

UNOFFICIAL CONSOLIDATION

CITY OF BURNABY

BYLAW NO. 11860

A BYLAW respecting the prevention and suppression of fire, the regulation of fire hazards and the preservation of life and property

(Consolidated for convenience with Bylaw No. 11987, 13174, 13488, 13629, 13696, 14342 and 14497)

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY FIRE SERVICES BYLAW, 2004.**

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires:

“building” means any structure used or intended to be used for supporting or sheltering any use or occupancy;

“bulk storage facility” means a facility where petroleum and petroleum products are stored in bulk, and includes a petroleum tank farm;

“City” means the City of Burnaby;

“Department” means the Burnaby Fire Department;

“false alarm” means the activation of a fire alarm system that results in a response from the Department where a situation requiring such response does not exist or does not appear to exist, and includes a situation where:

- (i) the fire alarm system has malfunctioned,
- (ii) the fire alarm system has been activated in error, or
- (iii) the fire alarm system has been activated during testing,

but does not include a situation where it is substantiated that the activation was caused by severe storm conditions or the disruption or disturbance of the equipment of facilities of any utility company;” (Bylaw No. 13174)

“family pack” (Bylaw No. 13629)

“fire alarm system” means any system, device or equipment intended to signal the presence of fire or any other situation to which the Fire Department is or could reasonably be expected to respond;

“Fire Chief” means a person appointed by the Council to be in charge of the Department and the fire fighting personnel of the City, and includes a Deputy Fire Chief, Assistant Fire Chief, and any other person authorized to act on behalf of the Fire Chief;

“Fire Code” means the British Columbia Fire Code 1998, enacted by B.C. Regulation 285/98 under the Fire Services Act, R.S.B.C. 1996, c.144 as amended or replaced from time to time;

“firecrackers” means small fireworks with fuses used primarily as noise makers and not for pyrotechnic effect;

“fire lane” means an access route on private property provided for Fire Department vehicle access pursuant to the Fire Code or this Bylaw;

“fire protection” means all aspects of fire safety including, without limitation, fire prevention, fire suppression, fire safety planning, fire investigation, public education, the training and development of members, and providing information and advice to other organizations and to the public on matters related to fire;

“fireworks” means any products or devices manufactured to intentionally produce an explosion, detonation or pyrotechnic effect;

“high hazard fireworks” means fireworks that are included in Class 7.2.2. under the Explosives Regulations to the Explosives Act R.S.C. 1985, c. E-17;

“incident” means a fire, explosion or other event or occurrence that presents or may present a danger to life or property to which the Department responds or attends;

“indoor fireworks” means fireworks that are included in Class 7.2.5. under the Explosives Regulations to the Explosives Act;

“Inspector” means a member who has been authorized by the Fire Chief to carry out inspections of buildings or other property under this Bylaw or the Fire Services Act;

“institutional occupancy” means the occupancy or use of a building or part thereof by persons who are involuntarily detained, or detained for penal or correctional purposes, or whose liberty is restricted, or require special care or treatment because of age, mental or physical limitations;

“low hazard fireworks” means fireworks that are included in Class 7.2.1. under the Explosives Regulations to the Explosives Act;

“member” means a person employed in the Department;

“noisemaker” (Bylaw No. 13629)

“occupancy” means the use or intended use of a building or premises or part thereof for the shelter or support of persons, animals or property;

“occupant” includes the owner and any tenant, lessee, licensee or resident of any building or premises;

“private hydrant” means a fire hydrant that is installed on private property as part of a system of fire protection for that property;

“public building” has the same meaning as in the Fire Services Act ;

“Roman candle” (Bylaw No. 13629)

“suite” means a single room or series of rooms of complementary uses, operated or used as a single occupancy and includes individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories, and individual stores and individual or complementary rooms for business and personal service occupancies.

FIRE DEPARTMENT

3. (1) The Burnaby Fire Department is hereby continued under the Fire Chief, who shall be head of the Department.

