

# CITY OF TERRACE

## BYLAW NO. 2260-2022

**"A BYLAW OF THE CITY OF TERRACE FOR PREVENTING FIRES AND THE SPREAD OF FIRES, THE PRESERVATION OF LIFE, AND FOR PROVIDING A REGULAR SYSTEM OF INSPECTING BUILDINGS AND CONTENTS WITHIN CITY BOUNDARIES FOR THE PURPOSE OF FIRE PREVENTION."**

**WHEREAS** the Council of the City of Terrace in open meeting assembled **HEREBY ENACTS** as follows:

### **1.0 DEFINITIONS**

**1.1** *The definitions contained in the Zoning Bylaw of the City of Terrace shall be accepted for interpretation purposes wherever used in this Bylaw. The requirements of the British Columbia Fire Services Act shall apply where applicable. In all cases not specifically covered in this Bylaw, the requirements of the British Columbia Fire Services Act and the British Columbia Fire Code and the requirements of other City of Terrace Bylaws shall apply.*

**1.2** ***"CONTACT PERSON"** means a person who is able to attend a premise within 30 minutes of a request by the fire department or monitoring service provider, has full access to the premises, and is able to secure the premises as directed by the fire department.*

**1.3** ***"FALSE ALARM"** means the activation of a fire alarm system resulting in the direct or indirect notification of the Terrace Fire Department and its resources have been initiated to the address of the fire alarm system where there is no evidence of smoke, damage, or any other visible sign of fire or emergency situation.*

**1.4** ***"FIRE WATCH"** means a fire warning and inspection process within a building that includes the following:*

- *Posting of written notices at all entrances and exits on each floor stating that a Fire Watch is in effect and its expected duration.*
- *An hourly physical inspection of all public areas and building service rooms equipped with a fire alarm detection device.*
- *Notation in an entry book at least every hour of the conditions in the building by the person(s) performing the Fire Watch.*
- *Some provision on site for the person(s) performing the Fire Watch for the making of 911 emergency call(s).*

- *Posting of instructions in the building as to the alerting of all occupants of the building of alternate actions to be taken in case of an emergency.*
- 1.5 *"HOTEL" includes apartment house, boarding house, lodging house, club and building where lodging is provided, other than a private dwelling house.*
- 1.6 *"INCIDENT" means an accident, occurrence or emergency and includes, but is not limited to, a fire, an explosion, a natural disaster, the escape or spill of Dangerous Goods or Hazardous Products, a transportation related accident and circumstances necessitating rescue efforts or medical assistance.*
- 1.7 *"INSPECTOR" means any Terrace Fire member authorized by the Fire Chief to act in such capacity.*
- 1.8 *"MEMBER" means a person employed or retained by or acting voluntarily on behalf of the Terrace Fire Department, including the Fire Chief and all Firefighters.*
- 1.9 *"PREMISES" means every building including private buildings, together with its land and outbuildings.*
- 1.10 *"PROPERTY" means personal property or land, with or without improvements so affixed to the land as to make them in fact and law a part of it, as the context so requires.*
- 1.11 *"PUBLIC BUILDING" includes warehouse, factory within the meaning of the Workplace Act, store, mill, school, hospital, theatre, public hall, office building and any other building other than a private dwelling house.*
- 2.0 **ADOPTION AND APPLICATION OF THE FIRE CODE**
- 2.1 *The British Columbia Fire Code as amended or replaced from time to time, is adopted and made part of this Bylaw, such that every provision of the British Columbia Fire Code shall be considered a provision of this Bylaw. This Bylaw comes into force and takes effect on the date of its adoption by Council.*
- 2.2 *Any person who contravenes, violates, or fails to comply with a provision of the British Columbia Fire Code or this Bylaw commits an offence under this Bylaw and will be subject to a fine as per the City of Terrace Ticket Information Utilization Bylaw.*

### **3.0 CONTINUATION**

- 3.1** *The Fire Department is hereby continued for the purposes of providing fire suppression, fire medical response, fire inspections, fire investigations, public education, fire training, emergency management and rescue services contemplated under this Bylaw.*

### **4.0 ENFORCEMENT AUTHORITY**

- 4.1** *The provisions of this Bylaw shall be enforced by an official appointed by the Council, such official to be known as the Fire Chief. The Fire Chief may delegate the authority conferred on the Fire Chief under this bylaw to a member acting under the authority of the Fire Chief.*

- 4.1.1** *The Fire Chief and any officer, member or other person authorized by the Fire Chief to act on behalf of the Fire Chief, may exercise the following powers under of the Fire Services Act:*

*(a) if an emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief or designate to apprehend imminent and serious danger to life or property, or of a panic, the Fire Chief or designate may immediately take steps to remove the hazard or risk.*

*(b) if the Fire Chief or designate believes that conditions exist in or near a hotel or public building, that, in the event of a fire, natural disaster, or other emergency incident might seriously endanger life or property, the Fire Chief or designate may immediately take action to remedy the conditions to eliminate the danger and may evacuate and close the hotel or public building or any other premises that may be affected by the incident.*

- 4.1.2** *No person shall impede, hinder, or interfere with any Firefighter in the execution of his/her duties or any other person under the direction of any Officer in Command during an inspection or at an incident. To do so is an offence and subject to a fine as per the City of Terrace Ticket Information Utilization Bylaw.*

