

UNOFFICIAL CONSOLIDATION (2017)

THE CORPORATION OF THE DISTRICT OF BURNABY BYLAW NO. 7288

A BYLAW to regulate and control the installation, alteration, repair, use, operation and maintenance of low pressure gas piping, venting and appliances, including the placement and installation of propane tanks and containers.

(Consolidated for convenience with Bylaw Nos. 7488, 7641, 7860, 8013, 8017, 8308, 9330, 9860, 10598, 10889, 11062, 11191, 11329, 11487, 11672, 11844, 12033, 12189, 12374, 12550, 12630, 12729, 12887, 13045, 13168, 13266, 13416, 13540, 13662 and 13793)

The Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This bylaw may be cited as "**BURNABY GAS BYLAW 1978**".
2. The Canadian Gas Association Installation Codes for Gas Burning Appliances and Equipment promulgated as CAN I-B149.1-M80 and CAN I-B149.2-M80 with supplements, amendments and revisions thereto made from time to time (hereinafter called the Gas Code) together with regulations pursuant to the Gas Act, are adopted and made applicable within the Municipality of Burnaby.
3. Interpretation

In this bylaw, unless the context otherwise requires:

"Act" means the Gas Act;

"alteration" means any change made to house-piping, the attachment or removal of an appliance to or from an outlet, the installation or removal of a valve on a manifold, or a change to or replacement of any vent;

"appliance" means a device that uses gas to produce light, heat or power;

"approved" means acceptable to the Chief Inspector;

"Chief Building Inspector" means the Chief Building Inspector of The Corporation of the District of Burnaby;

"Chief Inspector" means the Chief Inspector of the Gas Safety Branch of the Safety Engineering Services Division under the Minister of Highways and Public Works;

"contractor" means any person who holds a valid and subsisting certificate of registration as a gas contractor, issued pursuant to the Act and who maintains a place of business

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from which he carries on the business of installation or repair of gas equipment;

"dealer" means any person who maintains a place of business for the sale of appliances;

"house-piping" means the gas piping in any premises beyond the outlet of the meter and the gas piping in any premises ahead of the meter which is not installed by or on behalf of the gas company and in the case of propane gas, beyond the pressure regulation.

"gas fitter" means a person holding a valid and subsisting gas fitter's license issued pursuant to the Act; (BYLAW 8017)

"inspector" means the inspector appointed under the Gas Act;

"Issuing Officer" means

- (a) a clerk authorized to issue permits;
- (b) a local inspector;

"kJ" means kilojoule which represents approximately the amount of heat liberated by the burning of a wooden match;

"licensed contractor" means a person in possession of a valid license issued pursuant to the Burnaby Trades License Bylaw to carry on the business of installation or repair of gas vents, piping, appliances or equipment.

"Local Inspector" means Supervisor - Plumbing and Gas Inspections and Plumbing and Gas Inspectors of The Corporation of the District of Burnaby appointed by the municipality under the provisions of the Gas Act to discharge the duties designated under the said Act; (BYLAW 8017)

"low pressure" shall mean gas supplied at a pressure not in excess of 3.5kPa;

"listed (certified)" means, with respect to appliances, investigated and suitably marked by a recognized testing agency as conforming to recognized standards or requirements or accepted test reports;

"Municipality" means the Municipality of Burnaby;

"owner" includes any person in occupation or possession of, or entitled to, or having any interest in, any building or premises within the municipality and includes the agent of any such person;

"piping" means house-piping; "registered owner" shall have the same meaning as contained in the Land Registry Act.

4. Duties of the Chief Building Inspector

The Chief Building Inspector shall:

- (a) require that all the provisions of this bylaw be enforced;
- (b) maintain and keep records of all low pressure gas piping and appliance installations undertaken and the inspection thereof.

5. Duties of the Local Inspector

The Local Inspector shall:

- (a) examine and pass upon plans and specifications for low pressure gas installations;
- (b) authorize the issuance of gas permits when he is satisfied the issuance of such permits is in order.
- (c) attend pressure tests on gas piping installations and inspect or cause to be inspected all gas work during the course of installation, alteration or repair.
- (d) inspect completed appliance installations when notified by the permit holder that such work is ready for inspection.
- (e) have the authority to direct the immediate suspension or correction of all or any portion of a gas installation whenever it is found by him that such work is not being performed in accordance with the provision of this bylaw.

6. Right of Entry

- (1) The Local Inspector is authorized to enter at all reasonable times into and upon any property or premises in order to ascertain whether the regulations contained in this bylaw are obeyed or to carry into effect the same.
- (2) Any person preventing or obstructing the entry or attempted entry of a Local Inspector, after he has properly identified himself, into or upon any property in pursuance of his duties under this bylaw shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties thereof.
- (3) No person shall hinder or prevent a Local Inspector from entering and making a reasonable inspection of any building or premises whenever necessary to secure compliance with, or prevent a violation of, any provisions of this bylaw.

