

**SALT SPRING ISLAND FIRE PROTECTION DISTRICT**

**BYLAW NO. 58**

**A BYLAW FOR THE ADMINISTRATION OF THE INSTALLATION AND MAINTENANCE OF SMOKE ALARMS IN BUILDINGS USED FOR TRANSIENT ACCOMODATION.**

WHEREAS Section 734 of the Municipal Act and the regulations thereunder provide for the installation and maintenance of smoke alarms.

Now therefore, the Trustees of the SALT SPRING ISLAND FIRE PROTECTION DISTRICT, in open meeting assembled, enacts as follows:-

**PART 1**

**1. Title:**

This bylaw may be cited as the Smoke Alarm Installation and Maintenance Bylaw No. \_\_\_\_\_

**2. Definitions:**

Authority  
having

Jurisdiction, means the Salt Spring Island Fire Protection District and its authorized representatives.

Building, means any structure used or intended for supporting or sheltering any use or occupancy.

Dwelling Unit, means a single room or a series of rooms operated as a housekeeping unit, used or intended to be used as a residence and usually containing cooking, eating, living, sleeping and sanitary facilities.

Occupant, means the resident owner, lessee, licensee or tenant of any building to which any of the provisions of this bylaw apply.

Smoke Alarm, means a combined smoke detector and audible alarm device designed to sound an alarm within the room or suite in which it is located upon detection of smoke within that room or suite.

Suite, means a single room or series of rooms of complementary use, operated under a single tenancy, and includes dwelling units, individual guest rooms in motels, hotels, boarding houses, rooming houses, and dormitories, and individual guest rooms in private residences offering transient accomodation to the public for hire.

## **PART II**

1. The owner of every building in which suites are offered for to the public for transient accomodation shall ensure that one or more smoke alarms are installed and maintained in every dwelling unit or suite in accordance with the requirements of the B.C. Building Code.
2. Smoke alarms should be tested by the owner/representative not less than every month to ensure that they are functioning correctly.
3. Smoke alarms required under this bylaw shall be installed and maintained in conformance with CAN/ULC S553-M86 Standard for the installation of Smoke Alarms.

## **PART III**

The authority having jurisdiction may enter at all reasonable times upon any property which is subject to this bylaw in order to ascertain whether the smoke alarm(s) is installed and being maintained in conformity with the bylaw.

### **Offence**

Any person who violates any provision of this bylaw shall be guilty of an offence.

### **Penalty**

- (a) Any person guilty of an Offence is punishable in accordance with the Offence Act.
- (b) The penalty that may be imposed upon any owner found guilty of any offence hereunder shall be a fine of not less than \$50 nor more than \$500 for each offence, and a separate offence shall be deemed to be committed on each day during or on which a violation occurs or continues.



ID232-30

September 1, 1992

Saltspring Island Fire Protection District  
c/o Mr. G. Moores  
Secretary  
P.O. Box 121  
Ganges, B.C.  
V0S 1E0

Dear Mr. Moores:

In reply to your letter of August 6, 1992 concerning Bylaw No. 58 which would require the installation of smoke alarms in buildings used for transient accommodation, this is to advise that improvement districts do not have the authority to pass such a bylaw.

Improvement districts can only enact bylaws under the authority granted to them in legislation and most of the provisions applicable to improvement districts are contained in Part 25 of the Municipal Act (sections 822 through 860). Therefore, the Saltspring Island Fire Protection District cannot avail itself of the provisions of Section 734 and the Inspector of Municipalities would not register a bylaw passed by an improvement district that required the installation of fire alarms.

Since regional districts have been given the authority to enact bylaws under Section 734 of the Act, I would suggest you contact the Capital Regional District to see if they would be willing to enact a Smoke Alarm Installation Bylaw that would be applicable in your area.

Yours truly,

Don Sutherland A.C.I.S., P.Adm.  
Administrative Officer  
Municipal Financial Services

Re Bylaw 58