(2) The Department shall be responsible for fire protection in the City.
4. Every member is authorized to exercise within the City all of the powers under section 21 to 23 of the Fire Services Act.
5. The Fire Chief shall be appointed by the Council.
6. The Fire Chief may appoint one or more Deputy Fire Chiefs or Staff Officers.
7. The Deputy Fire Chiefs shall report to the Fire Chief, and the Deputy designated by the Fire Chief to act in his absence has all the powers and shall perform the duties of the Fire Chief in his absence.
8. The Fire Chief shall:
 - (a) manage, control and supervise the Department;
 - (b) have the care, custody and control of all buildings, apparatus, and equipment of the Department; and

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- (c) report annually to the Council on the efficiency of the Department and the condition of the buildings, apparatus and equipment of the Department.
9. The Fire Chief may:
- (a) take whatever measures or actions the Fire Chief considers appropriate or necessary for fire protection in the City, including the enforcement of the provisions of this Bylaw and the exercise of the powers and authority provided under the Fire Services Act;
 - (b) make rules and operational guidelines for the property and efficient administration of the operation of the Department and for the conduct and discipline of members, and may vary, alter or repeal those rules and guidelines;
 - (c) appoint or designate a member to exercise any of the Fire Chiefs' powers on such terms and conditions as the Fire Chief considers appropriate, and revoke any such appointment or designation; and
 - (d) establish policies and rules relating to the response by the Department to incidents or situations that do not or may not involve fire protection, but where the safety of life or property may otherwise be at risk, including incidents involving hazardous or potentially hazardous materials, rescue operations, and medical emergencies.
10. (1) An applicant is qualified to be appointed as a member of the Department for fire fighting duties who:
- (a) has successfully completed high school or has equivalent academic qualifications;
 - (b) is of good character;
 - (c) passes such written, oral and practical examinations as may be required by the Fire Chief;
 - (d) is medically fit to be a member as certified by a physician designated by the Fire Chief; and
 - (e) has been recommended for appointment by the Fire Chief.
- (2) The Fire Chief may require a member who applies for promotion to take such examinations as the Fire Chief considers appropriate.
- (3) Every member shall comply with all rules established under section 9(b) and in effect and the Fire Chief shall deal with and dispose of any failure to comply or contravention by a member.

CONDUCT OF PERSONS AT FIRES OR EMERGENCIES

11. (1) The Fire Chief or member in charge at a fire, emergency, or other incident may establish limited entry areas in the vicinity of the fire, emergency or incident, and no person shall enter that area without the permission of the Fire Chief or member in charge.
 - (2) The Fire Chief may order the demolition of any building or structure to prevent the spread of fire.
12. No person shall impede, hinder or obstruct the Department or any member in the extinguishment of a fire, or in the control of an emergency, an incident involving hazardous materials or any other incident.
13. Every person at or near a fire, emergency, or other incident shall:
 - (a) comply with the orders or directions of any member; and
 - (b) provide any information that person may have relating to the fire, emergency or other incident to any member who requests that information.
14. No person shall refuse to permit a member to enter into or upon any premises from which a fire alarm or other report of an emergency has been received or where the member believes that a fire, fire hazard, or other circumstance which poses or may pose a risk to life safety or property exists.
15. No person other than a member shall ride on any fire truck or other Department vehicle or apparatus at any time unless authorized by the Fire Chief.
16. No person shall drive a motor vehicle upon or over a hose in use at a fire, drill or other incident unless so authorized by a member.

RIGHT TO ENTER

17. The Fire Chief and every member attending at an incident may enter into or upon any lands, premises or property with apparatus or equipment in order to combat, control, deal with, or investigate the incident.

INSPECTIONS

18. In addition to the powers vested in them by the Fire Services Act, every member may enter into or upon any lands, premises, yards or building to ascertain whether:
 - (a) the requirements of this Bylaw are being complied with;
 - (b) conditions exist which may cause or increase the risk of fire.

