

THE CORPORATION OF THE DISTRICT BURNABY

BY-LAW NO. 5096

A BY-LAW for the prevention of fires, the spread of fire and for the preservation of life.

The Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This By-law may be cited as "BURNABY FIRE PREVENTION BY-LAW 1968".
2. The National Fire Code of Canada 1963 and amendments thereto (hereinafter called "the Fire Code") is hereby adopted and made applicable within the Municipality to the extent provided in this By-law.
3. This By-law is divided into the following parts:
 - Part 1. ADMINISTRATION
 - Part 2. REQUIREMENTS BASED ON OCCUPANCY
 - Part 3. EXTREME HAZARDS
 - Part 4. INTERNAL OPERATIONS
4. Part 1 of the Fire Code is hereby adopted including the numbering system, subject however to the deletions and additions hereinafter set forth.

SECTION 1.2 APPLICATION is amended by adding the following as article 1.2.3.

"1.2.3. All plants, stores, equipment, buildings, structures and installations including all plants, stores, equipment, buildings, structures for the storage, handling or use of flammable or combustible liquids, which are in existence at the time of the passing of this by-law and which are not in compliance with the terms of this by-law may be continued in use provided that they do not, in the opinion of the Chief of the Fire Department, constitute a hazard to life or to adjoining property. Any additions to or installations on or upon any plants, stores, equipment, buildings, structures or installations after the passing of this by-law shall conform to the provisions of this by-law."

SECTION 1.3 ENFORCEMENT is amended by adding the following to article 1.3.1.1.

"1.3.1.1.(e) No person, save and except Firemen or Police, shall enter a building or buildings endangered by fire, or enter within the lines designated by ropes or guards across any or all streets, lanes, or alleys, at or near such buildings. Any person refusing to move from the

lines designated by ropes or guards when directed to do so by a Police Officer or Fire Department Officer is guilty of an offence under this By-law. This section shall not apply to the owners, occupiers of buildings endangered by fire, or their employees, provided that such persons shall have obtained the consent and permission of Chief of the Fire Department to enter such buildings, or come within the line designated by ropes or guards."

Article 1.3.1.3.(1)(b) is deleted and the following substituted therefor:

"1.3.1.3.(1) Every person who is required by article 1.3.1.2. to give information or assistance to an inspector and who
(b) knowingly states anything false in any information delivered or furnished to the inspector, and every person who obstructs or interferes with an inspector who is carrying out an inspection under this Code is guilty of an offence and liable on summary conviction to a penalty not exceeding \$200.00."

SECTION 1.3.2. ORDERS is amended by adding the following to

Article 1.3.2.1. as subsections (2), (3) and (4):

- "(2) All house-piping, appliances, and vents within the scope of the Act shall be for new installations such as are sanctioned by these regulations; existing installations, if found unsafe or are to be replaced, shall be replaced with equipment sanctioned by these regulations.
- (3) The Inspector may require that work shall be done in conformity with higher standards than specified in these regulations if, at his discretion, he deems that such higher standards are reasonably necessary in the interest of safety.
- (4) The Inspector may after the examination of any work issue a Rejection Card which shall have the same force and effect as an order issued under this section."

Article 1.3.2.3. is amended by adding the following as subsection (2):

"(2) Where an order has been posted in accordance with article 1.3.2.2.(1)(b), no person other than the authority having jurisdiction shall remove, deface or destroy said order, or Rejection Card."

SECTION 1.3.3. APPEALS is amended as follows:

Articles 1.3.3.1., 1.3.3.2. and 1.3.3.4.(1) are deleted and the following substituted therefor:

"1.3.3.1. Any person against whom an order has been made under this Code may, before the expiration of thirty days after the order was made, appeal to the Provincial Fire Marshal who shall review and shall amend, revoke, or confirm the order appealed against or substitute another order which the inspector could have made for the order appealed against.

1.3.3.2. Where an order has been reviewed under article 1.3.3.1., any person who is interested in the order and is dissatisfied with the review or refusal to review may, within thirty days after the decision has been made known appeal to a Judge of the County Court for the County of Westminster to review the order or the decision of the Provincial Fire Marshal.

1.3.3.4.(1) A person appealing under article 1.3.3.2. shall within one week after serving notice of motion under article 1.3.3.3. or within such extended time as the Judge may allow

(a) file with the court a bond of an amount not less than \$50.00 or such greater amount to be fixed by a Judge, with one or more sureties approved by the Judge conditioned to pay all of the costs of the appeal if judgment is given against him, or

- (b) deposit with the court an amount not less than \$75.00 or such greater amount to be fixed by a Judge to cover the costs of the appeal."