7. Permits

A person shall not commence an installation or alteration of any house-piping, appliance or vent in or on any land and premises unless he is the holder of a permit issued by an issuing officer.

8. (1) Application for a permit shall be made in writing to a person who is authorized to accept such applications. The following information shall be set forth on the application, if requested:
- (a) a description of where the work is to be done;
 - (b) the number of appliances being installed and their inputs;
 - (c) the size and length of house-piping (BYLAW 8017)
- (2) Application for a permit shall be made by:
- (a) a person who is the holder of an unexpired gas contractor's license; or
 - (b) an accredited representative of a contractor, or
 - (c) a registered owner of a single family dwelling, living or intending to live in such dwelling.
9. (1) A Local Inspector may demand from an applicant for a permit, a plan of the proposed gas installation showing the details of the sizes and location of all gas piping, appliances and vents. When an additional appliance is to be served through an extension of present piping, the capacity of the existing lines shall be verified by the installer. (BYLAW 8017)
- (2) An applicant for a permit for a gas system with house piping in excess of 120 kW connected load shall accompany his application for a permit with drawings of the system in triplicate, properly engineered showing the details of all gas piping, appliances and vents. (BYLAW 8017)
- (3) An applicant for a permit for the installation of infra-red heaters shall submit a detailed sketch or plan showing the method of supporting the units, the details of gas piping with respect to the units and the sizes and location of combustion air and ventilation air openings.
10. (1) The application for a permit shall be accompanied by the fee prescribed in the Burnaby Planning and Building Fees Bylaw. (BYLAW 13793)

families or persons of low income, persons suffering from a disability or with special needs or seniors, operated on a not-for-profit basis, the Chief Building Inspector may defer payment of the permit fees payable under this bylaw until the earlier of:

- (a) The date which is 24 months after the date upon which the permit for the construction of the building is issued;
- (b) The date upon which an occupancy certificate for the building is issued,

and on such terms and conditions as the Chief Building Inspector may require.

(BYLAW 13793)

10A. (BYLAW 12630) Deleted.

10B. (BYLAW 13662) Deleted.

- 11. If, after the issuance of a permit, the gas work authorized thereunder be not commenced within ninety (90) days from the date thereof, or if, after the commencement of operations thereon, the work be discontinued for a period of ninety (90) days through any cause, other than strikes or lockouts, or if the work not be carried on continuously and in a bona fide manner, such permit shall be void, and the work shall not be again commenced until a new permit shall have been issued.
- 12. The Supervisor, Plumbing & Gas Inspections, may extend the said period of ninety (90) days for a further period of ninety (90) days, if in his opinion the delay in the commencement of the said work was beyond the control of the person to whom the permit was issued.
- 13. The Supervisor, Plumbing & Gas Inspections, may refuse to issue a permit for a gas installation to any person who:
 - (a) is delinquent in the payment of any fee payable under the Gas Act or this bylaw.
 - (b) who has failed or neglected to correct deficiencies within the time specified in a certificate of inspection or objection notice on any installation for which a permit has been issued to him.
- 14. Where the utility supplies gas at a pressure in excess of 3.5 kPa. to any premises, the complete installation downstream from the point of supply shall be under the jurisdiction of the Gas Safety Branch of the Safety Engineering Services Division.
- 15. Where more than one meter is installed by the utility for any building, there shall be an

individual permit required for the installation of house-piping, appliances and vent attached to the downstream side of each meter.

16. Inspection

- (1) Upon completion of each phase of the gas installation covered by a permit the holder of the permit shall forthwith notify the Local Inspector that the said work has been performed in compliance with the Gas Act and the governing regulations and that it is ready for inspection.
- (2) A Local Inspector may carry out an inspection of the work at any time, and shall issue a notice of inspection:
 - (a) approving the work, or portion thereof, or
 - (b) ordering such changes as may be necessary to bring the work into conformity with the regulations within a time limit specified in the notice.

17. Nothing in these regulations shall be deemed to impose a requirement on a Local Inspector that he shall inspect an installation solely because a permit was issued in respect to such installation.

18. A Local Inspector may at any time inspect any premises to determine the condition of any house-piping, appliance or vent, or to ascertain whether work is carried out in full compliance with the provisions of the regulations.

19. A Local Inspector may direct the immediate suspension of all or any portion of any gas fitting on any premises by posting a notice to such effect on such premises whenever it appears to him that such gas fitting is not being done in accordance with the Gas Act and the governing regulations.

