

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1066

A Bylaw to provide for Prevention of Fires and to Provide for Regulation of Persons at or Near Fires.

WHEREAS the Regional District of Central Okanagan has adopted the Regional District of Central Okanagan Fire Prevention Services Establishment Bylaw No. 1065, 2004.

AND WHEREAS the Regional District of Central Okanagan may establish regulations necessary for the Regional District of Central Okanagan to help protect the public from the effects of fire.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled, enacts as follows:

Purpose

The purpose of this bylaw is to enact the regulations necessary for the Regional District of Central Okanagan to utilize the B.C. Fire Code and additional local policies to help to protect the public from the effects of fire.

Definitions

Defensible Space means the area within 10 meters of a building in which ground cover is kept to a minimum. The defensible space also includes the area 30 meters from a building in which branches of coniferous trees are recommended to be removed to a minimum of 2.5 meters from the ground and coniferous trees thinned so that their crowns/branches are separated by at least 3 meters.

Driveway means the vehicle access located on and serving private property and includes the connection to the public roadway.

Fire Chief means the person appointed as Fire Chief by the local government and any persons he appoints to do work on his behalf.

Forestland means land in which the coniferous trees have a spacing of less than 3 meters between the crowns/branches, the branches extend to closer than 2.5 meters of the ground or where low bush type ground cover is general over the area.

Incident means a fire or a situation where a fire or explosion is imminent and includes assistance response to specific circumstances.

Regulations

The standards of the B.C. Fire Code applies.

Prevention

In addition to the requirements of the B.C. Fire Code, the B.C. Building Code and the Fire Services Act:

- a) The owner or occupant of any lands, premises, yards or buildings situated within the Regional District of Central Okanagan shall at all times keep the same in a safe condition so as to guard against starting and spread of a fire.
- b) The owner or occupant of a building located within 30 meters of *forestland* shall be encouraged to provide and maintain a *defensible space* to increase the probability of protecting the building or structures survivability from approaching wildfire as well as to reduce the potential for a structure fire spreading to the *forestland*.
- c) The owner or occupant of real property shall keep their buildings and yards clear of anything that may unduly increase the probability or danger of fire.
- d) The owner or occupant of real property shall keep and maintain in good working order any equipment or facility which has been installed pursuant to the B.C. Building Code or required to be maintained by the B.C. Fire Code or other provincial regulation.
- e) No person or persons shall allow accumulations of empty boxes, barrels, rubbish, trash, waste paper excelsior, or any light combustible materials, in any alley or on any sidewalk or premises; except that such materials may be stored in a room or receptacle of fire resistive construction fitted with fire doors, or in metal containers equipped with tight fitting lids.
- f) The owner or agent of any vacant building shall at all times keep such building free of debris and flammable material, and shall keep all openings in such buildings securely fastened and closed so as to prevent the entry of unauthorized persons.
- g) Where required by the British Columbia Fire Code as amended from time to time, the owner or occupant of any lands, premises, yards, or buildings shall at all times keep the same in a safe condition by:
 - i) maintaining the fire alarm system in an approved manner in accordance with Section 6.3 of the British Columbia Fire Code;
 - ii) maintaining emergency lighting and exit lighting in accordance with Sections 2.7.3 and 6.7 of the British Columbia Fire Code;
 - iii) maintaining fire department vehicle access in accordance with Section 2.5 of the British Columbia Fire Code;
 - iv) maintaining commercial cooking equipment in an approved manner in accordance with Section 2.6.1.9 and 6.8 of the British Columbia Fire Code;
 - v) supplying and maintaining portable fire extinguishers in an approved manner in accordance with Section 6.2 of the British Columbia Fire Code;
 - vi) maintaining a means of egress in accordance with Sections 2.7.1.6, 2.7.1.7 and 2.7.2 of the British Columbia Fire Code;
 - vii) providing and maintaining an approved fire safety plan in accordance with Section 2.8 of the British Columbia Fire Code;
 - viii) maintaining an automatic sprinkler and/or standpipe and hose system in an approved manner in accordance with Section 6.4 and 6.5 of the British Columbia Fire Code;

- ix) maintaining fire hydrants in an approved manner as Section 6.6.4 of the British Columbia Fire Code;
- x) adhering to the posted occupant loads as per Section 2.7.1.3 of the British Columbia Fire Code;
- xi) maintaining special fire suppression systems in an approved manner as per Section 6.8 of the British Columbia Fire Code.

Fire Hydrants

In addition to the requirements of the B.C. Fire Code:

- a) No person shall make any attachment or connection to any hydrant or standpipe except as approved by the *Fire Chief* or the local water supplier.
- b) Private hydrants shall conform to the requirements for hydrants as specified in the subdivision bylaws for the area in which the hydrant is to be installed.
- c) The owner of a parcel on which a hydrant is installed shall maintain a clear and unobstructed area having a radius of one meter around each fire hydrant or standpipe.
- d) Each hydrant shall be in clear view of the adjacent access roadway or its location shall be made clearly obvious by other means.
- e) The color of a private hydrant shall be as specified by the *Fire Chief* in accordance with the N.F.P.A. standards that reference hydrant colors.

