

SALT SPRING ISLAND FIRE PROTECTION DISTRICT

BYLAW NO. 60

REPEALED

A bylaw for preventing and suppressing fires and for regulating people at fires:

The Trustees of the Salt Spring Island Fire Protection District ENACT AS FOLLOWS:

1. In this bylaw, unless the context otherwise requires:

(1) The following terms and expressions shall have the meanings hereinafter assigned to them, that is to say:

- (a) "Animal organic waste" shall mean solid organic waste material of animal origin and includes flesh, carcasses, offal, hides, hair and feathers;
- (b) "Approved plastic container" shall mean approved by a recognized testing authority.
- (c) "Authorized" shall mean authorized by the chief of the fire department;
- (d) "Authorized incinerator" shall mean any metal or masonry container in good condition mounted on a non-combustible base, fitted with a metal screen or grill of less than 12.5 mm (1/2") mesh to restrict any sparks or flying debris;
- (e) "Board" shall mean the Board of Trustees of the Salt Spring Island Fire Protection District;
- (f) "Building" shall mean any structure or building used or intended to be used for the support, shelter or enclosure of persons, animals or chattels;
- (g) "District" shall mean the Salt Spring Island Fire Protection District;
- (h) "Dwelling" shall mean any building or part of a building occupied or intended to be occupied as the residence of not more than one family;
- (i) "Extinguished" shall mean no visible flame, sparks, glowing embers or smoke;

- (j) "Fire Chief" shall mean the fire chief of the Salt Spring Island Fire Protection District or any person designated by him to act on his behalf.
- (k) "Fire department" shall include the fire department of the District and the fire department of any other fire protection district or municipal corporation attending fires within the District;
- (l) "Fire hazard" shall mean any condition that is conducive to the destruction of life or property by fire, or will, or is likely to increase the extent or severity of the fire;
- (m) "Flash point" shall mean the flash point of a flammable liquid as determined by the Tagliabue Closed Cup Tester or the Abel-Pensky Flash Point Tester methods;
- (n) "Garbage" shall mean any animal, vegetable and flood wastes or scraps;
- (o) "Gasoline" shall mean any product of petroleum or any liquid that will flash or emit a flammable vapour below the temperature of one hundred ten degrees Fahrenheit (110°F) or forty-four degrees Celsius (44°C);
- (p) "Occupant" shall mean owner, agent, lessee, licensee or tenant of any building or premises to which any of the provisions of this bylaw shall apply;
- (q) "Person" where used in this bylaw shall mean natural persons of either sex, associations, corporations, or co-partnerships, whether acting by themselves or by a servant, agent or employee, and the heirs, executors, administrators, or assigns or other legal representatives of such persons to whom the context shall apply according to law;
- (r) "Private residence" shall mean any dwelling or two-family dwelling;
- (s) "Refuse" shall mean any approximately evenly proportioned mixture of rubbish and animal or vegetable waste material of low moisture content;
- (t) "Rubber" shall mean rubber goods, tires, plastics, and tar and asphalt roofing materials;
- (u) "Rubbish" shall mean any readily combustible inorganic dry waste material, but does not include animal or vegetable wastes;

- (v) "Two-family dwelling" shall mean any building occupied or intended to be occupied as the residence of not more than two families;
  - (w) "Vehicle" shall mean every device upon or in which any person or property is, or may be, transported or drawn on or upon a public highway.
  - (2) Unless the context otherwise requires, wording importing the singular number shall include the plural and words importing the masculine gender shall include the feminine, and the converse shall apply.
3. (1) Even where this bylaw and any regulations under the Fire Services Act deal with the same subject matters, any further or more stringent restrictions in this bylaw on the use of property or fire shall have full force and effect.
- (2) In the event of any conflict, inconsistency or repugnancy between these bylaws and the Waste Management Act, the Waste Management Act shall, in all cases, prevail.

#### Right of Entry

4. (1) With the exception of a privately owned and occupied single-family dwelling, the fire chief is hereby empowered to enter upon any land or premises for the purpose of making an inspection or investigation.
- (a) to inspect for conditions which may cause a fire, increase the danger of a fire or increase the danger to persons;
  - (b) to see that any flammable matter is rendered harmless or suitably safeguarded against fire by requiring: -
    - (i) the erecting of barricades;
    - (ii) the posting of "no admittance signs", or
    - (iii) any other measures deemed necessary by the fire chief.

#### No Obstruction

- (2) No person shall obstruct the fire chief in making any entry authorized by this bylaw.

#### No Hindrance

5. No person shall, in any way, hinder any member of the fire department or any other person under the direction of the

fire chief at any fire or other emergency.

Breaking Blockade

6. Except with the permission of the fire chief, no person shall be permitted to enter any burning building or within the lines across any alley, lane, street or area marked by ropes or guards.

