

## The Corporation of the District of Oak Bay

### BYLAW NO. 4719 Fire Prevention and Life Safety Bylaw

A bylaw to deal with fire prevention and life safety matters within  
the Corporation of the District of Oak Bay

The Council of the Corporation of the District of Oak Bay, in an open meeting duly assembled,  
enacts as follows:

#### Part 1 - Interpretation and Application

1. In this bylaw:

- (a) **Alarm System**" means a device or devices installed on or in real property and designed to issue a warning of a fire or other emergency by activating an audible alarm signal or alerting an alarm monitoring service, but does not include a system that operates only to alert only the occupants of the dwelling unit in which it is installed;
- (b) **Animal Organic Waste**" means solid organic waste material of animal origin and includes flesh, carcasses, offal, hides, hair and feathers;
- (c) **Building Code**" means the British Columbia Building Code, as adopted pursuant to the *Building Act* SBC 2015, c. 2;
- (d) **Chief Administrative Officer**" means the person appointed by Council as the chief administrative officer of the Corporation;
- (e) **Council**" means the municipal council of the Corporation;
- (f) **Community Charter**" means the *Community Charter*, SBC 2003, c. 26, as amended or re-enacted from time to time;
- (g) **Corporation**" means The Corporation of the District of Oak Bay;
- (h) **Dangerous Goods**" means any goods the transportation of which is regulated under the *Transportation of Dangerous Goods Act* (Can.);
- (i) **Department**" means the Oak Bay Fire Department;
- (j) **False Alarm**" means the activation of an Alarm System regardless of how caused, resulting in a response by the Department or the Oak Bay Police Department, where a fire or emergency does not exist;
- (k) **Fire Chief**" means the person appointed by Council as head of the Fire Department, and includes, where applicable, a Member authorized by the Fire Chief to act on his or her behalf;

- (l) “**Fire Code**” means the British Columbia Fire Code, as adopted from time to time pursuant to regulations under the *Fire Safety Act*;
- (m) “**Fire Commissioner**” means the fire commissioner appointed pursuant to the *Fire Safety Act*;
- (n) “**Fire Service Area**” means the area contained within the geographical limits of the District of Oak Bay;
- (o) “**Fire Safety Act**” means the *Fire Safety Act*, SBC 2016, c. 19, as amended or re-enacted from time to time;
- (p) “**Fire Services Bylaw**” means the Fire Services Operational Bylaw, No. 3803, 2018 of the Corporation;
- (q) “**Garbage**” means animal, vegetable and other food wastes resulting from the handling, preparation, storage, cooking or serving of food, and includes material used in the packaging of food, but does not include paper uncontaminated by food;
- (r) “**Hazardous Materials**” means any substance the release or discharge into the environment of which is required to be reported under the *Environmental Management Act* (B.C.) or the regulations made thereunder;
- (s) “**Incident Commander**” means the Member in charge of an Incident under the incident command system, as set out in the Department’s Operational Guidelines;
- (t) “**Inspection**” means a fire safety inspection as defined in the *Fire Safety Act*;
- (u) “**Member**” means a person employed by the Corporation in the classification of Firefighter, Lieutenant, Captain, Assistant Fire Chief, Deputy Fire Chief or Fire Chief;
- (v) “**Officer**” means a Member who is appointed as an officer within the Department in accordance with the Fire Services Bylaw;
- (s) “**Order**” means an order in writing issued by the Fire Chief in relation to the enforcement of any provision of this Bylaw or the Fire Services Bylaw, specifying the particulars of the matter which require correction, the property or premises affected and the date by which compliance is to be achieved;
- (t) “**Park**” means land owned by the Corporation and dedicated for park purposes by bylaw, subdivision plan, reference plan or explanatory plan;
- (u) “**Permit**” means a permit required under this bylaw or another applicable enactment;

