

City of Chilliwack

Bylaw No. 3464

A bylaw to regulate fire prevention and the protection of life and property

NOW THEREFORE the Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This Bylaw may be cited as "**Fire Prevention and Protection Bylaw 2007, No. 3464**".

INTERPRETATION

2. In this Bylaw:

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

"City " means the City of Chilliwack;

"dwelling unit" *means one or more habitable rooms for the residential accommodation of only one person or one family and contains or provides only one cooking facility;*
(AB#4457)

"fire department connection" means the connection device to which a fire hose can be connected to support sprinkler or standpipe fire protection systems;

"Fire Department" means the City of Chilliwack Fire Department;

"Fire Chief" means the person appointed by Council as head of the Fire Department;

"fire watch" means a person or persons tasked with patrolling a building for the purpose and with the means of alerting the building occupants in the event of a fire;

"*inspector*" means:

- (a) *the Fire Chief, and every person appointed by Council or the Fire Chief, as applicable, to be an officer or employee of the Chilliwack Fire Department;*
- (b) *the Chief Building Official for the City, and every Building Inspector appointed by the City;*
- (c) *a Peace Officer, including a member of the Royal Canadian Mounted Police;*
- (d) *the Director of Development and Regulatory Enforcement Services;*
- (e) *the Director of Operations;*
- (f) *Bylaw Enforcement Officers;*
- (g) *the deputy of a person, officer or employee referred to in (a) to (e);*

(h) *other persons designated by Council by name of office or otherwise to act in the place of the persons, officers or employees referred to in (a) to (f); (AB#4457)*

"member" means a career member of the Fire Department;

"occupier" includes an owner, tenant, lessee, agent and any other person who has the right of access to a building or premises;

"officer of the Fire Department" means a member of the Fire Department appointed by Council to assist the Fire Chief in the designated duties;

“private fire hydrant” means a fire hydrant required by regulation, but owned and maintained by a private property owner for use by the Fire Department;

“refuse container” means a container or combination of containers with a capacity of one cubic metre or greater used for the storage of refuse; (AB#4457)

“recycling container” means a container or combination of containers with a capacity of one cubic metre or greater, used for the storage of recyclables; (AB#4457)

"smoke alarm" means a combined smoke detector and audible alarm device designed to sound an alarm within the dwelling unit or room in which it is located upon the detection of smoke within that dwelling unit or room;

“smoking” includes the use of a lighted pipe, cigar, cigarette or any other smoke inhalation device.

AUTHORITY TO INSPECT PREMISES

3. The Fire Chief or any member of the Fire Department may enter on to any real property and enter any premises to inspect for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire or explosion.
4. No person shall obstruct or interfere with the Fire Chief or their designate while they are carrying out any inspection pursuant to this Bylaw, the *BC Fire Code* or the *BC Fire Services Act*.

SMOKE ALARMS

5. Every owner of a building shall ensure that smoke alarms are installed and maintained in every dwelling unit and in each sleeping room not within a dwelling unit, except for an institutional occupancy required to have a fire alarm system.
6. Each smoke alarm shall be tested by the occupier of a dwelling unit not less than once a month to ensure that it is functioning correctly and, if the smoke alarm is not functioning correctly, the building owner or authorized agent shall, without delay, repair the smoke alarm to working condition.
7. Smoke alarms shall conform to CAN/ULC – S531 Standard for Smoke Alarms, CAN/ULC-S552 Standard For Maintenance and Testing of Smoke Alarms and shall be installed and maintained in conformance with CAN/ULC-S553 Standard for the

SMOKE ALARMS (continued)

Installation of Smoke Alarms. *Smoke* alarms required for motels, hotels, boarding houses, rooming houses and dormitories shall, in addition, be installed in accordance with the *BC Building Code* and *BC Fire Code*.

A record of smoke alarm testing must be retained on site by the building owner or authorized agent. (AB#4457)

SMOKING

8. Smoking shall not be permitted in areas where conditions exist that make smoking a fire or explosion hazard. In areas designated as “No Smoking”, signs shall be posted by the building owner or authorized agent in conspicuous locations.

REMOVAL OF A FIRE HAZARD

9. The Fire Chief or an officer of the Fire Department may serve notice in writing to the owner or occupier of any real property requiring the removal of anything and everything from a building or yard which, in the opinion of the Fire Chief or their designate, is a fire hazard or increases the danger of fire.

VACANT AND UNSECURED BUILDINGS

10. *The owner of any vacant or fire-damaged building shall, at all times, ensure that the building is guarded, or shall keep all openings in such building securely closed and fastened so as to prevent entry by unauthorized persons. (AB#4457)*
11. *If an Inspector finds a building that is accessible to unauthorized persons, the Inspector may order the owner of the unsecured building to secure the building against unauthorized entry. If an owner fails to secure the building against unauthorized entry within 24 hours of receiving notice to do so, or if the Inspector is unable to contact the owner within 24 hours of finding the unsecured building, the Inspector may secure or cause the building to be secured in a manner deemed appropriate, the cost of which will be invoiced to the owner of the property on which the unsecured building is situated. (AB#4457)*
12. *Where public safety is of paramount concern and the unsecured building creates an immediate hazard, the Inspector may secure or cause to be secured the building as soon as possible, without prior notification of the owner. All costs associated with securing and or guarding the building will be invoiced to the owner of the property on which the unsecured building is situated. (AB#4457)*

FIRE PROTECTION UPGRADES

13. The Fire Chief may require the owner of an existing multi-residential, assembly, commercial, industrial or institutional occupancy, to provide or make alterations to fire protection systems including, heat and smoke detection, fire alarms, fire extinguishers,

FIRE PROTECTION UPGRADES (continued)

exit signs, emergency lighting, fire separations and means of exit, in order to provide adequate life safety to its occupants. These requirements will not exceed those established by building regulations in accordance with the current *BC Building Code* or *BC Fire Code* and may include equivalencies as determined by the Fire Chief.