Driving Over Hose

7. No person shall drive or run over any fire hose with any vehicle.

Access to Fire Hydrant

8. No person shall place or maintain any object or matter on a sidewalk or street which interferes with free access or approach to any fire hydrant.

Smoking Prohibited

9. (1) Where, in his opinion, smoking may create a fire or explosion hazard, the fire chief may prohibit smoking in any building, theatre, public hall, assembly hall, dance hall, school auditorium skating rink, arena, or place used for public amusement, sport or public assembly or any structure or open space in which combustible materials are handled, stored, manufactured or sold;

Post Suitable Signs to Prohibit Smoking

- (2) Where, in the opinion of the fire chief, smoking should be prohibited, he may give notice in writing to the occupant to post suitable signs that smoking is prohibited in or on such premises or buildings and the occupant thereof shall prohibit smoking in such premises or buildings. The term "smoking" shall include the carrying of a lighted pipe, cigar or cigarette;

Penalty

- (3) Any person violating any such order or notice shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties herein imposed.

Dirty Chimneys

10. (1) No owner or occupant of any building shall permit any chimney, stovepipe or flue to remain in any condition which may cause or create a fire hazard.

### Stopping Unused Flues

- (2) Every owner or occupant of any building shall keep all openings in any chimney in such buildings, while such openings are not in use, closed by a proper stopper of metal or other non-combustible material.

### Inspection of Chimneys, Flues, Furnaces

11. (1) Where he deems it necessary, the fire chief may examine carefully any chimney, flue, fireplace, hearth, oven, furnace, heater, boiler, stove, steam pipe, funnel or any other equipment he may deem to be a fire hazard.

### Notice to Remedy Fire Hazard

- (2) Where any chimney, flue, fireplace, hearth, oven, furnace, heater, boiler, stove, steam pipe, funnel or any other equipment is found to be a fire hazard, the fire chief shall notify the owner or occupant of the building of the condition and indicate the remedy and the time within which the condition shall be remedied.

### Duty to Comply

12. Where any owner or occupant has received notice under Section 11, he shall comply with the notice within the time indicated.

### Depositing Ashes

13. (1) No person shall deposit any ashes or allow any ashes to be deposited or remain: -
  - (a) in any combustible container;
  - (b) on the floor of any building belonging or occupied by him; or
  - (c) in any metallic contained which is within 300mm (12 inches) of any woodwork or any other combustible material.

### Depositing Flammable Material Among Ashes

- (2) It shall be unlawful for any persons to deposit, or allow or cause to be deposited, any paper, straw, hay, shavings, or other combustible or flammable material or things in or among any ashes or other materials or things taken from any stove, furnace, or fireplace.

No Open Flame or Smoking Near Flammable Material

14. No persons, within the District, in that part of any building where there is an accumulation of hay, straw, shavings or other readily flammable material, or liquids, shall smoke, or have in his possession any lighted pipe, cigar or cigarette, or light or carry any naked light, flame, or light not enclosed in a shade or other non-combustible guard.

Metal Receptacles for Flammable Material

15. No person shall, within the District, keep any waste, rags, papers, or other substance liable by spontaneous combustion to cause fire, except in a container made of metal or other non-combustible material and with an airtight top or lid of the same type of material.

Control of Combustible Material

16. No person shall deposit or allow to collect or be deposited, within the District, any paper, rubbish, or other combustible material likely to cause or promote fire dangerous to buildings or other property.

Cleaning of Roof

17. No owner or occupant of any building shall allow any paper, wood, debris or other combustible rubbish or material to accumulate upon the roof of the building.

Duty to Safely Store

18. Any person who makes, uses or has charge of shavings, paper bags, litter or other combustible material shall, at the close of each day, ensure that they are safely stored or disposed so as to be safe from fire.

Remove Fire Hazard

19. (1) Any owner or occupant or real property in the District shall remove any matter or things situated in or on any building or premises which, in the opinion of the fire chief, is a fire hazard or increases the danger of fire.

Secure Unoccupied Buildings

- (2) Any owner of any unoccupied building shall ensure that it is property secured against entry by unauthorized persons.

### Notice

- (3) Where, in the opinion of the fire chief, any fire hazardous condition exists or any unoccupied building is not properly secured, the fire chief shall give written notice to the owner or occupant at his last known address or by posting a notice in a conspicuous place on the building or premises.

### Duty to Comply

- (4) In any notice under this section, the fire chief shall indicate the nature of the condition to be remedied, the manner in which the condition may be remedied, and the time within which the owner or occupant must comply.

### Burning

20. Except as provided in this bylaw, no person shall light, ignite, or maintain any fire or permit or cause any fire to be lit, ignited, or maintained in the "open air" without fire obtaining a permit, oral or written, from the fire chief, who may require a written application thereof.

