

City of Chilliwack

Bylaw No. 2982

A bylaw respecting the powers of the Fire Chief

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **“Fire Chief Powers Bylaw 2004, No. 2982”**.

INTERPRETATION

2. In this bylaw:

“Assistance Response” means aid provided in respect of fires, explosions, medical assistance, earthquakes or other natural disasters, escape of Dangerous Goods, rail or aircraft incidents, motor vehicle or other accidents, and circumstances necessitating rescue efforts;

“Fire Department” means the City of Chilliwack Fire Department;

“Member” means a person appointed as a Fire Department officer by Council or a Fire Department employee by the Fire Chief;

“Occupier” includes every owner, tenant, lessee, agent or other person who has the right of access of and control of any building or premises;

“Permit” means a document issued by the Fire Chief or Member of the Fire Department to authorize a person to carry out a procedure or undertaking described in the permit, or to use, store or transport materials under conditions stipulated in the permit;

FIRE CHIEF

3. The Fire Chief reports to the Chief Administrative Officer in respect of the management of the Fire Department and the condition of buildings, apparatus and equipment under the control of the Fire Department.

POWERS OF FIRE CHIEF

4. A Fire Chief may

- (1) make rules and regulations for the proper and efficient administration and operation of the Fire Department and change, replace or withdraw the rules as he or she considers necessary;

- (2) make rules and regulations or take measures respecting the discipline of Members of the Fire Department;
- (3) enter on property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire;
- (4) take measures to prevent and suppress fires, including the demolition of buildings and other structures to prevent the spreading of fires;
- (5) order an owner or Occupier of real property to undertake any actions directed by the Fire Chief or other authorized person authorized by Council by name of office or otherwise for the purpose of removing or reducing any thing or condition that person considers is a fire hazard or increases the danger of fire;
- (6) provide Assistance Response;
- (7) exercise some or all of the powers of a Fire Commissioner under Section 25 of the *Fire Services Act*, and for these purposes that section applies;
- (8) enforce municipal bylaws, rules, orders and regulations respecting fire prevention and suppression and the protection of life and property;
- (9) inquire into, investigate and record the causes of fires in the City;
- (10) collect and disseminate information in regard to fires in the City;
- (11) investigate and hold inquiries into such fires;
- (12) study methods of fire prevention; and
- (13) provide advice and make recommendations to Council, other officers and employees of the City and the public in relation to
 - (a) the establishment and administration of fire brigades and departments,
 - (b) the provision of adequate water supply and pressure,
 - (c) the installation or maintenance of automatic or other fire alarms systems and fire extinguishment equipment,
 - (d) the enforcement of measures for the prevention or suppression of fire and the protection of life and property,
 - (e) fire prevention generally.

PERMITS

- 5.** A Permit issued by the Fire Chief is required to
- (1) store flammable or combustible liquids in stationary or underground tanks;
 - (2) light, ignite or start or allow to be caused or lighted, ignited or started a fire of any kind whatsoever in the open air;
 - (3) fire, set off or explode display fireworks for the purpose of the observance or celebration of a special event or festival;
 - (4) sell, offer for sale or otherwise dispose of consumer fireworks;
 - (5) install a fuel oil or oil burning apparatus, including controls, piping, vents and storage containers required by the apparatus.

APPLICATIONS FOR PERMITS

- 6.** An application for a Permit must be made in accordance with the Fire Regulation Bylaw, Fireworks Regulation Bylaw, or other applicable bylaws, in force from time to time.

ISSUING OF PERMIT

- 7.** If an application is made to the Fire Chief for a Permit under Section 6, the Fire Chief must issue the Permit if
- (1) receptacles, vehicles, buildings or storage places to be used have been inspected and approved by the Fire Chief, a Member or other person designated by Council by name of office or otherwise to carry out fire inspections;
 - (2) the proposed operation or occupancy complies with this bylaw, and other applicable bylaws;
 - (3) the applicant has paid the Permit fee prescribed in the applicable bylaws.

CONDITIONS OF ISSUING PERMIT

- 8.** The Permit issued by the Fire Chief
- (1) is not transferable;
 - (2) is revocable if there is a violation of
 - (a) any condition under which the Permit was issued, or
 - (b) any requirements of this bylaw;

FORESTS

9. If, in the opinion of the Fire Chief, the safety of life and property in any area within the Municipality is endangered through the hazardous condition of the forest cover or the occurrence or spread of fire burning in any forest or woodland, the Fire Chief may, by order, declare that area a closed area for such period or periods of time as the Fire Chief may determine and that no person may enter or be in the closed area for any purpose in the absence of express authorization of the Fire Chief, and no operations of any class specified in the order may be carried on within the area. The Fire Chief in his or her sole discretion may erect fences, gates or barriers, or post signs, to prevent access to forested areas and take such other measures as he or she believes are necessary to prevent persons from entering forested areas.

ASSISTANCE OF PUBLIC

10. The Fire Chief may order any person at or near an Assistance Response to render reasonable assistance to mitigate the incident.

REVIEW OF PLANS

11. The Fire Chief may review the plans, and inspect the construction of, all new buildings and structures in the Municipality other than single family dwellings, to review fire protection facilities and equipment in compliance with applicable regulations, codes, and standards.

Received first reading on the 5th day of January, 2004.

Received second reading on the 5th day of January, 2004.

Received third reading on the 5th day of January, 2004.

Finally passed and adopted on the 19th day of January, 2004.

“Clint Hames”

Mayor

“Robert L. Carnegie”

Clerk