- (w) **"Prohibited Materials"** includes tires, plastics, drywall, demolition waste, Garbage, construction waste, paint and paint products, chemically treated lumber, asphalt, asphalt products, rubber, fuel and lubricant containers, biomedical waste, tar paper, railway ties, manure, Animal Organic Waste, grass cuttings, aromatic hydrocarbons, or any other material which, when burned, creates a noxious odour; and
- (x) **"Unoccupied"** means that premises are vacant and unoccupied on a continuous basis for more than 180 days.
2. Capitalized terms used in this bylaw and not otherwise defined shall have the same meaning as in the Fire Services Bylaw.
  3. References in this bylaw to statutes, regulations, bylaws or policies, and to positions, titles or ministries, includes the same as may be amended, supplemented or replaced from time to time.
  4. Members of the Department are authorized to enforce the provisions of this bylaw, and in connection therewith, to exercise the powers provided for in this bylaw and in the Fire Services Bylaw. The Fire Chief is authorized to develop operational guidelines directing the Members in the enforcement of this bylaw and the exercise of the powers conferred by this bylaw.
  5. Any reference in this bylaw to criteria or requirements of the Department means such criteria or requirements approved by the Fire Chief from time to time, unless otherwise expressly stipulated.
  6. If any part, section, subsection or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw will be deemed to have been enacted without the invalid portion.

## **Part 2 - Fire Protection and Safety**

### **Evacuation**

7. If any emergency arising from a fire, fire hazard, toxic chemical spill, or a risk of explosion, or any other natural or human-caused disaster, accident or event, causes the Incident Commander to be apprehensive of imminent and serious danger to life or property, or of a panic, the Incident Commander may immediately take the steps he or she thinks advisable to remove the hazard or risk, and without limiting the foregoing, may evacuate a building or area in accordance with section 13 of the *Fire Safety Act*, and may call upon the police to assist the Department and provide security to the evacuated building or area.

### **Building Security**

8. The owner of a building that is unoccupied shall ensure that the building is properly secured against entry by unauthorized persons.

9. The owner of a fire-damaged building shall ensure that the building is guarded, or that all openings in the building are kept securely closed and fastened, so as to prevent the entry of unauthorized persons.
10. Where, in the opinion of the Fire Chief, a fire hazard exists on real property, or where any unoccupied building or fire-damaged building is not properly secured or guarded as required by this bylaw, the Fire Chief may issue an Order notifying the owner or occupier of the nature of the condition to be remedied, requiring the owner or occupier to remedy the condition in the manner specified in the Order, and the time within which the condition must be remedied.

### **Smoke Alarm Installation and Maintenance**

11. The owner of a residential dwelling, and the owner of a motel, hotel, apartment, rooming house, boarding house, and dormitory sleeping room or other similar place of accommodation, shall ensure that smoke alarms are installed and maintained in every dwelling unit, or suite and sleeping room in accordance with this bylaw.
12. Section 14 does not apply to an institutional occupancy which is required by law to have an Alarm System.
13. Smoke alarms within dwelling units shall be installed between each sleeping area and the remainder of the dwelling unit, and where the sleeping areas are served by hallways, the smoke alarms shall be installed in the hallways, and otherwise in conformance with the *Fire Code*.
14. Occupants of a residential dwelling or dwelling unit shall test the smoke alarms within each dwelling unit, suite, or sleeping room in compliance with the manufacturer's recommendation to ensure that the smoke alarms are functioning correctly. If a smoke alarm is not functioning correctly, the occupant, if he or she is not the owner, shall inform the owner immediately of becoming aware of the failure and the owner shall, as soon as is reasonably practicable, repair, or replace the smoke alarm.
15. Smoke alarms required under this bylaw shall conform to, and shall be installed and maintained in conformance with, CAN/ULC - S553 *Standard for the Installation of Smoke Alarms* and the *Fire Code*.
16. Smoke alarms required for motels, hotels, apartments, rooming houses, boarding houses, and dormitories shall be installed in accordance with the *Fire Code* and the *Building Code*.

### **Alarm Systems**

17. The owner or occupier of every building containing an Alarm System shall ensure that each Alarm System is installed, maintained, and tested in conformance with the *Fire Code* and this bylaw.

