

CITY OF NORTH BATTLEFORD
SASKATCHEWAN

BYLAW NO. 1829

**A BYLAW OF THE CITY OF NORTH BATTLEFORD TO
PROVIDE FOR THE PREVENTION OF FIRES, THE
PREVENTION OF SPREAD OF FIRE, AND FOR THE
PRESERVATION OF LIFE.**

WHEREAS pursuant to Section 8 of *The Cities Act*, Council has the general power to pass bylaws for City purposes that it considers expedient in relation to the safety, health and welfare of people and the protection of people and property,

NOW THEREFORE the Council of the City of North Battleford, in the Province of Saskatchewan in open meeting assembled enacts as follows:

SECTION 1: TITLE

1.1 This Bylaw may be cited as the "Fire Prevention and Emergency Services Bylaw".

SECTION 2: INTERPRETATIONS AND DEFINITIONS

2.1 INTERPRETATIONS

It is the purpose of this bylaw to establish the standards for: fire prevention, fire fighting and life safety in buildings; the prevention, containment and fighting of fires originating outside of buildings which may present a hazard to all or any part of the City; the operation of emergency services; and the transportation of flammable and combustible substances.

2.2 DEFINITIONS

- 1) Unless otherwise provided or unless the context otherwise requires, words and expressions in this bylaw have the same meaning as the same words and expressions in *The Cities Act* and in *The Fire Prevention Act*.
- 2) All references to "he" and its derivatives shall include "she" and its derivatives unless the content specifies otherwise.
- 3) In this Bylaw:

“Act” means *The Fire Prevention Act*;

“Agreement” means an agreement under which the City contracts to provide fire protection and assistance response;

“Alarm” means providing to the public, fire hall, fire dispatch or company, or to any officer or employee thereof, whether verbally or otherwise, information to the effect that a fire or emergency situation exists at or near the place indicated by the person providing such information;

“Apparatus” means any vehicle, machinery, device, equipment or material used for fire protection or to provide assistance of any nature upon request and any vehicle used to transport members or supplies;

“Approval” means the written approval of the Fire Chief;

“Approved” means in compliance with the National Fire Code and any federal, provincial or municipal laws;

“Authority Having Jurisdiction” referred to throughout the National Fire Code of Canada and throughout this Bylaw, means the Fire Chief of the North Battleford Fire Department and shall include any other person or persons authorized to act on his behalf;

“Automatic Fire Sprinkler System” means an integrated system of underground and overhead piping designed in accordance with fire protection standards, and which is normally activated by heat from a fire, and discharges water over the fire area;

“Balcony” means a platform with a rail or balustrade on the outside of a building with access from an upper storey door or window;

“Chief Officers” means the Fire Chief or his designate;

“City” shall mean the City of North Battleford;

“Closure” means a closure within the meaning of The National Fire Code;

“Code” shall mean the National Fire Code of Canada;

“Combustible Liquid” means a combustible liquid within the meaning of The National Fire Code;

“Dangerous Goods” means dangerous goods within the meaning of The National Fire Code;

“Department” shall mean the North Battleford Fire Department;

"Dwelling Unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;

"Emergency Medical Services" shall mean the administration of First Responder and Cardiopulmonary Resuscitation (CPR);

"False Alarm" means any alarm, regardless of how caused, necessitating a response by North Battleford Fire Department where a fire or emergency does not exist;

"Fire Alarm System" means a system consisting of a control unit and a combination of electrical interconnected devices, which is:

- a. Designed and intended to detect a fire condition and to actuate an alarm or warning of fire in a building or structure; or
- b. Manually activated and includes the systems installed throughout any building or portion thereof;

"Fire Chief" means the Chief of the City of North Battleford Fire Department appointed by the Council of the City of North Battleford., and shall include any other person or persons authorized pursuant to this Bylaw to act on his behalf;

"Fire Inspector" means the person or persons designated by the Fire Chief to perform that function;

"Fire Prevention" means that part of fire protection activities exercised in advance of the outbreak of fire to help prevent loss of life and property due to fire;

"Fire Protection Services" means the Section within North Battleford Fire Department responsible for fire inspections, fire cause determination, fire arson investigations and fire and life safety public education programs;

"Fire Separation" means a fire separation within the meaning of The National Fire Code;

"Fireworks" shall mean and include any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;

"Fireworks Permit" means a current and valid permit in the form attached as Schedule "C" to this Bylaw authorizing a person or organization to fire or set off fireworks;

“High Hazard Fireworks” means those fireworks defined as such under the Explosives Regulations made under the current *Explosives Act* of Canada, and, without limiting the generality of the forgoing, includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination, set pieces, pigeons, and firecrackers;

“Incident” means a fire, an explosion, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property or the environment and to which North Battleford Fire Department has responded;

“Incident Commander” means the Officer responsible for directing and controlling operations at an incident;

“Low Hazard Fireworks” means those fireworks defined as such under the current Explosives Regulations made under the *Explosives Act* of Canada and, without limiting the generality of the forgoing, includes firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candle and volcanoes;

“Member” means a person appointed as a Fire Department officer by Council or a Fire Department employee by the Fire Chief;

“Member In Charge” means the Senior Member at the scene of an incident or the Member that is appointed as such by the Fire Chief;

“Municipality” means The Corporation of the City of North Battleford and the geographic area governed thereby;

“Municipal Inspector” means a Municipal Inspector within the meaning of *The Fire Prevention Act*;

“New Building” means a new building constructed as a separate entity or an addition to an existing building where the addition has no internal pedestrian connection with the existing building;

“Occupancy” means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property;

“Occupant” includes every owner, tenant, lessee, agent or other person who has the right of access to, and control of, any building or premises;

“Occupancy Group” means a classification as defined in the current *National Fire Code*, or in this Bylaw;

“Officer” means those Members of North Battleford Fire Department who are the Fire Chief, Deputy Fire Chiefs and Captains or those Members who are acting in the capacity as a supervisor or designated by the Fire Chief as an Officer;

“Owner” means any person, firm, or corporation controlling the property under consideration;

“Person” shall include corporations;

“Permit” means the written authority issued by the authority having the jurisdiction pursuant to the provisions of this Bylaw;

“Preventable False Alarm” means the activation of a fire alarm system by the unnecessary or needless release of smoke, heat, dust, or other airborne particulate, and shall include activation by deficient or defective system components;

“Private Street” means any access way normally intended for vehicular use not a public highway owned by the Province or the Municipality;

“Private Fireworks Display” means the discharge of low hazard fireworks for private recreation and entertainment;

“Public Fireworks Display” means the discharge of high or low hazard fireworks for public recreation and entertainment;

“Qualified person” shall mean individuals or company employees that meet the requirements to test fire safety devices and appliances in a manner acceptable to the authority having jurisdiction;

“Slip tank” means a container with all of the following characteristics:

- i) has a capacity of between 100 litres and 1,000 litres;
- ii) sealed by means of a lid, cap or other device to prevent or minimize liquid placed in the same, or vapour from such liquid, from escaping at outside temperatures;
- iii) designed to be moveable while containing liquid;
- iv) equipped with skids, mountings or other accessories to facilitate movement or handling;
- v) not permanently attached to a transporting vehicle.

“Smoke Alarm” means a combined smoke detector and audible alarm device designed to sound an alarm within the room or suite in which it is located upon the detection of smoke within the room or suite;

“Solid Waste” means garbage, yard trimmings, or recyclables;

“Storey” means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it;

“Structure” means a construction or portion thereof, of any kind, whether fixed to, supported or sunk into land or water, except landscaping, fences, paving and retaining structures;

“Suite” means a single room or series of rooms of complimentary use, operated under a single tenancy, and includes dwelling units, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories;

“Unwarranted False Alarm” means the activation of a fire alarm system by avoidable actions of a building owner, their agent, contractor, tenant, employee, or any other person legally permitted to enter or occupy the building;

“Vacant buildings” means a building, structure or premises or part of a building, structure or premises which is unoccupied and which, in the opinion of the authority having jurisdiction, is not being kept in a safe condition to guard against fire or the risk of fire or other dangerous risk or accident.

SECTION 3: CREATION OF NORTH BATTLEFORD FIRE DEPARTMENT

3.1 CREATION OF FIRE DEPARTMENT

- 1) There is hereby created a Fire Department for the City of North Battleford. It is to be comprised of a Fire Chief, Deputy Fire Chiefs, Operations staff (full-time and part-time), and support personnel.
- 2) The Council may authorize an increase or decrease or vary the complement upon consultation with the Fire Chief.
- 3) The City of North Battleford shall construct, operate and maintain an adequate number of Fire Stations throughout the City. The location, size and staffing of these stations shall be determined by City Council based upon consultation with the Fire Chief.
- 4) The Fire Chief shall create, develop and implement a series of "Rules and Regulations" that will be enacted to ensure effective and professional conduct of the members of Fire Department and may vary, alter, or repeal such rules or regulations from time to time as deemed necessary.
- 5) The Fire Chief shall provide advice and make recommendation to Council, other officers and employees of the City and the public in relation to:

- (a) the establishment and administration of fire brigades and departments;
 - (b) the provision of adequate water supply and pressure;
 - (c) the installation or maintenance of automatic or other fire alarm systems and fire extinguishment equipment;
 - (d) the enforcement of measures for the prevention or suppression of fire and the protection of life and property; and
 - (e) fire prevention in general.
- 6) The Fire Chief shall act as the local assistant to the Fire Commissioner in accordance with *The Fire Prevention Act*.

3.2 DEPUTY FIRE CHIEF(S)

The Deputy Fire Chief of Operations and the Deputy Fire Chief of Prevention shall report to the Fire Chief. In the absence of the Fire Chief, a Chief Officer will be designated and have the powers and shall perform the duties of the Fire Chief as directed or assigned.

3.3 MANAGEMENT AND CONTROL

The Fire Chief or the Deputy Fire Chief(s) shall be responsible for the management, control and supervision of North Battleford Fire Department, for all of North Battleford Fire Department Officers and Members and the discipline thereof, and for the care, custody and control of all buildings, apparatus and equipment of North Battleford Fire Department.