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19. Every owner and occupant of premises shall provide all information and shall render all assistance required by the Fire Chief or an Inspector in connection with the inspection of such premises.
20. No person shall obstruct, hinder or prevent an Inspector from entering into or upon any land, premises or property for the purpose of inspecting the same.
21.
 - (1) The Fire Chief may establish and supervise a self inspection program for any class of occupancy;
 - (2) If a self inspection program is established the owner of premises in the specified occupancy class shall:
 - (a) perform or cause to be performed the inspection of the premises in accordance with the requirements of the Fire Chief; and
 - (b) complete and return to the Fire Chief a report in the form specified by the Fire Chief and within the time specified by the Fire Chief.
22. Every person providing private self inspection services to owners or otherwise providing private inspection, testing or maintenance of fire safety systems must be approved by the Fire Chief and registered with the Department as a provider of those services.

FIRE SAFETY PLANNING

23.
 - (1) The owner of a building or part thereof that is newly constructed or renovated or that has had a change of occupancy, and that is required to have a fire alarm system or in which any hazardous activities will occur, shall within 60 days of the completion of such construction, renovations or change of occupancy submit to Fire Chief a written fire safety plan, in a form acceptable to the Fire Chief, for that building or part thereof and covering fire prevention activities, fire drills, fire safety training, maintenance of fire safety systems and equipment, and such other fire safety matters as the Fire Chief may require.
 - (2) A copy of a fire safety plan must at all times be made available by the owner on the premises to which it applies.
 - (3) Every fire safety plan submitted under subsection (1) shall be upgraded by the current owner of the building and the upgraded plan submitted to the Fire Chief, in a form acceptable to the Fire Chief, every ten years thereafter. (Bylaw No. 13174)
24.
 - (1) The Fire Chief may establish a pre-incident plan program for any class of occupancy.

- (2) If a pre-incident plan program is established every owner of premises in the specified occupancy class shall prepare and submit to the Fire Chief, in a form approved by the Fire Chief, a pre-incident plan for the premises with a diagram of each level of occupancy of the premises together with such other information as the Fire Chief may require.
- (3) A pre-incident plan shall be filed by the owner of the premises for which it is required not later than 60 days after:
 - (a) the date the Fire Chief establishes a pre-incident plan program for that class of occupancy; and
 - (b) any alterations to the premises that affect the pre-incident plan or change of occupancy of the premises or any part thereof.

ORDERS

25. (1) Without limiting the power and authority vested in them by the Fire Services Act, the Fire Chief or any Inspector may, in writing, order:
 - (a) the correction or removal of any condition or thing in or about any building which is in contravention of this Bylaw;
 - (b) an owner, or the agent of an owner, of a vacant building to secure a building against entry as provided for in section 26.
- (2) An order shall be sufficiently served if delivered by hand to the person to whom it is issued and, in the case of an owner, if delivered by registered mail to the address of the owner as it appears on the records of the Assessment Authority of British Columbia, and by posting a copy of it on the building, structure or thing to which it relates.
- (3) An order issued under this section shall state a date by which the order shall be complied with or carried out, which date shall, at the discretion of the discretion of the Fire Chief or Inspector, have regard to the degree of urgency involved in correcting or removing conditions which may tend to increase the hazard of fire or danger to life and property.

VACANT BUILDINGS

26. The owner of a vacant building shall at all times ensure that the building is adequately secured against entry by unauthorized persons.
27. If an owner fails to comply with an order issued under section 25(1)(b), the Fire Chief may cause the building to be secured against unauthorized entry and all costs of doing so may be recovered from the owner in the same manner as municipal property taxes.

HAZARDOUS ACTIVITIES

28. The Fire Chief may charge the owner or occupant of lands or premises for the cost of cleaning, repairing or replacing Department equipment where such equipment has been contaminated, damaged, or destroyed by a hazardous substance or dangerous goods or otherwise rendered unusable as a result of an incident involving a hazardous substance or dangerous goods on or about those lands or premises.
29. Where the Fire Chief is made aware of an activity or situation which, in the opinion of the Fire Chief, is hazardous to life or property, the Fire Chief may:
- (a) require that a fire watch in accordance with section 30(2) be provided by the owner or occupier of any lands or buildings where that activity or situation is occurring;
 - (b) order that the activity be stopped;
 - (c) require that the activity be carried out only in compliance with a permit issued by the Fire Chief;
 - (d) evacuate the lands or buildings until such time as the hazard to life or property has been rectified;
 - (e) order the owner, owner's agent or occupant to remove the hazard in a manner approved by the Fire Chief, in default of which the Fire Chief may have the hazard removed at the owner's expense.