18. Failure to maintain an Alarm System in accordance with this bylaw will be deemed to be an offence under this bylaw, and the owner or occupier of the building containing a non-conforming Alarm System may be subject to the fines and fees provided in this bylaw.
19. Where, during any calendar year, there have been three False Alarms at any building or premises, the owner of the building or premises shall be assessed a fee in accordance with **Schedule A** attached to this bylaw for every subsequent False Alarm occurring during that calendar year.
20. Fees assessed in accordance with section 22 of this bylaw are due and payable by December 31 of the year in which the fee is assessed, and if not paid by the due date are recoverable in the same manner as municipal property taxes.

### **Fire Watch**

21. The owner or occupant of a building or premises in which any of the Alarm System, sprinkler system, or emergency power system is not operating as required by law, or in respect of which a fire has occurred on or in the building or premises, shall appoint and maintain a fire watch in that building or premises, or provide equivalent fire safety measures as directed by or that are acceptable to the Fire Chief.
22. If the owner or occupant fails to employ a fire watch as required by this bylaw or otherwise as directed by the Fire Chief, the Department may appoint a fire watch as considered necessary by the Fire Chief, at the expense of the property owner. Notwithstanding the foregoing, the Corporation shall not be responsible for any damage or injury, and shall bear no liability, where the Department does not set a fire watch.
23. The Department, on request of an owner or occupant or, in respect of a building or premises in which a fire has occurred, the insurer of such building or premises, is authorized to provide the service of fire watch, subject to the payment of the fees set out in Schedule B to this bylaw and execution of an agreement between the Corporation and the owner, occupier or insurer, as the case may be.

### **Contact Persons for Alarm Systems**

24. The owner or occupier of a building or structure in which an Alarm System is required under the *Fire Code* shall, on the same day on which the Alarm System becomes operational, submit to the Department a list of emergency contact persons in accordance with the requirements that may be specified from time to time by the Fire Chief.
25. The owner or occupier of a building or structure in which an Alarm System is installed shall provide written notice to the Department of any changes to the emergency contact persons list immediately when changes to this information occur.
26. The owner or occupier of a building or structure in which an Alarm System has been installed shall ensure that the emergency contact persons are:

- (a) available to receive telephone calls from the Department or the monitoring service for the Alarm System in the event that the Alarm System is activated;
  - (b) able to attend at the address of the owner's or occupier's property within 40 minutes of being requested to do so by the Department or the monitoring service;
  - (c) capable of gaining full access to the owner's or occupier's building or structure where the Alarm System has been activated;
  - (d) capable of operating the Alarm System; and
  - (e) capable of securing and taking control of the owner's or occupier's building or structure where the Alarm System has been activated.
27. When an Alarm System in a building or structure has been activated and the owner or occupier of that building or structure or the owner's or occupier's contact person cannot be reached, or any of the foregoing fail to attend the building or structure within 40 minutes of the activation of the Alarm System:
- (a) the Department may use whatever means necessary to gain access to the building or structure to investigate the cause of the alarm without payment to the owner or occupier of any compensation whatsoever for damage caused to the premises by such forced entry;
  - (b) the owner or occupier of the building or structure at which the Alarm System has been activated shall pay a fee to the Corporation as set out in **Schedule B** attached to the Bylaw, for all the time during which the Department's apparatus and Members were required to remain on standby at the premises; and
  - (c) Notwithstanding the foregoing, where deemed necessary by the Fire Chief, the Department may reallocate its resources to respond to another emergency or call-out, and leave the building or structure unguarded. The Corporation shall bear no liability to the owner or occupants in the event of a reallocation of Department resources.