20. A tag shall be securely affixed by the gas fitter to the house-piping within a building at a point of entry or, where there is no building, at the meter. The following information shall be placed on the tag in a permanent manner: (BYLAW 8017)

- (a) contractor's name and registration number;
- (b) the gas fitter's name and registration number, and
- (c) the date the tag is affixed to the house-piping.

21. Repealed. (BYLAW 13793)

22. Approval of Equipment

The following testing agencies are approved for the testing and certification of gas-fired equipment:

- (a) Canadian Gas Association;
 - (b) Canadian Standards Association;
 - (c) Underwriters Laboratories of Canada;
 - (d) B.C. Research Council;
 - (e) Gas Safety Branch of the Safety Engineering Services Division under the Minister of Highways and Public Works.
23. (1) Before any gas-fitter commences the installation or re-installation of any commercial or industrial appliance not bearing the approval seal of the Canadian Gas Association, Canadian Standards Association or Underwriters Laboratories of Canada as a gas fired appliance, he shall ascertain that an application has been made to the Gas Safety Branch for certification of the appliance and that the appropriate fee has been paid.
- (2) Before any gas-fitter commences the installation or re-installation of any appliance with a maximum input per hour in excess of 120 kW he shall ascertain that an application has been made to the Gas Safety Branch for certification of the appliance and the appropriate fee has been paid.
24. Before any gas-fitter commences the installation or re-installation of any direct fired non-recirculating type make-up heater, he shall ascertain that an application has been made to the Gas Safety Branch for certification of the appliance and that the appropriate fee has been paid. (BYLAW 8017)
25. No person shall install or cause or allow to be installed a conversion burner in an appliance of any input in a commercial or industrial premises unless application for certification of the equipment as a gas appliance has been made to the Gas Safety Branch and the appropriate fee has been paid.
26. Only certified conversion burners shall be installed in single family dwellings.
27. Notwithstanding Section 26, no conversion burner having an input in excess of 120 kW shall be installed in a single family dwelling until application for certification has been made to the Gas Safety Branch and the appropriate fee has been paid.

28. The main burner or burners of an appliance, requiring certification shall not be ignited until an Inspector of the Gas Safety Branch is present or authorizes their ignition, except by special permission. (BYLAW 8017)
29. The main burner or burners of an appliance requiring certification shall not be left ignited unless an Inspector of the Gas Safety Branch approves the appliance and the installation. (BYLAW 8017)
30. Enforcement
 - (1) It shall be unlawful for any person to construct, install, remove, alter, repair, use or maintain any gas piping, vent or appliance in violation of this bylaw.
 - (2) It shall be unlawful for any person, unless authorized by the Local Inspector, to reverse, alter, deface, cover, remove or in any way tamper with any notice or certificate posted or affixed to any piping, appliance or building pursuant to any provision of this bylaw.
 - (3) The Local Inspector may order tests, or sufficient evidence or proof submitted to determine whether any gas piping, venting or appliance meets the requirements of this bylaw.
 - (4) If the Local Inspector is of the opinion that any appliance has been installed without a permit, or is defective or dangerous to life or property, or that any house-piping or vent from an appliance is defective or dangerous to life or property, he may shut off such appliance or house-piping or require the gas company to whose pipe line such house-piping is connected, to shut off such house-piping. A notice to that effect shall be attached to the piping, appliance or building and/or a notice listing deficiencies shall be sent return registered to the owner of the property.
 - (5) In any case where an appliance or house piping is shut off or disconnected under direction of the Local Inspector, it shall be unlawful for any person to turn on or reconnect such house-piping or appliance until authorized to do so. (BYLAW 8017)
31. Penalties
 - (1) Every person who violates any of the provisions of this bylaw, or who causes, suffers or permits any act or thing to be done in contravention or in violation of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw, or who carries out or

who suffers, causes or permits to be carried out any work in a manner prohibited by or contrary to any of the provisions of this bylaw or who fails to comply with any order, direction or notice given under this bylaw shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties hereby imposed.

- (2) Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in violation of any of the provisions of this bylaw is guilty of an offence punishable on summary conviction and is liable to a fine of not less than Two Thousand (\$2,000.00) Dollars and not more than Ten Thousand (\$10,000.00) Dollars for each violation, and each day that a violation exists or is permitted to exist constitute a separate offence.

(BYLAW 13793)

32. Bylaw No. 3298, being the "Burnaby Gas Fittings Bylaw 1953", and amendments thereto, are hereby repealed. (BYLAW 8017)

Read a first time this 14th day of November, 1978.

Read a second time this 14th day of November, 1978.

Read a third time this 14th day of November, 1978.

Reconsidered and adopted this 20th day of November, 1978.

W. CONSTABLE
MAYOR

JAMES HUDSON
CLERK

SCHEDULE "A"
SCHEDULE OF GAS PERMIT AND INSPECTION FEES

Deleted. (BYLAW NO. 13793)

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