SECTION 4: ADMINISTRATION OF BYLAW

4.1 APPLICATION

The Fire Chief of North Battleford Fire Department and such other person or persons coming within the definition of the “authority having jurisdiction” shall be responsible for administering this Bylaw.

4.2 OWNER’S RESPONSIBILITY

Unless otherwise specified, the owner or the owner’s authorized agent shall be responsible for carrying out the provisions of this Bylaw.

SECTION 5: ADOPTION OF THE NATIONAL FIRE CODE OF CANADA**5.1 ADOPTION**

- 1) It is hereby declared that the National Fire Code of Canada, 1995, issued by the Associate Committee on the National Fire Code, National Research Council of Canada, Ottawa, (N.R.C.C. No. 38727), as amended from time to time, or any subsequent National Fire Code of Canada which may be enacted, shall be in force in the City of North Battleford.
- 2) Wherever there is a conflict between the provisions of the said Code and
 - a) this Bylaw; or
 - b) any Statutory provisions enacted by the legislature of the Province of Saskatchewan (including regulations promulgated thereunder);

this Bylaw and/or Statutory provisions shall prevail over the said Code provisions.

SECTION 6: CREATION OF EMERGENCY SERVICES**6.1 EMERGENCY SERVICES**

Emergency Services are hereby established for the purpose of:

- a) preserving property and extinguishing fires;
- b) investigation of fires;
- c) investigation and mitigation of dangerous or hazardous materials release incidents;
- d) preserving life and property and protecting life and property from injury or destruction due to fire, unplanned release of dangerous goods or any other emergency;
- e) providing rescue and emergency medical services, including, but not limited to:
 - (i) water rescue,
 - (ii) tactical rope rescue,
 - (iii) vehicle extrication,
 - (iv) structural collapse,
 - (v) confined space entry,
 - (vi) trench rescue,
 - (vii) rapid intervention rescue, and
 - (viii) dangerous goods emergency service.

- f) performing salvage operations;
- g) entering into agreements with other municipalities or persons to provide for the mitigation of fires, dangerous goods incidents, emergency medical, rescue response, training and fire inspection services;
- h) purchasing and operating apparatus and equipment for the extinguishing of fires or preserving life and property;
- i) conducting fire inspections; and
- j) other duties as assigned from time to time.

6.2 AGREEMENT FOR EMERGENCY SERVICE

The City of North Battleford Fire Department may enter into an agreement with any other municipality, municipal government, Indian Band, person or other properly constituted authority, organization or agency for the furnishing or receiving of fire fighting or fire prevention services or emergency services on any terms that may be agreed upon, including the setting and payment of charges. Such an agreement shall require the approval of City Council.

6.3 EMERGENCY RESPONSE OUTSIDE OF THE CITY

The City of North Battleford Fire Department will not respond outside of the boundaries of the City of North Battleford except where a current and valid contract for services is in place for the supply of fire fighting and/or rescue services outside the municipal boundaries.

6.4 PREVENTION OF FIRE SPREAD

- 1) The Fire Chief or Incident Commander present at any fire or other emergency shall have the right and authority to enter, pull down, or demolish any house, building or structure, directly or indirectly affected, where deemed reasonably necessary for the purpose of extinguishing a fire or to control or prevent the spread of fires or in conjunction with dangerous goods or rescue.
- 2) Only a Member of the Department may:
 - (a) enter on land or into any building, structure or premises where a fire has occurred, is occurring or is believed to be occurring and any other adjoining or nearby buildings, structures or premises; and
 - (b) if a fire is occurring, use any measures that the person making the entry considers necessary to put out the fire or prevent it from spreading.

- (3) An entry on land or into any building, structure or premises pursuant to Subsections (1) and (2) may be made with any equipment, machinery, apparatus, vehicle or materials that, in the opinion of the person making the entry, is necessary to investigate the occurrence of a fire, put out a fire or prevent it from spreading.

6.5 COMMANDEERING EQUIPMENT

- (1) The Fire Chief or Incident Commander present at any fire or other emergency shall have the right to commandeer and authorize payment for the possession or use of any equipment for the immediate purpose of fighting the fire or mitigating any other emergency.
- (2) The Department shall pay compensation to any person from whom private property is commandeered or used pursuant to Subsection (1).
- (3) The amount of compensation to be paid to a person by the Department pursuant to Subsection (2) is to be determined by the Department.

6.6 SPECIAL AUTHORITIES OF FIRE CHIEF

- 1) The Fire Chief or Incident Commander of any fire or other emergency may obtain the voluntary assistance of any adult to assist in the suppression of a fire, or in the stabilization of an emergency situation, and all persons volunteering shall obey the commands of the Fire Chief or his designate.
- 2) The Department shall pay compensation to any person who assists in fire fighting pursuant to Subsection (1).
- 3) The amount of compensation to be paid to a person by the Department pursuant to Subsection (2) is to be determined by the Department.
- 4) No person who assists in fire fighting pursuant to Subsection (1) shall be deemed to be an employee of the Department or of the City for the purposes of this Bylaw or any other Act or law.
- 5) Every person who assists in fire fighting pursuant to Section 6.6 shall:
 - (a) proceed as directed;
 - (b) take all equipment with which the person has been supplied or which has been commandeered for the person pursuant to Section 6.5;
 - (c) assume responsibility for the fire fighting equipment in the person's care;

- (d) obey all reasonable orders and requirements of the Fire Chief or the Incident Commander of the fire; and
 - (e) make every reasonable effort to control and extinguish the fire and to protect any life and property endangered by the fire.
- 6) The City shall hold harmless and indemnify any volunteer against any claims or damages against such volunteer while giving assistance in accordance with this Bylaw and the City shall claim immunity from liability on behalf of such persons pursuant to the provisions of *The Fire Protection Act*.
 - 7) The Fire Chief or Incident Commander of any fire or other emergency may prescribe the limits within which no person or vehicle shall be permitted and shall have power to close any street or lane to the public for the duration of the fire, or emergency, and related operation.

6.7 FEES FOR SERVICE

- 1) The North Battleford Fire Department is authorized to charge the applicable fees for the various services, tests and emergency responses listed in Schedule "D".
- 2) The fees shall be reviewed and amended by resolution of Council, on the advice of the Fire Chief, as required.
- 3) The fees provided for by this section may be charged to a property owner, a business owner, the person requesting the service or the person who benefits from the service.
- 4) Any person who is charged a fee pursuant to Section 6.7 must pay the fees within the time specified and in the manner specified on the invoice setting out the fee.
- 5) Any fee not paid as specified on the invoice setting out the fee becomes a debt owing to the City of North Battleford by the person to whom the fee was charged and collectible per Section 333 of *The Cities Act*.
- 6) Where the actual costs of providing the services set out in Schedule "D" of this Bylaw exceeds the amount set in the Schedule because service provision took much longer than usual or required specialized equipment, apparatus or materials from the Department, or for any reasons outside the control of the Department, a fee, in addition to the fee set out in Schedule "D", may be charged.
- 7) The additional fee provided for in subsection 4) shall reflect the additional cost of providing the service plus a reasonable administrative fee.

- 8) The various services, tests and emergency responses to which fees per Schedule "D" apply are as follows:
- (a) Failure to Notify
 - (i) All owners or occupants of a premises with either an automatic fire sprinkler system or fire alarm system are required to notify the North Battleford Fire Department prior to service testing, repair, maintenance, adjustment or alterations, or installation of a system.
 - (ii) Owners or occupants who fail to notify the Department, resulting in activation of a false alarm, will be assessed a fee.
 - (b) False Alarm Incidents
 - (i) The Fire Chief shall investigate the cause of each false alarm to determine if the alarm was unwarranted or preventable.
 - (ii) Fees for service will be applied for a response to a false alarm established as preventable or unwarranted; and for responding to reoccurring false alarms within a 12 month period.
 - (c) Contamination and Replacement of Equipment

The Fire Chief may charge an owner or occupant of a premise for the replacement or repair of Fire Department equipment where as a result of an incident at or near the premise, such equipment becomes damaged or contaminated by a hazard substance or dangerous good thereby requiring decontamination, repair or replacement.
 - (d) Fire Protection Searches

Any person seeking a file search on properties for outstanding fire code violations or infractions or other related information will be assessed a fee.
 - (e) Fire Investigation Fee

For every incident, through a Fire Investigation, where the cause of the fire is determined to be through direct negligence of the owner or occupant, a fee will be charged to the owner or occupant of the structure that was damaged.

SECTION 7: FIRE PREVENTION

7.1 FIRE INSPECTION AND INVESTIGATION

- 1) A Fire Prevention Branch which shall be directly responsible to the Fire Chief shall be established within the City of North Battleford Fire Department and shall consist of such personnel as may be required from time to time to carry out the role of fire prevention.

- 2) The role of the Fire Prevention Branch shall be as follows:
 - a) to foster fire prevention;
 - b) to study methods of fire prevention;
 - c) to inspect any building or premises within the City of North Battleford as the circumstances may require and to order the remedy or the removal of conditions that are likely to cause fires in or on that building or premises;
 - d) to enforce the requirements of this Bylaw, the National Fire Code and *The Fire Prevention Act*, as amended from time to time, or any subsequent Fire Prevention Act which may be enacted, and regulations respecting fire prevention and suppression and the protection of life and property;
 - e) to conduct fire prevention educational programs in schools, hospitals, industrial plants, and other similar institutions;
 - f) to report to the Fire Chief regarding investigations or complaints concerning fire hazards;
 - g) to investigate all fires within the City of North Battleford so as to determine their origin and cause;
 - h) to review the plans, and inspect the construction of, all new buildings and structures in the Municipality other than single-family dwellings, to review fire protection facilities and equipment in compliance with applicable regulations, Codes, and standards; and
 - i) to carry out such further duties as may be assigned by the Fire Chief from time to time.