### **General Fire Protection and Safety**

28. Where required by the *Fire Code*, the owner and the occupier of any real property shall at all times keep the same in a safe condition by:
- (a) maintaining emergency lighting, exit lighting, and exit signs in conformance with the *Fire Code*;
  - (b) selecting, inspecting, testing, and maintaining portable extinguishers in conformance with the *Fire Code*;
  - (c) providing and maintaining means of egress in conformance with the *Fire Code*;

- (d) maintaining exit doors in good repair and ensuring they are free to open in conformance with the *Fire Code*;
- (e) maintaining private roadways, yards, and fire lanes provided for Department access in conformance with the *Fire Code*;
- (f) providing, maintaining, and keeping clear private roadways, access roads, and fire lanes leading to commercial, industrial, and residential properties and fire hydrants, in conformance with Department criteria for Department vehicle access;
- (g) ensuring that where access to property is controlled by the use of a gate, the design and installation both conform with Department criteria;
- (h) maintaining standpipe and hose systems and automatic sprinkler systems in conformance with the *Fire Code*;
- (i) installing and maintaining commercial cooking equipment exhausts and fire protection systems in conformance with the *Fire Code*;
- (j) not causing or permitting the number of persons permitted to enter a room to exceed the maximum occupant load contrary to the *Fire Code*;
- (k) not causing or permitting combustible materials to accumulate in quantities or locations contrary to the *Fire Code*;
- (l) storing, handling, using, and processing all flammable and combustible liquids in conformance with the *Fire Code*; and
- (m) maintaining fire separations in conformance with the *Fire Code*.

29. If the owner or occupier of real property fails to maintain the property in accordance with section 28 of this bylaw, the Fire Chief may issue an Order notifying the owner or occupier of the nature of the condition to be remedied, requiring the owner or occupier to remedy the condition in the manner specified in the Order, and the time within which the condition must be remedied.

### **Hazardous Materials Incidents**

- 30. Where any Department equipment or apparatus, while attending an Incident at or involving any vehicle or real property, is damaged or contaminated as a result of the presence of a hazardous substance on or in such vehicle or real property, the owner or occupier of the vehicle, land, or building shall, shall pay the Corporation a fee equivalent to the costs incurred by the Corporation in repairing, replacing or decontaminating the equipment or apparatus, including taxes.
- 31. A fee under section 30 is payable only where the Fire Chief concludes that the Incident resulted from an act or omission of the owner or occupier of the vehicle or real property, or resulted from the contravention of an enactment.

32. If the owner or occupier of real property fails to pay to the Corporation the fee charged under section 30 by December 31 of the year in which the fee is imposed, then Corporation may recover fee in the same manner as municipal property taxes.
33. In relation to a response by the Department to mitigate or control any Incident involving Dangerous Goods or any Incident in which there has been a release or threatened release of Hazardous Materials, the person responsible for such Dangerous Goods or Hazardous Materials shall pay a fee to the Corporation equal to the the cost of the Department's responses, calculated in accordance with Appendix B to this bylaw.

#### **Accumulation of Combustible Materials**

34. Neither the owner nor occupier of any land or building shall permit the accumulation of combustible growth or material of any kind which, in the opinion of the Fire Chief or Fire Inspector, is liable to catch fire or increase the danger to persons or property from a fire or wildfire. The owner or occupier of the land or building shall dispose of said growth or material and take such precautions to prevent fire or damage to life or property, in accordance with any Order of the Fire Chief or Inspector.
35. If the owner or occupier of real property fails to maintain the property in accordance with section 34 of this bylaw, the Fire Chief may issue an Order notifying the owner or occupier of the nature of the condition to be remedied, requiring the owner or occupier to remedy the condition in the manner specified in the Order, and the time within which the condition must be remedied.

#### **Municipal Hydrants and Private Hydrants**

36. Owners of land containing private hydrants shall, at their own cost:
  - (a) annually conduct a flow test and inspection of each such private fire hydrant in accordance with National Fire Protection Association Standards for inspecting and testing of fire hydrants, as amended from time to time, and provide the results of such tests to the Fire Prevention Division of the Department;
  - (b) perform such maintenance on the hydrant as may be required to keep it properly operational, or as may be Ordered by the Fire Chief;
  - (c) maintain ground cover clearance around the hydrant so as to provide a clear view of the hydrant from the street when the hydrant is approached from either direction. The minimum clearance in all directions (360 degrees) around a fire hydrant is 1.5 m (5 ft.) from any obstructions, including but not limited to fences, shrubs, trees, large rocks, or signs; and
  - (d) paint such hydrants in accordance with the Corporation's specifications.