SECTION 1.3.4. PENALTIES is amended as follows:

Articles 1.3.4.1. and 1.3.4.2 are deleted and the following substituted therefor:

"1.3.4.1. Every person who contravenes or fails to comply with this By-law or who fails to carry out an Order made under this By-law or any condition attached to a permit or to which a permit is subject is guilty of an offence and where no other penalty is provided under this By-law is liable on summary conviction to a fine of not less than \$25.00 and not more than \$500.00 or to imprisonment for a term not exceeding six months or to both such fine and imprisonment and in default of payment of the fine to imprisonment for an additional term not exceeding six months.

1.3.4.2. Where a person fails or refuses to carry out an Order made under this Code or acts contrary to such an Order or fails or refuses to comply with any condition attached to a permit or to which a permit is subject, the Chief of the Fire Department may apply to the County Court for the County of Westminster or to a Judge thereof and on hearing the application the court or Judge thereof may grant an injunction to restrain that person from proceeding with the work in respect of which the Order was made or the permit was issued and the court or Judge may make such further Order as the court or Judge deems fit."

SECTION 1.4 PERMITS AND LICENCES is amended as follows:

Article 1.4.1.3. (1) is deleted and the following substituted therefor:

"1.4.1.3.(1) The application for a permit shall be made in the form prescribed by the Inspector and contain at least the following requirements:

- (a) the signature of the applicant,
- (b) a statement of the intended use of the occupancy or operations to be conducted on the premises,
- (c) Two copies of the specifications and scale drawings of the building with respect to the use and occupancy showing
 - (i) the dimensions of the building and its location,
 - (ii) the proposed use of each room or floor area,
 - (iii) fire protection installations including portable extinguishers, fire alarms and smoke detectors, as required by this Code,
 - (iv) means of egress."

Article 1.4.1.4. is deleted and the following substituted therefor:

"1.4.1.4. The fees hereinafter specified shall be paid to the Municipality by all applicants for any permit required by this by-law, or under the Code adopted by this by-law, or by the regulations passed pursuant to the provisions of the Fire Marshal Act and for the inspection of any work or thing for which the said permit is required;

- (a) for the installation and inspection of gasoline tanks and pumps

each tank.....	\$3.00
each pump.....	\$2.00
- (b) for the installation and inspection of a compressed-gas system..... \$2.50."

Article 1.4.1.5.(1) is deleted and the following substituted therefor:

"1.4.1.5.(1) The Fire Chief shall issue a permit where
(a) an application is made,
(b) the proposed operation or occupancy conforms
with this Code and any other applicable by-laws,
(c) the permit fee has been paid."

Article 1.4.1.6.(1) is deleted and the following substituted therefor:

"1.4.1.6.(1) The Fire Chief may revoke a permit or recommend
to Council that a permit be revoked where there
is a violation of
(a) any condition under which the permit was
issued, or
(b) any requirements of this Code."

Article 1.4.1.8.is deleted and the following substituted therefor:

"1.4.1.8. Permits and licences shall be posted in the
premises in a conspicuous place to the satisfaction
of the Inspector."

Articles 1.4.2.6.(1) and 1.4.2.6.(3) are deleted and the following
substituted therefor:

"1.4.2.6.(1) No person shall operate or continue to operate
a dry-cleaning business without having first
obtained from the Municipality a licence which
shall prescribe the location and the class of
system to be used.

1.4.2.6.(3) When a dry-cleaning business changes ownership,
the new owner shall, before commencing or continuing
to operate the business, obtain a new licence from
the Municipality."

Article 1.4.2.7(3) is deleted and the following substituted therefor:

"1.4.2.7.(3) Before a permit to do blasting as required under
sentence (1) shall be issued, the applicant for such
permit shall file a bond deemed adequate in each case

by the Municipality, which bond shall become available in the payment of any damage arising from the neglect of the contractor or his agents or employees."

Article 1.4.2.9.(2) is amended by adding the words "or permit" after the word "licence".

Article 1.4.2.12.(1) (a) is deleted and the following substituted therefor:

"1.4.2.12.(1) (a) more than 5 gal in a dwelling or other place of human habitation,"

Article 1.4.2.12.(2) is amended by deleting the numbers "1.4.3.11.", and substituting therefor "1.4.2.12."

Article 1.4.2.19.(2) is amended by deleting the words "authority having jurisdiction" in subsections (a) and (c) and substituting therefor the words "Chief of the Fire Department".