FIRE WATCH

30. (1) The owner or owner's agent of an occupied public building in which any of the fire alarm system, sprinkler system, or emergency power system is not operating shall institute and maintain in that building a fire watch in accordance with subsection (4) until that system is in operation. (Bylaw No. 13174)
- (2) The member in charge at an incident may have one or more members at the scene of the incident remain at the scene of the incident on standby until the owner or owner's agent secures the building or premises. The owner shall pay to the Department all of its personnel, equipment and other costs of maintaining the standby, as determined by the Fire Chief, for all standby time in excess of one hour. (Bylaw No. 13174)
- (3) If the member in charge at an incident is unable to contact the owner or owner's agent after one hour of standby the Department may retain the services of a private security company to maintain a fire watch until the owner or owner's agent assumes the fire watch. All costs and expenses

thereby incurred shall be paid by the owner of the building or premises;
(Bylaw No. 13174)

- (4) A fire watch shall include the following activities: (Bylaw No. 13174)
- (a) posting of written notices at all entrances and exits on each floor stating that a fire watch is in effect and its expected duration;
 - (b) a physical inspection of all public areas equipped with a fire alarm detection device;
 - (c) notation in an entry book at least every hour of the conditions in the building by the person or persons performing the fire watch;
 - (d) provision on site of a communications device capable of making a 911 call; and
 - (e) posting of instructions in the building as to the alternate actions to be taken in the case of an emergency. If a fire safety plan exists for the building, the instructions shall be in accordance with the fire safety plan.

OPEN AIR FIRES

31. (1) No person shall light, ignite, or start any fire in the open air or in any portable incinerator, outdoor fireplace or other portable outdoor burner without first obtaining a permit to do so from the Fire Chief.
- (2) Subsection (1) shall not apply to:
- (a) charcoal, natural gas or propane fires contained within barbecues, grills or other outdoor appliances for the sole purpose of cooking food; or
 - (b) natural gas or propane fuelled outdoor heating appliances used such as umbrella style heaters, fire pits and fire places; provided that any such appliance:
 - (c) is Canadian Standards Association or Underwriters Laboratory of Canada approved; and
 - (d) at all times used in accordance with the manufacturer's instructions; (Bylaw No. 13174)
- (3) The Fire Chief may issue a fire permit for open burning after considering all circumstances.
- (4) No person to whom a permit has been issued under subsection (1) shall burn any construction or demolition refuse or materials or any rubber tires, oil, tar, asphalt, shingles, battery boxes, plastic materials or any other materials that would produce heavy smoke.

- (5) Without limiting the discretion of the Fire Chief under this section, the Fire Chief may issue a permit for burning involved in a religious or ceremonial event.
- (6) Permits shall not be transferable and must be readily available upon request.
- (7) Every person to whom a permit has been issued under this section shall maintain a responsible adult person at all times in charge of the fire while it is burning or smouldering and until it is completely extinguished and shall provide that person with efficient appliances and equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous to life and property.
- (8) The Fire Chief may refuse to issue, or withdraw a fire permit at anytime, when in the Fire Chief's opinion, burning would likely be hazardous or create a nuisance.
- (9) No permit shall be required by the Department for the purpose of training members in structural fire fighting methods, fire investigation procedures or for the purpose of the elimination of fire hazards. (Bylaw No. 13174)

SERVICE STATION SAFETY

32. A service station with a self-service outlet shall have a control console equipped to regulate the operation of each dispenser located at a self-service outlet, as required by the B.C. Fire Code.
33. Every service station operator shall post and keep continuously posted:
 - (a) conspicuous signs that clearly identify the location of each fire extinguisher;
 - (b) in the attendant's booth of every self-service station and in the office of any other service station, a sign providing instructions for dealing with any emergency involving a fire or potential fire, which sign shall include instructions to shut off all electrical power to the pumps, evacuate the area and notify the Fire Department.
34. A person carrying on the business of a gasoline service station shall only employ as an attendant a person that has successfully completed a training program in fire safety for service station attendants that has been approved by the Fire Chief.