### **Fire Safety Plan Boxes**

37. Every owner or occupier of a building or dwelling designed for occupancy, who is required under the *Fire Code* to prepare and implement a Fire Safety Plan, shall install and maintain a Fire Safety Plan Box at the building or dwelling.
38. Every Fire Safety Plan Box required under this bylaw must be:
- (a) approved by the Fire Chief;
  - (b) mounted within 4 m (13 ft.) of the principal entrance of the premises at a height between 1.5 m (5 ft.) and 1.8 m (6 ft.) above the finished floor;
  - (c) securely mounted to an interior wall of the premises; and
  - (d) sufficient in size to hold the Fire Safety Plan for the premises and any other keys or devices that are required by the Department.

### **Lock Boxes**

39. A Lock Box must be installed and maintained by an owner or occupier of any building equipped with:
- (a) an Alarm System;
  - (b) an automatic sprinkler system;
  - (c) firefighting standpipe and water supply connections in a locked room or area such as on a roof;
  - (d) a key operated elevator control feature that will permit exclusive use of elevators to firefighting personnel only; or
  - (e) locked access doors to a roof provided for firefighting purposes.
40. Where a Lock Box is required, it must:
- (a) be installed on the exterior wall of the building in proximity to the principal entrance, and in accordance with requirements that may be prescribed by the Fire Chief, or a location approved by the Fire Chief; and
  - (b) contain a key or set of keys or devices required to be used in an emergency to open the principal entrance, or open any other doors or hatches within the building necessary to access all common or works areas of the building, or necessary to operate or access firefighting safety/control features, or service rooms for firefighting purposes.

## **Fire Department Access to Fire Safety Plan Boxes and Lock Boxes**

41. The Department shall at all times be permitted to have access to all Fire Safety Plan Boxes and Lock Boxes required by this bylaw, including the contents of the Fire Safety Plan Boxes or Lock Boxes.
42. No owner or occupier of any premises shall refuse to allow, or shall prevent or interfere with, the installation and maintenance of a Fire Safety Plan Box or Lock Box as required by this bylaw.

## **Burning Restrictions**

43. No person shall burn, either indoors or outdoors, any Prohibited Materials.
44. Except as authorized under this bylaw, no person shall light, ignite or maintain any fire, or permit or cause any fire to be lit, ignited or maintained, in the open air or otherwise outside of a building.
45. Except as provided in section 46, outdoor burning appliances that use natural gas, or propane may be used on private property, provided the appliance is CSA (Canadian Standards Association) certified.
46. No person shall light or ignite an outdoor burning appliance when the forest fire rating is High or Extreme.
47. Notwithstanding section 44 of this Bylaw or section 20 of the *Parks and Beaches Bylaw, 1996*, a fire may be ignited and maintained in the open air or in a container, either:
  - (a) in connection with a not-for-profit community event, a cultural celebration or observation, which Council has determined to be for the benefit of the Corporation at large, provided that:
    - i. the permission of Council has been applied for and obtained in advance;
    - ii. in the assessment of Council, the fire would create no nuisance or hazard to persons or property;
    - iii. a plan for the management, containment, size and location of the fire has been submitted to and approved by the Fire Chief as to the safety of persons and property; and
    - iv. in the case of an event not directly under the auspices and control of the Corporation, with the fire proposed to be located on a beach or property owned or occupied by the Corporation, the person to whom permission is granted has executed an agreement:
      1. indemnifying the Corporation against third party claims arising out of the event;

2. releasing the Corporation from claims by the permittee arising out of the event;
3. providing evidence of public liability insurance in an amount not less than Five Million Dollars (\$5,000,000.00) per occurrence, with the Corporation named as an additional insured;
4. agreeing to pay all costs incurred by the Corporation in connection with the event; and
5. agreeing to abide by any other conditions which may reasonably be required by the Corporation in light of the nature of the property and the scale and nature of the event; or

(b) Where approved by the Fire Chief in connection with a fire suppression training exercise.