7.2 PROVIDING ASSISTANCE AND INFORMATION

The owner, occupier or lessee of a building or property or any other person having knowledge of the building or property shall, upon request, give to the authority having jurisdiction who is carrying out an inspection of the building or property, such assistance or information as may be required in carrying out the inspection.

7.3 INSPECTIONS, COMPLIANCE WITH ORDERS AND ENFORCEMENT PROCEDURES

7.3.1. Inspection of Premises

- 1) For the purposes of ensuring compliance with this Bylaw, or any Order made under this Bylaw, the Fire Chief or a Municipal Inspector may, at

- any reasonable time, enter and inspect any building, structure or premises.
- 2) The Fire Chief or a Municipal Inspector making an inspection may:
 - (a) collect data or samples;
 - (b) make any inspection or study;
 - (c) conduct any test;
 - (d) examine books, records and documents; and
 - (e) require the production of documents and property for the purposes of examination or making copies.
 - 3) When entering on land or into any building, structure or premises under this Section, the Fire Chief or a Municipal Inspector may:
 - (a) enter with any equipment, machinery, apparatus, vehicle or materials that the Fire Chief or Municipal Inspector considers necessary for the purpose of the entry; and
 - (b) take any person who, or thing that, the Fire Chief or Municipal Inspector considers necessary to assist in the purpose of the entry.
 - 4) Where the Fire Chief or a Municipal Inspector considers it necessary for purposes of the entry, the Fire Chief or Municipal Inspector may temporarily close the building, structure or premises until the purpose of the entry is fulfilled.
 - 5) Before entering on any land or into any building, structure or premises, the Fire Chief or a Municipal Inspector shall notify the owner or occupant, if the owner or occupant is present at the time of the entry, of the purpose of the entry.
 - 6) The Fire Chief or a Municipal Inspector shall not enter a private dwelling without a warrant issued under this Section unless the owner or occupant consents.
 - 7) The Fire Chief or a Municipal Inspector may apply without notice to a justice of the peace or a judge of the provincial court for a warrant where a person:
 - (a) refuses to permit the Fire Chief or Municipal Inspector to enter on land or into any building, structure or premises to carry out any of the activities mentioned in Clause (2); or

- (b) fails to produce any documents or property as required in Subclause 2(e).
- 8) A Justice of the Peace or a Judge of the Provincial Court may issue a warrant if satisfied on oath that the Fire Chief or Municipal Inspector believes on reasonable grounds that there is a contravention of this Bylaw or an Order made under this Bylaw.
- 9) A warrant issued under this Section authorizes the person named in the warrant to enter the place named in the warrant and any premises connected with that place to:
 - (a) examine the place and connected premises;
 - (b) carry out the activities described in Clause (2); and
 - (c) search for and seize any books, records and documents.
- 10) The Fire Chief or a Municipal Inspector may request the assistance of a peace officer in carrying out the provisions of this Section.
- 11) While the Fire Chief or a Municipal Inspector is conducting an inspection under this Section, no person shall:
 - (a) fail to comply with a reasonable request of the Fire Chief or Municipal Inspector;
 - (b) knowingly make any false or misleading statement to the Fire Chief or Municipal Inspector;
 - (c) unless authorized by the Fire Chief or Municipal Inspector, remove, alter or interfere in any way with anything seized, detained or removed by the Fire Chief or Municipal Inspector; or
 - (d) obstruct or interfere with the Fire Chief or Municipal Inspector.

7.3.2 Re-inspections of previously inspected properties

In order to verify whether or not a Fire Code violation has been corrected a re-inspection is required. All second and subsequent re-inspections conducted to check for compliance will be subject to a re-inspection fee as provided in Schedule "D". Failure of the owner or occupant to pay a fee charged within thirty days will result in those costs being added to the property taxes of the owner of the property.

7.4 CORRECTIONS OF IMMEDIATE HAZARDS

- 1) Whenever the authority having jurisdiction finds in a church, school, rink, apartment block, hotel, motel, restaurant, night club, bingo parlor or other building used by the public as a resort or place of public amusement and assembly, that any entrance doors or any emergency exit doors are blocked, barred, bolted or locked in any manner other than with standard panic hardware or a form of quick-acting hardware during the time when the building is being publicly used, he may order the owner, tenant or occupant responsible to immediately remove all such blockages, bars, bolts, padlocks, chains or other devices so that the door can be readily opened from the interior.
- 2) Whenever the authority having jurisdiction finds combustible or explosive material, flammable and combustible liquids, compressed gases or hazardous chemicals being used, stored, or kept in such a manner as to constitute a threat to persons or property, he may, verbally or in writing, order the owner, tenant, occupant or agent responsible to immediately remove the combustible or explosive material, flammable and combustible liquid, compressed gases or hazardous chemical, from the building or premises.
- (3) Where in the course of an investigation or inspection under this Bylaw, the Fire Chief is of the opinion that a condition exists creating a serious danger to life or property, the Fire Chief may:
 - (a) use any measures that the Fire Chief considers appropriate to remove or lessen the condition;
 - (b) evacuate and close the building, structure, premise or yard where the condition exists or any area surrounding such location for any period that the Fire Chief considers appropriate; and
 - (c) order the owner, operator or occupant to immediately do anything necessary to remove or lessen the condition. For greater certainty, the Fire Chief may order the owner, operator or occupant to demolish a building or structure, to remove any debris and waste material and to fill in any open basement or excavation remaining on the site of the building or structure after its demolition.
- 4) If closed under Clause (3)(b), the Fire Chief, if possible, shall placard the building, structure, premise, yard or area as a serious danger to life or property.
- 5) No person shall enter, attempt to enter or tamper with a building, structure, premise, yard or area that has been closed under Clause (3)(b) without the prior approval of the Fire Chief.

- 6) No person shall take down, cover up, mutilate, deface or alter a placard posted under Subsection (4).
- 7) The costs and expenses incurred under this Section are a debt due to the City and the owner of the building, structure, premise, yard or area in or on which the work was carried out will be invoiced.
- 8) If the costs and expenses mentioned in Subsection (7) are not paid, the City will add the amount of the costs and expenses to the owner's property taxes.

7.4.1 Compliance Orders

- 1) If, in the opinion of the Fire Chief or a Municipal Inspector, there is a contravention of this Bylaw, the Fire Chief or Municipal Inspector may issue to the owner, operator or occupant of the building, structure, premises or land in or on which the contravention is occurring a written Order in which the Fire Chief or Municipal Inspector:
 - a) shall specify:
 - i) the contravention,
 - ii) the civic address and legal description of the building, structure, premises or land in or on which the contravention is occurring,
 - iii) any terms and conditions to be complied with to remedy the contravention, and
 - iv) the date by which the terms and conditions of the Order are to be complied with;
 - b) shall provide:
 - i) a statement that if the terms and conditions of the Order have not been complied with within the time specified in the Order, the Fire Chief may carry out the remedy at the expense of the owner,
 - ii) the date and place at which and the process by which an appeal from the Order may be made, and
 - iii) a statement that filing an appeal does not stay the Order but that the appellant may apply to the Fire Commissioner for a stay of the Order under Section 25 of *The Fire Prevention Act*; and

- a) may direct the owner, operator or occupant to do one or more of the following within the time limit set out in the Order:
 - i) remedy the contravention of the Bylaw, including doing anything in relation to the building, structure or premises that the Fire Chief or Municipal Inspector considers necessary to remedy the non-compliance,
 - (ii) repair, alter, remove or demolish the building, structure or premises,
 - (iii) alter the use or occupancy of the building, structure or premises,
 - (iv) replace materials used in the construction of buildings, structures and premises,
 - (v) remove or change the manner of use, storage, handling or disposal of flammable and combustible liquids, flammable and combustible materials, and explosives,
 - (vi) clean, repair, remove or replace equipment, apparatus or fire protection devices that are faulty or considered dangerous,
 - (vii) install or correct the faulty installation of fire safeguards, equipment or fire protection devices, and
 - (viii) clear or remove any obstruction to public access for a building used for public assemblage.
- 2) Every Order made under this Bylaw shall be served:
 - a) in the case of service on an individual:
 - (i) personally, or
 - (ii) by mailing it by registered mail to the last known address of the individual being served; and
 - b) in the case of service on a corporation:
 - (i) personally on a director, officer or manager of the corporation, or
 - (ii) by leaving it at or mailing it by registered mail to the registered office of the corporation or to the office of its attorney in Saskatchewan, if it is an extra-provincial corporation.

- 3) An Order served by registered mail is deemed to have been received on the fifth day following the date of its mailing.

7.5 NOTICE TO REGISTRAR OF TITLES

- 1) The Fire Chief or a Municipal Inspector may register an interest based on an Order made under this Bylaw in the Land Titles Registry against title to the parcels of land to which the Order applies, and the notice runs with the land and is binding on the owner and any subsequent purchaser.
- 2) Where an interest has been registered under this Section and the Order has been complied with, the Fire Chief or a Municipal Inspector shall apply to the Registrar of Titles to discharge the interest.

7.6 CARRYING OUT OF ORDERS BY FIRE CHIEF

- 1) The Fire Chief may carry out or cause to be carried out the activities required to be done by an Order if:
 - a) the person to whom the Order is directed fails to comply with the Order within the time specified in the Order and, no stay of the Order has been issued; or
 - b) after reasonable inquiry, the whereabouts of the owner, an agent of the owner or occupant of the building, structure or premises that is the subject of the Order cannot be determined.
- 2) If an Order is carried out by the Fire Chief under Subsection (1), the costs incurred in carrying out the Order are a debt due to the City and the owner of the building, structure or premises in or on which the Order was carried out will be invoiced.
- 3) If the costs mentioned in Subsection (2) are not paid, the City will add the amount of the costs and expenses to the owner's property taxes.
- 4) A conviction for an offence for failing to comply with an Order does not relieve the person convicted from complying with the Order and the convicting Judge or Justice of the Peace may, in addition to any fine imposed, order the person to do any act or work, within a specified time, to comply with the Order with respect to which the person was convicted.