### Form of Written Permit

21. A written permit shall be in the form set out in the schedule attached hereto, or to like effect, and shall not be valid after expiration thereof.

### Issuance

22. The fire chief may withhold or cancel any permit issued where, in his opinion, the igniting of a fire in any area may create a hazard to persons or property.

### No Noxious Odours

23. No persons shall burn any rubber, garbage, animal organic water or any materials which create a noxious odour.

### "Open Air" Fires

24. (1) A fire in the "open air" shall mean a fire out of doors, not contained in an authorized incinerator.
- (2) The permit holder or some competent person appointed by him shall supervise and keep under control any burning in the "open air" and ensure that any equipment necessary for fire control is available.
- (3) The permit holder or some competent person appointed by

him shall ensure that a fire in the "open Air" is located at least:-

- (a) 3m (10 feet) from any grass, shrubbery or wooden fence; and
- (b) 6m (20 feet) from any building.

#### Authorized Incinerators

25. The owner of an authorized incinerator shall ensure:-

- (1) that the authorized incinerator is maintained in a condition that provides for proper combustion of any material burned;
- (2) that while it is in use, the permit holder or some competent person appointed by him shall supervise any burning and ensure that any equipment necessary for fire control is available;
- (3) that the authorized incinerator is located at least:-
  - (a) 2m (6 feet) from any dry grass, shrubbery or wooden fence; and
  - (b) 4.5m (15 feet) from any building.

#### Restriction, Fires in the "Open Air" or in an Authorized Incinerator

26. (1) Except a fire lawfully maintained by special written permit from the fire chief, no persons shall ignite or have burning any fire in the "open air" or in any authorized incinerator:-
- (a) between sunset of one day and sunrise of the following day; or
  - (b) between the hours of 12 noon Saturday and sunrise of the following Monday during the months of June, July and August in any year; or
  - (c) on Canada Day, B.C. Day or Labour Day holidays.
- (2) Except for the occasional lawful "open air" burning of waster materials resulting from land clearing, agriculture, logging, gardening, demolition or construction, no person shall burn any waster material other than in an authorized incinerator.



### No Permit Required

- (3) No person is required to obtain a permit for the occasional burning of waste material from October 1st in any year to April 15th of the following year unless proclaimed otherwise by the fire chief.

### Unauthorized Fires

27. No person shall light or maintain any fire either in the "open air; or in any form or container on any street, lane or boulevard allowance, without proper authorization.

### Fire Escapes

28. Each storey above ground floor of any building in the district used as a school, hotel, apartment building, duplex or boarding-house, shall have a protected exit provided by the owner as defined in the current addition of the building code.

### Exit Doors to Open Readily

29. No door to any exit leading to a fire escape in any building shall be closed or fastened except with a standard panic or exit bolt, which may be readily opened without the aid or a key or other devices.

### Gasoline Storage

30. Except as authorized by a valid written permit issued by the fire chief, no person shall store or keep gasoline within the District other than:-
  - (1) gasoline not exceeding 45 litres (10 gallons) in closed metal containers or in approved plastic containers for outdoor storage only;
  - (2) gasoline in the gasoline tank of an automobile, gasoline engine, motor boat, or aeroplane, whose tank is permanently connected to and supplied its engine.

### Storage of Explosive or Flammable Compound, Liquid or Material in Public Building

31. Except in a place especially provided for the purpose and approved by the fire chief, it shall be unlawful for any person to keep, store or use any combustible explosive or flammable compound, liquid or material in any part of a building used or maintained as a hotel, apartment house, school or place of public assembly.

Disposal of Gasoline Storage Tanks

32. All unused gasoline storage tanks on service station sites shall be either filled or be removed.

Enforcement

33. (1) The fire chief may enter upon any premises in order to ascertain that the provisions of this bylaw are being obeyed.
- (2) No person shall obstruct the fire chief in the discharge of his duty under this bylaw.

Penalty

34. (1) Any person who violates any provisions of this bylaw shall be liable, upon conviction, to a maximum penalty of \$2,000 as authorized under the Offence Act.
- (2) Where any violation continues, each day in which it continues shall be a separate violation for the purpose of prosecution under this bylaw.
35. This bylaw may be cited as the "Fire Regulations Bylaw, 1992".


INTRODUCED and given first reading by the Trustees on the 28 day of September, 1992.

RECONSIDERED and finally passed by the Trustees on the 28 day of September, 1992.

  
Chairman of the Trustees

  
Secretary of the Trustees

I hereby certify under the seal of the Salt Spring Island Fire Protection District copy of Bylaw No. 60 of the Salt Spring Island Fire Protection District passed by the Trustees on the day of September 28, 1992.

  
Secretary of the Trustees

A true copy of By-Law No. 60  
registered in the office of the Inspector  
of Municipalities this 4 day of  
December 1992.

  
Deputy Inspector of Municipalities