REFINERIES

35. (1) A refinery capable of processing 20,000 barrels or more per day of crude petroleum or equivalent shall provide on the refinery premises for fire

protection and fire fighting purposes the following:

- (a) mobile fire fighting apparatus with a pumping capacity of 2,200 L per minute Class “A” and equipped with a 675 L foam concentrate tank, 150 m of 38 mm hose, 300 m of 65 mm hose, all with B.C. standard fire-hose thread, foam producing equipment capable of producing 2,200 L per minute of foam, and a monitor, either fixed or portable, capable of discharging 2,200 L per minute of water;
- (b) fixed water-foam monitors complete with combination straight stream fog nozzles located at railcar loading racks, truck loading racks, loading platforms and process units;
- (c) an automatic fire detecting and extinguishing system complying with National Fire Protection Association Codes and Standards installed where, in the opinion of the Fire Chief, it is required at rail tank car loading racks, tank truck loading racks, shipboard loading facilities, and all flammable liquid dispensing areas;
- (d) portable electrical generating units with a minimum of 3,000 Watts, 115 Volts, alternating current, and sufficient number, in the opinion of the Fire Chief, of plug-in lighting units, and extension cables 45 m in length , to effectively illuminate the area;
- (e) a sufficient number, in the opinion of the Fire Chief, of telescoping hydraulic foam towers, foam cannons or crane mounted foam monitors, with 65 mm hose connections;
- (f) a sufficient number, in the opinion of the Fire Chief, of mechanical foam play pipes, either spray-straight stream or straight stream;
- (g) a sufficient number, in the opinion of the Fire Chief, of fixed pipe mechanical foam makers and foam chambers as set out in the National Fire Protection Association Codes and Standards affixed to all cone roofed bulk storage tanks having a diameter in excess of 9 m;
- (h) fire hydrants, approved as to number and type by the Fire Chief, on a minimum 150 mm looped water main which shall be located not more than 90 m apart in process areas and not more than 150 m apart in tank field areas;
- (i) well-maintained access roads and fire lanes throughout the refinery premises that meet the requirements of the Fire Chief;
- (j) where hydrants are 90 m apart a 38 mm or 65 mm hose with a minimum length of 30 m, and where hydrants are 150 m apart a 38 mm or 65 mm hose with a minimum length of 45 m, complete with

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- combination fog and straight stream nozzle, housed in hose station boxes in locations designated by the Fire Chief throughout the refinery premises;
- (k) a sufficient number, in the opinion of the Fire Chief, of portable fire extinguishers; and
 - (l) a connection to the refinery water supply system that meets the requirements of the Fire Chief for a fire boat; and
- (2) The sufficiency, capacity and location of fire protection and fire fighting equipment, if not specifically provided for in this Bylaw shall be determined by the Fire Chief.
 - (3) Every refinery shall have a Fire Safety Officer and fire equipment personnel trained to the standard approved by the Fire Chief.
36. The owner of a refinery shall maintain at all times at the refinery, and make available upon request to any member, plans showing the piping system for the refinery.
37. All loading racks and dispensing or distribution facilities constructed or installed at a refinery after the coming into force of this Bylaw shall incorporate automatic fire suppression and detection systems deemed necessary by the Fire Chief.