SECTION 8: APPEAL OF ORDERS

8.1 APPEALS

Pursuant to the Appeals Section of *The Fire Prevention Act*, the following process applies:

8.2 APPEAL TO FIRE COMMISSIONER

- 1) A person who is aggrieved by an Order made by the Fire Chief or a Municipal Inspector may, within 20 days of being served with the Order, appeal the Order to the Fire Commissioner.
- 2) An appeal under this Section is made by filing a written notice of appeal setting out the reasons for the appeal on the Fire Commissioner and serving a copy of the appeal on the Fire Chief or Municipal Inspector.
- 3) The Fire Commissioner shall consider the appeal within 20 days of the serving of the appeal and may confirm, modify or revoke the Order appealed from or substitute an Order for the Order being appealed from.
- 4) The Fire Commissioner shall cause a copy of the decision to be served on:
 - a) the appellant;
 - b) the Fire Chief or Municipal Inspector; and
 - c) any other persons who the Fire Commissioner considers may be interested in the decision.
- 5) An appeal taken under this Section does not operate as a stay of the Order appealed from unless the Fire Commissioner, on an application by the appellant, decides otherwise.

8.3 APPEAL TO SASKATCHEWAN MUNICIPAL BOARD

- 1) The Fire Chief, Municipal Inspector or other person who is aggrieved by a decision of the Fire Commissioner under Section 8.2 may, within 20 days of being served with the decision, appeal the decision to the Saskatchewan Municipal Board.
- 2) A person making an appeal under this Section shall serve a written copy of the appeal on the Fire Commissioner.
- 3) On receipt of an appeal under this Section, the Saskatchewan Municipal Board shall consider the appeal and may confirm, modify or repeal the decision appealed from or substitute its decision for the decision being appealed from.

- 4) The Saskatchewan Municipal Board shall give written notice of its decision to the Fire Commissioner, the appellant and any other person that the Saskatchewan Municipal Board considers may be interested in the decision.
- 5) An appeal taken under this Section does not operate as a stay of the decision appealed from unless the Board, on an application by the appellant, decides otherwise.

8.4 APPEAL TO COURT OF APPEAL

- 1) Notwithstanding *The Municipal Board Act*, with leave of a judge of the Court of Appeal, any person who is aggrieved by a decision of the Saskatchewan Municipal Board made under Section 8.3 may appeal to the Court of Appeal against the decision of the Saskatchewan Municipal Board within:
 - a) 30 days after the date the decision was made; or
 - b) any further period not exceeding 30 days that a Judge of the Court of Appeal may allow on an application that is made within 30 days after the date the decision was made.

SECTION 9: BYLAW PROVISIONS

9.1 OPEN FIRES

- 1) Subject to Subsection 3), no person shall light, ignite, or start or allow or cause to be lighted, ignited, or started, a fire of any kind whatsoever in the open air without first having obtained a written permit to do so, as shown in Schedule "A".
- 2) The Department may issue a "Permit" to a person to set an open-air fire as part of a block party, community event or similar special function or celebration. In this event, the Department may waive any requirements of this Section with respect to the permitted open-air fire, but the permittee shall comply with all other requirements of this Section and any other conditions attached to the Permit by the Department.
- 3) No person shall set an open-air fire on a school site without the prior written consent of the Board of Education or Conseil Scolaire that owns the site, and without first obtaining a burning permit from the Department.
- 4) The Fire Chief or a designate may suspend a burning permit if, on the date specified for the burn, the wind and weather conditions, or other conditions, are not conducive to fire safety and may validate the permit for another date.

- 5) A person to whom a permit has been issued under Subsection 1) shall prevent the fire from getting beyond control or causing damage or becoming dangerous.
- 6) Notwithstanding Subsections 1) and 3), no permit shall be required to light, ignite, or start or allow or cause to be lighted, ignited, or started, a barbecue, grill, or similar device used to cook food.
- 7) Nothing contained in this Section shall relieve any person from complying with the provisions of the *Clean Air Act* of the Province of Saskatchewan and the regulations passed pursuant thereto.
- 8) Burning for land clearing purposes is prohibited.
- 9) A permitted fire, outdoor burning appliance or barbecue, which is deemed hazardous, may be extinguished or removed by Order of the Fire Chief or any Member.

9.2 EXEMPTIONS TO BURNING REGULATIONS

Despite any other provision of this Bylaw, the Fire Chief or any other Member designated by the Fire Chief may burn buildings, structures, or other materials for the purpose of training its personnel in structural firefighting methods, fire investigation procedures, for the purpose of elimination of hazards or any other municipal purposes.

9.3 OUTDOOR BURNING APPLIANCES

The site of the burning and the receptacle must be inspected and a permit, as shown in Schedule "E" must first be obtained from the authority having jurisdiction.

9.4 FIREPITS

Open cooking fires shall not be set unless the following measures are taken to limit their spread:

- a) be limited to a diameter of seventy-five (75) centimetres (29.5 in) and be ringed with a non-combustible product.
- b) the appliance or product shall be separated from grass and any other vegetation by a distance of at least forty (40) centimetres (15.7 in) by means of clean earth, sand, gravel or other non-combustible medium;
- c) a receptacle must be covered with a heavy gauge metal screen with openings not exceeding 13 millimetres (.5 in); and

- d) the cooking fire shall be located on private property, a distance of at least three (3) metres (9.9 ft) from any property line, building or other combustible structure.

9.5 CHEMINEA AND PORTABLE FIREPITS

- a) Shall not be used on apartment balconies.
- b) Shall not be used indoors.
- c) Shall not be used on wooden decks; may be used on a noncombustible surface such as earth, concrete, stone, etc.
- d) Shall be separated from grass and any other vegetation by a distance of at least forty (40) centimetres (15.7 in) by means of clean earth, sand, gravel or other non-combustible medium.
- e) Shall be located on private property a distance of at least three (3) metres (9.9 ft) from any property line, building or other combustible structure.

9.6 GENERAL REQUIREMENTS

- a) Material which may be burned shall consist only of charcoal or cut, seasoned wood. The burning of the following material is prohibited:
 - rubbish;
 - garden refuse;
 - manure;
 - livestock or animal carcasses;
 - any material classified as a dangerous good and any material which, when burned, will generate black smoke or an offensive odour including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood or any similar material.
- b) Fires must be reasonably supervised so as to prevent their spread.
- c) Fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
- d) Fires must not be set in windy conditions conducive to creating a running fire or a nuisance to another person.

- e) If smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately. If the permitted fire is not extinguished immediately, upon request from the Fire Chief or any Member, by the owner or permittee, the Department may extinguish the permitted fire and a fine pursuant to Section 9 shall be issued to the owner or permittee.
- f) The person who the permit is issued to is responsible for any or all damages as a result of burning.

9.7 BARBECUING

- 1) Every person who uses any barbecue or similar device shall:
 - a) Use the barbecue in a reasonable and safe manner.
 - b) Keep the barbecue, when lit, a sufficient distance from all combustible materials. ("combustible materials" is not to be interpreted as the railing on a balcony or deck)
 - c) Ensure that a portable grill or barbecue, when used on or near any building, be located on a firm base and be firmly anchored.
 - d) Refrain from leaving the barbecue unattended, when lit.
 - e) Keep the barbecue in a reasonable state of repair.
 - f) Comply with all federal and provincial regulations governing the use and storage of propane cylinders. Propane cylinders must not be repaired, stored, or contained within a building.
 - g) Ensure propane cylinders be shut off at the tank valve when not in use.
 - h) Ensure propane cylinders be connected and secured to the barbecue.
 - i) Ensure propane cylinders be kept in an upright position at all times, including when the cylinders are in transit, in service or in storage.
- 2) When solid fuel appliances are used, provisions for the storage of ashes or hot coals is limited to approved receptacles.
- 3) In addition to the above requirements, if any person uses a barbecue or similar device on a balcony, the following provisions apply:
 - a) solid fuel barbecues or similar cooking devices shall not be used;

- b) propane cylinders must not exceed the 20 pound size; and
- c) if a building has a freight or service elevator, propane cylinders shall be delivered to and from the dwelling units within the building using that elevator. If a building has a passenger elevator only, propane cylinders may be delivered to and from dwelling units within the building using that elevator as long as no passengers other than the person who owns the tank or maintenance or delivery personnel are on the elevator at the time of the delivery.

9.8 INCINERATORS

- 1) Except for approved auxiliary-fuelled incinerators, no incinerator shall be constructed or installed within the corporate limits of the City of North Battleford.
- 2) Burning barrels or any other similar devices for the burning of any household or yard refuse are prohibited.
- 3) Exterior solid burning hydronic heating systems shall not be allowed in any residential, commercial or industrial areas within the corporate limits of the City of North Battleford.

9.9 FIREPLACES

No person shall erect or construct a fireplace without first having obtained written approval to do so from the authority having jurisdiction as shown in Schedule "B" of this Bylaw. The Fire Department and/or the City of North Battleford Building Department, prior to final enclosure of such fireplace, shall carry out an inspection of such fireplace.

9.10 SOLID FUEL APPLIANCES

No person shall install a solid fuel appliance without first having obtained a Building Permit from the City of North Battleford Building Department and written approval to do so from the authority having jurisdiction as shown in Schedule "B" of this Bylaw.

Such solid fuel appliance shall be inspected after installation to ensure it has been installed in accordance with the manufacturer's recommended installation instructions and by the owner's insurance carrier with written approval being provided to the Department.

9.11 CHIMNEYS

The owner, occupant, or tenant of every building shall clean, or cause to be cleaned, every chimney, smoke pipe, or flue connected to a fireplace or solid fuel appliance at such intervals as may be necessary to prevent creosote accumulation.

9.12 BUILDING ADDRESS

Every building, structure or home in the City of North Battleford shall display its civic address so as to be visible from the street.