48. For the purpose of section 44, "fire" does not include:

- (a) a fire fuelled solely by natural gas or propane, lit, ignited and maintained within a structure on private land, subject to compliance with the *Gas Safety Regulation* under the *Safety Standards Act* SBC 2003, c. 39;
- (b) a fire fuelled solely by charcoal briquettes, lit, ignited and maintained solely for the cooking of food, on private land and contained within a structure that has been specifically designed for that purpose;
- (c) a fire fuelled solely by propane, natural gas or charcoal briquettes, lit, ignited and maintained solely for the cooking of food, on private land and contained within a portable appliance or device that has been specifically designed for that purpose;
- (d) a fire fuelled solely by propane or natural gas, lit, ignited and maintained solely for the cooking of food, contained within a portable appliance or device that has been specifically designed for that purpose, in a park where ancillary to and specifically referenced in a permit under the *Parks and Beaches Bylaw, 1996*; or, where such appliance or device is of a size and design intended for table top use and is set up on a picnic table which has been placed in a park by the Corporation, without such a permit but subject nonetheless to compliance with all applicable provisions of the *Parks and Beaches Bylaw, 1996*; and
- (e) the combustion of a petroleum fuel within an internal combustion engine, or the operation of welding equipment or a hand-held torch or tiger torch for the purpose of construction, maintenance or repair work.

49. The Fire Chief may order that because of the level of fire hazard within the Corporation or a portion thereof, the exemption created by subsection 48(d) shall cease to operate for the geographical area specified in the order from the effective date thereof until the

order is rescinded by the Fire Chief in light of the abatement of the fire hazardous condition.

50. Notice of an Order under section 49 shall be posted on the Corporation's website and posted publicly at the Corporation's main offices. The Department may also post copies of the Order in a conspicuous place in or around the geographic area affected thereby.

### **House Numbering:**

51. The owner of every building in the Corporation, other than out-buildings and ancillary buildings upon the same lot as the main building, shall affix and keep affixed upon such a building in a conspicuous place as near practicable to the front entrance of such building, a street number allotted to such building by the municipal engineering department of the Corporation.
52. In the event that such a building is separated by a fence or hedge from the street, the owner shall affix and keep affixed, in a conspicuous place at the entrance through such a fence or hedge, a duplicate of the street number allotted to such building.
53. Each street number shall be easily legible size and design, and the owner of the premises upon which the same is affixed shall not allow the same to become obscured by vegetation or otherwise.

### **Record Searches**

54. Upon written request, the Department will conduct file searches on buildings or properties for outstanding Fire Code violations or infractions or other related information. A fee is payable for this service as specified in Schedule B to this Bylaw.

### **Service of Orders**

55. Any Order given by the Fire Chief or Fire Inspector under this bylaw may be served as follows:
- (a) personally upon the person to whom it is addressed;
  - (b) by leaving it with a person apparently over the age of 16 years at the dwelling or place of business of the person to whom it is addressed;
  - (c) by sending it by registered mail to the most recent address of the person to whom it is addressed as shown on the most recent assessment roll of the Corporation; or
  - (d) where the subject of the notice is an unoccupied building or structure, by posting it in a conspicuous place on the outside of the building or structure.
56. Where the Order is served by registered mail, service shall be deemed to have been effected five days after the date of mailing.

57. Where more than one person is shown on the assessment roll of the Corporation as the owner of real property, service of an Order on any one of such persons shall be deemed to be good and sufficient notice for the purposes of this bylaw.

### **Charges and Fees**

58. Where, after the time stated in any Order served pursuant to this bylaw, the Fire Chief finds that the requirements of the Order have not been carried out, the Fire Chief or designates may enter upon the real property, or building or structure situate thereon, as described in the Order and carry out the work required by the Order at the expense of the owner of such real property.

59. The Fire Chief shall keep an accurate account of the charges incurred by the Corporation pursuant to section 67, and when the work is completed shall mail a statement of such charges to the person upon whom the order was served, with a demand for payment of same.

