

CITY OF HUMBOLDT

Bylaw No. 09/2019

A Bylaw of the City of Humboldt in the Province of Saskatchewan providing for the prevention and extinguishment of fires and for the preservation and protection of life and property from destruction by fire and to establish the Fire Department

Whereas, Part II 9(1) of *The Cities Act*, makes provision for the passing of a bylaw to provide for the prevention and extinguishment of fires;

Now Therefore, The Council of the City of Humboldt in the Province of Saskatchewan, enacts as follows:

Part I - Short Title and Interpretation

Short Title

1.1 This Bylaw may be cited as “The Fire Bylaw”.

Purpose

2.1 The purpose of this Bylaw is:

- (a) to continue the Fire Department as an established department of the City of Humboldt;
- (b) to provide for inspection of buildings, structures and premises in relation to fire safety;
- (c) to provide for the prevention and suppression of fires;
- (d) to provide regulations for the storage and handling of flammable liquids, combustible liquids, dangerous goods, hazardous substances and waste dangerous goods;
- (e) to regulate the sale and use of fireworks.

Definitions

3.1 In this Bylaw,

- (a) “Act” means *The Fire Safety Act*, being Chapter F-15.011 of the Statutes of Saskatchewan and any *Act* passed by the Legislature of Saskatchewan to amend or replace the *Act*;
- (b) “City” means the City of Humboldt;
- (c) “Council” means the Council of the City of Humboldt;
- (d) “Department” means the Fire Department of the City of Humboldt;
- (e) “Dwelling Unit” means a separate set of living quarters within a building or premises, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components.
- (f) “Emergency” means a present or imminent situation or condition that requires prompt action or coordination of action to prevent or limit:
 - i. loss of life;
 - ii. harm or damage to the safety, health or welfare of people; or
 - iii. damage to property or the environment.
- (g) “False Alarm” means a fire safety monitoring device that indicates a request for fire rescue services not caused by heat, smoke or fire and after attending and inspecting, there is no danger to safety, health and welfare of people, property or the environment.
- (h) “Fire Chief” means the manager of the Fire Department employed by the City as the local assistant to the fire commissioner, and anyone authorized or delegated to act on behalf of the Fire Chief;
- (i) “Fire Protection System” means fire alarm systems; smoke alarm systems; sprinkler systems; special extinguishing systems; exhaust, ventilation and safety components on commercial cooking systems; standpipe and hose systems; and emergency power installations;
- (j) “Municipal Inspector” means an inspector appointed by the Fire Chief in accordance with Section 2 of the *Act*, to enforce the *Act* and this Bylaw;
- (k) “National Fire Code” means the *National Fire Code of Canada*, also referred to as NFCC. No 47667 adopted pursuant to Part III;

- (l) “Person” means an individual or a corporation and includes a partnership, an association or a group of persons acting in concert unless the context explicitly or by necessary implication otherwise requires;
- (m) “Vacant Building” means a building that the Fire Chief reasonably believes has been abandoned, unoccupied or empty for a length of time.
- (n) Any words used in this Bylaw not defined in Section 3 shall be interpreted under the provisions of Section 1.2 of *The National Fire Code* and/or Section 2 of *The Fire Safety Act*.

Part II - Fire Department

Establishment of Department

- 4.1 The Department is continued as an established department of the City.
- 4.2 The Department is responsible for:
 - (a) fire protection, including:
 - i. fire suppression;
 - ii. fire prevention and inspections;
 - iii. fire investigations; and
 - iv. educational programs;
 - (b) rescue services, including:
 - i. surface water rescue including land based and in water rescue;
 - ii. vehicle extrication;
 - iii. structural collapse;
 - iv. confined space entry;
 - v. trench rescue;
 - vi. rapid intervention rescue; and
 - vii. ice rescue restricted to surface rescue;
 - (c) dangerous goods Emergency service;
 - (d) Emergency medical services:
 - i. response to assist local ambulance provider at the CPR Medical First Responder Level;
 - ii. the Department will not conduct patient transport but may assist local ambulance provider personnel in the transport of patients.

Authority

- 5.1. The Fire Chief is the general manager of the Department.
- 5.2. The Fire Chief shall administer and enforce this Bylaw and shall have all the powers and duties conferred on him by *The Fire Safety Act*. The Fire Chief is authorized to further delegate any matter delegated to him under this Bylaw.
- 5.3. The Fire Chief is responsible for the daily administration and operations of the Department, and for those purposes may make any rules and regulations necessary for maintenance of the Department, including discipline of Department personnel.

Fees for Service

- 6.1. The Department is authorized to charge fees for the services, tests and emergency responses listed in Schedule “B”.
- 6.2. The fees charged by the Department shall be reviewed and set by City Council on the advice of the Fire Chief.