9.13 FIRE PREVENTION PROCEDURES FOR SCHOOLS AND INSTITUTIONS

- 1) The person in charge of every hospital, home for the aged, special care home or nursing home and the principal of every school, including private schools, shall establish a procedure acceptable to the authority having jurisdiction to be followed in event of fire or an alarm of fire.
- 2) Fire alarm and detection systems shall be installed in accordance with good engineering practice and shall be approved by the authority having jurisdiction.
- 3) The principal of every school and the superintendent of every hospital, home or institution shall ensure that each staff member and occupant or pupil, who is capable, is instructed in the method of sounding an alarm of fire and that each staff member is instructed in the proper use of fire extinguishers and stand pipe hoses.
- 4) All fire exit drill alarms shall be sounded on the fire alarm system. In order that evacuees will not be returned to a building which is burning, the recall signal shall be one that is separate and distinct from and cannot be mistaken for any other signal.
- 5) The fire safety plan and evacuation procedures shall be posted in prominent locations throughout the building.
- 6) Every hospital, institution or home for the aged or handicapped shall have a fire drill at least monthly and shall keep a record of the time and date for review by the authority having jurisdiction.
- 7) Schools shall have fire drills at least six (6) times during the school year. Three (3) prior to November 15th and three (3) in the Spring of the year. Records of the time and date of the fire drills shall be kept for review by the authority having jurisdiction.

9.14 FIRE PROTECTION EQUIPMENT

Every person who, inspects, repairs, tests or completes maintenance on fire protection equipment in the City of North Battleford, shall provide documentation of certification by a recognized authority, acceptable to the Fire Chief;

1) The minimum standards shall be as follows;

a) Fire Alarm Systems

(i) The testing and/or maintenance of fire alarm systems must be conducted by a journeyman electrician, with the fire alarm system upgrade “Fire Alarm and Protection Systems”, and licensed to work in Saskatchewan, or by a graduate of the Canadian Fire Alarm Association, “Fire Alarm Technology Program”, and licensed to work in Saskatchewan.

(ii) The person conducting these tests shall forward copies of all tests to the Department.

b) Sprinkler Systems

(i) Inspection and maintenance of sprinkler and standpipe systems shall be performed by properly trained and qualified personnel.

(ii) Any person who intends to inspect or maintain sprinkler and standpipe systems shall submit proof to the Department that the person holds a journeyman’s certificate in the sprinkler systems installer trade or that the person is a fourth year apprentice in the sprinkler systems installer trade.

(iii) All personnel performing installation, maintenance or testing of sprinkler system components in the City of North Battleford shall submit proof to the Department that the person holds a journeyman’s certificate in the sprinkler systems installer trade for such work.

c) Fixed Extinguishing Systems (Commercial Cooking Equipment)

(i) Only personnel who are trained and certified by the manufacturers of fixed extinguishing systems shall install, maintain or inspect fixed extinguishing systems in the City of North Battleford.

d) Portable Fire Extinguishers

(i) Inspection, testing and maintenance of portable fire extinguishers shall be performed by properly trained and qualified personnel.

- (ii) Any person who intends to inspect, test or maintain portable fire extinguishers shall submit proof of proper training to the Department before carrying out any inspections, testing or maintenance.
- 2) Every fire alarm system shall be maintained, at all times, in operating condition and be tested annually by a qualified person in accordance with the Code and the requirements of the authority having jurisdiction.
- 3) The owner of any property containing an automatic fire sprinkler system or a fire alarm system shall, prior to any service, test, repair, maintenance, adjustment, alteration or installation of the system which might activate a false alarm, and would normally result in an emergency response, notify the authority having jurisdiction of the date and time when the testing will occur and shall immediately inform the authority having jurisdiction as to the completion of such testing.
- 4) Any building, structure or premise that is equipped with a fire alarm system in accordance with the Code and is not occupied twenty-four hours a day, shall have and maintain a key lock-box that is accessible to the authority having jurisdiction. In addition:
 - a) Only Members of the Fire Department shall open lock boxes.
 - b) Keys placed inside the Fire Department lock box will be individually identified in a method acceptable to the Fire Chief.
 - c) Building owners will supply keys to provide access to the following areas:
 - i) Keys for all common floor areas and roof areas
 - ii) Keys for all doors that are locked from the exit stairs to floor areas
 - iii) Keys required to recall elevators and to permit independent operation of each elevator.
- 5) When any fire alarm system in any building, premise or structure is out of service for repair, replacement or any other reasons, the owner, occupant, tenant or agent responsible shall provide for twenty-four hour fire watch. This fire watch shall be maintained until the fire alarm system is returned to service.

6) Requirement to Designate Contact Persons

Any owner or occupant of a premise having either a fire alarm system or an automatic fire sprinkler system, monitored or non-monitored, is required to submit, on a form approved by the Fire Chief, yearly or on a change in reference contacts, the names and phone numbers for three (3) persons ("contact persons") who will be available to attend, enter and secure the premise.

a) Failure to Provide Contact Person Information

- i) Failure to comply with the requirements above will result in a fee charged to the owner or occupant for any standby time at a premise where an alarm has resulted and North Battleford Fire Department have attended and where a contact person has not attended within the required time as specified. Failure of the owner or occupant to pay a fee charged within thirty days will result in those costs being added to the property taxes of the owner of the property.

b) Responsibility of Contact Persons

- i) Contact persons must attend all alarms within forty-five (45) minutes when requested by North Battleford Fire Department and must attend to secure the premises and when appropriate, release fire companies from the incident.

c) Failure of Contact Persons to Arrive

- i) Failure of a notified contact person to respond within the specified time will result in cost recovery for standby time. Failure for the owner or occupant to pay a fee charged within thirty days will result in those costs being added to the property taxes of the owner of the property.

d) Contact Person at a Fire Incident

- i) During a fire incident, a contact person must attend the scene, and contact the Incident Commander on scene.

e) Changes to Designated Contact Persons

- i) Any changes to designated contact persons or their phone numbers during the current year must be submitted to North Battleford Fire and Emergency Services.

- f) Full Access for Contact Persons
 - i) Contact persons must have full access to the building and or occupancy of which they have responsibility and be able to take control of their building or occupancy on completion of the incident from fire officials.
- 7) Smoke alarms shall be installed and maintained in every dwelling unit in accordance with the Code and the following:
 - (a) at least one smoke alarm is required on each floor level, including a basement,
 - (b) each bedroom is to be protected by a smoke alarm either inside the bedroom or, if outside, within 5 metres of the bedroom door,
 - (c) the distance between smoke alarms on the same level must not exceed 15 metres,
 - (d) smoke alarms shall be securely fastened to the wall or ceiling;
 - (e) smoke alarms shall be free of any physical damage, paint application or excessive grease and dirt; and
 - (f) the ventilation holes on smoke alarms shall be clean and free of any obstructions.
- 8) Every owner of a new dwelling unit must install smoke alarms with permanent connections between an electrical device and the smoke alarm. If more than one smoke alarm is required in a newly constructed dwelling unit the smoke alarms must be wired so that the activation of one alarm will cause all alarms within the dwelling unit to sound.
- 9) A smoke alarm in an existing dwelling unit may be battery powered if new batteries are installed at least annually and the operation of the alarm is inspected once every 3 months by the owner or occupier. Smoke alarms in existing dwelling units are not required to be interconnected.
- 10) Smoke alarms within rental properties shall be inspected:
 - a) in the case of alarms installed by permanent connection to an electrical circuit, at least once every 3 months; and
 - b) in the case of tamper-proof alarms with 10 year batteries, at least once every 3 months.
- 11) Notwithstanding Subsection 10), if a tenancy is terminated, all smoke alarms in the dwelling unit shall be inspected before the dwelling unit is re-occupied.

- 12) Inspections under this Section shall be carried out by the owner or the owner's authorized agent.
- 13) Inspections under this Section shall be done while the person doing the inspection is actually present in the premises.
- 14) Inspections under this Section shall, at a minimum, determine:
 - a) whether the smoke alarm is receiving power;
 - b) whether the smoke alarm is working properly; and
 - c) whether the smoke alarm has been properly maintained in accordance with the requirements of Subsection 7).
- 15) A record shall be kept of all inspections required by Subsection 14, and such records shall be retained for examination by the Fire Department in conformance with Article 1.1.1.2 of The National Fire Code.
- 16) A record required by Subsection 14) shall contain the following information:
 - a) the address of the premises being inspected;
 - b) the date of the inspection;
 - c) the name of the person doing the inspection;
 - d) the type of smoke alarm in the premises;
 - e) the deficiencies, if any, the condition, maintenance and operation of the smoke alarm; and
 - f) the corrective measures, if any, taken to correct the deficiencies.
- 17) No person shall:
 - a) tamper with or disconnect a smoke alarm;
 - b) remove a smoke alarm;
 - c) remove batteries from a smoke alarm; or
 - d) place anything over a smoke alarm so as to render it inoperable.
- 18) All Landlords are to have either a hard-wired AC powered smoke alarm or a 10 - year lithium powered, tamper-proof smoke alarm installed in all rental units.

9.15 CONTRACTOR

Any contractor and/or his employee(s) while performing any work where a blow torch or any open flame is required shall carry and keep within easy reach an approved hand operated fire extinguisher to extinguish fires which may ensue as a result of a work being performed.

9.16 FIREWORKS

- 1) No fireworks shall be discharged from any location within the boundaries of the City of North Battleford without first obtaining a written permit to do so from the authority having jurisdiction as shown in Schedule "C" of this Bylaw.
- 2) The Chief Officer designated may issue the permit to light or explode firecrackers or other low hazard fireworks to a person who is:
 - a) of the age of eighteen (18) years or older, or
 - b) an organization (represented by a person over the age of 18 years), for the purpose of the observance or celebration of a special event or festival.
- 3) Any discharge of the fireworks shall comply with stipulations included in or appended to the Permit.

9.16.1 DANGEROUS USE OF FIREWORKS

- 1) No person shall discharge, propel, point or throw any fireworks at any person, animal, vehicle, building, structure, hedge or vegetation.
- 2) No fireworks may be discharged within 30 metres of a location where flammable materials are stored (i.e. gas stations, propane tanks, lumber yards or any other location the Fire Chief or his designate deems hazardous).