Article 1.4.2.20. is amended by adding the following as subsection (5):

"1.4.2.20.(5) All welding or cutting operations shall be made in accordance with Provincial Fire Marshal's Welding Regulations."

SECTION 1.5. DEFINITIONS - The following amendments, additions and deletions are made:

"Approval" means accepted as satisfactory to the Chief of the Fire Department, and shall be the official endorsement of the authority having jurisdiction.

"Barrel" means a volume of 35 imperial gallons.

"Basement" means that portion of a building or house between two floor levels which is partly underground but which has at least one half of its height from finished floor to finished ceiling above adjacent finished grade as determined by the Chief of the Fire Department.

"Building" means any structure enclosed within exterior walls or fire walls, built, erected and framed of component structural parts used or intended for supporting or sheltering any use or occupancy.

"Building Inspector" means the person appointed from time to time by the Council as Chief Building Inspector of The Corporation of the District of Burnaby.

"Bulk Plant" means that portion of a property where flammable liquids are received by tank vessel, pipe-line, tank car, or tank vehicle, and are stored, or retained for any duration, or are blended in bulk for the purpose of distributing such liquids by tank vessel, pipe-line, tank car, tank vehicle or other container.

"Cellar" means that portion of a building between 2 floor levels which is partly or wholly underground and which has more than one half of its height from finished floor to finished ceiling, below adjacent finished grade as approved by the Chief of the Fire Department.

"Chief of the Fire Department (Fire Chief)" means the Chief of the Fire Department of The Corporation of the District of Burnaby and shall include any officer, member or inspector of the Fire Department deputized by the Chief of the Fire Department to act on his behalf.

"Chimney" means the passage or flue by which smoke or gases ascend, which is primarily a vertical shaft which enclosed one or more chimney flues, there being three principal types:

- (a) a field-constructed chimney of brick, stone, concrete or approved masonry units,
- (b) a factory-built chimney consisting entirely of factory-constructed parts each designated to be assembled with the others without requiring field construction,
- (c) a field-constructed single-walled chimney of metal (smokestack).

"Chimney connector" means the flue pipe of a heat-producing unit burning-solid, liquid or gaseous fuel.

"Class B flammable liquid" means a flammable liquid having a flash point above 80° F. and not exceeding 175° F.

- "Combustible" Means materials, made of or surfaced with wood, compressed paper, plant fibres or other material that will ignite and burn, whether or not such material be flame-proofed, fire retardant, treated or plastered.
- "Corporation or Municipality" means The Corporation of the District of Burnaby.
- "Council" means the Municipal Council of The Corporation of the District of Burnaby.
- "Dispensing apparatus (for flammable liquid)" means a device or system of devices used in connection with an underground tank, above ground tank or portable tank for the dispensing of flammable liquids.
- "Fire Resistance Rating" means a rating assigned to any element or assembly of materials which has been tested in accordance with standard methods of test approved by the Fire Marshal.
- "Flammable Liquids or Inflammable Liquids" means any liquid with a flash point below 100° F. as determined by the Tagliabue closed-cup tester, all tests being made in accordance with the methods adopted by some recognized society for testing materials and approved by the Fire Marshal, and, without limiting the generality of the above, includes, gasoline, naphtha, crude petroleum and benzol.
- "Hotel" means a building or part thereof and shall include motel, motor-hotel, apartment-house, boarding-house, lodging-house, club, and any building where lodging is provided, other than a private dwelling-house.
- "Inspector" means the Chief of The Fire Department.
- "Inspector of Explosives" shall mean the Chief Inspector of Explosives, an Inspector of explosives, a deputy inspector of explosives, and any other person who is directed by the Minister of Mines and Technical Surveys, for the Dominion of Canada, or such other Minister as the Governor in Council may from time to time designate, to inspect an explosive or explosive factory or magazines.

"Municipal Electrical Inspector" means the Chief Building Inspector appointed from time to time by The Corporation of the District of Burnaby, and such Inspectors as he shall designate, to inspect electrical procedures.

"Non-combustible" as applied to a building construction material means a material that has been classed as non-combustible by means of a standard test procedure approved by the Fire Marshal.

"Occupier" includes tenant, lessee, agent, and any other person who has the right of access to and control of any building or premises to which this Code applies.

"Officer" means the Fire Marshal or any person on his staff or any local assistant to the Fire Marshal appointed under Section 6 of the Fire Marshal Act or any officer appointed by a Municipal Council to exercise the powers vested in an officer under the Regulations passed pursuant to the Fire Marshall's Act R.S.B.C. 1960, Chapter 148.