Agreement for Emergency Service

- 7.1. The City may enter into an agreement with any other municipality, municipal government, Person or other properly constituted authority, organization or agency for the provision of fire fighting, fire prevention, or emergency services on any terms that may be agreed upon, including the setting and payment of fees which shall be determined on a case by case basis.

Request for Emergency Service

- 8.1. In the case of an Emergency, the City may, notwithstanding that there is no agreement in place, provide any fire fighting, fire prevention or emergency service outside the City if a request is made by any other municipality, municipal government, First Nations band, Person or other properly constituted authority, organization or agency, and may charge fees for such services, which shall be determined on a case by case basis.

Part III - National Fire Code

Adoption of National Fire Code

- 9.1. The *National Fire Code of Canada* as amended from time to time or any subsequent edition of the National Fire Code as referenced by the *Act* which may be enacted is hereby adopted.

Part IV – Prevention and Suppression of Fires

Fire Pits, Outdoor Fireplaces, and Fire Receptacles – (Permits)

- 10.1 A written permit issued pursuant to this Bylaw is required before constructing or using a fire pit, outdoor fireplace, or receptacle for open fires.
- (a) Subject to Subsection (c) no person shall light, ignite, start, allow or cause to be lighted, ignited or started a fire of any kind whatsoever in a firepit, outdoor fireplace, or an open fire receptacle, without first having obtained a written permit to do so from the Fire Chief.
 - (b) The Fire Chief shall have the authority to prohibit any or all fire pits, outdoor fireplaces, or open fires, when atmospheric conditions or local circumstances, make such fires hazardous, as determined by the Fire Chief in his or her sole discretion.
 - (c) No permit shall be required to light, ignite, or start, a charcoal or gas operated barbecue, grill or similar device used to cook food.
 - (d) A Person to whom a permit has been issued under Subsection (a), shall ensure that sufficient equipment is available to prevent the fire from getting beyond control, causing damage, or becoming dangerous. The equipment to be used may consist of a garden hose connected to the water supply or portable fire extinguishers.
- 10.2 All permitted fire pits, outdoor fireplaces, and other open fire receptacles shall meet the following requirements:
- (a) Fire pits, outdoor fireplaces, and all receptacles for open fires must be constructed from a manufactured, non-combustible receptacle constructed of cement or brick, or from sheet metal which is a minimum 10-gauge thickness (9/64 inch) and designed for use as a fire pit and be approved by the Fire Chief. Fire pits that consist of only a pit or hole dug in the ground, shall not be permitted.
 - (b) All fire pits, outdoor fireplaces, and fire receptacles must be located on private property, and not less than 10 feet or 3.1 meters from any property line, building, combustible structures, trees or combustible vegetation that might be situated on the property.
 - (c) A fire pit, outdoor fireplace, or other fire receptacle must be covered with a heavy gauge metal screen with openings not exceeding 10 millimeters in diameter.
 - (d) The area on the ground, 16 inches or 40 cm around the circumference of a fire pit, outdoor fire place, or fire receptacle shall be kept free of combustible materials or vegetation, and shall be covered with a non-combustible material including but not limited to sand, crushed rock, shale or concrete pavers. The area directly under any fire pit, outdoor fire place, or fire receptacle shall also consist of non-combustible material such as sand, concrete, or brick.

- (e) Fuel for fire pits, outdoor fireplaces, or open fires shall consist only of charcoal briquettes or cut seasoned wood. The burning of any other material, including but not limited to the following or any other materials is prohibited:
 - i. cardboard;
 - ii. rubbish;
 - iii. garden refuse or leaves;
 - iv. manure;
 - v. livestock or animal carcasses;
 - vi. any material classified as a dangerous good; and
 - vii. any material which when burned will generate black smoke or an offensive odor including insulation from electrical coring or equipment, asphalt roofing materials, hydrocarbons plastics, rubber materials, creosote wood or any similar material.
- (f) Fire pits, outdoor fireplaces, and other fire receptacles shall not be permitted in any front yard, as defined in the City's Zoning Bylaw, as amended from time to time.
- (g) Fire pits, outdoor fireplaces and fire receptacles must be supervised by an adult to prevent the fire from spreading or getting beyond control.
- (h) Fire pits, outdoor fireplaces, and fire receptacles shall not be used in windy conditions capable of creating a running fire, and if smoke from an open fire causes unreasonable interference with the use and enjoyment of another person's property the fire must be extinguished immediately. Repeated offenses of this nature will result in the immediate extinguishing of the fire and/or the revoking of the Permit, at the discretion of the Fire Chief.
- (i) If any call is placed to the Department and firemen are dispatched, the owner of the fire pit, outdoor fireplace, or fire receptacle shall be assessed a fee in accordance with Schedule "B", even if such an event does not constitute an Emergency, and is only the result of excessive flames and/or smoke from a fire pit, outdoor fireplace, or fire receptacle.
- (j) Nothing in this section shall relieve any person from complying with the provisions of *The Air Pollution Control Act* of the Province of Saskatchewan and any regulations passed pursuant thereto.