FIRE DOORS OR FIRE SEPARATIONS

14. Where fire doors or separation devices are installed in any building to prevent the spread of fire within such building, such doors or devices shall be kept and maintained in good repair and efficient working order.

REFUSE/RECYCLING CONTAINERS

15. No person shall place a refuse container or recycling container used for the storage of combustible materials, within 3 metres of a building or inside a parking garage under or attached to a building, unless the container is constructed of non-combustible materials, complete with a close-fitting metal cover that shall be kept closed at all times.
16. Containers constructed in whole or part of combustible materials kept inside parking garages are exempt from this provision, provided the underground or under building parking garage has an approved sprinkler system.

FIRE PROTECTION SYSTEMS

17. Fire protection equipment shall be installed, inspected, tested and maintained in good operating condition in accordance with the *BC Building Code* and *BC Fire Code* and related standards.

FIRE WATCH

18. If the fire protection system(s) in an occupied multi-residential, institutional or assembly occupancy becomes unserviceable, thereby compromising life safety, the building owner or authorized agent must institute a fire watch, as determined by the Fire Chief, until such time as the protection system is fully functional.

UNDERGROUND OR UNDER BUILDING PARKING AREAS

19. Flammable or combustible liquids shall not be stored in underground or under building parking garages.
20. No person shall alter exit doors or locking devices on required exits from underground or under building parking garages without the review and authorization of the Fire Chief or their designate.

FIRE LANES

21. Roadways and lanes provided for Fire Department access shall be maintained and ready for use at all times by Fire Department vehicles. Signs reading “No Parking – Fire Lane” shall be posted and clearly visible on all roadways designated as fire lanes at a minimum of every 10 metres along the fire lane.

FIRE HYDRANTS

22. Fire hydrants include both publicly owned and private fire hydrants and standpipes.
 - (1) All fire hydrants shall be approved by the Fire Chief and the Director of Engineering and Operations or their designate.
 - (2) All hydrants shall remain clear of obstructions within 1 metre in all directions and be clearly visible and accessible for Fire Department use.
 - (3) All fire hydrants shall be maintained in accordance with the *BC Fire Code* regulations and colour coded in accordance with City specifications.
 - (4) No person shall make use of a fire hydrant or standpipe without first obtaining a permit from the City’s Engineering and Operations Department.
 - (5) No person shall affix unauthorized attachments to any fire hydrant.
 - (6) During repairs or construction, owners of private fire hydrants shall mark the hydrant as “Out of Service” and immediately notify the Fire Department.

FIRE DEPARTMENT CONNECTIONS

23. Fire Department connections for building fire sprinkler or standpipe fire protection systems must be accessible, clearly visible and identified with signage.

ADDRESSING OF BUILDINGS

24. The address of each building must appear on the side facing the street so as to be clearly visible and legible from the street. Numbers shall be at least 25.5 centimetres in height, 1 centimetre in width and be of a colour that contrasts with the background on which they are mounted.

SITE MAPS FOR STRATA PROPERTIES

25. Where deemed necessary by the Fire Chief, multi-housing strata properties with complex or multiple roadways, will be required to provide a site map with street names and individual unit addresses clearly marked and legible. The map must be posted and visible at the street entrance to the complex.

STREET SIGNS

26. In all new development areas, street signs indicating street names must be erected as soon as building construction begins.

CONTACT PERSON(S)

27. The owner of a building, having either a fire alarm system or a sprinkler system, must maintain and provide a current list of contact person(s) to the Fire Department.
28. Contact person(s) must be available to attend all alarms within 1 hour from the time called, whenever fire alarms are sounded and/or the Fire Department attends.

DEFAULT

29. Where an owner or occupier is in default of a notice made pursuant to this Bylaw, the City, by its workers or others, may enter the property and effect such work as required in the notice, at the expense of the owner or occupier so defaulting, and any charges so incurred and remaining unpaid on December 31 of that year shall be added to and form part of the taxes payable on the real property as taxes in arrears.
30. No person shall obstruct, refuse to provide any information to, or refuse or neglect to admit to any building or premises, the Fire Chief or any member of the Fire Department in the execution of their duties or for any purpose relating to this Bylaw.

OFFENCE AND PENALTY

31. Every person who violates or breaches, or who causes or allows to be violated or breached, any of the provisions of this Bylaw shall be guilty of an offence against this Bylaw and each day that such violation is caused or allowed to continue shall constitute a separate offence.
32. Any person guilty of an infraction of this Bylaw shall be liable upon summary conviction to a fine or to imprisonment, or to both such fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*, as amended.
33. Any person who contravenes any of the provisions of this Bylaw, in addition to any other penalty provided for pursuant to this Bylaw, shall be liable to the City for the cost of fighting any fire which causes damage to lands, equipment or property as a result of such contravention, and the same may be recovered by action in any Court of competent jurisdiction at suit of the City.

SEVERABILITY

34. If any portion of this Bylaw is held invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Received first reading on the 17th day of September, 2007.
Received second reading on the 17th day of September, 2007.
Received third reading on the 17th day of September, 2007.
Finally passed and adopted on the 1st day of October, 2007.
Amendment Bylaw adopted on the 9th day of January, 2018.

“Pat Clark”

.....
A/Mayor

“Robert L. Carnegie”

.....
Clerk