

SQUAMISH-LILLOOET REGIONAL DISTRICT

BYLAW NO. 1110, 2008

A BYLAW TO REGULATE FIRE PROTECTION SERVICES THROUGHOUT THE SQUAMISH-LILLOOET REGIONAL DISTRICT

Pursuant to Local Government Act, RSBC 1996, Chapter 323, (the "Act") the Board of the Squamish-Lillooet Regional District, in open meeting assembled, enacts as follows:

Citation

1. This bylaw may be cited as "SLRD Fire Protection Services Regulation Bylaw No. 1110, 2008".

Definitions

2. In this bylaw:

- (a) "Barbeque" means an outdoor cooking appliance fueled by propane, natural gas or charcoal;
- (b) "Board" means the Board of the Squamish-Lillooet Regional District;
- (c) "Camp Fire" means an outdoor fire for cooking, warmth, or ceremonial purposes, maintained within a Fire Pit;
- (d) "Code" means the British Columbia Fire Code, as amended;
- (e) "Dangerous Goods" has the same meaning as "Hazardous Materials" and means any product, substance or organism which is of a highly combustible and flammable, or explosive nature, all as set out in the Transport of Dangerous Goods Act, RSBC 1996, Chapter 458, and any other material which, because of its toxic or other inherent characteristics, constitutes a fire hazard or a hazard to life, safety or health;
- (f) "Fire Chief" means the Fire Chief appointed by the Board for each fire protection service area and includes any person authorized in writing by him to carry out a function under this bylaw;
- (g) "Fire Pit" means an enclosure or surround of non-combustible material no larger than one (1) meter in diameter;
- (h) "Fire Protection Service Area" or "Service Area" means the area of a fire protection service as defined in a Fire Protection Service Establishment Bylaw of the SLRD, or any amendments thereto or amalgamations thereof;

- (i) "Hazardous Materials" means "Dangerous Goods";
- (j) "Incident" means a fire or a situation where a fire or an explosion is perceived to be imminent, or a situation where a hazard to persons or property exists or is perceived to be imminent;
- (k) "Officer in Command" means the senior Fire Department member present;
- (l) "Permit" means a document issued pursuant to this Bylaw authorizing a person to carry on a procedure or undertaking under certain & specific conditions;
- (m) "Person" includes any firm or corporation;
- (n) "Regional District" means The Squamish-Lillooet Regional District and the area within its corporate boundaries;
- (o) "Regional Fire Department" means any fire protection service established by the SLRD pursuant to the Act, whether staffed by volunteers, paid on-call firefighters, or full-time professional firefighters, and for greater certainty, specifically excludes a fire department established by a member municipality;
- (p) "SLRD" means the Squamish-Lillooet Regional District.

PART 1: REGIONAL FIRE DEPARTMENTS

Adoption of British Columbia Fire Code

3. The National Fire Code of Canada, 1995, and amendments thereto, as adopted by the Government of British Columbia, is hereby adopted and forms a part of this Bylaw.

Establishment of Regional Fire Departments of the SLRD

4. Regional Fire Departments of the SLRD are hereby established and shall be known by the names specified in Schedule "A" attached hereto and forming part of this Bylaw. Each Regional Fire Department shall be responsible for the corresponding Service Area Boundaries referred to in Schedule "A", in accordance with the pertinent Service Establishment Bylaws listed therein.

Application of Bylaw to All Regional Fire Departments of the SLRD

5. This Bylaw is applicable to each Regional Fire Department referred to in Schedule "A" unless specifically excluded, in whole or in part, by a subsequent bylaw of the SLRD.

Authorization

6. Each Regional Fire Department is authorized and directed to:

(a) protect human lives, including those of its own members;

(b) protect property, including taking all proper measures to prevent, control and extinguish fires; and

but is limited to the parameters of this Bylaw and shall respond only to the extent and level to which its members have been trained.

7. No Regional Fire Department shall respond to any call for assistance outside the limits of its Fire Protection Service Area unless:

(a) in the opinion of the Officer in Command, fire threatens persons or property within the Service Area;

(b) there is a Mutual Aid agreement in place for the area to which a response has been requested;

(c) the request has been made pursuant to the Emergency Programs Act; or

(d) there is a rural area protocol for response established by the SLRD.

Appointment of Fire Chief

8. Each Regional Fire Department shall have a Fire Chief appointed by the Board.

General Powers and Duties of the Fire Chief

9. The Fire Chief shall manage, control and supervise the Regional Fire Department, take care, custody and control of all buildings, apparatus and equipment of the Regional Fire Department and be responsible for:

(a) making, amending or repealing such rules and regulations for the proper and efficient administration and operation of the Regional Fire Department, including the appointment, discipline and, subject to the requirements of this Bylaw and any policies adopted by the Board, the training and education requirements of its officers and members;

(b) assisting the Regional District with the efficient administration of the Regional Fire Department including estimating the annual operating costs of the Regional Fire Department for the forthcoming year, noting the actual costs for the current year and providing a nominal roll of all officers and members in a form and on the date required by the SLRD Director of Finance;

(c) keeping accurate records for the maintenance of equipment, apparatus and buildings, and for the attendance of all members at practices and fires, including a complete report regarding any fire attended;

(d) submitting a report immediately to the District in the case of an injury to any member of the Regional Fire Department, or in the case of any major breakages, shortages or deficiencies in supplies, equipment, and apparatus;

(e) rendering advice and making recommendations to the Board as he or she may deem advisable.