Fireplaces - Permits

- 11.1 No Person shall install a solid-fuel burning appliance, or fireplace in any building or premises in the City without first having obtained approval to do so from the Fire Chief. Approval shall not be granted until a building permit has been issued, and all regulations pertaining to solid-fuel burning appliance installations have been met, to the satisfaction of the Fire Chief.

Vacant Buildings

- 12.1 Vacant Buildings shall be secured by the owner or authorized agent against unauthorized entry. Vacant Buildings shall be secured as follows:
- (a) Any openings in the exterior of a Vacant Building including but not limited to all exterior windows and doors, whether broken or intact, on any storey, shall be secured by either the locking of intact structures or boarded up to prevent unauthorized entry.
 - (b) Where a Vacant Building is secured by boarding, the boards used shall be plywood, with a minimum thickness of 15.875 mm (5/8 inch). Wherever possible, the boards shall be one solid piece and shall be secured to the window or door frame or brick molding using structural screws placed approximately 250 mm (10 inches) apart. 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.
 - (c) Whenever a Fire Chief finds a building, structure or premise or any part thereof which is Vacant or unoccupied and which, in his or her opinion, is not being kept in a safe condition to guard against fire or the risk of fire or other dangerous risk or accident, he or she may order the owner, tenant, occupant or agent responsible to remedy the dangerous condition and to secure the building, structure or premise in such a manner as to prevent any unauthorized entry of the building, structure or premise or any part thereof by any person while it is unoccupied.
 - (d) Where the owner, tenant, occupant or agent responsible for the building, structure, or premises, is unavailable or fails to comply with the order made by the Fire Chief under Section 12.1(c), the City may secure the building and the costs of securing the building shall be a debt owed to the City and on failure to pay the debt within 30 days, the costs shall be added to the taxes on the property in accordance with Section 36 of the *Act* and Section 333 of *The Cities Act*.

Damaged Buildings

- 13.1 Where a building is damaged by any event or occurrence including fire, the owner or authorized agent of the building owner shall secure the building against unauthorized entry upon an order from the Fire Chief.
- (a) Where the owner is unavailable or fails to comply with an order made by the Fire Chief under Section 13.1, the City may secure the building and the costs of securing the building shall be a debt owed to the City and on failure to pay the debt within 30 days, the costs shall be added to the taxes on the property in accordance with Section 36 of the *Act* and Section 333 of *The Cities Act*.
 - (b) The Fire Chief may order a damaged building to be removed or demolished, and where the owner is unavailable or fails to comply with the direction of the Fire Chief made under Section 13.1, the City may remove or demolish the building and the costs of the removal or demolition shall be a debt owed to the City and on failure to pay the debt within 30

days, the costs shall be added to the taxes on the property in accordance with Section 36 of the *Act* and Section 333 of *The Cities Act*.

Smoke Alarms

- 14.1 Except for buildings containing a residential fire warning system conforming to CAN/ULC-S540 “Residential Fire and Life Safety Warning System: Inspection Testing and Maintenance”, smoke alarms conforming to CAN/ULC-531, shall be installed in each Dwelling Unit and in each individual suite of care occupancy and except for care, treatment or detention occupancies that are required to have a fire alarm system, in each sleeping room not within a Dwelling Unit or a suite of care occupancy.
- (a) Smoke alarms within Dwelling Units and Individual Suites of Care Occupancy shall be installed between each sleeping area and the remainder of the Dwelling Unit, and where the sleeping areas are served by hallways, the smoke alarms shall be installed in the hallways.
 - (b) Smoke alarms shall be installed in accordance with CAN/ULC-S553, “Installation of Smoke Alarms”.
 - (c) Smoke alarms shall be installed in compliance with the manufacturer’s instructions and the Canadian Electrical Code and shall be maintained in an operable condition at all times.
 - (d) Smoke alarms required by Section 14.1 shall be inspected and tested in compliance with the manufacturer’s instructions, or at least every 30 days, whichever is more frequent, to ensure that the smoke alarms are still in place and operable.
 - (e) Where a building contains more than one Dwelling Unit or individual suite of care occupancy, the building owner shall ensure that the smoke alarms contained in the building:
 - i. are installed with permanent connections to an electrical circuit;
 - ii. have no disconnect switches between the overcurrent device and the smoke alarm;
 - iii. are inspected and tested by the owner, or their authorized agent, at least once in every 12 months to ensure that they are still in place and operable; and;
 - iv. the owner shall maintain a record of all inspections and tests required pursuant to Section 14.1(e) (iii). Such record shall contain the following information:
 - a. the address of the building being inspected;
 - b. the date of the inspection;
 - c. the name of the person conducting the inspection;
 - d. the condition, maintenance and operation of the smoke alarm, including any deficiencies; and
 - e. any corrective measures that were taken.
 - v. where the Fire Chief requests a copy of any record required to be kept pursuant to Section 14.1(e)(iv) the owner or the owner’s authorized agent shall immediately produce the original record and provide a copy of the record within 24 hours.