- 4.2** *No person shall wilfully, by outcry, ringing bells, using a fire alarm, telephone, or in any other manner, make or circulate or cause to be made or circulated an alarm of fire, without reasonable cause thus causing a false alarm. To do so is an offence and subject to a fine as per the City of Terrace Ticket Information Utilization Bylaw.*

**4.3 POWERS OF MEMBERS IN PROVIDING INCIDENT RESPONSE**

**4.3.1** *The Fire Chief, and any Member authorized by the Fire Chief, is authorized to enter on property and into premises, with or without Apparatus or Equipment, to combat, control, investigate or otherwise deal with an Incident.*

*(a) A Member may enter into or onto a Property where an Incident exists and, if necessary, into or onto a Property within the vicinity of the Incident;*

*(b) A Member may cause equipment to be brought into or onto a Property where an Incident occurred and, if necessary, into or onto a Property within the vicinity of the Incident;*

*(c) The Fire Chief and the Officer in Command may order the demolition or removal of all or part of a Building or structure;*

*(d) The Fire Chief and the Officer in Command may order the evacuation of any Building or area;*

*(e) The Fire Chief and the Officer in Command may establish one or more limited entry areas in the vicinity of an Incident and prohibit any person from entering such limited entry areas without proper authorization; and*

*(f) The Fire Chief and the Officer in Command may obtain assistance from other officials of the Municipality as they deem necessary.*

**5.0 FIRE INVESTIGATION FEE COST RECOVERY**

**5.1** *Every owner or occupier of a structure where damage from an incident is in excess of \$5,000 and for which a Fire Investigation and Fire Investigation report must be completed by the Terrace Fire Department in accordance with the Fire Services Act, shall pay the applicable fire investigation fee as per Schedule B.*

**5.1.1** *If, while completing an investigation pursuant to the Fire Services Act, the Fire Chief, or a Member authorized by the Fire Chief, deems it necessary to obtain the services of a private security company for investigation continuity, the Owner of the property shall pay the fee as per Schedule B.*

## **6.0 REGULAR SYSTEM OF INSPECTIONS**

### **6.1 *The Fire Chief is directed and authorized to:***

- (a) Establish a regular system for the inspection of all hotels, public buildings, churches, theatres, halls, and other buildings used as a place of public resort;*
- (b) Establish a regular system for the inspection of all other buildings in the City;*
- (c) Establish classes of buildings and different inspection frequencies for different classes of buildings; and*
- (d) Amend the frequency of inspection schedules from time to time.*
- (e) For the purposes of this Bylaw, private dwelling house and single family dwellings are excluded from the Schedule of Inspections and will only be inspected on invitation by the owner/occupant.*

## **6.2 FIRE PROTECTION UPGRADES**

**6.2.1** *The Fire Chief, and any Member authorized by the Fire Chief, may require any Owner or Occupier of a Hotel or Public Building, to provide or make alterations to the building's fire protection equipment, including, but not limited to heat and smoke detection systems, Fire Alarm Systems, emergency power sources, exit signs, fire separations, standpipe systems, sprinklers and means of egress.*

**6.2.2** *Any required provisions or alterations required by the Fire Chief, or authorized Member, pursuant to section 6.2.1 shall not exceed the requirements set out in the Building Code.*

## **6.4 INSPECTION OF PREMISES**

**6.4.1** *In addition to carrying out the regular system of inspections pursuant to section 6.1, the Fire Chief, and any Member authorized by the Fire Chief, to act as an Inspector, is authorized to enter onto any property within the City at any time and inspect premises for the purposes of ascertaining whether:*

- (a) conditions exist which may cause a fire, increase the danger of fire, or increase the danger to persons or property from a fire;*
- (b) requirements of this bylaw are being complied with; and*

(c) requirements of the British Columbia Fire Code are being complied with.

**6.4.2** *Where violation(s) under the British Columbia Fire Code, British Columbia Fire Services Act or this Bylaw are observed upon inspection of a premises, the Fire Chief, and any Member authorized by the Fire Chief, to act as an Inspector, may issue an order requiring that the violation(s) be corrected within a specified time period and advising of a return date for a re-inspection. If upon re-inspection, the order has not been complied with and the violations corrected, the owner or occupier of the premises shall pay the applicable re-inspection fee for that re-inspection and for each re-inspection required thereafter. It is an offence to not correct the noted violations and are therefore subject to a fine as per the Ticket Information Utilization Bylaw.*

**6.4.3** *In addition to the inspections authorized pursuant to sections 6.0 of this bylaw, the Fire Chief, and any Member authorized by the Fire Chief, is authorized to exercise within the City all the powers under sections 21 and 22 of the British Columbia Fire Services Act and, with the written approval of the Fire Commissioner, the powers conferred in section 23 of the Fire Services Act.*

**6.4.4** *Owners, Occupiers or persons using cooking equipment in fixed, mobile or temporary concessions, such as trucks, buses, trailers, pavilions, tents, or any form of roofed enclosure, shall comply with NFPA 96 “Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations” as referenced in the British Columbia Fire Code unless otherwise exempted by the Authority Having Jurisdiction.*