9.16.2 SALE OF FIREWORKS

- 1) No person shall sell any high hazard fireworks to another person unless the person is a fireworks supervisor.
- 2) No person shall sell any low hazard fireworks to another person unless the person is 18 years of age or older.

9.16.3 FIREWORKS DISPLAYS

- 1) A public fireworks display shall only be held in public locations approved and designated by the Department.

- 2) A public fireworks display shall be held at the time and location set out in the permit.
- 3) A permit for a public fireworks display using high hazard fireworks shall only be issued to persons holding a valid Fireworks Supervisor - Level I or Level II card issued by Natural Resources Canada. Applicants with Fireworks Supervisor accreditation from other jurisdictions shall not receive a permit unless the Department is satisfied that the applicant is properly trained and qualified in the use of high hazard fireworks.
- 4) The applicant for a permit for a public fireworks display using high hazard fireworks shall procure and provide to the Department at least 14 days prior to the scheduled date of the display, a Certificate of Insurance which shall name the City as insured under the applicant's insurance policy. The Insurance Certificate shall indicate that the Applicant has at least \$3 to \$5,000,000.00 of public liability insurance.
- 5) A public fireworks display using high hazard fireworks shall only be held if the display is conducted under the direct supervision of a fireworks supervisor.
- 6) In accordance with Article 5.1.1.2 of The National Fire Code, a public fireworks display using high hazard fireworks shall be conducted in conformance with the current "Fireworks Display Manual" prepared by Natural Resources Canada.
- 7) At the conclusion of the public fireworks display, all unused fireworks and debris shall be immediately removed and disposed of by the person holding the permit to conduct the display.

9.16.4 SETTING OFF FIREWORKS

- 1) No person shall set off any fireworks in a manner that would create a danger or nuisance to another person or property.
- 2) No person shall set off any fireworks on a street or other public place except as part of a public fireworks display as permitted by this Bylaw.
- 3) No person shall set off any fireworks on a school site without the prior written consent of the Board of Education or Conseil Scolaire that owns the site, and without first obtaining a public fireworks display permit from the Department. Only low hazard fireworks may be discharged in a public display on a school site.
- 4) No person under 18 years of age shall set off any fireworks except under the direct supervision of a parent, guardian or other responsible adult.

- 5) No parent or guardian of a child under 18 years of age shall suffer or permit the child to set off any fireworks, except when under the direct supervision of the parent or guardian.

9.16.5 INDOOR FIREWORKS

- 1) The handling, storage and use of indoor fireworks (pyrotechnics) shall be in conformance with *The Explosives Act* and its Regulations, and The National Fire Code.
- 2) No person shall hold an indoor pyrotechnics display without first obtaining a permit from the Department.
- 3) A permit for an indoor pyrotechnics display shall only be issued to persons holding a valid Assistant Pyrotechnician, Pyrotechnician or Special Effects Pyrotechnician card issued by Natural Resources Canada. Applicants with pyrotechnic accreditation from other jurisdictions shall not receive a permit unless the Department is satisfied that the applicant is properly trained and qualified in indoor pyrotechnics.
- 4) The applicant for a permit or an indoor pyrotechnics display shall procure and provide to the Department at least 7 days prior to the scheduled date of the display, a Certificate of Insurance which shall name the City as insured under the applicant's insurance policy. The Insurance Certificate shall indicate that the applicant has at least \$1,000,000.00 of public liability insurance.
- 5) The person holding the permit shall be responsible to ensure that the display is conducted in conformance with provisions of the current Pyrotechnic Special Effects Manual prepared by Natural Resources Canada.

9.17 WOOD PILING

- 1) No person shall pile or be permitted to pile any lumber or scrap wood on private property within three metres of the exterior of any dwelling.
- 2) Subsection 1) shall not apply to lumber in transit or in process of erection on a construction site.

9.18 STORAGE OF CONTAINERS

- 1) All boxes, crates, petroleum barrels and other containers, empty or otherwise, used or kept in any building or on any lot, shall:
 - a) be stacked or piled to keep them clear of windows or doors to provide for clear ingress and egress to or from any part of the premises or building; and

- b) be kept away from any source of fire. If, in the opinion of the Fire Chief or a municipal inspector, any accumulation of boxes, crates, petroleum barrels, other containers, packing material or other material, constitutes a fire hazard, the Fire Chief or a municipal Inspector may order the owner or occupant of the building or lot to remove the accumulation immediately.
- 2) No person shall permit any accumulation of combustible growth, waste or rubbish of any kind which, in the opinion of the Fire Chief, Fire Protection Officer or Officer, if catching fire would endanger life and property, to be or to remain upon any premises. All growth, which is liable to catch fire and endanger property, shall be cut down and removed by the owner or occupant, of the premises on which the growth is located. If not complied with, the Fire Chief may cause the work to be completed.
- 3) The costs and expenses incurred under this Section are a debt due to the City and may be recovered from the owner of the building, structure, premise, yard or area in or on which the work was carried out.
- 4) If the costs and expenses mentioned in Subsection 3 are not paid at the end of the year in which the work was carried out, the City may add the amount of the costs and expenses to the owner's property taxes.

9.19 TRANSPORT VEHICLES

- 1) No person shall park, place, or leave any vehicle containing any hazardous substances or waste dangerous goods on any highway, street, lane or other public place except in accordance with the provisions of the Transportation of Dangerous Goods Bylaw of the City of North Battleford or such other bylaw dealing with the transportation of dangerous goods as may be adopted from time to time by the Council of the City of North Battleford.
- 2) For the purpose of this Section, "Hazardous Substances" and "Waste Dangerous Goods" shall have the same meanings as defined in the Saskatchewan Hazardous Substances and Waste Dangerous Goods Regulations, Chapter E-10.2 Reg. 3, as amended by Saskatchewan Regulations 25/92.
- 3) No person shall put gasoline in a slip tank at a retail bulk station unless all of the following occurs:
 - a) such slip tank is in an approved container;
 - b) such slip tank is painted red or permanently labeled as to the product it contains;
 - c) such slip tank is securely mounted to the transporting vehicle chassis;

- d) if such slip tank is not equipped with an internal down spout at the fill opening, a non-ferrous metal down spout made of aluminum, copper or brass must be used for filling;
- e) at the time of filling, the dispensing nozzle of the fuel dispenser must be kept in contact with the downspout and such downspout kept in contact with the liquid.

9.20 VEHICLES FUELLED WITH PROPANE

- 1) No person shall park a vehicle fuelled with propane in any underground or enclosed parking facility attached to a multi-suite residential, business and personal services or mercantile occupancy.
- 2) The owner of every underground or enclosed parking facility shall post signs to indicate the parking prohibition for vehicles fuelled by propane in conspicuous locations near the principal entrances to the parking facility.
- 3) Signs required by this Section shall have lettering not less than one hundred (100) millimetres high with fifteen (15) millimetres stroke.
- 4) Subsection (1) does not apply to a sweeper used to clean any underground or enclosed parking facility provided the sweeper is stored in accordance with the following conditions:
 - a) the sweeper shall be located in a room that is separated from the remainder of the building by a gas-tight fire separation having a fire-resistance rating of at least two hours;
 - b) the room in which the sweeper is stored shall be located on an exterior wall of the building;
 - c) the room in which the sweeper is stored shall be provided with ventilation separate from the remainder of the building; and
 - d) the sweeper shall not be fuelled anywhere in the underground or enclosed parking facility.
- 5) No person shall park any recreation vehicle including a motorhome, travel trailer, van motorhome, fifth wheel, tent trailer, truck camper or similar vehicle that has any propane tank attached to it for any use, in any underground or enclosed parking facility attached to a major residential, business and personal services or mercantile occupancy.

9.21 LEAKING FLAMMABLE LIQUID TANKS OR PIPING

Whenever flammable liquids or vapors are suspected to emanate from underground or above ground tank or piping and in the opinion of the authority having jurisdiction could create a hazardous condition, he may order the owner, tenant, occupant or agent responsible to drill test holes, to test the tanks and piping, to excavate the tanks and piping and to carry out other procedures necessary in order to expose and replace, repair or correct the hazardous conditions.

9.22 HAZARDOUS, FLAMMABLE OR CHEMICAL DISCHARGES

No person, industry, company, or manufacturer shall discharge or permit to be discharged into any sanitary sewer, storm sewer, sewer connection, catch basin, ditch, lane or street any flammable liquid or hazardous chemical whether by itself or in combination with any other liquid or solid. The authority having jurisdiction may make such Orders as are deemed necessary in order to eliminate the said discharge, and to temporarily shut down any activity or operation suspected of being the source of the discharge.

9.23 OCCUPANCY LOADS

- 1) If the authority having jurisdiction reasonably believes that the number of occupants in a room may exceed the maximum occupant load, the authority having jurisdiction may temporarily close the room or building in order to determine the number of occupants in the room.
- 1) The maximum permissible occupant load for any room shall be calculated on the basis of the lessor of
 - a) the requirements of the National Fire Code;
 - b) the occupant load for which means of egress are provided;
 - c) or the occupancy permitted in accordance with the Saskatchewan Liquor and Gaming Authority.
- 2) In all assembly occupancies, the occupant load shall be posted in conspicuous locations near the principal entrances to the room or floor area. The owner or occupant of the premises shall ensure that the sign is posted in accordance with this Subsection.
- 3) The maximum number of occupants permitted to enter a room shall not exceed the maximum occupant load calculated in conformance with Subsection 2.

- 4) If the number of occupants in a room exceeds the maximum occupant load, the number of occupants shall be reduced to a number less than or equal to the maximum occupant load.
- 5) The authority having jurisdiction may take whatever action is deemed necessary to lessen the hazard to life safety. This action may include the closing of the building or structure for any period of time deemed appropriate.