(f) ensuring the protection of life and property and the taking all proper measures to prevent, control and extinguish fires;

(g) investigating, recording and disseminating information in regard to the cause of all fires in his or her Service Area.

PART 2: FIRE PROTECTION AND LIFE SAFETY

Evacuation

10. If an emergency arising from an Incident causes the Fire Chief to perceive a serious danger to life or property or of a public panic, he or she may immediately take any steps deemed advisable to cause persons to be removed from the Service Area and may order the evacuation of a building or area and may call upon the Police for assistance and security in the evacuated area.

Vacant Buildings

11. The owner of any vacant building shall at all times, ensure that the premises are free from debris and flammable substances and shall keep all openings in such a building securely closed and fastened so as to prevent the entry of unauthorized persons.

Fire Damaged Buildings

12. The owner of any fire damaged building shall ensure that the premises are guarded or that all openings in the building are kept securely closed and fastened so as to prevent the entry of unauthorized persons.

Access to Fire Hydrant

13. No person shall place or maintain any object or matter on a sidewalk or street which interferes with free access or approach to any fire hydrant.

Duty of Owners, Occupiers and IPPs

14. Any owner or occupier of real property in the District shall remove any matter or thing situated in or on any building or premises which, in the opinion of the Fire Chief, is a fire hazard or increases the danger of fire and shall clean chimneys and flues or other apparatus or things which may, in the opinion of the Fire Chief, if not clean, cause a fire or increase the danger of fire.

15. The owner or operator of any independent power producer (“IPP”) within a Fire Protection Service Area, or within two kilometres of a Service Area, shall routinely and in a timely manner provide the local Fire Chief with a copy of the hazard assessments required under the Wildfire Act, SBC 2004, Chapter 31, and the Wildfire Regulation, B.C. Reg. 38/2005.

False Alarms

16. No person shall, without reasonable cause, make or circulate or cause to be made or circulated, any alarm of fire by outcry, ringing of bells or otherwise.

PART 3: SCENE OF FIRE

Right of Entry

17. The Fire Chief and each member of the Regional Fire Department is authorized to enter into or upon any premises, with or without any necessary equipment or apparatus, from which an alarm of an Incident has been received, or in or upon which such member has reasonable grounds to suspect that an Incident exists, or which is adjacent to the location of an Incident or suspected Incident, with or without permission from the owner or occupier of the premises and may take whatever action or measures they deem necessary to combat, control or suppress an Incident.

18. No person shall refuse to permit the Fire Chief or anyone under the direction of the Fire Chief to enter upon any land or premises for the purpose of making an inspection or investigation:

(a) to inspect for conditions which may cause a fire, increase the danger of a fire or increase the danger to persons, or,

(b) to see that any flammable matter is rendered harmless or suitably safeguarded against fire by requiring:

(i) the erecting of barricades;

(ii) the posting of "no admittance" signs; or

(iii) any other measures deemed necessary by the Fire Chief.

Hindrance

19. No person shall in any way, hinder any member of the Fire Department or any apparatus or equipment or any other person under the direction of the Fire Chief at any Incident or other emergency.

Breaking Blockade

20. Except for the Police and members of the Regional Fire Department, no person shall enter any burning building, fire scene or other restricted area without permission of the Fire Chief.

Demolition

21. In addition to any powers given under this bylaw, the Fire Chief or Officer in Command at a fire may cause any building, structure or thing to be demolished or removed or otherwise deal with a building, structure or thing to suppress and or prevent the spread of fire.

PART 4: CONTROL OF OUTDOOR BURNING

Open Air Fires Not Permitted

22. Except as provided by the Wildfire Act and Regulation, and the Open Burning Smoke Control Regulation, B.C. Reg. 145/93, and any amendments to each, no person shall light, ignite, or maintain any fire or allow or cause any fire to be lit, ignited or maintained in the open air within the District.