Incinerators

- 15.1 Except for auxiliary-fuelled incinerators approved by the Ministry of Environment, no incinerators shall be constructed or installed within the City.
- 15.2 Burning barrels or any similar device used for the burning of any household or yard refuse are strictly prohibited.
- 15.3 Exterior solid burning hydronic heating systems shall not be allowed in any residential, commercial or industrial areas within the City.

Fireworks

- 16.1 No person shall discharge fireworks from any location within the City without first having obtained a written permit to do so from the Fire Chief.
- 16.2 No person shall sell fireworks to children under eighteen (18) years of age.

Storage of Containers and Materials

- 17.1 All boxes, crates, pallets, and other containers, empty or otherwise, as well as any packing materials or any materials of any nature used or kept in any structure, building, premises or on any property shall be:
 - (a) Stacked or piled away from windows and doors to ensure clear and unhampered ingress and egress to or from any part of the premises or building;
 - (b) Piled or stacked so as not to encroach onto property lines or adjacent properties or road allowances; and
 - (c) Kept away from any source of ignition.
- 17.2 Any accumulation of boxes, pallets, crates, containers, packing material or any materials, which in the opinion of the Fire Chief constitutes a fire hazard, shall immediately be removed on the written or verbal order of the Fire Chief.
- 17.3 The accumulation of tall grass or vegetation around boxes, pallets, crates, or containers, which in the reasonable opinion of the Fire Chief constitutes a fire hazard, is prohibited, and shall immediately be removed on the written or verbal order of the Fire Chief.

Blocked Entrances and Exits

- 18.1 While being used by the public, no place of public assembly, such as, but not limited to a church, school, rink, apartment block, hotel, motel, restaurant, night club, bingo hall or other building used by the public may have its entrance doors or emergency exit doors blocked, barred, bolted, locked, or obstructed in any manner other than with standard panic hardware, or a form of quick acting hardware, in operating condition. If the Fire Chief discovers any contravention of this provision, he or she may order the owner, tenant, or occupant responsible to immediately remove all such blockages, bars, bolts, padlocks, chains, obstructions, or other devices so that the door can be readily opened from the interior, and may further take any actions set out in Section 32.1 herein.

Obstructing a Fire Hydrant

- 19.1 No vehicle, fence, shrub, tree or other object shall be placed, erected, allowed or maintained:
- (a) Within a one (1) meter circumference of a fire hydrant;
 - (b) Which prevents, or may prevent the fire hydrant from being clearly visible from the street or other public thoroughfare; or
 - (c) Which obstructs or may obstruct free access by emergency services to the fire hydrant.

Obtaining Assistance in Firefighting

- 20.1 The Fire Chief may call upon any Person to assist in the suppression of a fire, or in the stabilization of an Emergency situation, and all Persons called upon shall obey the commands of the Fire Chief.
- (a) The Department shall compensate any Person who assists in firefighting and the amount of compensation to be paid to a Person by the Department will be equal to the current volunteer firefighters wage rate at the time.

Commandeering of Equipment

- 21.1 The Fire Chief may commandeer or use any privately-owned equipment for the purpose of firefighting.
- (a) The Department shall compensate any Person who provides privately-owned equipment for the purpose of firefighting and the amount of compensation to be paid shall be determined by the City.

Closure of a Street

- 22.1 The Fire Chief shall have the authority to close any street or lane to the public for the duration of the fire or Emergency and related operations and may prescribe the limits within which no Person or vehicle shall be permitted.

Prevention of Fire Spread

- 23.1 The Fire Chief may order the demolition of non-burning buildings or other structures when deemed necessary to prevent the spread of fire. Provided however, that consent of the **Mayor and one Councillor** shall first be obtained and that explosions shall not be used for demolition purposes.

Leaking Flammable Liquid Tanks or Piping

- 24.1 Whenever it is suspected that flammable liquids or vapours are emanating from any underground or above ground tanks or piping and in the reasonable opinion of the Fire Chief could cause a hazardous condition, the Fire Chief may order the drilling of test holes, the testing of tanks and piping, the excavation of tanks and piping, or any other procedure deemed necessary in order to expose and correct the hazardous conditions. If an underground leak is suspected the Saskatchewan Environmental Services Branch shall be notified.