"Operator" means any person owning or operating a service station and includes any person who operates a pump or measuring device for the purpose of furnishing flammable liquids to a motor-vehicle or motor boat.

"Owner" means that person, in respect of any real property, who is the registered owner of an estate in fee simple, and in the event of there being registered a life estate, includes the Tenant for Life. In the event that there is registered an Agreement for Sale and Purchase, "Owner" shall mean the registered holder of the last registered Agreement for Sale and Purchase.

"Permit" means a document giving authorization to carry on procedures or undertakings, on the use of materials, in certain and specified conditions, and shall be revokable at any time without notice by the party issuing the permit.

- "Person" when necessary, means and includes natural persons associations, corporations, bodies politic, co-partnerships, partnerships, whether acting by themselves or by a servant, agent, or employee and the heirs, executors, administrators, successors, and assigns or other legal representative of such person to whom the context can apply according to law.
- "Provincial Fire Marshal" shall be the person appointed under the Statutes of the Province of British Columbia as Provincial Fire Marshal or his assistants or deputies as they may occur.
- "Provincial Gas Inspector" shall be an Inspector of the Gas Inspection Division, of the Department of Public Works for the Province of British Columbia.
- "Public Officer" shall include Civil Defence workers, municipal employees and employees of any public utility, employed within the normal scope of their employment.
- "Roadway" means roadway as defined in the British Columbia Motor-Vehicle Act, but does not include any part of the land or premises owned or leased by the owner or operator of a service station and used as part of the service station.
- "Recognized testing laboratory" means a laboratory acceptable to the Chief of the Fire Department.
- "Service station" defined in subsection 2.3.11
- "Tank" means any container used for containing or storing flammable liquids.

5. Part 2 of the Fire Code is hereby adopted including the numbering system, subject however to the deletions and additions hereinafter set forth.

SECTION 2.1.4. COMMON FIRE HAZARDS is amended as follows:

In article 2.1.4.1. the words "or owner" are inserted after the words "the occupant" in the 10th line.

Article 2.1.4.8.(1) is amended by inserting a comma after the word "receptacle" in the last line and adding the words "equipped with a metal lid".

Article 2.1.4.12 is amended by adding the following as subsection (3):

"(3) Inside incinerators situated within Hotels to be equipped with gas-fired jet to eliminate excessive soot, fumes and odor, and shall be equipped with such safeguards as shall be prescribed by the Fire Chief."

SECTION 2.1.5. MAINTENANCE OF EXIT WAYS is amended as follows:

Article 2.1.5.1. is deleted and the following substituted therefor:

"2.1.5.1. Requirements for exits and types and means of egress are found in the building by-law, Fire Marshal' Act and Regulations made pursuant to. The owner, or occupier, is responsible to see that all exits and means of egress are to be maintained for use in the event of a fire on the premises and that these regulations provide for a safe exit."

Article 2.1.5.5. is deleted and the following substituted therefor:

"2.1.5.5. Exit signs shall be maintained in a clean and legible condition and shall be clearly illuminated from behind which shall show the word EXIT in red letters not less than 6" in height, on a surface 12" in length, and shall have a directional arrow if required by the Fire Chief."

SECTION 2.1.6. FLAMMABLE LIQUIDS is deleted and the following substituted therefor:

SECTION 2.1.6. FLAMMABLE LIQUIDS
Scope

"2.1.6.1. The regulations Governing the Manufacture, Sale, Disposal and Storage, Carriage, and Disposal of Inflammable Liquids and Oil passed pursuant to the Fire Marshal' Act revised R.S.B.C. 1960, Chapter 148 are hereby adopted and made applicable within the Municipality."

SECTION 2.1.7. HEATING APPLIANCES is amended as follows:

Article 2.1.7.1. is amended by deleting the words "authority having jurisdiction" in the 3rd, 6th and 8th lines and substituting the word "Inspector".

Article 2.1.7.2.(1) is deleted and the following substituted therefor:

"2.1.7.2.(1) Solid-fuel-fired equipment shall be designed and constructed in accordance with good practice and installed in accordance with the building by-law and Regulations made pursuant to the Fire Marshal' Act"

Article 2.1.7.3. is amended by deleting the words "authority having jurisdiction" and substituting the words "Provincial Fire Marshal".

Article 2.1.7.4. is amended by deleting the words "authority having jurisdiction" and substituting the words "Provincial Gas Inspector".

Article 2.1.7.5. is amended by deleting the words "authority having jurisdiction" and substituting the words "Municipal Electrical Inspector".

