

# THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER

## FIRE PROTECTION BYLAW NO. 4181, 1999

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A bylaw to continue West Vancouver Fire & Rescue,  
define the duties of the Fire Chief and set out fire protection regulations

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient and necessary to provide for fire suppression and prevention services, assistance response in hazardous circumstances, and to authorize the Fire Chief and other persons to take measures for the prevention and suppression of fires, within the municipal boundaries of the District;

NOW THEREFORE the Municipal Council of The Corporation of the District of West Vancouver in open meeting assembled hereby enacts as follows:

### 1. DEFINITIONS

#### 1.1 For the purposes of this Bylaw:

“aid agreement” means an agreement under which the District contracts to provide fire protection and assistance response;

"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, explosions, medical emergencies, floods, earthquakes or other natural disasters, escape of hazardous materials, rail or marine incidents, motor vehicle or other accidents, and circumstances necessitating rescue efforts;

"Community Forester" - means the person or persons employed in that position by the District;

“District” – means The Corporation of the District of West Vancouver;

"Fire Chief" - means the person employed in that position by the District;

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“Fire Department” – means West Vancouver Fire & Rescue;

"fire protection" - means fire fighting or suppression, fire prevention, protection of persons and property by enforcement of fire regulations, and all other aspects of fire safety;

"incident" - means a fire or a situation where a fire or explosion appears to be imminent, or a situation that has caused or may cause harm to persons or property;

"Member" - means any employee of the District appointed by the Fire Chief;

"Member In Charge" - means the senior member at the scene of an incident or the Member that is appointed as such by the Fire Chief;

“service station” - means any premise used for the storing, dispensing or sale of petroleum products;

“solid waste” – means garbage, yard trimmings, or recyclables; and

"West Vancouver Fire & Rescue" - means the District department formerly known as West Vancouver Fire Department, which department is continued under Section 2.1.

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- 1.2 A reference in this Bylaw to a defined position, by name of office or otherwise, also applies to:
- (a) the Assistant Fire Chief,
  - (b) any person designated by Council to act in the place of the person who occupies the position, or
  - (c) any person designated by the Fire Chief to act in the place of the person who occupies the position, to the extent Council has delegated this authority to the Fire Chief.
- 1.3 Unless otherwise defined in this bylaw, any word or expression in this bylaw has the meaning assigned to it in the *Municipal Act* and *Interpretation Act*, or in The British Columbia Fire Code if not defined in the *Municipal Act* or *Interpretation Act*.

## 2. WEST VANCOUVER FIRE & RESCUE

- 2.1 The District department formerly known as "West Vancouver Fire Department" is continued as "West Vancouver Fire & Rescue".
- 2.2 The Fire Chief is the Chief Officer of West Vancouver Fire & Rescue.
- 2.3 West Vancouver Fire & Rescue may provide:
- (a) fire protection, and
  - (b) the delivery of assistance response, only within
  - (c) the District, and
  - (d) areas in respect of which the District has entered into an aid agreement.

## 3. POWERS AND DUTIES OF THE FIRE CHIEF

- 3.1 The Fire Chief is the head and chief administrative officer of West Vancouver Fire & Rescue and is directed to oversee the provision of fire protection and assistance response, the management of West Vancouver Fire & Rescue, and the maintenance of buildings, apparatus and equipment used by West Vancouver Fire & Rescue.
- 3.2 The Fire Chief shall report to the Municipal Manager with respect to management and performance of West Vancouver Fire & Rescue.

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- 3.3 The Fire Chief shall manage, control and supervise West Vancouver Fire & Rescue and for that purpose shall:
- .1 subject to the "West Vancouver Municipal Officials Bylaw No. 3000, 1981" as amended, appoint Members of West Vancouver Fire & Rescue;
  - .2 make rules and regulations for the proper and efficient administration and operation of West Vancouver Fire & Rescue and for the discipline of its officers and Members and may amend or repeal such rules or regulations as the Fire Chief may deem fit or necessary but subject always to the general rules and regulations of the Municipality;
  - .3 be the officer of the District who may administer the enforcement of the British Columbia Fire Code and *Fire Services Act* and all bylaws governing fire protection and assistance response.
- 3.4 The Fire Chief shall establish and implement programs for pre-fire planning, fire investigation, public education and information related to fire protection.
- 3.5.1 If the Fire Chief determines that it is necessary to close an area to prevent or suppress a fire, the Fire Chief may post a notice at or near the entrance to that area stating that the area is closed.
- 3.5.2 If the Fire Chief posts a notice under s. 3.5.1 closing an area, no person may enter the closed area without the prior authorization of the Fire Chief.
- 3.6.1 The Fire Chief may at all reasonable hours enter any premises anywhere in the District or an area where the District has entered into an aid agreement to inspect them and ascertain whether or not any of the following conditions exist:
- (a) the premises are in a state of disrepair that a fire starting in them might spread rapidly to endanger life or property;
  - (b) the premises are so used or occupied that fire would endanger life or property;
  - (c) combustible or explosive material is kept or other flammable conditions exist on the premises so as to endanger life or property;
  - (d) a fire hazard exists on the premises.
- 3.6.2 After an inspection the Fire Chief may in writing order that within a reasonable time, to be set by the order:
- (a) if section 3.6.1(a) applies, the owner remove or destroy the premises, or the owner or occupier repair the premises;
  - (b) if section 3.6.1(b) applies, the owner or occupier alter the use or occupancy of the premises;