BULK STORAGE FACILITIES

38. (1) The owner of a bulk storage facility shall provide on the premises for fire protection and fire fighting purposes the following:
- (a) a sufficient number, in the opinion of the Fire Chief of telescoping hydraulic foam towers, foam cannons or crane mounted foam monitors with 65 mm hose connections, built-in foam maker and capable of delivering air foam to the top of the highest storage link;
 - (b) a water supply system for automatic sprinklers, other water-based fire extinguishing systems and private hydrants that is capable of muting the anticipated water demand for at least two hours in the event of a fire;
 - (c) foam-water deluge sprinkler systems and foam-water spray systems providing, in the opinion of the Fire Chief, a reasonable fire protection;
- (2) All additions, modifications and alterations to a bulk storage facility shall incorporate automatic fire suppression and detection systems deemed necessary by the Fire Chief; and

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- (3) Whenever there is any change in the risk of a fire or explosion occurring at a bulk storage facility caused by a change in products stored, handling or storage processes, procedures or technology, or improvements, equipment or facilities on the site, the owner of the bulk storage facility shall undertake a fire hazards management review and, if necessary, revise the fire safety plan for the bulk storage facility.
39. The Fire Chief may order the owner of a bulk storage facility to upgrade the fire detection and fire suppression systems at the bulk storage facility in accordance with the directions and requirements of the Fire Chief.

FIREWORKS AND FIRECRACKERS

40. No person shall use, detonate, explode, offer for sale, sell, or possess firecrackers.
41. No person shall sell or offer for sale fireworks. (Bylaw No. 13629)
42. Except as provided in this Bylaw, no person shall use, detonate, or discharge fireworks. (Bylaw No. 13629)
43. (Bylaw No. 13629)
- (1) Except as provided in subsection (3), fireworks shall not be set off, detonated or discharged at any time except on the 31st day of October.
- (2) It shall be lawful for a person who is at least eighteen (18) years of age to use, set off or discharge low hazard fireworks on private property with the consent of the owner of the property.
- (3) The Fire Chief may issue a permit to a person who is at least eighteen (18) years of age to use, detonate or discharge low hazard fireworks for a special occasion at any time of the year other than the date specified in subsection (1) on such terms and conditions as the Fire Chief may specify.
- (4) No person shall set off or discharge fireworks on public property without a permit from the Fire Chief.
- (5) No person shall point or direct a firework at any person, animal, motor vehicle, building or improvement where such firework is in the process of exploding or detonating, and where the firework is capable of projecting or discharging a charge or pyrotechnical effect.
- (6) No person shall discharge a firework within thirty (30) meters of a gas station or service station, lumber yard, propane tank, or other location where flammable materials are stored.

- (7) A local assistant under the *Fire Services Act* or a Peace Officer who observes any contravention of the requirements of subsection (1), (2), (4), (5), or (6) may confiscate the fireworks.
- 44. The Fire Chief may issue a permit to a person to use, detonate or discharge high hazard fireworks or indoor fireworks on such terms and conditions as the Fire Chief may specify, if the permit applicant:
 - (a) is at least 18 years of age and holds a valid fireworks supervisor card;
 - (b) is the person who will supervise the use, detonation or discharge of the fireworks;
 - (c) provides the Fire Chief a site map, acceptable to the Fire Chief, showing where the fireworks will be used and stored, and the location of fire extinguishers; and
 - (d) provides to the Fire Chief proof of liability insurance coverage for the use of the fireworks with limits and on terms acceptable to the Fire Chief.
- 45. (1) No person shall conduct a public pyrotechnics display without a permit from the Fire Chief.
- (2) A permit issued under subsection (1) shall be on such terms and conditions as the Fire Chief may specify, including the attendance of members at the display for fire protection and emergency response.
- (3) No person shall conduct a flame effects display before an audience without a plan and a representative demonstration approved by the Fire Chief.

FIRE HYDRANT STANDARDS

- 46. All fire hydrants, including private hydrants, installed in the City shall:
 - (a) be a slide gate or compression type hydrant;
 - (b) have two 65 mm hose outlets and one 100 mm pumper outlet;
 - (c) have an internal main valve opening of not less than 115 mm or 10,000 mm;
 - (d) have main operating stem, hose and pumper outlet threads that conform to the British Columbia Standard fire hose thread for 65 mm fire hose couplings and allied fittings, with the threads of the 100 mm pumper outlet having an outside diameter of 115.625 mm and six threads per 25 mm;

- (e) be self draining;
 - (f) have a clearance between the centre of the lowest outlet and the surface of the ground directly below of not less than 300 mm;
 - (g) have a main operating stem that opens in a counter-clockwise direction;
- and
- (h) conform to the American Water Works Association standards for dry barrel fire hydrants (AWWA C502).