Article 2.1.7.6.(1) is deleted and the following substituted therefor:

"2.1.7.6.(1) All heating appliances burning oil or gas or using electrical energy as a heat source shall be installed according to provincial regulations, and shall be approved by an Inspector."

Article 2.1.7.7. is deleted and the following substituted therefor:

"2.1.7.7. Clearance from combustible construction to oil, gas solid fuel appliances or electrical equipment shall be those published in the appropriate installation codes, including the Fire Marshal Act and Regulations as outlined in tables 2.1.7.A and 2.1.7.B."

Article 2.1.7.8. is deleted and the following substituted therefor:

"2.1.7.8. Gas hot plates shall be installed in conformity with Provincial Compressed-gas Regulations for liquified petroleum appliances or Provincial Gas Act for Natural Gas Appliances."

SECTION 2.1.8. PORTABLE EXTINGUISHERS is amended as follows:

Article 2.1.8.2.(1) is amended by deleting the words "authority having jurisdiction" and substituting the words "Provincial Fire Marshal".

Article 2.1.8.5. is amended by deleting the words "authority having jurisdiction" and substituting the word "Inspector".

Article 2.1.8.13 is amended by deleting the words "authority having jurisdiction" and substituting the words "Underwriters' Laboratories of Canada".

SECTION 2.2. PROTECTION OF THE PUBLIC is amended as follows:

Article 2.2.1.1. is deleted and the following substituted therefor:

"2.2.1.1. The owner, or occupier, of a place of assembly, his manager, agent, licensee, tenant, keeper or employee, shall at all times restrict the occupant load of that place to that as placarded, or posted, by the Inspector."

Article 2.2.1.3. is deleted and the following substituted therefor:

"2.2.1.3. The owner, or occupier, of a hotel or motel, his manager, agent, licensee, tenant, keeper or employee, shall provide and keep posted in every apartment or room a conspicuous notice describing the location of the exits."

Article 2.2.1.4. is deleted and the following substituted therefor:

"2.2.1.4. The owner, or occupier, of a place of assembly, hotel or motel, his manager, agent, licensee, tenant, keeper or employee, shall keep in proper working order and repair at all times where applicable all exit lights, hardware on exit doors, chimneys, heating systems, range hoods and vents, fire protection requirements, including but without limiting the generality of the foregoing, portable extinguishers, sprinkler systems, standpipes, fire alarm systems, fire doors, basement pipe inlets and any other requirements for the purpose of fire protection contained in this Code."

Article 2.2.1.6. is deleted and the following substituted therefor:

"2.2.1.6. The owner, or occupier, of a place of assembly, hotel or motel, his manager, agent, licensee, tenant, keeper or employee, shall provide portable extinguishers in accordance with subsection 2.1.8."

Article 2.2.1.7. is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.2.1.8.(1) is amended by deleting the words "authority having jurisdiction" in clause (b) and substituting therefor the word "Inspector".

Articles 2.2.1.11.(1) and 2.2.1.11.(2) are deleted and the following substituted therefor:

"2.2.1.11.(1) The Inspector shall advise the owner, or occupier, of each place of assembly, hotel or motel, his manager, agent, licensee, tenant, keeper or employee, of the duties to be performed by each of them in the event of fire, alarm of fire, panic or other emergency whether of the foregoing kind or not.

2.2.1.11.(2) The owner, or occupier, of each place of assembly, hotel or motel, his manager, agent, licensee, tenant, keeper or employee, shall ensure that each employee of the place, hotel or motel is instructed and drilled in the duties he is to perform in the event of fire, alarm of fire, panic or other emergency whether of the foregoing kind or not."

Article 2.2.1.12.(1) is deleted and the following substituted therefor:

"2.2.1.12.(1) The owner, or occupier, of a hotel, his manager, agent, licensee, tenant, keeper or employee, containing more than 40 bedrooms furnished for use shall employ a night watchman who shall be on duty from 10 o'clock each night until 8 o'clock on the following morning."

Article 2.2.1.12.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.2.1.14(1) is amended by deleting the reference number "27*" after the word "treatment" and substituting therefor the reference number "28*".

Article 2.2.1.14.(3) (a) is deleted and the following substituted therefor:

"2.2.1.14.(3) The Inspector shall
(a) make field tests,^{28*}"

Article 2.2.1.15.(1) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Electrical Inspector".

Article 2.2.1.15.(5) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.2.1.15. is further amended by adding the following as subsection (8):

"(8) All displays of motion picture films in tents shall be conducted in accordance with the Fire Marshal Act and Regulations pursuant thereto."

