited.

(a) Special permits for fires at community events, such as Halloween, July 1st, etc. may be issued at the discretion of the Fire Chief or Fire Prevention Officer.

(b) The Fire Department shall be permitted to use controlled fires for the purposes of training and demonstrations

## **Section 7 Responsibility of the Authority having Jurisdiction**

7.1 The Authority having Jurisdiction is responsible for the administration and enforcement of these requirements.

7.2 The Authority having Jurisdiction shall keep copies of all applications, orders issued, inspections and tests made and of all paper and documents connected with the administration of these requirements.

7.3 The Authority having Jurisdiction shall answer such relevant questions as may be reasonable with respect to the provisions of these requirements when requested to do so.

7.4 The Authority having Jurisdiction shall issue in writing such notices or orders as may be necessary to inform the owner where a contravention of this bylaw exists.

## **Section 8 Powers of the Authority having Jurisdiction**

8.1 The Authority having Jurisdiction may enter any property or premises at any reasonable time for the purpose of administering or enforcing this bylaw, or if there is reason to believe an unsafe condition exists.

8.2 The Authority having Jurisdiction may order:

- (a) A person who contravenes this bylaw to comply with the bylaw within the time period specified.
  - (b) The cessation of any occupancy if an unsafe condition exists because of dangerous hazards on the property.
  - (c) Correct of any unsafe condition.
- 8.3 The Authority having Jurisdiction may direct the owner to provide information from a professional person when it is felt that a design component is not correct.
- 8.4 The Authority having Jurisdiction shall carry out fire and safety inspections in accordance to the following schedule:
- (a) Hotels, Schools, Theatres, Skating Rink } twice annually with  
Dancing Halls, Churches, Licensed Beverage} approximately six months  
Establishments (other than Restaurants) } between inspections
  - (b) Restaurants, Retail Shops, Offices, Service }  
Stations, Marinas, Industrial Establishments, } annually  
Government Buildings. }

**Section 9 Offenses and Penalties**

- 9.1 No person shall do, act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 9.2 Every person who, without lawful excuse, contravenes this bylaw by willfully doing any act which it forbids or omitting to do any act which it requires to be done, is guilty of an offense and is liable, on summary conviction, to a fine under the *Offense Act*. A separate offense shall be deemed to be committed upon each day during and in which the contravention occurs or continues.
- 9.3 The penalties imposed under the previous section, shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw.

**Section 10 Repeals**

- 10.1 10.1 That “Town of Sidney Fire Regulation Bylaw No. 1321” and all of its amendments are hereby be repealed.

Introduced and read a first time the	12 <sup>th</sup> day of June, 2000.
Read a second time the	12 <sup>th</sup> day of June, 2000.
Read a third time the	12 <sup>th</sup> day of June, 2000.
Reconsidered and finally adopted the	26 <sup>th</sup> day of June, 2000.

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**MAYOR**

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**CORPORATE ADMINISTRATOR**