9.24 PERSONS PRESENT AT FIRE OR OTHER EMERGENCY

- 1) No person shall drive any vehicle over any hose while in use or about to be used at any fire or other emergency or which has been used or laid, to be used at a fire, fire practice, or any other emergency.
- 2) No person shall in any way impede or hinder any fire personnel, or other person who shall be assisting at the extinguishing of any fire, or assisting at an emergency, or who may be engaged in other duties connected therewith.
- 3) No person shall obstruct, hinder or delay any Emergency Services vehicle while the same is proceeding to a fire, or to another emergency, and every person traveling, riding or driving on any street or place along which any Emergency Services vehicle is proceeding to a fire, or other emergency, shall yield the right-of-way to the same and shall not in any manner obstruct, hinder or delay the same.
- 4) No person shall travel past a Fire Department vehicle, within the corporate limits of the City, while the Fire Department vehicle has the emergency lights and any other indicators working, at a speed greater than 30 km/hr or in any unsafe manner which, in the opinion of a departmental member causes a concern for their safety.

9.25 VACANT BUILDINGS

- (1) In accordance with Article 2.4.6.1 of The National Fire Code, all vacant buildings shall be secured against unauthorized entry as provided in this Article.
- (2) All exterior windows and doors, whether broken or intact, on the first storey of a vacant building shall be boarded up to prevent unauthorized entry.
- (3) All broken exterior windows on any storey above the first storey of a vacant building shall be boarded up to prevent unauthorized entry.
- (4) The boards used to secure a vacant building shall be plywood, OSB (oriented strand board), particleboard or waferboard with a minimum thickness of 1.12 centimetres (7/16 in).

- (5) Wherever possible, the boards shall be one solid piece and shall be secured to the window or doorframe or brick molding using 5 centimetres (2 in) gyproc screws placed approximately 25 centimetres (10 in) apart.
- (6) The boards shall be cut so as to fit tightly against the door or window frames to prevent a person from prying off the boards.
- (7) In addition to the windows and doors, any other openings in the exterior of a vacant building shall be secured to prevent unauthorized entry or an infestation of pigeons or rodents.

9.26 CLEARANCE AROUND FIRE HYDRANTS

An area having a radius of one (1) metre around every fire hydrant or standpipe must be maintained clear and unobstructed so as to provide free access to the Fire Department to the fire hydrant and every hydrant or standpipe must be located in clear view from the roadway while being approached from either direction. Where an owner of a property has a fire hydrant located adjacent to their property, the maintenance of clearance around the hydrant is the responsibility of the registered owner of the property.

9.27 HYDRANT USAGE

No person shall use or take water from any standpipe or hydrant or shall make attachment thereto without first obtaining the written permission from the Director of Public Works of the City of North Battleford.

9.28 TAMPERING WITH A HYDRANT

No person shall mechanically open a Municipal or Private fire hydrant who is not authorized to do so by the City of North Battleford or the owner of the private hydrant. No person shall tamper with any mechanical operation of a Municipal or Private Fire Hydrant.

SECTION 10: OFFENCES AND PENALTIES

10.1 OFFENCES

Every person commits an offence who:

- a) Tampers with fire exit doors, portable or fixed fire extinguishing equipment, automatic fire detection systems, automatic sprinkler systems, manual or automatic fire alarms or any other fire safeguards installed in a building or premises.

- b) Causes, makes or causes to be made, without reasonable cause, a false alarm of fire or other dangerous risk.
- c) Blocks or locks an exit or access to an exit in any building while the building is occupied.
- d) Neglects to maintain in operating condition a fire exit door or fire exit hardware on a fire exit door in any building in conformance with the National Fire Code.
- e) Neglects to maintain portable fire extinguishers in any building in conformance with the National Fire Code.
- f) Neglects to maintain an automatic sprinkler system, a commercial cooking equipment exhaust and fire protection system including duct work, special extinguishing system or fire alarm system in any building in conformance with the National Fire Code.
- g) Fails to install and maintain the smoke alarm(s) in any building in conformance with Subsection 9.13 of this Bylaw.
- h) Permits combustible waste materials to accumulate in or around any building in quantities or locations that will constitute an undue fire hazard.
- i) Fails to store flammable and combustible liquids or compressed gases in any building, structure or open space in conformance with The National Fire Code.
- j) Blocks or wedges open a door, shutter, wired glass or glass block in a fire separation in any building.
- k) Obstructs or hinders the Fire Chief or any Municipal Inspector acting under the authority of this Bylaw.
- l) Fails to comply with an Order made under this Bylaw.
- m) Causes or allows to be caused a fire in contravention of Subsections 9.1.-9.7.
- n) Is in contravention of Subsections 9.14, 9.15, 9.17, 9.19, 9.22, 9.23, 9.25, 9.26, 9.27 or 9.28.

10.2 PENALTIES

- 1) When a contravention of Section 10.1 occurs, the person responsible for the contravention is guilty of an offence and liable on summary conviction to a fine:

- a) for the first offence, of \$200;
 - b) for a second offence, of \$400;
 - c) for a third or subsequent offence, of not less than \$500 and not more than as specified in the "General Penalty Bylaw".
- 2) The following procedure shall apply for offences committed under this Section:
- a) The authority having jurisdiction may issue a notice of bylaw violation to every person committing a first or second offence under this Section of this Bylaw. The notice shall require the person to pay the City Treasurer of the City of North Battleford the amount specified in clause (1)(a) or (b);
 - b) The fine may be paid:
 - i) in person, during regular office hours, to the cashier located at City Hall, North Battleford, Saskatchewan; or
 - ii) by mail, postmarked within the prescribed fourteen (14) day period, to:

The Office of the City Treasurer
P.O. Box 460
North Battleford, Saskatchewan
S9A 2Y6
 - c) If payment of the fine as provided in this Section is made prior to the date when the person contravening the Bylaw is required to appear in court to answer a charge, the person shall not be liable to prosecution for that offence.
 - d) The amount of the fine under clause (1)(a) or (b) shall be discounted by twenty-five dollars (\$25.00) for the first offence and fifty dollars (\$50.00) for the second offence, respectively, if paid within fourteen (14) calendar days of the date of the notice of Bylaw violation, and upon payment, the person contravening the Bylaw shall not be liable to prosecution for that offence. The date of payment shall be determined as follows:
 - (i) for payment in person, the date of payment shall be the date payment is received by the City,
 - ii) for payment by mail, the date of payment shall be the post marked date on the remittance.

The provisions of Clause (1)(c) shall not apply in the case of a third or subsequent offence.

- 3) Every person who contravenes any provision of this Bylaw for which no other penalty is specifically provided is guilty of an offence and liable on summary conviction to a penalty as specified in the "General Penalty Bylaw".
- 4) The Court may, in default of payment of a fine imposed under this Bylaw, order imprisonment of an individual for a term not exceeding one year.

SECTION 11: RECOVERY OF EXPENSES

Notwithstanding the other provisions in this bylaw, anytime an owner, tenant or occupant responsible for the building or premises refuses or neglects to do any matter or thing required to be done by him hereunder by the authority having jurisdiction and the matter or thing is done by the City of North Battleford, the City may recover the expenses of doing so by adding the expenses to, and they thereby form part of, the taxes on the land on which or with respect to which the work is done.

SECTION 12: IMMUNITY FROM LIABILITY

Neither this Bylaw nor the National Fire Code shall be construed to hold the City of North Battleford or its employees, responsible or liable for any damage to persons or property by reasons of:

- a) inspections authorized by this Bylaw or the National Fire Code;
- b) failure to carry out an inspection;
- c) permits issued as herein provided for; or
- d) the approval or disapproval of any equipment authorized herein.

SECTION 13: PRECEDENCE

The Regulations made for the Prevention of Fire in this Bylaw shall be deemed to take precedence over any and all provisions made for the prevention of fire in every other Bylaw of the City of North Battleford.

SECTION 14: REPEALS

Bylaw No. 1678 is hereby repealed.

SECTION 15: COMING INTO FORCE

This Bylaw shall come into force and take effect on the day of the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 17th DAY OF DECEMBER, A.D. 2007.

READ A SECOND TIME THIS 17th DAY OF DECEMBER, A.D. 2007.

READ A THIRD TIME AND PASSED THIS 17th DAY OF DECEMBER, A.D. 2007.

Julian Sadlowski
MAYOR

Elaine J. Kostiuk
CITY CLERK

Schedule "A"

THE CITY OF NORTH BATTLEFORD FIRE DEPARTMENT SERVICES

PERMIT TO BURN

_____, 20____

Permit is hereby issued to _____ residing at _____, for _____ days from the date hereof, to burn the following _____ at the following location _____ while competent and constant attendants are left in charge of such fire to keep it under control.

It is an express condition of this permit that the applicant, whose signature appears hereunder, shall be responsible for any injury or damage to person or property arising from the use of this permit.

Signature of applicant

Signature of Chief Officer

Comments: _____

Schedule "B"

THE CITY OF NORTH BATTLEFORD FIRE DEPARTMENT
INSTALLATION APPROVAL
FIREPLACE/SOLID FUEL APPLIANCE

_____, 20____

APPLIANCE: Fireplace _____ Stove _____ Other _____
TYPE: Masonry _____ Manufactured _____
LISTED? Yes _____ No _____ Agency: _____
MANUFACTURER _____
MODEL: _____

INSTALLER: NAME _____
ADDRESS _____
PHONE _____

CHIMNEY: Masonry _____ Manufactured _____
LISTED? Yes _____ No _____ Agency: _____
MANUFACTURER _____
MODEL: _____

INSTALLER: NAME _____
ADDRESS _____
PHONE _____

- 1) This approval is for the installation of the above noted appliance.
- 2) This approval is issued to the undersigned conditional upon his compliance with the regulations of the National Fire Code and the National Building Code pertaining to such installations. Inspection shall be required prior to final enclosure of fireplace and/or prior to use of solid fuel appliance.
- 3) The described installation is subject to issuance of a Building Permit by City of North Battleford Building Department.

NAME _____
ADDRESS _____
PHONE _____

Inspector _____ Date _____

Comments: _____

Schedule "C"

**THE CITY OF NORTH BATTLEFORD FIRE DEPARTMENT
PERMIT - FIREWORKS**

_____, 20 ____

Permission is hereby granted to _____
representing _____ to conduct a fireworks
display at _____ on
_____, between the hours of _____ (a.m./p.m.) and
_____ (a.m./p.m.) while competent and constant attendants are in charge.