## **6.5** **EXTERIOR WASTE RECEPTACLES AND WASTE MATERIAL**

**6.5.1** *Containers used for the disposal, removal, or storage of garbage, refuse, building debris, papers, or combustibles with any dimension greater than 1.5 meters shall:*

*(a) have lids kept closed at all times unless otherwise approved by the Fire Chief;*

*(b) not be located within five (5) meters of any combustible Building or structure, unless stored within a non-combustible structure or in a location approved by the Fire Chief; or*

*(c) be located up to one (1) meter from any combustible Building or structure if the container is of non-combustible construction, with a*

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*secured self-closing lid and has no hold open device.*

- 6.5.2** *No person, Owner or Occupier shall allow combustible waste materials or garbage to remain longer than twenty-four (24) hours in any street, lane, alley, or sidewalk located so as to constitute a fire hazard to any Property.*
- 6.5.3** *The Fire Chief, or a Member may order any person, Owner or Occupier to remove and dispose of any accumulation of combustible waste from a street, lane, alley, or sidewalk.*
- 6.5.4** *If a person, Owner or Occupier fails to comply with an order issued pursuant to Section 6.5.3, the Fire Chief or a Member may cause the removal and disposal of any accumulated combustible waste at the sole cost and expense of the person, Owner or Occupier subject to the fee as per Schedule B and may also be given a fine as per the Ticket Information Utilization Bylaw.*

## **7.0 FIRE WATCH FOR PUBLIC SAFETY**

- 7.1** *If a Hotel or Public Building contains a Fire Alarm System, sprinkler system or emergency power system which is not is properly functioning, the Owner of that property must institute and maintain a fire watch of the property until such time as the system is fully operational.*
- 7.1.1** *a fire watch pursuant to section 7.1 requires that the Owner, or an agent of the Owner, attend at the property and perform all the following activities:*
- (a) maintain continued attendance throughout the fire watch;*
  - (b) post written notices at all entrances and exits on each floor of the subject building stating that a fire watch is in effect and its expected duration;*
  - (c) provide a physical inspection of all public areas of the subject building;*
  - (d) note in an entry book at least every hour the safety conditions in the subject building;*
  - (e) ensure on-site provision of a communications device capable of making a 911 call: and*
  - (f) post instructions in the subject building as to the alternate actions to be taken in the case of an emergency, and if a Fire Safety Plan exists for the building, the instructions shall be in accordance with the Fire Safety Plan.*

**7.2** *If a Hotel or Public Building contains a Fire Alarm System, sprinkler system or emergency power system which is not is properly functioning, and the Owner, or Owner's agent, is not in attendance at the property performing a fire watch in accordance with section 7.1, the Owner will be given a fine and the Fire Chief, and any Member authorized by the Fire Chief, may arrange for one or more Members to attend at the property and remain at the site until the Owner or the Owner's agent arrives to commence or continue the fire watch. A fire watch fee as per the Ticket Information Utilization Bylaw.*

**7.3** *If one or more Members attend at a property pursuant to section 7.0 in excess of 1 hour, the Fire Chief, and any Member authorized by the Fire Chief, may:*

*(a) continue to maintain as many Members at the property as the Fire Chief or authorized Member deems necessary for the fire watch and the Owner shall pay the City the fee as per Schedule B; or retain the services of a private security company to maintain the fire watch until the Owner or Owner's agent attends to assume the fire watch or until the fire watch is no longer required, and Owner shall pay the City the fee as per Schedule B of this bylaw.*

## **8.0** **CONTACT PERSONS**

### **8.1** **OWNER OR OCCUPANT RESPONSIBILITY**

**8.1.1** *The Owner or Occupier of a Property or Public Building shall provide a list of at least two (2) Contact Persons who are able to attend, enter and secure the Property within 30 minutes of being called. The Owner or Occupier shall ensure that this list is current and that the Fire Department is provided with an updated list as changes are made.*

**8.1.2** *Failure of a notified Contact Person to respond within the specified time will result in a fine as per the Ticket Information Utilization Bylaw. If the Fire Department must gain entry, without the presence of the Contact Person, any damage that may occur, will be at the expense of the Owner or Occupier of the Property.*

### **8.2** **RESPONSIBILITY OF CONTACT PERSONS**

**8.2.1** *A Contact Person must be able to attend the Property within 30 minutes when requested by the Fire Department. Once the Contact Person has arrived at the Property, the Contact Person shall:*

*(a) contact the Officer in Command at the scene;*

*(b) be able to provide access to, or contact the person who has access to,*

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*the area of the Property involved in the Incident Response;*

*(c) be able to secure, or to have the area of the Property involved in the Incident Response, secured;*

*(d) perform a Fire Watch where required or assign persons to perform a Fire Watch;*

*(e) be authorized to contact a Fire Protection Technician to test, reset, or repair the Fire Alarm System, as necessary.*

## **9.0 ABOVE & BELOW GROUND PETROLEUM PRODUCTS STORAGE TANKS**

**9.1** *A permit shall be obtained from the Fire Department by the owner or his duly authorized agent prior to the installation or removal of any fuel tank. For each permit, the applicant shall pay City of Terrace a fee as per Schedule B of this Bylaw.*