60. Any fee or charge which may be levied under this bylaw in relation to services provided to or in respect of any real property, including any fee or charge levied under Schedules A,B or C, which has not been paid by the 31st day of December in the year in which such fee or charge became due and payable, shall be added to and form part of the taxes payable in respect of such real property as taxes in arrears.

61. For certainty, the provisions of section 60 apply to any costs and expenses incurred by the Corporation in carrying out work at the expense of the owner or real property under section 58 of this bylaw.

62. The Department may charge for use of its services in connection with

- (a) attendance at or an Inspection related to any special event;
- (b) an Inspection conducted at the request of a property owner;
- (c) consultations on fire safety, development requirements or similar matters,
- (d) any service provided under this bylaw or another bylaw of the Corporation, where it stipulates that fees may be charged and recovered,

in each case, as provided in Schedules B and C to this bylaw.

### **Permits and Exemptions**

63. No permit, permission, approval or exemption created or granted by, under or pursuant to this bylaw or bylaw 4375 shall in any way derogate from the authority of the Fire Chief to order the remedy of a fire hazardous condition, with which every person shall comply.

## **Offences**

64. A person who:

- (a) contravenes, violates or fails to comply with any provision of this Bylaw or of a permit or Order issued under this bylaw;
- (b) suffers or allows any act or thing to be done in contravention or violation of this bylaw or any permit or Order issued under this bylaw; or
- (c) fails or neglects to do anything required to be done under this bylaw or any permit or Order issued under this bylaw;

commits an offence, and upon summary conviction shall be liable to a fine of not less than Fifty dollars, (\$50.00) and not more than Ten Thousand Dollars (\$10,000.00).

65. Each day that an offence under this bylaw continues shall constitute a separate offence.

## **Force and Effect; Repeal of Other Bylaws and amendments**

66. This bylaw will come into force and effect on December 31, 2018.

67. Upon the coming into force of this bylaw, the following bylaws are hereby repealed:

### **Bylaw 1557 House numbering Bylaw**

Notwithstanding the repeal of each of the bylaws listed above, any offence committed under each such bylaw prior to its repeal may be charged, and any penalty or punishment levied under such bylaw may be imposed, as though such bylaw had not been repealed:

**Citation**

68. This bylaw may be cited as the “Fire Prevention and Life Safety Bylaw, No. 4719, 2018.”

READ a first time this 9 day of October, 2018.

READ a second time this 9 day of October, 2018.

READ a third time this 9 day of October, 2018.

ADOPTED AND FINALLY CONSIDERED by the Municipal Council this 13 day of November, 2018.

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Mayor

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Director of Corporate Services

Sealed with the Seal of The Corporation of  
the District of Oak Bay.

**Schedule "A" – Fines**

<b>Offence</b>	<b>Section(s)</b>	<b>Amount</b>
Failure to provide private hydrant flow test results	36(a)	\$250
Failure to maintain minimum clearance around a hydrant	36(c)	\$250
Failure to provide, install and maintain Smoke Alarm	11, 15	\$250
Failure to test Smoke Alarm	14	\$250
Failure to install, maintain and test Fire Alarm System	17, 18	\$250
Failure to provide Fire Watch	21, 22, 23	\$1000
Failure to provide list of emergency contact personnel	24, 25, 26, 27	\$250
Failure to maintain emergency/exit lighting and exit signs	28(a)	\$300
Failure to test or maintain portable extinguisher(s)	28(b)	\$300
Failure to provide and maintain means of egress	28(c)	\$300
Failure to maintain exit doors	28(d)	\$300
Failure to maintain standpipe, hose systems, and automatic Sprinkler systems in conformance with the BC Fire Code	28(h)	\$300
Failure to install and maintain commercial cooking equipment exhausts and fire protection systems in conformance with the BC Fire Code	28(i)	\$300
Allowing combustible material(s) to accumulate in quantities or in locations contrary to the BC Fire Code	34	\$300
Failure to maintain fire separations in conformance with the BC Fire Code	28(m)	\$300
Failure to store, handle, use or process all flammable and combustible liquids in conformance with the BC Fire Code	28(l)	\$300
Failure to dispose of combustible material or take precautions to prevent fire	34	\$500
Failure to submit Fire Safety Plan in an acceptable format and in conformance with the BC Fire Code	37	\$250
Failure to provide Fire Safety Plan in a location or manner acceptable to Fire Chief	38(a)	\$250
Failure to install and maintain approved Fire Safety Plan Box	37	\$250
Failure to install and maintain approved Lock Box	39	\$250
Failure to correctly install Lock Box	40(a)	\$250



