

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1558.

A BY-LAW to provide for the prevention of fire in the Municipality of Burnaby.

WHEREAS the Commissioner of the Corporation of the District of Burnaby has power under the Municipal Act being Chapter 179 of the Revised Statutes of British Columbia 1924 and amending acts to pass such by-laws as might be passed by the Council of the Municipality.

THEREFORE the Commissioner of the Corporation of the District of Burnaby in exercise of all the powers him thereunto enabling enacts as follows:-

1. In this By-law, unless the context otherwise requires, the following expressions shall have the meanings hereinafter assigned to them, that is to say:

(a) "Fire Prevention Officer" shall mean any person appointed as such by the Council or other person duly appointed to administer the affairs of the said Municipality.

(b) "Fire Department" shall mean the regularly constituted Fire Department of the Corporation of the District of Burnaby.

2. No person shall impede in any way or hinder any fireman or other person under the direction of any officer in command at any fire.

3. All moveable apparatus of the Fire Department shall have the paramount right-of-way at all times through all streets, lanes and alleys in the Municipality and no person shall wilfully or carelessly permit any vehicle to obstruct the progress of the apparatus of the Fire Department going to or returning from a fire, alarm or drill.

4. No person, save and except the police, firemen, and owners or occupiers, or employees of owners or occupiers of buildings endangered by fire shall be permitted to enter any

burning building or within the lines designated by ropes or guards across any or all streets, lanes or alleys and any person entering within the lines designated by the ropes or guards or refusing to move when directed to do so by any public officer, police officer or officer of the Fire Department shall be liable to the penalties of this By-law.

5. No person shall run over with any vehicle the line or lines of hose in use at any fire, alarm or drill.

6. No person shall, without reasonable excuse, make or circulate or cause to be made or circulated any false alarm of fire by outcry, ringing of bells, or otherwise.

7. Every occupant of any building shall keep all pipe holes in any chimney while such pipe holes are not in use, closed by a proper stopper of metal or other incombustible material.

8. No occupant of any building shall permit any chimney stove pipe or flue therein to become unclean or take fire; provided it shall be deemed a good and sufficient defence to any action brought under the provisions of this section if proof satisfactory to the Court is produced showing that the said chimney or flue has been properly cleaned by a duly qualified and licensed chimney sweep within a period of six months.

9. It shall not be lawful for any person to deposit any ashes or cause the same to be deposited or placed or permit the same to be or remain in any vessel constructed of combustible material or upon the floor of any building or in any place or premises belonging to or occupied by him or her or others, or in any metallic vessel within two inches of any wood-work or structure or place or permit any hay, straw, or other combustible material uncovered within his or her courtyard or lot of ground within ten feet of any building.

10. The Fire Prevention Officer or other person in charge of the Fire Department at any fire is hereby empowered to cause to be pulled down or demolished adjacent buildings or other erections when he considers it necessary so to do in order to prevent the spread of any fire, but not otherwise.

11. No person shall between the First day of May and the First day of October (said period to be known as the close season) in any year set or cause to be set out or started any fire within the limits of the Municipality of Burnaby for the purpose of clearing land, or for any other purpose in the open air, unless such person shall have obtained a permit under the hand of the fire prevention officer of the Corporation, or other person duly appointed for such purpose and any person who obtains such permit shall constantly watch over, manage and care for any fire set out or started pursuant to such permit, and shall observe every reasonable care and precaution to prevent such fire from spreading, otherwise such person shall be deemed to be guilty of a breach of this by-law; provided, where circumstances of unusual danger render it necessary in the public interest the Council or other person administering the affairs of the Municipality of Burnaby as aforesaid may, by resolution, extend the close season mentioned in this section and shall in such case give due publicity thereto by publication in a newspaper circulating within the Municipality.

12. No person shall deposit or allow to be deposited any large quantity of lumber, boxes, barrels, or other inflammable material upon any lot of land unless the same is to be used forthwith in the erection of a building or other structure upon or adjacent to said lot.

13. No person shall deposit or permit to be deposited on any lot or premises any paper, rubbish, or other inflammable material which in the opinion of the fire prevention officer is dangerous in causing or promoting fires.

14. In the event of there being any repugnancy between the terms and provisions of this by-law on the one hand and the terms and provisions of the Fire Marshal Act and/or Forest Act of the Province of British Columbia and/or any regulations made thereunder, on the other hand, the terms and provisions of the said acts and/or the said regulations or any amendment or amendments thereto shall prevail.

15. Any person convicted of a breach of any of the provisions of this By-law shall forfeit and pay, at the discretion of the convicting magistrate, a penalty not exceeding One hundred dollars (\$100.00) for each offence together with costs, and in default of payment of said penalty and costs forthwith the said penalty and costs or costs only may be levied by distress and sale of the goods and chattels of the offender and in case of there being no distress found out of which such penalty and/or costs can be levied the convicting Magistrate may commit the offender to the common goal for a period not exceeding two months, unless the said penalty and/or costs be sooner paid.

16. This By-law may be cited for all purposes as the "BURNABY FIRE PREVENTION BY-LAW 1936."

DONE AND PASSED this Twenty-eighth (28th) day of April, A.D. 1936.

RECONSIDERED AND FINALLY PASSED this Thirteenth (13th) day of May, A.D. 1936.



Walter M. Francis

COMMISSIONER.

Charles B. Brown

CLERK.