Hazardous, Flammable or Chemical Discharges into Sewer System

- 25.1 No Person, 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 Fire Chief may make such orders as are deemed necessary to prevent or eliminate the said discharge, and to temporarily shut down any activity or operation reasonably suspected of being the source of the discharge.
- 25.2 Every Person, shall, upon request, supply the Fire Chief with a complete list of all waste dangerous goods, hazardous substances, or other flammable or explosive materials stored at or on any property.

Emergencies

- 26.1 If any Emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to reasonably believe there is a risk of imminent and serious danger to life or property, he or she may take such steps as he or she thinks advisable to remove the hazard or risk, and may instruct the evacuation of any building, structure, premises, or area, and may call upon the police and fire prevention authorities to assist him or her.

Part V – Inspections, Compliance with Orders and Enforcement Procedures

Authority to Inspect Buildings and Premises

- 27.1 The inspection of property by the City to determine if this Bylaw is being complied with is hereby authorized.
- (a) Inspections under this Bylaw shall be carried out in accordance with Section 324 of *The Cities Act*.
 - (b) No person shall obstruct a Fire Chief or Municipal Inspector who is authorized by the City to conduct an inspection.
 - (c) Before entering on any land or into any building, structure or premises, the Fire Chief or 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.

Inspection, Testing and Maintenance of Portable Fire Extinguishers

- 28.1 In accordance with *The National Fire Code*, all portable fire extinguishers shall be inspected, tested and maintained in compliance with NFPA 10, “Portable Fire Extinguishers”.
- (a) Inspection, testing and maintenance of portable fire extinguishers shall be performed by properly trained and qualified persons.

Inspection and Maintenance of Commercial Cooking Equipment

- 29.1 In accordance with *The National Fire Code*, the inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be in compliance with NFPA 96, “Ventilation Control and Fire Protection of Commercial Cooking Equipment”.
- (a) Inspection and maintenance of commercial cooking equipment, exhaust and fire protection systems shall be performed by properly trained and qualified persons.

Inspection and Maintenance of Sprinkler and Standpipe Systems

- 30.1 In accordance with *The National Fire Code*, sprinklers and standpipe systems shall be tested, inspected and maintained in compliance with NFPA 25, “Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems”.
- (a) Inspection and maintenance of sprinkler and standpipe systems shall be performed by properly trained and qualified persons.

- (b) Any person who intends to inspect or maintain sprinkler and standpipe systems shall, upon request, submit proof to the Department that the person holds a journey person's certificate in the sprinkler systems installer trade or that the person is a fourth-year apprentice in the sprinkler systems installer trade.

Inspection, Testing and Maintenance of Fire Alarm Systems

31.1 In accordance with *The National Fire Code*, the inspection, testing and maintenance of fire alarm systems shall be in compliance with CAN/ULC S536, "Inspection and Testing of Fire Alarm Systems".

- (a) Inspection, testing and maintenance of fire alarm systems shall be performed by properly trained and qualified persons.
- (b) Any person who wishes to obtain a permit to inspect, test or maintain fire alarm systems shall, upon request, submit proof satisfactory to the Department that the person:
 - i. is, or the person's employer is, a member in good standing of the Canadian Fire Alarm Association or the National Fire Protection Association; and
 - ii. has at least one of the following qualifications:
 - a. a certificate from a recognized alarm manufacturer that the person is a factory trained installer and service person; or
 - b. a certificate that the person has successfully completed the Canadian Fire Alarm Association "Fire Alarm Technology" program, and has worked as an apprentice to a person who holds a permit under this section for a period of not less than one year; or
 - c. a certificate that the person has successfully completed the journeyman electrician trade's upgrading course entitled "Fire Alarm and Protection Systems".
- (c) For purposes of this section "Addressable Fire Alarm System" means a fire alarm system that consists of initiating devices and central appliances and that is capable of individually identifying and controlling discrete components and functions of the system.
 - i. Only authorized factory trained personnel may service Addressable Fire Alarm Systems.
 - ii. Any person who wishes to obtain a permit to test, inspect or maintain Addressable Fire Alarm Systems shall, upon request, submit proof satisfactory to the Department that the person:
 - a. is, or the person's employer is, member in good standing of the Canadian Fire Alarm Association or the National Fire Protection Association; and
 - b. possesses appropriate factory training in servicing Addressable Fire Alarm Systems.

Correction of Immediate Hazards

- 32.1 Where in the course of an investigation or inspection, the Municipal Inspector or Fire Chief is reasonably of the opinion that a condition exists which constitutes an immediate or serious danger to life or property the Fire Chief or Municipal Inspector may do any or all of the following:
- (a) use any measures that the Municipal Inspector or Fire Chief considers appropriate to remove or lessen the condition;
 - (b) evacuate and close the building, structure, or premises and cause it to be boarded up, secured or otherwise remedied to a safe condition to guard against fire or other dangerous risk or accident;
 - (c) The costs and expenses in carrying out the actions listed in Sections (a) and (b) shall be a debt owed to the City, and may be recovered from the Owner of the building, structure or premises, and on failure to pay the debt within 30 days, the costs shall be added to the taxes on the property in accordance with Section 36 of the *Act* and Section 333 of *The Cities Act*.