**9.2** *In addition to the provisions of this bylaw, owners, and operators of petroleum products storage tank systems shall comply with all other applicable statutes and regulations, including, without limitation, the Waste Management Act, British Columbia Fire Code, Canada Shipping Act, and British Columbia Building Code. In the event of any conflict between this bylaw and any other statute or regulation the stricter shall apply.*

## **10.0 BULK PLANTS AND REFINERIES**

**10.1** *No person shall install, operate, or modify a refinery or bulk plant without first obtaining a permit issued by the City of Terrace.*

**10.2** *No permit shall be issued in the City of Terrace unless the approval of Council or its duly authorized agent has first been obtained for all new construction.*

**10.3** *A permit shall be obtained from the City of Terrace for the storage of flammable and combustible liquids, the construction or renovation of refineries or bulk plants and the operation of service stations. For each permit, the applicant shall pay a fee as per Schedule B of this Bylaw.*

## **11.0 SERVICE STATIONS, KEY-LOCK AND CARD-LOCK FACILITIES**

**11.1** *No person shall operate a service station or install any storage tank or any pump or measuring device to be used for the purpose of retailing or storage of flammable or combustible liquids without first obtaining a permit issued by the*

*City of Terrace and the fire department. For each permit, the applicant shall pay a fee as per Schedule B of this Bylaw.*

## **11.2 FARMS AND CONSTRUCTION PROJECTS**

- (a) Storage of Flammable or Combustible Liquid: No person shall store any flammable or combustible liquid in excess of Two Hundred and Thirty (230) litres on farms, construction sites, or on any private property without first obtaining written approval from the City of Terrace Planning Department to ensure compliance with existing Zoning Bylaws. A copy of the written approval shall form part of the applicant's written request to store flammable or combustible liquids.*
- (b) Applications for a Permit shall be made to the Fire Department and accompanied by plans drawn to scale showing: (for each permit, as per Schedule B of this Bylaw)*
- i. the location of the storage containers in relation to the lines of the adjoining property(ies), buildings and fencing;*
  - ii. the size, capacity and use of the storage containers; and*
  - iii. the standard to which the storage containers have been constructed.*
- (c) Installation of Facilities used for Storage of flammable or combustible liquids shall not be commenced until such plans have been accepted in writing.*
- (d) Conformation to Part 4 of B.C. Fire Code - The storage, handling and use of flammable or combustible liquids in containers shall conform to Part 4 of the B.C. Fire Code.*

## **12.0 COMPRESSED GAS SYSTEMS**

- 12.1** *NFPA - National Fire Protection Association, LPG - Liquid Petroleum Gas; LNG – Liquid Natural Gas.*
- 12.2** *All storage tanks, all gas-fired appliances and all gas dispensing devices shall be inspected and approved by BC Safety Authority.*
- 12.3** *Notwithstanding zoning, no person shall install, operate, or modify a Propane Filling Station, Refill Centre, Filling Plant and/or Bulk storage tank without a permit issued by the Fire Chief or Planning Department for the City of Terrace. For each permit, the applicant shall pay a fee as per Schedule B of this Bylaw.*

*(a) Installation of Liquefied Petroleum Gas (LPG) storage tank(s) will only be permitted in accordance with Zoning Bylaw No. 2069-2014 and any updates to it.*

*(b) Installation of LPG storage tank(s) in areas zoned Heavy Industrial M-2 and Ground-Side Commercial (GSC) will be permitted. Installation and safety requirements shall be in conformance with both the B.C. Gas Safety Regulations and NFPA requirements. For LPG storage tanks with a capacity greater than 2,000 gallons additional fire protection shall be provided by:*

- i. Maintaining a minimum distance of 30m (100 ft) from the near side of any rail line.*
- ii. Maintaining a minimum distance of 15m (50 ft) to property lines.*
- iii. Maintaining a minimum distance of 30m (100ft) from municipal roads or provincial highways.*
- iv. Installation and maintenance of a fixed fire suppression system, consisting of leak detection and a water deluge system capable of flowing 2,270 lpm (500gpm) or as specified by a Certified Fire Protection Engineer.*

**12.4** *Adequate protection to all above ground LPG and LNG storage tanks shall be provided to the satisfaction of the Fire Chief in the City of Terrace.*

**13.0** **VEHICLES FOR THE TRANSPORTATION OF FLAMMABLE AND COMBUSTIBLE LIQUIDS**

**13.1** *Tank vehicles shall not be left unattended by the vehicle operator for more than one hour anywhere within the City of Terrace boundaries except in an acceptable parking space. If in contravention of this section, owner or vehicle operator will pay a fine as per the Ticket Information Utilization Bylaw.*

**13.2** *An acceptable parking space shall be surrounded by a fence and shall:*

- (a) be at least 1.8m high;*
- (b) be of chain link construction that has an opening not greater than 50 x 50mm; and*
- (c) have posts of angle iron, pipe or equivalent spaced not more than 3m apart and set securely.*

**13.3** *All gates shall be locked when the enclosure is not manned.*

**13.4** *Every owner, carrier, agency, organization, or other person having responsibility for the transport, storage or use of dangerous goods, shall be responsible, at that person's own cost and expense, for the clean-up and safe disposal of all such dangerous goods arising from any incident, and a person who fails to do so shall be liable to pay the actual costs and expenses incurred by the City of Terrace;*