SECTION 2.2.2. FIRE EVACUATION PROCEDURES FOR SCHOOLS AND INSTITUTIONS is amended as follows:

Article 2.2.2.1.(1) is deleted and the following substituted therefor:

"2.2.2.1.(1) The person in charge, the owner or the occupier, of every hospital, home for the aged or nursing home and the principal of every school, including private schools, shall establish a procedure according to approved practice to be followed in the event of fire or an alarm of fire."

Article 2.2.2.2.(9) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.2.2.3.(1) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Electrical Inspector".

SECTION 2.2.3. NURSING HOMES is amended as follows:

Article 2.2.3.1. is amended by deleting the reference number "28*" after the word bylaw and substituting therefor the reference number "29*".

Article 2.2.3.10. is deleted and the following substituted therefor:

"2.2.3.10. The furnace room in a nursing home shall be constructed in accordance with the provisions of Section 26 of the Fire Marshal Act, Revised Statutes of British Columbia, 1960."

SECTION 2.3.2. The heading "RUBBER TIRE STORAGE" is amended to read as follows: RUBBER AND SYNTHETIC TIRE STORAGE, REBUILDING AND RECAPPING, and the following amendments are made:

Article 2.3.2.3.(1) is deleted and the following substituted therefor:

"2.3.2.3.(1)
"Each rubber and synthetic tire storage warehouse having more than 5000 sq. ft. of floor area shall be provided with an approved automatic sprinkler installation with a water supply that is sufficient to supply not less than 20 sprinklers at the required pressures and also an additional 500 gal./min. for hose streams."

Article 2.3.2.3.(2) is deleted and the following substituted therefor:

"2.3.2.3.(2) A water flow alarm device listed by a recognized testing laboratory shall be provided for each sprinkler riser installed in a rubber and synthetic tire storage warehouse."

Article 2.3.2.4. is deleted and the following substituted therefore:

"2.3.2.4. A standpipe and hose system shall be provided in each rubber and synthetic tire storage warehouse installed in accordance with good engineering practice and approved by the Inspector."

Article 2.3.2.5.(b) is deleted and the following substituted therefor:

"2.3.2.5. Extinguishers shall be provided in each rubber and synthetic tire storage warehouse (b) when required by the Inspector in accordance with subsection 2.1.8."

SECTION 2.3.3. SALVAGE SHOPS AND SALVAGE YARDS is amended as follows:

Article 2.3.3.2(4) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Articles 2.3.3.3. and 2.3.3.4. are amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

SECTION 2.3.4. LUMBER YARDS AND WOODWORKING PLANTS is amended as follows:

Article 2.3.4.2.(3) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.4.2.(4) is deleted and the following substituted therefor:

"2.3.4.2.(4) The overnight parking of vehicles or stacking equipment in driveway shall not be permitted unless the driveway exceeds 25 feet in width and such vehicles or stacking equipment are parked at the termination of the driveway.

Article 2.3.4.3.(1) is amended by deleting the words "or in incinerators or refuse burners".

Article 2.3.4.3.(2) is deleted and the following substituted therefore:

"2.3.4.3.(2) Stacks shall be provided with suitable spark arrestors having openings not greater than 3/4 in. or with an expansion chamber, baffle walls or other means effective to eliminate the danger from sparks, and shall in all cases have a water spray system approved by the Inspector."

Article 2.3.4.4. is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.4.6. is deleted and the following substituted therefor:

"2.3.4.6. In a lumber yard the heating equipment shall conform with subsection 2.1.7. and salamanders, braziers, portable heaters, or other open fires shall not be used."

Article 2.3.4.8.(5)(a) is deleted and the following substituted therefor:

"2.3.4.8. (5) (a) A sufficient number of hydrants shall be installed in the yard area to supplement the Municipal hydrants available so that every part of the lumber yard area can be reached by using not more than 300 feet of hose."

Article 2.3.4.10 is amended by deleting the reference number "29*" and substituting therefor the reference number "32*".

Article 2.3.4.11.(1)(b) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Electrical Inspector or Gas Inspector".

SECTION 2.3.5. PIERS AND WHARFS is amended as follows:

Article 2.3.5.2.(3) is amended by deleting the words "the authority having jurisdiction" and substituting therefor the words "an Inspector".

Article 2.3.5.6.(3) is amended by deleting the words "authorities having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.5.12.(1) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.5.13.(6) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Inspector of Explosives".