TESTING, INSPECTION AND MAINTENANCE OF FIRE PROTECTION SYSTEMS

- 46A. (1) Only service agencies referred to in section 46B (1) may test, inspect or perform maintenance on a fire protection system, fire pump, emergency fire protection power system or commercial kitchen exhaust system.
- (2) Where a service agency has tested, inspected or performed maintenance as described in subsection (1) it shall affix to the equipment in respect of which its services were provided a tag showing its name, the date upon which the work was performed, and the signature, stamp and certification number of the technician doing the work and the date on which the work was performed.
- (3) Service agencies shall service portable fire extinguishers only in “A Standard for the Regulation of the Servicing of Portable Fire Extinguishers”. (Bylaw No. 13174)

APPROVED SERVICE AGENCIES

- 46B. (1) Only service agencies whose technicians are certified by the Applied Scientist Technologists and Technicians of BC or the Canadian Fire Alarm Association, or recognized certification agency for the specific type of fire protection equipment, may carry out any of the services described in Section 46A.
- (2) Notwithstanding subsection (1), where the work or services of any service agency has been improperly performed or carried out the Fire Chief may reject such work or servicing. (Bylaw No. 13174)

FALSE FIRE ALARMS

- 46C. (1) The owner or occupier of real property to which the services of the Department are provided in response to a false fire alarm shall pay to the City of Burnaby the fees specified in the Burnaby Consolidated Fees and Charges Bylaw. (Bylaw No. 14497)

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- (2) Where a single parcel of real property has two or more occupiers of separate premises with separate fire alarm systems, the scale of fees provided for under this section shall be applied to those premises individually insofar as the individual alarm systems can be identified by the Department as being the source of specific false alarms.
- (3) Any fee payable under this section that remains unpaid may be added to and form part of the taxes payable on the real property to which the services were provided as taxes in arrears. (Bylaw No. 13174)

LOCK BOXES

- 46D. (1) The Fire Chief may in his discretion require the installation of a lock box containing access keys to a building or premises for the use of the members in a location acceptable to the Fire Chief on the exterior of such building or premises.
- (2) A lock box may be opened only by a member and the keys placed in the lock box shall be clearly identifies as being for the sole use of the Department.
 - (3) Unless otherwise approved by the Fire Chief all lock boxes shall be
 - (a) recessed or flush mounted into the building;
 - (b) labelled with an “FD” marking or other signage approved by the Fire Chief; and
 - (c) located at a height of not less than 450 mm (18 in.) and not more than 1.8 m (6 ft.) above ground level.

(Bylaw No. 13174)

PRIVATE HYDRANTS

47. The owner or occupier of property that has a private hydrant shall ensure that the hydrant is maintained in good working condition at all times and that inspection, servicing and testing of the hydrant is carried out by a person qualified to perform these services.
48. The owner of a private hydrant shall:
- (a) not less than twice each year have the private hydrant flushed, drained and all threads, outlets and caps greased with waterproof grease;
 - (b) not less than once each year, have all components of the private hydrant inspected, serviced and tested to NFPA 25 Standard;
 - (c) on or before the 31st day of October each year, provide the Fire Chief with

a written report of the inspection, servicing and testing performed on the private hydrant during the previous twelve months;

- (d) keep the ground surface around the private hydrant clear of shrubs, trees, structures and other obstructions of any kind to within 1 metre in order to facilitate use of the hydrant by the Department; and
- (e) maintain the servicing records for the private hydrant for not less than two years.

FIRE LANES

49. In addition to any requirements under any other statute or regulation, fire lanes shall:

- (a) be posted with visible signage indicating that they are fire lanes;
- (b) be not less than 7.3 m (24 ft.) wide;
- (c) provide for a turning radius of not less than 13 m (42.65 ft.);
- (d) be capable of supporting a vehicle of 36,288 kg (80,000 lbs.) G.V.W.