*(a) The costs and expenses incurred by the City of Terrace or its contractors or agents for the clean-up and safe transport and disposal of the dangerous goods as per Schedule B.*

*(b) The costs incurred by the City of Terrace for mitigating the dangerous goods incident, including without limitation, equipment replacement and decontamination as per Schedule B.*

#### **14.0 FLAMMABLE LIQUID CONTAINERS**

**14.1** *Flammable liquids shall not be dispensed into, stored in, nor transported in glass containers, or plastic containers, except where the containers have been investigated by and meet the requirements of a nationally recognized testing laboratory and are so marked.*

#### **15.0 STARTING FIRES IN OPEN AIR**

*Section 15.0 of this bylaw does not apply to those lands designated Area "A" within the City of Terrace. The Wildfire Act and Wildfire Regulation apply. (Schedule A)*

**15.1** *No person shall light, ignite or start or permit to be or cause to be lighted, ignited or started a fire of any kind whatsoever in the open air without first having obtained a written burning permit to do so from the City of Terrace Fire Department. If the Fire Department is called to attend to a fire without a permit a fine may be charged according to as per the Ticket Information Utilization Bylaw.*

**15.2** *No person shall burn any rubbish, tires, oil, asphalt shingles, battery boxes, plastic materials, domestic waste, garden waste or any similar materials that would, in the opinion of the Fire Chief or his designate, produce or emit heavy sooty black smoke or obnoxious odours. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*

**15.3** *The Fire Chief or his designate may withhold or cancel any permit issued where, in his opinion, the igniting of a fire in any area may create a hazard or nuisance to persons or property, and the Fire Chief or his designate may*

*extinguish any fire that is causing a nuisance to persons, or any fire started without a written burning permit to do so.*

**15.4** *A person to whom a burning permit has been issued under Section 15.1 herein shall place and keep a competent person or persons, 19 years of age or older, at all times in charge of the fire while it is burning or smouldering and shall provide that person or persons with efficient appliances and equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*

**15.5** *A person to whom a burning permit has been so issued under Section 15.1 herein shall comply with all requirements stated on the burning permit. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*

**15.6** *Burning permits shall only be issued in Agricultural zones with the written permission of the City of Terrace Fire Department and the requirements of this Section shall apply where applicable. These permits are to be issued only for burning of forest debris resulting from FireSmart activities. No Burning permits will be issued for land clearing purposes. The permit will not be valid after expiration thereof. For each permit, as per Schedule B of this Bylaw*

*(a) If at any time the Fire Chief or his designate on account of the existence of hazardous conditions inclusive of meteorological or ambient air quality conditions deems it advisable, cancel or suspend for such time as it is necessary, any right to burn granted pursuant to this Bylaw including all or any permits issued pursuant to this Bylaw, or he may attach to any or all such permits such conditions and restrictions as he thinks proper.*

*(b) All permits issued pursuant to this Bylaw shall be subject to such conditions, restrictions, and provisions as the Fire Chief or his designate may consider necessary and expedient to incorporate therein.*

*(c) If the Fire Department is called to attend a fire that has an approved burning permit but does not meet the conditions or requirements of this Bylaw or the issued permit, an inspection fee will be charged as per Schedule B of this Bylaw.*

## **15.7 COST RECOVERY**

**15.7.1** *Every owner/occupant of a dwelling who starts or allows to be started any outdoor fire or open burning is responsible for such fire. If, in the opinion of*

*the Fire Chief, the fire presents a hazard, has escaped, or threatens to escape from the owner's control or is prohibited under the terms of this bylaw, the Fire Department may be summoned to control or extinguish the fire. The owner shall be liable for all costs and expenses incurred by the Fire Department to control or extinguish the fire as per Schedule B.*

**15.7.2** *In addition, the Fire Department may levy fines as it deems appropriate as per the Ticket Information Utilization Bylaw.*

## **16.0 BARBECUES/GRILLES/FIRE PITS**

**16.1** *The requirements of Section 15.0 herein shall not apply to small, confined fires used for the purpose of cooking food in or upon grilles, barbecues, or small fire pits.*

- (a) Fires must be contained in a fire pit that shall be a non-combustible receptacle constructed of cement, brick, or metal.*
- (b) Maximum one fire pit per property.*
- (c) The fire pit shall be a maximum of 1 metre in diameter.*
- (d) Fire pits must be a minimum of 3 metres from any dwelling structure fence or standing timber.*
- (e) Only cut, seasoned wood, charcoal or commercially fabricated fireplace logs shall be burned in a fire pit.*
- (f) All fires in a fire pit must be supervised at all times by an adult 19 years of age or older.*
- (g) At any time, a fire is burning, extinguishment capabilities and resources must be in the immediate vicinity of the fire pit.*
- (h) Smoke from the fire pits shall not create a nuisance to other properties.*
- (i) Any fire in a fire pit must be extinguished immediately if direction to extinguish the fire is given by a member of the Fire Department, RCMP Officer or Bylaw Officer. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*

## **17.0 FOREST FIRE PREVENTION**

**17.1** *Industrial activities as defined in the Wildfire Act and Wildfire Regulation conducted in Area "A" within the City of Terrace will be carried out in accordance with the Wildfire Act and Wildfire Regulation. (Schedule A)*