Article 2.3.5.15.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.3.5.15.(4) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.3.5.15.(9) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.3.5.15.(11) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.3.5.16.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.3.5.18. is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.3.5.20.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 2.3.5.21. is deleted and the following substituted therefor:

"2.3.5.21. Fire alarm systems shall be installed and maintained in accordance with good practice,^{34*} and shall be in accordance with the Fire Marshal Act, R.S.B.C. 1960, and Regulations pursuant thereto, and shall be approved by the Inspector."

SECTION 2.3.6. PLASTICS MANUFACTURE AND FABRICATION is amended as follows:

Article 2.3.6.7. is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

SECTION 2.3.7. DRY-CLEANING AND DRY-DYEING PLANTS is amended as follows:

Article 2.3.7.3.(4) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.7.3.(6) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.7.7.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.7.14.(10) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.7.15(4) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 2.3.7.15.(6) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Section 2.3.7. is further amended by adding the following as Article 2.3.7.18.:

"2.3.7.18. The owner or occupier of an unattended laundromat or other coin-operated cleaning service establishment shall employ adequate, automatic fire protection acceptable to the Inspector."

SECTION 2.3.8. BOWLING ALLEYS is amended as follows:

Article 2.3.8.2.(1) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

SECTION 2.3.11. SERVICE STATIONS is amended as follows:

Article 2.3.11.8. is amended by adding the following as subsection (5):

"(5) Parking of any motor-vehicle within 25 feet of any gasoline dispensing apparatus other than when filling or refilling said motor-vehicle is prohibited unless by special authority of the Chief of the Fire Department.

SECTION 2.3.12. MARINE SERVICE STATIONS is amended as follows:

Article 2.3.12.8.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

6. Part 3 of the Fire Code is hereby adopted including the numbering system, subject however to the deletions and additions herein-after set forth.

SECTION 3.2.2. FIREWORKS is amended as follows:

Article 3.2.2.4 is amended by adding the following sentence to subsection (2):

"A public display shall not include parents supplying fireworks to their own children for use under their own supervision."

Article 3.2.2.4. is further amended by adding the following as subsection (2A):

"(2A) No person shall sell, give, fire, or set off fireworks, except between the twenty-fourth day of October and the first day of November in any year."

SECTION 3.2.3. CELLULOSE NITRATE PLASTICS is amended as follows:

Article 3.2.3.9.(1) is deleted and the following substituted therefor:

"3.2.3.9.(1) Cellulose nitrate motion picture film shall be used, stored and handled in accordance with the Fire Marshal Act, R.S.B.C. 1960, and Regulations pursuant thereto."

Article 3.2.3.9.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

SECTION 3.2.4. EXPLOSIVES AND AMMUNITION is amended as follows:

Article 3.2.4.9.(3) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Inspector of Explosives".

Article 3.2.4.12.(1) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 3.2.4.12.(3) is amended by deleting the words "authority having jurisdiction" and substituting therefor the words "Chief of the Fire Department".

Article 3.2.5.2.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 3.2.8.2.(2) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 3.2.8.8.(1) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 3.2.8.8. is further amended by adding the following as subsection (5):

"(5) No heating system shall be installed in a spraying area without first obtaining a permit and the approval of an Inspector."

Article 3.2.10.3.(4) is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

Article 3.2.10.7. is amended by deleting the words "authority having jurisdiction" and substituting therefor the word "Inspector".

7. The following Part is added:

PART 4. INTERNAL OPERATIONS

SECTION 4.1. GENERAL

Article 4.1.1.1. Part 4 is added to the National Fire Code to consolidate the organization and administration of the Fire Department, and the various by-laws relating thereto, following generally the Municipal Fire Department Code, Canada 1961, issued by the Associate Committee on National Fire Codes, National Research Council.

SECTION 4.2 FIRE DEPARTMENT

Article 4.2.1.1. A department for the Municipality of Burnaby to be known as the Burnaby Fire Department is hereby established and the head of the Department shall be known as the Chief of the Department.

Article 4.2.1.2. In addition to the Chief of the Department, personnel shall consist of a deputy chief, and such number of assistant chiefs, division chiefs, captains and other officers and members as from time to time may be deemed necessary by the Council.

Article 4.2.1.3. (1) The Chief of the Department may recommend to the Manager the appointment of any qualified person as a member of the Department.

(2) A person is qualified to be appointed a member of the Department for fire fighting duties who

- (a) is not less than 21 years of age and not more than 27 years of age,
- (b) has successfully completed at least grade 10,
- (c) is of good character,
- (d) passes such aptitude and other tests as may be required by the Chief of the Department and the Personnel Officer, and
- (e) is medically fit to be a member as certified by a physician designated by the Chief of the Department.