CONTACT

50. (1) The owner, owner's agent or occupier of any premises equipped with a fire alarm system or an automatic sprinkler system shall provide to the Fire Chief the name, address and telephone number of a person who is able to attend at and secure the premises immediately upon being contacted.
- (2) If the Department is unable to make contact with a person named pursuant to subsection (1) or, after having been contacted by a member, that person fails to attend and secure the premises within one hour of having been contacted, the owner of the premises shall reimburse and pay to the Department its personnel, equipment, and other related costs, as determined by the Fire Chief, for any members and equipment that remain at the premises thereafter.

STANDBY

51. If after responding to an incident involving broken, damaged, or displaced:

- (a) electrical or telecommunications cables, lines or ancillary equipment or works; or
- (b) natural gas or fuel mains, lines or ancillary equipment or works;

the Department is requested by the owner or operator of such cables, mains, lines, or ancillary equipment or works, or the member in charge at the incident deems it necessary, to have one or more members at the scene of the incident on standby for a period of more than one (1) hour, the owner or operator of such cables, mains, lines, or ancillary equipment or works shall reimburse and pay to the Department its personnel, equipment, and other related costs, as determined by the Fire Chief, for any members and equipment that remain at the incident thereafter.

FEES AND CHARGES

52. (1) Every person applying for a permit, inspection or other service shall pay to the City the fees specified in the Burnaby Consolidated Fees and Charges Bylaw. (Bylaw No. 14497)
- (2) Where the Department is requested by a person to have any members or equipment present
- (a) at a pyrotechnics display or flame effects; or
- (b) to provide assistance to the film industry at the shooting or recording of a motion picture, television show, television advertisement or promotion, or any part thereof, or at any other film industry event;
- that person shall reimburse and pay to the Department its personnel, equipment, and other related costs, as determined by the Fire Chief, of having any members or equipment present at that event.
- (3) Where following an inspection of a building or premises by the Department the owner is ordered to rectify one or more contraventions of this Bylaw, the B.C. Fire Code or the Fire Services Act, the owner shall pay a re-inspection fee, as specified in the Burnaby Consolidated Fees and Charges Bylaw. (Bylaw No. 13174, 14342, 14497)
- (4) Every owner of a building or structure destroyed or damaged by fire where the value of the loss exceeds \$ 5,000.00 and for which a fire investigation report must be completed in accordance with the Fire Services Act shall pay the fee specified in the Burnaby Consolidated Fees and Charges Bylaw. (Bylaw No. 13174, 14497)
53. Fees or charges assessed or payable in respect of services provided to or in relation to any lands or improvements thereon that are unpaid on December 31 of the calendar year in which they are assessed, shall be added to and form part of the property taxes payable on those lands as taxes in arrears.

OFFENCE

Disclaimer The City of Burnaby documents contained in this system are for convenience reference only and their accuracy and currency is not guaranteed. To verify the accuracy and currency of this information please contact the City of Burnaby at 604-294-7290.

54. (1) Every person who contravenes or violates any provision of this Bylaw or any permit or order issued pursuant to this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw or any permit or order issued pursuant to this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or any permit or order issued pursuant to this Bylaw, commits an offence and is subject to prosecution in accordance with the Offence Act R.S.B.C. 1996, ch.338; and
- (2) Every contravention or violation of this bylaw or any permit or order issued pursuant to this Bylaw that continues for more than one day constitutes a separate offence for each day that it continues.

REPEAL

55. Burnaby Fire Services Bylaw 1983 is repealed.

Read a first time this 29TH day of NOVEMBER 2004
Read a second time this 29TH day of NOVEMBER 2004
Read a third time this 29TH day of NOVEMBER 2004
Reconsidered and adopted this 6TH day of DECEMBER 2004

M A Y O R

C L E R K

**SCHEDULE “A”
FEES**

Repealed. (BYLAW 14486)