**17.2** *The lighting, fuelling or use of open fire in Area "A" within the City of Terrace is not covered by this bylaw and will be governed by the Wildfire Act and Regulation. "Open fire" will be defined as per the Wildfire Regulation.*

## **18.0 SMOKING**

**18.1** *Where conditions are such as to make smoking a fire or explosion hazard the Fire Chief or his designate shall order the owner or occupier in writing to post approved "No Smoking" signs where smoking shall be prohibited and shall designate specific safe locations in which smoking may be permitted. It is an offence where the owner/occupier fails to post signs.*

**18.2** *Signs prohibiting smoking shall have black lettering not less than 50 mm high with a 12 mm stroke on a yellow background, except that symbols of not less than 150 mm by 150 mm are permitted to be used in lieu of lettering.*

**18.3** *It shall be unlawful for any person to remove any legally required "No Smoking" signs or to smoke in any place where such signs are posted.*

## **19.0 FIRE ALARM SYSTEMS**

**19.1** *The owner of a fire alarm system shall be responsible for the proper use, maintenance, and operation of such system, on or in real property. To ensure the prevention of false alarms, the fire alarm system shall be installed by a Licensed Fire Alarm Company, and regularly inspected and maintained by a Certified Fire Alarm Service Technician.*

**19.2** *For every third and subsequent occurrence of a false alarm in any calendar year to which the City of Terrace Fire Department responds a fine will be charged according to the Ticket Information Utilization bylaw.*

## **20.0 FIREWORKS**

**20.1** *Consumer fireworks are low-hazard firework articles designed for recreational use by the public. These articles include items such as roman candles, sparklers, fountains, wheels, volcanoes, mines, and snakes. The Explosives Act sets out the requirements and guidelines for activities involving all explosives,*

*including the manufacture, storage, and sale of explosives, as well as the use of fireworks.*

- 20.2** *No person shall sell fireworks, except between the 29<sup>th</sup> and 31<sup>st</sup> day of October in any year. Unless otherwise authorized, the only day to set off fireworks will be October 31 in any year. Only Consumer fireworks are allowed to be sold and set off during this time period. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*
- 20.3** *No person shall explode any fireworks on any highway, road, street, lane, bridge, or other public place unless specifically authorized to do so by the Fire Chief of the City of Terrace. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*
- 20.4** *No fireworks may be sold to any person under 19 years of age. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*
- 20.5** *The storage of fireworks and the display of fireworks for sale shall conform to the requirements of the Canadian Explosives Act, R.S., 1985, c. E-17 amended by 1989, c.3. as explained in the Consumer Fireworks Retail Package – developed by Natural Resources Canada. This information package was developed to provide consumer fireworks retailers with guidance on selling consumer fireworks in their store. It provides general information related to the sale, storage, and transportation of consumer fireworks in accordance with the Explosives Act and its Regulations. Violation of this section will result in a fine as per the Ticket Information Utilization Bylaw.*
- 20.6** *Notwithstanding the provisions of this Bylaw, fireworks may be sold to and discharged by any person or organization conducting a public display if such public display is held with the written permission of Council and the written permission of the Fire Chief or his designate in the City of Terrace. For each permit, the applicant shall pay a fee as per Schedule B.*

**21.0 REMOVE FIRE HAZARD AND SECURE BUILDINGS**

- 21.1** *Any owner or occupant of real property in the City of Terrace shall remove any matter or thing situated in or on any building or premises which he owns or occupies, which in the opinion of the Fire Chief, is a fire hazard or increases the danger of fire.*

*(a) No owner or occupant shall allow a property to accumulate noxious waste, yard and garden waste, land clearing debris or any other material liable to catch fire. The Fire Chief or Member may order the owner or occupant of a property to remove and dispose of any*

*accumulation of noxious waste, yard and garden waste, land clearing debris or any other material liable to catch fire from the property.*

*(b) If an Owner or Occupant fails to comply with an order issued pursuant to the above section, the Fire Chief or a Member may cause the removal and disposal of any accumulation of noxious waste, yard and garden waste, land clearing debris or any other material liable to catch fire at the sole cost and expense of the owner or occupant subject to the order and will pay a fee as per Schedule B, and may also be given an additional fine as per the Ticket Information Utilization Bylaw.*

**21.2** *Any owner of any unoccupied 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 fastened so as to prevent the entry of unauthorized persons.*

*(a) If a Member finds a Building that is accessible contrary to Section 21.2, the Member may order the Owner of the Building to secure the Building against unauthorized entry. If an Owner fails to secure the Building against unauthorized entry within twenty-four (24) hours of receiving notice to do so, or if the Member is unable to contact the Owner within twenty-four (24) hours of finding the unsecured Building, the Member may secure or cause to be secured the Building in a manner he deems appropriate at the sole cost and expense of the Owner or occupant subject to the order and will pay a fee as per Schedule B and may also be given an additional fine as per the Ticket Information Utilization Bylaw.*

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

*(a) If an Owner fails to provide the necessary security to a fire-damaged building within the time directed by the Fire Chief, or any Member authorized by the Fire Chief, the Fire Chief or authorized Member may cause the work required pursuant to section 21.3 to be conducted by employees, agents or contractors of the City, at the sole cost and expense of the Owner or occupant will pay a fee as per Schedule B, and may also be given an additional fine as per the Ticket Information Utilization Bylaw.*