(3) A person appointed as a member of the Department for fire fighting duties shall be on probation for a period of six months during which period he shall take such special training and examinations as may be required by the Chief of the Department.

(4) If a probationary member appointed for fire fighting duties fails any such examinations, the Chief of the Department may recommend to the Manager that he be dismissed.

Article 4.2.1.4. The remuneration of all members of the Department shall be as determined by the Council.

Article 4.2.1.5. The Fire Chief shall have the management, control and supervision of the Fire Department and the care, custody and control of all buildings, apparatus and equipment of the Fire Department and shall be directly responsible to the Municipal Manager for the efficient management of the Fire Department and the condition of all buildings, apparatus and equipment under his control.

Article 4.2.1.6.(1) The Fire Chief may from time to time make such rules and regulations for the proper and efficient administration and operation of the Fire Department and for the discipline of its members, and may vary, alter, or repeal such rules or regulations as he shall from time to time deem fit or necessary.

(2) All members of the Fire Department shall comply with all rules and regulations from time to time made, pursuant to section 4.2.1.6.(1) and any failure to comply with the said rules and regulations by a member of the Fire Department shall be dealt with and disposed of by the Fire Chief in such a manner as he shall deem fit.

(3) The Fire Chief shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall enforce all municipal by-laws respecting fire prevention and exercise the powers and duties imposed upon him by the Fire Marshal Act, Revised Statutes of British Columbia, 1960, Chapter 148 and amendments thereto.

(4) The Fire Chief shall report all fires to the Fire Marshal as required by the Fire Marshal Act, and shall enquire into, investigate and record the cause of all fires in the Municipality.

(5) The Fire Chief shall submit to the Council for its approval, as required by the Council, the annual estimates of the Department.

(6) The Fire Chief shall report annually to the Council on the efficiency of the members and conditions of the equipment of the Fire Department.

(7) The Deputy Chief shall report to the Chief of the Department, and carry out the orders of the Chief and, in the absence of the Chief, has all the powers and shall perform the duties of the Chief.

(8) The Fire Chief or other officer in charge at any fire shall have power in case of fire to cause the demolition of any building or part of a building which, in his judgment, should be demolished in order to prevent the spread of fire or to prevent damage to person or property or loss of life.

(9) No person shall refuse to give any information with respect to any fire to any officer of the Fire Department or any person acting with the authority of the Fire Chief.

(10) No person shall refuse to permit any member of the Fire Department to enter into or upon any premises from which an alarm of fire has been received or in or upon which such member has reasonable grounds to suspect that a fire exists.

(11) No unauthorized person shall ride on any fire apparatus enroute to or in returning from the scene of any fire or any alarm of fire.

Article 4.2.1.7. PERSONNEL

(1) The Chief of the Department and the Deputy Chief shall evaluate all members of the Department, and applicants for employment in the Department, who are participating in examination for enrolment or promotion.

(2) Every applicant for enrolment or promotion shall take such written, oral and practical examinations as may be required by the Chief of the Department.

(3) No member of the Fire Department or applicant for enrolment shall solicit the influence or support of anyone to secure transfer, promotion or other advantage.

Article 4.2.1.8. PUBLIC ASSISTANCE AND FIRE CONTROL

(1) No person shall impede, hinder or obstruct the extinguishment of any fire and any person who fails to comply with the order or direction of any member of the Fire Department engaged or about to be engaged in the extinguishment of a fire shall be liable to the penalties provided herein and such person may be forcibly removed from the scene of such fire by a Police Officer or Fireman.

(2) No person shall run over or drive upon or over the line or lines of hose in use at any fire, alarm or drill with a motor-vehicle unless directed by the Police or a member of the Fire Department.

Article 4.2.1.9. No person shall deposit or allow to be deposited on any lot or premises any paper, rubbish or other inflammable material which in the opinion of the Fire Chief or an Inspector is dangerous and may cause a fire.

8. By-Law No. 1558, being the "Burnaby Fire Prevention By-Law 1936" and amendments thereto, and By-Law No. 1816, being the "Burnaby Fire Department By-Law 1943" and amendments thereto, are hereby repealed.

9. This By-Law shall come into force and effect on the 5th day of August, 1968.

Read a first time this 22nd day of July, 1968.

Read a second time this 22nd day of July, 1968.

Read a third time this 22nd day of July, 1968.

Reconsidered and adopted this 5th day of August, 1968.



M. Blair
ACTING MAYOR
J. Shaw
CLERK