Failure to provide keys or devices in Lock Box	40(b)	\$250
Failure to provide access to Fire Safety Plan Box or Lock Box	41	\$250
Failure to allow installation or maintenance of Fire Safety Plan Box or Lock Box	42	\$250
The owner of every building in the Corporation of Oak Bay, other than out-buildings and ancillary buildings upon the same lot as the main building, shall affix and keep affixed a street number assigned by the Municipal Engineering Department	51, 52,53	\$250
No person shall burn, either indoors or outdoors, any prohibited materials	43	\$500
No person shall light, ignite or maintain any fire, or permit or cause any fire to be lit, ignited or maintained, in open air or otherwise outside of a building	44	\$500
In any 12 month period the Oak Bay Fire Department respond to four (4) or more false alarms originating from one Alarm System, there shall be imposed on the occupier of the property in which the alarm system is Installed a fee of \$200.00 for the fourth and each subsequent false alarm	19	\$200

**Schedule "B" – Fees for Service**

<b>Service Description</b>	<b>Charges</b>
Fire Department Consultation Fees	\$110.00 per hour
Fire Code and Fire Department Records Search including report Requests for the purchase, sale, financing or refinancing of any building or property	\$100.00
Fire Safety Plans Review (New Plan)	\$100.00
Fire Safety Plans Review (Existing Plan)	\$50.00
Fire Investigation Report	\$100.00
Contract Fire Investigation Services	\$110.00 per hour, minimum 2 hours
Fire Guard Watch (Standby)	\$200 per hour, 15min. increments
Special Duty/Contract Fire Services – Engine Company	\$500 per hour, min. 3 hours
<b>Response cost recovery charges (Dangerous Goods and Hazardous Materials)</b>	<b>\$500 per hour per responding engine company</b>

### Schedule "C" Fees for Service

Service Description	Charges
For the installation of any oil equipment to the B.C. Building Code and CAN/CSA B139 – Installation Code for Oil Burning Equipment. Combustible liquid fuel tank capacity: up to 1,400 litres (300 gallons)	Combined permit and inspection fee: <b>\$100.00</b> Re-inspection fee of: <b>\$50.00</b>
For the installation of any oil equipment to the B.C. Building Code and CAN/CSA B139 – Installation Code for Oil Burning Equipment. Combustible liquid fuel tank capacity: over 1,400 litres (300 gallons)	Combined permit and inspection fee: <b>\$100.00</b> , plus 1.5 cents for every 1 litre of capacity of the tank. Re-inspection fee of: <b>\$50.00</b>
For the replacement, renewal or alteration of any oil burner or oil burning equipment	Combined permit and inspection fee: <b>\$100.00</b> Re-inspection fee of: <b>\$50.00</b>
For the installation or replacement of flammable and combustible fuel tanks. Tank capacity: up to 1,400 litres (300 gallons)	Combined permit and inspection fee: <b>\$100.00</b> Re-inspection fee of: <b>\$50.00</b>
For the installation or replacement of flammable and combustible fuel tanks. Tank capacity: over 1,400 litres (300 gallons)	Combined permit and inspection fee: <b>\$100.00</b> , plus 1.5 cents for every 1 litre of capacity of the tank. Re-inspection fee of: <b>\$50.00</b>
Removal or Rendering inert an underground fuel storage tank. (Permit and inspection)	Combined permit and inspection fee: <b>\$100.00</b>
For any other permit or inspection required pursuant to Schedule "C"	<b>\$50.00</b>
For any request for written inspection report, permit or document pursuant to Schedule "C"	<b>\$25.00</b>