Order to Remedy Contravention

- 33.1 When, upon inspection, the Fire Chief finds that any provision of this Bylaw has been contravened or not complied with in full, or in part, or that conditions exist in or upon a building or property to which this Bylaw applies, which in the reasonable opinion of the Fire Chief constitutes a risk to life or property or both, he or she may make such Orders or recommendations as he or she considers necessary to ensure full and proper compliance with this Bylaw and in particular may, without restricting the generality of the foregoing:
- (a) make to the owner, occupant, tenant or lessee of the building, premises, structure, or property such recommendations as he or she considers necessary to remedy the contravention, to ensure compliance with this Bylaw, or to cause the removal of the risk; or;
 - (b) make such Orders as he or she deems necessary with respect to any of the matters referred to in this Bylaw to enforce compliance with any of the requirements of this Bylaw or which in his or her opinion are necessary to prevent a risk to persons or property.
- 33.2 An Order made under Section 33.1 shall specify:
- i. the contravention;
 - ii. the civic address and the legal description of the building, structure, premises or property in, or on which, the contravention is occurring;
 - iii. any terms and conditions to be complied with to remedy the contravention;
 - iv. the date by which the terms and conditions of the Order are to be complied with;

- v. 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;
 - vi. a statement indicating that if the owner is aggrieved by the Order, they may appeal to the Fire Commissioner in writing within 15 days of the date of the Order; and
 - vii. 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 pursuant to Section 39 of the *Act*.
- (a) An Order may direct the owner, tenant, occupant, or agent responsible for the building, premises, or property 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, premises, or property that the Fire Chief considers necessary to remedy the contravention;
 - ii. repair, alter, remove or demolish the building, structure or premises, or any part thereof;
 - iii. alter the use or occupancy of the building, structure, premises, or property;
 - 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 inflammable and combustible liquids, inflammable and combustible materials and explosives;
 - vi. clean, repair, remove or replace equipment, apparatus or Fire Protection Systems that are faulty or considered dangerous;
 - vii. install or correct the faulty installation of fire safeguards, equipment or Fire Protection Systems; and
 - viii. clear or remove from any place of public assembly, or any multi-unit dwelling any obstruction that prevents or may prevent free and unhampered ingress and egress from the building, structure or premises.
- 33.3 Where the owner, tenant, occupant, or agent responsible for the building, structure, premises, or property refuses and/or neglects to comply with the order of a Fire Chief, or if the owner, tenant, occupant or agent responsible for the building, structure, premises, or property cannot be located, the Fire Chief may take such action appropriate, without notice and at the expense of the owner, tenant, occupant or agent responsible for the building, structure, premises, or property.

- 33.4 Where an Order is carried out by the Fire Chief under Section 33.3 of this Bylaw, the costs and expenses in carrying out the Order shall be a debt owed to the City and may be recovered from the owner of the building, structure, premises, or property, and on failure to pay the debt within 30 days, the costs shall be added to the taxes on the property in accordance with Section 36 of the *Act* and Section 333 of *The Cities Act*.

Appeal to the Fire Commissioner

- 34.1 Any Person who considers themselves aggrieved by any Order under the provisions of this Bylaw may appeal such Order in writing to the Fire Commissioner of the Province within fifteen (15) days of being served the Order.
- (a) An appeal under this section is to be made by filing a written notice of appeal setting out the reasons for the appeal to the Fire Commissioner and serving a copy of the appeal on the Fire Chief or Municipal Inspector.

Part VI –Offence

Offences

35. 1 Every Person commits an offence who:
- (a) Fails to maintain a clear and unobstructed exit or means of egress from any building, structure, or premises, as required by *The National Fire Code*;
- (b) Fails to maintain a fire exit door or fire exit hardware as required by *The National Fire Code*;
- (c) Fails to ensure exterior passageways and exterior exit stairs serving occupied buildings are maintained clear of ice and snow accumulations as required by *The National Fire Code*;
- (d) Fails to maintain, service or test portable fire extinguishers as required by *The National Fire Code*;
- (e) Fails to maintain, service or test an automatic sprinkler system as required by *The National Fire Code*;
- (f) Fails to maintain, service or test commercial cooking equipment including exhaust and Fire Protections Systems as required by *The National Fire Code*.
- (g) Fails to maintain, service or test special extinguishing systems as required by the *National Fire Code*;
- (h) Fails to maintain, service or test the fire protection systems and components as required by the *National Fire Code*;