## **22.0 POST-INCIDENT WATCH**

**22.1** *After an Incident has occurred, the Fire Chief, and any Member authorized by the Fire Chief, may require that one or more Members, with or without Apparatus, remain at the Incident site to provide a post-Incident watch for a period of time the Fire Chief or authorized Member deems necessary to secure the property against further Incident.*

**22.2** *The Owner of a property subject to a post-Incident watch pursuant to section 22.1 shall pay to the City the fee as per Schedule B of this bylaw.*

## **23.0 DEMOLITION**

**23.1** *The Fire Chief, and any Member authorized by the Fire Chief, may order the damage, destruction or demolition of any building, part of a building, structure, equipment, or other private property, as may be necessary to extinguish, suppress or prevent the spread of fire or prevent the potential collapse of a building resulting from an Incident.*

**23.2** *None of the City, the Fire Department or any of their elected or appointed officials, officers, employees, or Members shall be obligated to restore or pay compensation for property damaged, destroyed, or demolished pursuant to section 23.1.*

**23.3** *Within 30 days of destructing or demolishing a building pursuant to section 23.1, the Fire Chief, or Member authorized by the Fire Chief, shall provide notice of the destruction or demolition to the City's Chief Building Official.*

**23.4** *If the Fire Chief or other Member arranges for damage, destruction, or demolition pursuant to section 23.1, the Owner of the property subject to such services shall pay to the City the fee as per Schedule B of this bylaw.*

## **24.0 LIABILITY FOR DAMAGES**

**24.1** *This Bylaw shall not be construed to hold the City of Terrace nor its authorized agent or agents responsible for any damage to persons or property by reason of:*

- (a) Inspections authorized by this Bylaw, or*
- (b) The failure to carry out an inspection, or*
- (c) A permit issued as herein provided,*
- (d) The approval or disapproval of any equipment authorized herein.*

**25.0 ENFORCEMENT AND PENALTIES**

**25.1** *This Bylaw may be enforced by means of a municipal ticketing information system. Every Person who violates a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw is guilty of an offence.*

**25.2** *Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.*

**25.3** *Every person who commits an offence is liable on summary conviction to a fine of not less than one hundred dollars (\$100) and not more than fifty thousand dollars (\$50,000) and the cost of prosecution.*

**26.0 REPEALING CLAUSE**

**26.1** *Terrace Fire Prevention Bylaw No. 1365-1994 and all amendments thereto are hereby repealed.*

**27.0 CITING CLAUSE**

**27.1** *This Bylaw may be cited as "Terrace Fire Prevention Bylaw No. 2260-2022".*

**READ a first time this 22<sup>nd</sup> day of August, 2022.**

**READ a second time this 22<sup>nd</sup> day of August, 2022.**

**READ a third time this 22<sup>nd</sup> day of August, 2022.**

**ADOPTED this 26<sup>th</sup> day of September, 2022.**

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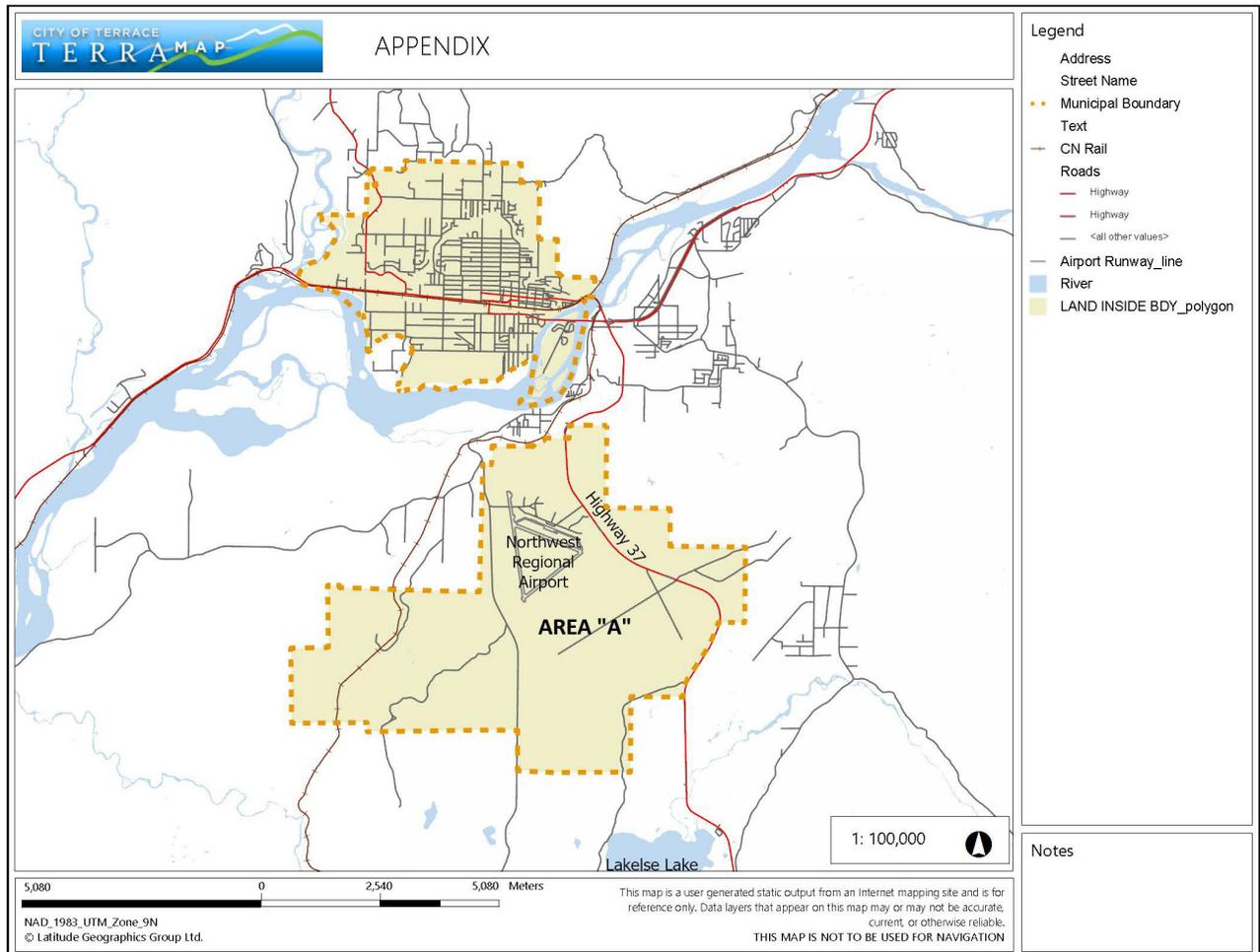
**Mayor**