Smoke Alarms

In addition to the requirements of the B.C. Building Code and Fire Code:

- a) The owner of every building shall ensure that one or more smoke alarms are installed and maintained in every dwelling unit or suite and, except for institutional occupancies required to have a fire alarm system, in each sleeping room not within a dwelling.
- b) Smoke alarms shall be tested by the owner or occupant according to the manufacturer's specifications to ensure that they are functioning correctly. If the smoke alarm is not functioning correctly, the owner or occupant shall immediately repair the smoke alarm.
- c) Smoke alarms required by this bylaw shall conform to CAN/ULC-S531, Standard for Smoke Alarms and shall be installed and maintained in conformance with CAN/ULC-S553 Standard for the Installation of Smoke Alarms.
- d) Smoke alarms required for motels, hotels, boarding houses, rooming houses and dormitories shall be installed in accordance with the B.C. Building Code.

Open Burning

- a) Except as provided in Section 6.5(b) open burning shall be conducted in accordance with the requirements of the Regional District of Central Okanagan Smoke Control Regulations Bylaw No. 773, 1998.

- b) In that portion of the Regional District of Central Okanagan located within the boundaries of the Westside Fire Protection District, no person shall start an open burning fire without the written approval of the Westside Fire Protection District in addition to complying with the requirements of the Regional District of Central Okanagan Smoke Control Regulations Bylaw No. 773, 1998.

Inspections

The *Fire Chief* shall obtain approval of the Council or Board for a system to inspect hotels and public buildings.

Authority of Fire Chief

- a) The *Fire Chief* and persons he designates to work on his behalf are authorized to exercise the powers and enforce the provisions of this bylaw, the Fire Services Act and the regulations made hereunder including the B.C. Fire Code.
- b) The *Fire Chief* and persons he designates to work on his behalf are authorized to perform the duties of a Local Assistant to the Fire Commissioner.
- c) The *Fire Chief* and persons he designates to work on his behalf are authorized to commandeer privately owned equipment that is considered necessary to deal with an *incident*.
- d) The *Fire Chief* and persons he designates to work on his behalf are authorized to at any reasonable time enter any premises for any purpose under this bylaw.
- e) The *Fire Chief* and persons he designates to work on his behalf are authorized to cause a building or structure to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
- f) The *Fire Chief* and persons he designates to work on his behalf at an *incident*, may establish boundaries or limits and prevent persons from entering the area within the prescribed boundaries or limits.
- g) The *Fire Chief* and persons he designates to work on his behalf are, at an incident, authorized to enter, pass through or over buildings or real property adjacent to the incident to gain access to an incident or to protect any person or property.
- h) The *Fire Chief* may with the agreement of the property owner authorize burning buildings, structures or other materials for the purpose of training personnel or for the purpose of eliminating hazards.

Severability

If a court of competent jurisdiction holds any portion of this bylaw invalid, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the severed portion.

Prohibitions

- a) No person shall fail to conform to the requirements of the B.C. Fire Code.
- b) No person shall enter the boundaries or limits of an area established under Section 7.6 unless that person has been authorized to enter by the Fire Chief or persons he designates to work on his behalf.
- c) No person shall impede, obstruct or hinder the Fire Chief or persons he designates to work on his behalf.
- d) No person shall drive a vehicle over any fire department equipment without permission of the Fire Chief or persons he designates to work on his behalf.
- e) No person shall cause an alarm to be transmitted to the Fire Department by telephone, fire alarm system, in person or by other means, knowing that an emergency or incident does not exist.
- f) No person shall refuse to allow the Fire Chief or persons he designates to work on his behalf to:
 - i) enter premises, at any reasonable time, for the purpose under this bylaw.
 - ii) enter at any time, premises or property where an incident has occurred or is occurring, or to allow the entry of any fire fighter, apparatus or equipment deemed necessary to deal with the incident.
 - iii) enter or pass through or over buildings or property adjacent to an incident or allow apparatus and equipment to enter or pass through or over buildings or property where deemed necessary to gain access to the incident or to protect any person or property.

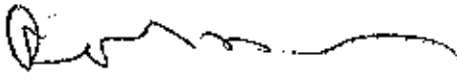
Penalty

- a) Any person who violates any bylaw provision may, on summary conviction, be liable to the maximum penalty under the Offense Act, plus the cost of prosecution, for each offense. The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.
- b) Ticketable offences under this bylaw and the fines therefore shall be those set out in the Municipal Ticket Information Bylaw.

This bylaw may be cited as the "Regional District of Central Okanagan Fire Prevention and Regulations Bylaw No. 1066, 2004.

READ A FIRST TIME THIS	7th	DAY OF	June	2004.
READ A SECOND TIME THIS	7th	DAY OF	June	2004.
READ A THIRD TIME THIS	7th	DAY OF	June	2004.

RECONSIDERED AND ADOPTED THIS 9th DAY OF August 2004.



CHAIR



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1066 cited as the "Regional District of Central Okanagan Fire Prevention and Regulations Bylaw No. 1066, 2004, as read a third time by the Regional Board on the 7th day of June, 2004.

Dated at Kelowna, B.C. this
18th day of June, 2004.



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1066 cited as the "Regional District of Central Okanagan Fire Prevention and Regulations Bylaw No. 1066, 2004, as adopted by the Regional Board on the 9th day of August 2004.

Dated at Kelowna, B.C. this
10th day of August 2004.



DIRECTOR OF CORPORATE SERVICES