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- (c) if section 3.6.1(c) applies, the occupier remove or keep securely the combustible or explosive material or remedy the flammable conditions, and
- (d) if section 3.6.1(d) applies, the owner or occupier remove or take proper precautions against the fire hazard.

#### 4. POWERS OF WEST VANCOUVER FIRE & RESCUE

- 4.1 Fire Chief, or any Member, may
  - (a) on reasonable notice, enter on property for the purpose of fire protection,
  - (b) without notice, in the case of an emergency as determined by the Fire Chief or any person authorized to act in the place of the Fire Chief, enter on property for the purpose of fire protection,
  - (c) on reasonable notice, enter on property that is subject to a direction in, or requirement of, a bylaw to ascertain whether the direction or requirement is being met or the regulations under the bylaw are being observed.
- 4.2 If the Fire Chief or a Member in Charge determines that it is necessary to demolish or remove a building or structure to suppress or prevent the spreading of fire, the Fire Chief or Member in Charge may remove or demolish the building or structure, or may order another person to remove or demolish the building or structure.
- 4.3 The Fire Chief or a Member in Charge may commandeer privately owned property, where he or she determines that the property is necessary to prevent or suppress a fire.
- 4.4 The Fire Chief or a Member In Charge may at his or her discretion post notices establishing boundaries or limits necessary for fire protection and keep unauthorized persons from entering the area within the boundaries or limits.
- 4.5 The Fire Chief or a Member In Charge may extinguish any fire that he or she considers may cause harm to persons or property or that was started in contravention of this Bylaw.

#### 5. REGULATIONS

- 5.1.1 No person at an Incident shall impede, obstruct or hinder a Member or other person assisting or acting under the direction of the Fire Chief or Member in Charge.

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- 5.1.2 The Fire Chief or member in Charge may order a person who is impeding, obstructing or hindering fire protection activities to vacate the area.
- 5.2 No person shall damage, destroy, obstruct, impede or hinder the operation of any West Vancouver Fire & Rescue apparatus.
- 5.3 No person at an Incident shall drive a vehicle over any equipment without permission of the Fire Chief or a Member In Charge.
- 5.4 No person shall falsely represent himself as a Member.
- 5.5 No person shall deposit any combustible debris or flammable material on any public lands (i.e. parks, boulevards or easements).
- 5.6 Every owner and occupier of any building in the District shall at all times keep that building free from debris and flammable material.
- 5.7 The owner of any fire damaged building shall ensure that the premises are guarded and kept safe and secure against further fire or collapse, and that all openings in the building are kept securely fastened to prevent the entry of unauthorized persons.
- 5.8 Service Station Safety
- .1 A person operating a service station shall only employ as attendants persons who:
- .1a are familiar with the emergency procedures and with the operation of all emergency equipment and devices of a service station and have successfully completed a training program in fire safety and prevention designed for service station attendants, approved by the Fire Chief; and
- .2b have received under that program, a certificate of competency and a wallet card evidencing successful completion of the training program.
- .2 A person operating a service station shall post in plain sight the certificate of competency of any attendant working at a service station, and the attendant shall produce the wallet card issued under the program, when so requested by a Member.
- .3 For the purpose of this section, an attendant is a person who serves in any capacity, including an operator or cashier, dispensing fuel at a service station.
- 5.9 Fire Sprinkler and Standpipe Installations or Upgrade
- Every owner of real property shall comply with the following requirements:
- .1 Where a fire sprinkler system or a standpipe system is installed, the Fire Department connection shall be:

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- .1a between 70 cm and 120 cm above the finished ground surface measured at the location of the pipe;
  - .2b secured in a concrete or wooden housing;
  - .3c such that the identification ring is pinned so that the identifying letter is at the top of the ring and
  - .4d the connection must be clear of all obstructions.
- .2 All compressors for dry systems shall be located at least 600 mm off the floor.
  - .3 All electric heaters used in a valve room shall be located at least 600 mm off the floor.
  - .4 The main drain outfall shall terminate in a storm floor drain minimum 150 mm in diameter or at another location approved by the Member or Plumbing Inspector.
  - .5 All inspectors' test connections shall be piped to a drain or other approved location approved by the Member or Plumbing Inspector.
  - .6 In locker storage rooms, where sprinklers are located in the aisles, each locker shall be constructed in such a manner that the clearance between the deflector and the top of the storage must be beyond a radius of at least 18 inches (450 mm) and by using wire mesh or other material approved by the Fire Chief which will permit the sprinkler discharge pattern to penetrate the locker
  - .7 In locker storage rooms where the sprinklers are located within the locker, each locker shall be constructed in such a manner that the clearance between the deflector and the top of the storage must be beyond a radius of at least 18 inches (450 mm) and by using wire mesh or other material approved by the Fire Chief which will not impede the sprinkler discharge pattern.

#### 5.10 Water Supply, Fire Hydrants

- .1 General distribution density of fire hydrants shall be in accordance with the required fire flows for the building to be protected.
- .2 For buildings not provided with a fire sprinkler system, the fire hose lay from the fire hydrant to the building shall not be more than 90 metres;
- .3 For single family dwellings equipped with fire sprinkler systems, the distance from the fire hydrant to the building may be more than the 90 metres, subject to the Fire Chief's approval.

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5.11 Exterior Waste Receptacles and Waste Material

- .1 Every owner of a building with combustible cladding (other than a single or two family dwelling as defined in Zoning Bylaw No. 2200, 1968, as amended) shall ensure that solid waste containers that are used for combustible solid waste are not placed closer than three metres from the building.
- .2 No person shall place combustible solid waste closer than three metres from the building.

5.12 Signs

Every owner of a building (other than a single or two family dwelling as defined in the Zoning Bylaw No. 2200, 1968, as amended) shall comply with the following signage requirements:

.1 Fire Door Signage

All fire doors, that are required to be kept in the closed position, shall have a sign with the words "FIRE DOOR KEEP CLOSED" posted on the side of the door which is visible when the door is in the open position. The letters of the sign must be at least 25 mm high.

.2 Room Identification

All storage and service room doors must be labelled as to their use, e.g. laundry room; electrical room; boiler room; elevator room. The letters of the sign must be at least 25 mm high.

5.13 Storage

Every owner of a building shall ensure that no material or item is stored in locker room aisles, elevator rooms, or any service room.

5.14 Street Address

The owner of real property to which a building number address has been assigned shall place, keep and maintain address numbers on such property, in a conspicuous place that is plainly visible from the street, and such address numbers shall be not less than 75 mm high.

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5.15 Community Forester

- .1 Where the Community Forester determines that there is a fire or a risk of fire in a forest or woodland, the Community Forester is authorized to take the following measures to prevent or suppress the fire:
- (a) order the owner, occupier, or any other person who has contributed or may contribute to the risk of fire to cease any activity that may contribute to the risk of fire;
  - (b) order the owner, occupier, or any other person who has contributed or may contribute to a risk of fire to take specified reasonable actions to prevent or suppress a fire, including, but not limited to, cutting, removing, and demolishing trees, vegetation, buildings and other things;
  - (c) with the consent of the Fire Chief, order that no person enter or be in all or a portion of the forest or woodland without the Community Forester's authorization;
  - (d) enter on private or public forest or woodland and take any reasonable action to prevent or suppress a fire including, but not limited to, cutting, removing, and demolishing trees, vegetation, buildings and other things;

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- .2
- (a) If the Community Forester makes an order under section 5.15.1(a) the owner, occupier, or other person shall cease the activity specified in the order;
  - (b) If the Community Forester makes an order under section 5.15.1(b) the owner, occupier, or other person shall take the actions specified in the order;
  - (c) If the Community Forester makes an order under section 5.15.1(c) no person shall enter or be in the forest or woodland specified in the order without the Community Forester's authorization.

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- .3 Community Forester, or any Member, may:
  - (a) on reasonable notice, enter on property for the purpose of fire protection,
  - (b) in the case of an emergency as determined by the Community Forester or any person authorized to act in the place of the Community Forester, enter on property for the purpose of fire protection,
  - (c) on reasonable notice, enter on property that is subject to a direction in or requirement of a bylaw, to ascertain whether the direction or requirement is being met or the regulations under the bylaw are being observed.