- (i) Fails to maintain, service or test a standpipe system as required by *The National Fire Code*;
- (j) Blocks, wedges open, or prevents the closure of fire separation required by *The National Fire Code*;
- (k) Fails to maintain fire separations as required by *The National Fire Code*;
- (l) Obscures, or obstructs or fails to maintain a fire hydrant as required by *The National Fire Code*;
- (m) Obscures, or obstructs a fire department connection as required by *The National Fire Code*;
- (n) Fails to maintain exit signs as required by *The National Fire Code*;
- (o) Fails to maintain emergency lighting as required by *The National Fire Code*;
- (p) Fails to post an occupant load sign as required by *The National Fire Code*;
- (q) Fails to maintain 45 cm (18 inch) clearance between sprinkler heads and products as required by *The National Fire Code*;
- (r) Stores flammable liquids, compressed gases or dangerous goods in any building, structure or open space except in a manner provided for *The National Fire Code*;
- (s) Contravenes any of the provisions of Section 5.6 of *The National Fire Code* respecting construction and demolition site safety;
- (t) Contravenes any of the provisions of *The National Fire Code* not expressly listed in items 'a' to 't';
- (u) Contravenes any provision of Sections 10 through 19 inclusive, Section 25, or Sections 27 through Sections 31 inclusive of this Bylaw.

Fees for Responding to False Fire Alarms

36. 1 The Department may charge a fee for responding to a False Alarm, as set out in Schedule "B" of this Bylaw where the Department responds:
- (a) To three or more False Alarms at the same building, property, or premises within the same calendar year;
 - (b) Where the Department responds to a False Alarm and the business owner, property owner, or property manager does not provide access to the interior of the building within fifteen (15) minutes of the arrival of the Department at the building, the Department may charge,

in addition to the False Alarm fee, an additional standby fee until access is provided to the interior of the building, or premises;

- (c) If a business owner, property owner or property manager has installed a lock box in an accessible location and if that lock-box contains current keys or codes which provide the Department with access to the building, or premises within fifteen (15) minutes of arrival, a person or key-holder does not have to be present to satisfy the access requirements set out in this Bylaw;
- (d) The false alarm response fees provided for by this section may be charged to a property owner, business owner, property manager, or Person responsible for the False Alarm, and shall be a debt due to the City and which may be recovered from the owner of the building, structure, premises, or property, and on failure to pay the debt within 30 days, the costs shall be added to the taxes on the property in accordance with Section 36 of the *Act* and Section 333 of *The Cities Act*.

Part VII: Penalty

Penalties for Bylaw Offences

- 37.1 Every Person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine, in the amount set out in the attached Schedule A; where no penalty for an offence is provided in Schedule A every Person who contravenes any provision of this Bylaw is guilty of an offence and liable to a fine in the amount set out in Section 37.2.
- 37.2 Every Person who contravenes any provision of this Bylaw for which no other penalty is specifically provided for in Schedule A of this Bylaw is guilty of an offence and liable on summary conviction to a fine of:
 - (a) not more than \$5,000.00 in the case of an individual and, in the case of a continuing offence, to a further fine of not more than \$5,000.00 for each day during which the offence continues;
 - (b) not more than \$10,000.00 in the case of a corporation and, in the case of a continuing offence, to a further fine of not more than \$10,000 for each day during which the offence continues.

Part VIII: Notice of Violation

Notice of Bylaw Violation

- 38.1 The following procedure shall apply for offences committed under Sections 35.1,
 - (a) The Fire Chief may issue a notice of bylaw Violation to any Person committing an offence under Section 35.1 of this Bylaw. Such notice shall set out the fine imposed pursuant to this bylaw.

- (b) The fine may be paid:
- i. in person, during regular office hours, to the cashier located at City Hall – 715 Main Street, Humboldt, Saskatchewan;
 - ii. by deposit, at the depository located at the main entrance to City Hall – 715 Main Street, Humboldt, Saskatchewan; or
 - iii. by mail, post marked within the prescribed 14-day period, to the City of Humboldt, Box 640, Humboldt, Saskatchewan, S0K 2A0,
- (c) If the payment of the fine set out in the Notice of Violation 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.

Repeal of Bylaws

39.1 Bylaw No. 25/2013 is hereby repealed.

Coming Into Effect

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

Mayor: Rob Muench

City Clerk – Sandra Pauli

INTRODUCED AND READ A FIRST TIME THIS 23rd DAY OF SEPTEMBER, 2019.
READ A SECOND TIME THIS 23RD DAY OF SEPTEMBER, 2019.
READ A THIRD AND FINAL TIME THIS 23RD DAY OF SEPTEMBER, 2019.