It is an express condition of this permit that the applicant, whose signature appears hereunder, shall be responsible for any injury or damage to person or property arising from the use of this permit.

Applicant

Chief Officer

COMMENTS: _____

Schedule "D"

FEES FOR SERVICE

- 1) Inspection Services
 - a) Third Party requests for business premises required for a Provincial or Federal grant or license \$90/hour
 - b) File Search \$90
 - c) Requested site inspection \$90/hour
 - d) Out-of-city inspections \$90/hour
(Travel and Accommodations) Per City Policy
 - e) Underground tank installation or removal inspection \$90/hour
 - f) Re-inspections \$95/inspection
- 2) Hydrant Flow Test \$275/hydrant
- 3) Emergency Response Charges
 - a) Dangerous goods response
 - i) rail carrier \$1,000/hour per unit plus cost plus disposables
\$850/hour per each additional unit
 - ii) highway carrier \$1,000/hour per unit plus cost plus disposables
\$850/hour per each additional unit
- out-of-city \$1,000/hour per carrier unit plus cost plus disposables
\$850/hour per each additional unit
- in-city response
- non-resident \$1,000/hour per carrier unit plus cost plus disposables
\$850/hour per each additional unit
- resident Per use of disposables
- 4) Training

Portable Fire Extinguisher \$35/person with minimum charge of \$200/session
- 5) Recharging of Air Bottles

Type: 2216	\$16.20
3000	\$16.20
4500(1/2 hour)	\$19.20
4500 (1 hour)	\$25.20

	SCUBA tanks	\$19.20
	Cascade bottle – 2216	\$42.00
	Cascade bottle – 3000	\$54.00
	Cascade bottle – 4500	\$66.00
	Cascade bottle – 5000	\$78.00
6)	<u>Hydrostatic Testing of Bottles</u>	\$100 plus any required repair costs plus fill
7)	<u>Standby Services</u> (For special events such as demolition derby, fireworks, large tent functions)	Response Rates charged per Rescue Services Agreement with the R.M. of North Battleford No. 437
8)	<u>Permit Fees</u>	
	Permit to burn	\$20
	Outdoor fire appliance	\$20
	Low Hazard Fireworks	\$100
	High Hazard Fireworks	\$150
9)	<u>Failure to Notify of Work on Alarm Systems</u>	\$200
10)	<u>False Alarm Incidents</u>	
	i) First false alarm	\$200
	ii) Second false alarm, within a consecutive twelve month period	\$500
	iii) Third or subsequent false alarm within a consecutive twelve month period	\$750/occurrence
11)	<u>Contamination of Equipment</u>	Cost of decontamination or replacement
12)	<u>Fire Investigation Fee</u>	\$90/hour/investigator
13)	<u>Fire Response Fees - Indemnification Technology®</u>	\$1,000/hour per truck (including personnel) plus any cost to Fire Dept. or City for each call

Schedule "E"

**CITY OF NORTH BATTLEFORD FIRE DEPARTMENT
OUTDOOR FIRE APPLIANCE PERMIT**

ADDRESS OF OUTDOOR FIRE APPLIANCE _____

APPLICANT'S NAME (PLEASE PRINT) _____ PHONE #_

DRAW A SKETCH OF AREA OF YARD WHERE APPLIANCE IS LOCATED (INCLUDE BUILDING, TREES, PLAY STRUCTURE, ETC.)

North Battleford Fire Department assumes no responsibility for any burning or consequence of burning. The owner is responsible for any or all damages as a result of burning. The owner may be required to extinguish the fire at any time if it causes unreasonable interference with the use and enjoyment of other person's property.

APPLICANT'S SIGNATURE: _____
Acceptance of Outdoor Fire Appliance

OFFICER IN CHARGE: _____ DATE: _____

White copy: Applicant **Yellow Copy:** Inspection File

FIREPITS

Open cooking fires shall not be set unless the following measures are taken to limit their spread:

- be limited to a diameter of seventy-five (75) centimetres (29.5 in) and be ringed with a non-combustible product;
- the appliance or product shall be separated from grass and any other vegetation by a distance of at least forty (40) centimetres (15.7 in) by means of clean earth, sand, gravel or other non-combustible medium;
- a receptacle must be covered with a heavy gauge metal screen with openings not exceeding 13 millimetres (.5 in); and
- the cooking fire shall be located on private property, a distance of at least three (3) metres (9.9 ft) from any property line, building or other combustible structure.

GENERAL REQUIREMENTS

1. Material which may be burned shall consist only of charcoal or cut, seasoned wood. The burning of the following material is prohibited:
 - rubbish;
 - garden refuse;
 - manure;
 - livestock or animal carcasses;
 - any material classified as a dangerous good and any material which when burned will generate black smoke or an offensive odour including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood or any similar material.
2. Fires must be reasonably supervised so as to prevent their spread.
3. Fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
4. Fires must not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
5. If smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately.
6. The person who the permit is issued to is responsible for any or all damages as a result of burning.

ORDER TO REMEDY CONTRAVENTION
The Fire Prevention Act

TO:

Owner Occupant Operator

I, _____, Deputy Fire Chief, inspected:

North Battleford, Saskatchewan
S9A

Lot , Block , Plan

on

As a result of that inspection, it is my opinion that there are contraventions of the National Fire Code Regulations, namely:

1. YOU ARE HEREBY DIRECTED TO:

National Fire Code of Canada

Order To Remedy Contravention

2. CONTRAVENTION:

YOU ARE HEREBY DIRECTED TO:

National Fire Code of Canada

3. CONTRAVENTION:

YOU ARE HEREBY DIRECTED TO:

National Fire Code of Canada
National Building Code of Canada

4. CONTRAVENTION:

YOU ARE HEREBY DIRECTED TO:

National Fire Code of Canada
National Building Code of Canada

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.

If you are aggrieved by this Order, you may appeal to the Fire Commissioner within 20 days of being served with the Order. The appeal must be filed in accordance with Section 25(1) of *The Fire Prevention Act*, a copy of which is attached.

Order To Remedy Contravention

It is an offence to fail to comply with an Order made pursuant to *The Fire Prevention Act*. Upon conviction an individual is liable to a fine of not more than \$5,000 and in the case of a continuing offence to a further fine of not more than \$5,000 for each day during which the offence continues. A corporation is liable to a fine of not more than \$10,000 and in the case of a continuing offence to a fine of not more than \$10,000 for each day during which the offence continues.

Dated this ____th day of _____, 20____, in the City of North Battleford.

_____, Deputy Fire Chief

cc: City Building Inspector
Inspection File
(if required)
SaskPower Electrical Inspector
Public Health

APPEAL - EXTRACT FROM THE FIRE PREVENTION ACT

Section 25 (1) A person who is aggrieved by an Order made by a local assistant or municipal inspector may, within 20 days of being served with the Order, appeal the Order to the Fire Commissioner.

Fire Commissioner
1870 Albert Street
Regina, Saskatchewan
S4P 3V7

- (2) An appeal pursuant to this section shall be made by filing a written notice of appeal setting out the reasons for the appeal on the Fire Commissioner and serving a copy of the appeal on the local assistant or Municipal Inspector.
- (3) The Fire Commissioner shall consider the appeal within 20 days of the serving of the appeal and may confirm, modify or revoke the Order appealed from or substitute his or her own Order for the Order being appealed from.
- (4) The Fire Commissioner shall cause a copy of his or her decision to be served on:
 - (a) the appellant;
 - (b) the local assistant or municipal inspector; and
 - (c) any other persons whom the Fire Commissioner considers may be interested in the decision.
- (5) An appeal taken pursuant to this section does not operate as a stay of the decision appealed from unless the Fire Commissioner, on an application by the appellant, decides otherwise.

IN THE MATTER OF
THE FIRE PREVENTION ACT

TO: The Fire Commissioner
Saskatchewan Municipal Government
1870 Albert Street
Regina, Saskatchewan
S4P 3V7

AND TO:

NOTICE OF APPEAL

I, _____

Of _____

HEREBY APPEAL THE ORDER OF A LOCAL ASSISTANT OR A MUNICIPAL INSPECTOR
DATED _____ ISSUED PURSUANT TO SECTION 19 OF *THE FIRE PREVENTION*
***ACT*, A COPY OF WHICH IS ATTACHED TO THIS NOTICE OF APPEAL.**

THE REASONS IN SUPPORT OF MY APPEAL ARE:

THE FOLLOWING DOCUMENTS ARE FILED IN SUPPORT OF MY APPEAL

DATED at the City of North Battleford, in the Province of Saskatchewan, this _____
day of _____, 20__.

***Please print or type**

Name

Mailing Address

Telephone Number

PLEASE NOTE THE FOLLOWING:

1. THE APPEAL MUST BE MADE WITHIN 20 DAYS OF BEING SERVED WITH THE ORDER OF THE LOCAL ASSISTANT OR MUNICIPAL INSPECTOR BY FILING THIS WRITTEN NOTICE OF APPEAL ON THE FIRE COMMISSIONER AT THE FOLLOWING ADDRESS:

Fire Commissioner
Saskatchewan Municipal Government
1870 Albert Street
Regina, Saskatchewan S4P 3V7

AND BY SERVING A COPY OF THIS WRITTEN NOTICE OF APPEAL ON THE LOCAL ASSISTANT OR MUNICIPAL INSPECTOR APPEALED FROM.

2. PURSUANT TO SECTION 25(5) OF *THE FIRE PREVENTION ACT*, AN APPEAL FROM AN ORDER OF A LOCAL ASSISTANT OR MUNICIPAL INSPECTOR TO THE FIRE COMMISSIONER DOES NOT OPERATE AS AN AUTOMATIC STAY OF THE ORDER APPEALED FROM. IF YOU WISH TO HAVE THE EFFECT OF THE ORDER STAYED, YOU MUST BRING A SEPARATE APPLICATION BEFORE THE FIRE COMMISSIONER.