Exception for Camp Fires and Barbeques

23. Notwithstanding the foregoing, Camp Fires and Barbeques shall be permitted subject to the following conditions:

- (a) Camp Fires shall be ignited and maintained at least three (3) meters away from standing trees, branches, stumps, slash, wooden structures or other inflammable debris or combustible material;
- (b) No person shall ignite or maintain a campfire greater than one (1) meter in diameter and one (1) meter in height;
- (c) No person shall ignite or maintain a campfire except in a Fire Pit;
- (d) All flammable material shall be removed down to mineral soil or sand for not less than one (1) meter in all directions from the perimeter of the Fire Pit;
- (e) A person igniting a Camp Fire shall ensure an effective means of extinguishing the fire, by water or by smothering with mineral soils, or both, is available immediately adjacent to the Fire Pit at all times while the fire is maintained;

- (f) All Camp Fires must be maintained and supervised at all times by a competent person and shall be completely extinguished by 11 pm;
- (g) Barbeques, whether propane, natural gas or charcoal fueled, must be maintained and supervised at all times by a competent person until completely extinguished.

Hazardous Conditions

24. Notwithstanding the foregoing, where the Fire Chief deems it expedient to do so and where, in his or her consideration, hazardous conditions exist, he or she may cancel or restrict for such time as deemed necessary, any and all outdoor burning of any kind, including Camp Fires and Barbeques.

PART 5: DANGEROUS GOODS

Safe Handling of Dangerous Goods

25. Where the Fire Chief or Officer in Command is satisfied on reasonable and probable grounds that a discharge, emission or escape of Dangerous Goods has occurred and that immediate action is necessary in order to carry out any reasonable emergency measures, he or she shall request that any such response be taken only by persons duly qualified.

Explosion or Potential Explosion

26. It is the duty of the occupier or, if none, of the owner of the property, building, premises, motor vehicle, vessel or railway rolling stock, to report immediately to the Fire Chief when an explosion, discharge, emission, escape or spill of Dangerous Goods occurs and to similarly report to the Fire Chief where the potential for an explosion or a discharge, emission, escape or spill of Dangerous Goods exists by reason of abnormal or unusual circumstances.

PART 6: ENFORCEMENT

Issuance of Order

27. Where the Fire Chief finds that any provision of this Bylaw has been contravened or has not been complied with or has been complied with improperly or only in part or that conditions exist in or upon a building or property and which, in his or her opinion, constitutes a fire hazard or otherwise constitutes a hazard to life and/or property, he or she may make such Order to ensure full and proper compliance with this bylaw or to eliminate the fire hazard and in particular, but without limiting the generality of the foregoing, he or she may:

- (a) issue to the owner or occupier of the building or property such directions as he or she deems necessary to correct the contravention or to ensure compliance with this Bylaw or to remove the hazards, or

(b) make such Orders as he or she deems necessary with respect to any of the matters referred to in this Bylaw.

28. An Order made under this Bylaw shall be in writing and shall be directed to either the owner or occupier of the building or property in respect of which the order is made or to both and for further clarity, owner includes a lessor and occupier includes a lessee.

29. Where any owner or occupier fails to comply with any order under this section, the SLRD may, at the expense of the owner or occupier, cause the condition to be remedied as required by the Fire Chief.

30. Any expenses incurred by the District under section 35 are recoverable in the manner provided by Section 269 of the Local Government Act.

Service of Order

31. An Order made under this Bylaw shall be served by:

(a) causing it to be delivered to the person to whom it is directed, or

(b) sending it by registered mail to the last known property owner, or

(c) posting a copy of it in a conspicuous place on the building or property if the person to whom it is directed cannot be found, is not known or refuses to accept service of the Order.

Removal of Order

32. Where an Order has been posted in accordance with Section 37(c), no person may remove, deface or destroy the order.

Penalties

33. Any person who violates any provision of this Bylaw shall be liable, upon conviction, to the penalties prescribed under the Offence Act, RSBC 1996, Chapter 338.

34. Where any violation continues, each day in which it continues, shall be deemed to be a separate violation for the purposes of a prosecution under this Bylaw.

35. The penalties hereunder shall be in addition to and not in substitution for any other penalty or remedy available under this Bylaw, or Part 6, Division 3 of the Local Government Act, and under the Fire Services Act, the Wildfire Act and Regulation, the BC Fire Code, or at law.

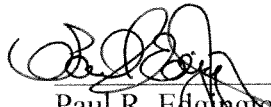
READ A FIRST TIME this 27th day of October, 2008.

READ A SECOND TIME this 27th day of October, 2008.

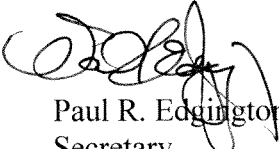
READ A THIRD TIME this 27th day of October, 2008.

ADOPTED this 27th day of October, 2008..


Russ Oakley S. GIMSE
Vice Chair


Paul R. Edgington
Secretary

I hereby certify the foregoing to be a true and correct copy of By-law No.1110, cited as "SLRD Fire Protection Services Regulation Bylaw No. 1110, 2008", as adopted, October 27th, 2008.


Paul R. Edgington
Secretary

SLRD Fire Protection Services Regulation Bylaw No. 1110, 2008

Schedule "A"

Fire Department	Service Area	Establishment Bylaw
Howe Sound East	Portions of Area D	No.1032, 2006
Garibaldi	Portion of Area D	No. 97, 1976