SCHEDULE “A” TO BYLAW NO. 09/2019

	OFFENCES	FINES
Section 10.1 10.2	Firepits, Outdoor Fireplaces & Fire Receptacles	\$100
Section 11.1	Fireplaces - Permits	\$100
Section 12.1	Vacant Buildings	\$500
Section 13.1	Damaged Buildings	\$500
Section 14.1	Smoke Alarms	\$500
Section 15.1 15.2 15.3	Incinerators/Burning Barrels	\$300
Section 16.1 &16.2	Fireworks	\$300
Section 17.1	Storage of Containers and Materials	\$300
Section 18.1	Blocked Entrances	\$300
Section 19.1	Obstructing a Fire Hydrant	\$300
Section 25.1 & 25.2	Hazardous, Flammable or Chemical Discharge into Sewer System	\$500
Section 27.1(b)	Interference with Inspection by Fire Chief or Municipal Inspector	\$500
Section 28.1	Inspection, Testing and Maintenance of Portable Fire Extinguishers	\$300
Section 29.1	Inspection and Maintenance of Commercial Cooking Equipment	\$300
Section 30.1	Inspection and Maintenance of Sprinkler and Standpipe Systems	\$300
Section 31.1	Inspection, Testing and Maintenance of Fire Alarm Systems	\$300
Section 35.1(a)	fails to maintain a clear and unobstructed exit or means of egress as required by the <i>National Fire Code</i> (2.7.1.6)	\$300
Section 35.1(b)	fails to maintain a fire exit door or fire exit hardware as required by the <i>National Building Code</i> (3.3.1.13)	\$300

Section 35.1(c)	fails to ensure exterior passageways and exterior exit stairs serving occupied buildings are maintained clear of ice and snow accumulations as required by the <i>National Fire Code</i> (2.7.1.7)	\$300
Section 35.1(d)	fails to maintain, maintain access, service or test portable fire extinguishers as required by the <i>National Fire Code</i> (6.2.1)	\$300
Section 35.1(e)	fails to maintain, service or test an automatic sprinkler system as required by the <i>National Fire Code</i> (6.4.1)	\$300
Section 35.1(f)	fails to maintain, service or test commercial cooking equipment including exhaust and fire protection systems as required by the <i>National Fire Code</i> (2.6.1.9)	\$300
Section 35.1(g)	fails to maintain, service or test special extinguishing systems as required by the <i>National Fire Code</i> (6.6.1)	\$300
Section 35.1(h)	fails to maintain, service or test fire alarm systems and components as required by the <i>National Fire Code</i>	\$300
Section 35.1(i)	fails to maintain, service or test a standpipe system as required by the <i>National Fire Code</i> (2.1.3)	\$300
Section 35.1(j)	blocks or wedges open a closure of a fire separation required by the <i>National Fire Code</i> (2.2.2.4 (4))	\$500
Section 35.1(k)	fails to maintain fire separations as required by the <i>National Fire Code</i> (2.2.1.2)	\$300
Section 35.1(l)	Obscure, or obstructs or fails to maintain a fire hydrant as required by <i>The National Building Code</i>	\$300
Section 35.1(m)	obscures or obstructs a fire department connection as required by the <i>National Fire Code</i> (2.5.1.4)	\$300
Section 35.1(n)	fails to maintain exit signs as required by the <i>National Fire Code</i> (2.7.3)	\$300
Section 35.1(o)	fails to maintain emergency lighting as required by the <i>National Fire Code</i> (2.7.3)	\$300
Section 35.1(p)	fails to post an occupant load sign as required by the <i>National Fire Code</i> (2.7.1.4)	\$300
Section 35.1(q)	fails to maintain 45 cm (18 inch) clearance between sprinkler heads and products as required by the <i>National Building Code</i> (3.2.5.12) (NFPA 13 – 8.5.5.2.1)	\$300
Section 35.1(r)	stores flammable liquids or compressed gases in any building, structure or open space except in a manner provided for in the <i>National Fire Code</i> (Part 4)	\$300
Section 35.1(s)	Contravenes any of the provisions of Section 5.6 of the <i>National Fire Code</i> respecting construction and demolition site safety	\$500
Section 35.1(t)	contravenes any of the provisions of the <i>National Fire Code</i> not expressly listed in items ‘a’ through ‘t’	\$500

SCHEDULE “B” TO BYLAW NO. 09/2019

FEES FOR SERVICE

1. Fire Services	Within City Limits	Outside City Limits
a) Fire Inspections	No Charge	\$100/hr. plus mileage as set out in the City's Travel Expense Policy.
b) Fire Pit/Outdoor Fireplace Permit	\$20.00	
c) Department Response Fee to a fire pit/outdoor fireplace complaint.	\$500.00	
d) False Alarm Response Fee		
i) 3 rd False alarm in a calendar year -	\$500.00	
ii) 4 th False alarm in a calendar year -	\$750.00	
iii) 5 th False alarm and every additional false alarm thereafter in a calendar year -	\$1,000.00	