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**Clerk**

## SCHEDULE "A"

### Area Map



**SCHEDULE "B"**

**Terrace Fire Department Permit and Fees**

<i>Permit Fees</i>	<i>Charge</i>	<i>Section</i>
<i>Permit for Storage Tank installation and Removal</i>	<i>\$100.00</i>	<i>9.1</i>
<i>Permit to install, operate or modify a refinery or bulk plant</i>	<i>\$100.00</i>	<i>10.3</i>
<i>Permit for service station storage tanks and pumps</i>	<i>\$100.00</i>	<i>11.1</i>
<i>Permit for installation or removal of storage tanks at farms and construction sites</i>	<i>\$100.00</i>	<i>11.2</i>
<i>Permit to install, operate, modify a propane filling station, Refill Centre, Filling Plant and or Bulk storage tank</i>	<i>\$100.00</i>	<i>12.3</i>
<i>Burning Permit</i>	<i>\$100.00</i>	<i>15.6</i>
<i>Permit for public display of fireworks</i>	<i>\$250-\$500</i>	<i>20.6</i>
<i>Fee for equipment needed</i>	<i>Costs of City and/or Contractor plus 10%</i>	<i>4.3.1 (b)</i>
<i>Fee for Demolishing</i>	<i>Costs of City and/or Contractor plus 10%</i>	<i>4.3.1 (c)</i>
<i>Fee to investigate fires over \$5000.00 loss</i>	<i>\$500 (first three hours); cost recovery to include fire services fees for apparatus and equipment. Staff rates as per current collective agreement. Miscellaneous cost recovery for evidence testing, additional contractor fees if/when required, plus 10%</i>	<i>5.1</i>
<i>Fee for securing premises during investigation</i>	<i>Cost of City and/or Contractor plus 10%</i>	<i>5.1.1</i>
<i>Re-Inspection Fee</i>	<i>\$200.00-\$1,000.00</i>	<i>6.4.2</i>
<i>Fee for removal and disposal of any accumulated combustible waste</i>	<i>Cost of City and/or Contractor plus 10%</i>	<i>6.5.7</i>
<i>Fee to provide Fire Watch</i>	<i>Costs of City and/or Contractor plus 10%</i>	<i>7.3.1</i>
<i>Fee for cleanup and safe transport and disposal of dangerous goods at an incident site</i>	<i>Costs of City and/or Contractor plus 10%</i>	<i>13.4 (a)</i>

<i>Fee for equipment replacement and decontamination costs associated with dangerous goods incident</i>	<i>Costs of City and/or Contractor plus 10%</i>	<i>13.4 (b)</i>
<i>Re-Inspection Fee for not meeting conditions of fire permit</i>	<i>\$200.00</i>	<i>15.6 (c)</i>
<i>Fee to extinguish or control outdoor fire</i>	<i>Costs of City and/or Contractor plus 10%</i>	<i>15.7.1</i>
<i>Fee to provide security for a fire damage building</i>	<i>Costs of City and or Contractor plus 10%</i>	<i>21.3 (a)</i>
<i>Fee to remove fire hazard- removal costs</i>	<i>Costs of City and or Contractor plus 10%</i>	<i>21.1 (b)</i>
<i>Fee to secure unoccupied building</i>	<i>Costs of City and or Contractor plus 10%</i>	<i>21.2 (a)</i>
<i>Fee for post-incident watch</i>	<i>Costs of City and or Contractor plus 10%</i>	<i>22.2</i>
<i>Fee demolition, damage, destruction</i>	<i>Costs of City and or Contractor plus 10%</i>	<i>23.4</i>