5.16 Outdoor Burning

- .1 Burning for land clearing purposes is prohibited.
- .2 Except as hereinafter provided, no person shall light, ignite or start or allow or cause to be lighted, ignited or started a fire of any kind whatsoever in the open air, or allow such fire to remain unextinguished.
- .3 The Fire Chief, or Member In Charge, may, subject to the terms and conditions set out in Schedule "A" to this Bylaw, issue a permit for "Special Residential Outdoor Burning".
- .4 The Fire Chief may, at his sole discretion, allow open air burning for:
  - .1 fire training exercise;
  - .2 municipal purposes and for trail and forest maintenance in the undeveloped lands, upon inspection and approval by the Community Forester;
  - .3 fires on beaches for special occasions upon approval from Council.
- .5 A permit shall not be required for barbecuing of food by the use of barbecue briquettes, approved propane or natural gas barbecues, provided the fire is contained in a fire resistant container.
- .6 A barbecue or permitted fire which is deemed hazardous, , may be extinguished or removed by order of the Fire Chief or any Member.

6. INTERFERENCE

- 6.1 No person shall prevent or interfere with any action of the Fire Chief or any Member or Community Forester under this Bylaw.

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7. COMPLIANCE

7.1 Every person must comply with every order or direction given by the Fire Chief, member, Member in Charge or the Community Forrester, and, without limiting the foregoing, must comply with an order under the following sections of this Bylaw:

- (a) 3.6.2(a),
- (b) 3.6.2(b),
- (c) 3.6.2(c)
- (d) 3.6.2(d)
- (e) 4.2,
- (f) 5.1.2 and
- (g) 5.16.6.

8. OFFENCE

8.1 Every person who violates any provision of this Bylaw commits an offence and, upon summary conviction, is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than 6 months, or to both.

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9. REPEAL
- 9.1 West Vancouver Fire Prevention Bylaw No. 1496, 1955, as amended, is hereby repealed.
10. TITLE
- 10.1 This bylaw may be cited as "Fire Protection Bylaw No. 4181, 1999".

READ A FIRST TIME on June 28, 1999.

READ A SECOND TIME on July 19, 1999.

READ A THIRD TIME on July 19, 1999.

RESCINDED AT 3<sup>rd</sup> AND 2<sup>nd</sup> READING on June 05, 2000.

AMENDED AND READ A SECOND TIME on June 05, 2000.

READ A THIRD TIME on June 05, 2000.

ADOPTED by the Council on June 12, 2000.

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Mayor

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Clerk

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SPECIAL RESIDENTIAL OUTDOOR BURNING PERMITS

Outdoor burning, on single or two family zoned properties, of dry branches and other dry garden refuse ("burnable waste") may be carried out during the months of January, February and March (Burning Period 1), or the months of November and December (Burning Period 2) in each year pursuant to a permit issued by the Fire Chief.

1. Eligibility to Burn

The occupier of a single or two family residence which, in the sole opinion of the Fire Chief, presents extreme difficulty in the disposing of burnable waste by means other than burning, is eligible to apply for a burning permit for either Burning Period 1 or Burning Period 2.

2. Application For Permit To Burn

The applicant shall apply in writing to the Fire Chief for an eligibility inspection of the property and a burning permit not less than 30 days before the desired Burning Period. Each application shall be accompanied by a non-refundable fee of \$150, whereupon:

.1 The Fire Chief or a designate will inspect the property in the company of the applicant;

.2 The inspection will consider the following factors,

- the quantity of material to be burned;
- the difficulty of vehicular access to the property;
- the space available for the storage of burnable waste awaiting removal or disposal;
- the potential fire hazard created by the stored burnable waste;
- the accessibility of the property for fire fighting personnel and equipment;
- the use, accessibility and proximity of adjacent properties;
- the fire safety factors of the proposed burning site;
- the on-site fire extinguishing equipment;
- the feasibility of composting the material on the property;
- the insurance coverage maintained by the applicant.

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.3 Permit To Burn

.1 On completion of the inspection, the Fire Chief or designate may, if satisfied of the need to burn and the safety and security of the proposed burning site, may issue the permit subject to:

- such conditions as the Fire Chief or designate may feel necessary in the interest of fire safety;
- the permit being valid only between the hours of 9 a.m. and 7 p.m. on the date specified in the permit, which date shall not be a Sunday or statutory holiday;
- the permit being limited to one fire on the property not to exceed 1 cubic metre in size;
- the permit holder obtaining from the Fire Chief or a designate, on the date specified in the permit, confirmation of authority to burn before starting the fire;
- compliance with the GVRD Air Quality Index reading for the North Shore of 0 to 16 inclusive.

.2 The Fire Chief or a designate may suspend a burning permit if, on the date specified for the burn, the wind and weather conditions, or other conditions, are not conducive to fire safety and may validate the permit for another date.

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