

TOWN OF MAPLE CREEK

BYLAW NO. 2018-MC-07

A BYLAW RESPECTING FIRE PREVENTION

The Council of the Town of Maple Creek in the Province of Saskatchewan enacts as follows:

1. In this bylaw:
 - a. "Chief" means the Chief of the Fire Department or such other person who may be appointed by the Council to carry out the provisions of this Bylaw.
 - b. "Council" means the Council of the Town of Maple Creek.
 - c. "Clear Period" means an uninterrupted length of time in which no false alarm has occurred.
 - d. "E.M.O. Coordinator" means the Emergency Measures Coordinator appointed by the Council.
 - e. "Fire Department" means the Fire Department for the Town of Maple Creek.
 - f. "Local Assistant to the Fire Commissioner" means the Chief or Acting Chief of the Fire Department.
 - g. "Permit" means the written authority of the Fire Chief issued pursuant to this Bylaw.
 - h. "False Alarms" means the activation of a Security Alarm System or a Fire Alarm System as a result of which the Maple Creek Fire Department or emergency response services:
 - i) Are paged and are subsequently cancelled after having been paged; or
 - ii) Are provided on behalf of the town and have responded and do not find any evidence of fire, fire damage, smoke in relation to the building structure, residence or facility, or where there has been no other fire emergency situation.
 - i. "Fire Alarm System" means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal or alerting a Monitoring Service but does not include a Fire Alarm System that is intended to alert only the occupants of a single family dwelling unit in which it is installed.
 - j. "Fireworks" shall mean and include any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation.
 - k. "Monitoring Service" means any mechanical, electrical or electronic device which is designed, intended or used for detection of an unauthorized entry into a building, structure, facility or surrounding area, or for alerting others to the commission of an unlawful act, or both, and which emits a sound or transmits a message, or does both, but does not include:
 - i) A device which registers an alarm which is not Audible, visible or perceptible outside the premises.
 - ii) A device which is installed in a motor vehicle.

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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.

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 14 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.

2.1 General Precautions Against Fire

(a) No waste paper, hay, straw, shavings, accelerator or other flammable material shall be allowed to accumulate in any building, yard, or premises unless placed in a covered metal receptacle or in a fireproof room provided with fire doors. All such material, if not so placed, shall be removed or destroyed at the close of each business day.

(b) No uncovered hay, straw, or accumulation of flammable material shall be placed within 60 m (200 ft.) of any building.

(c) The burning of rubbish or flammable waste material shall not be kindled within 23 m (75 ft.) of any building except by permit (in accordance with attached Schedule B) from the Fire Chief and resolution of Council; and any such burning shall be done between 7:00 am and 11:00 p.m. when a competent person shall be constantly in charge of the fire until it is extinguished. The burning shall be in a properly constructed brick or metallic burning receptacle covered with a suitable 3 mm wire mesh or in an incinerator of a design approved by the Fire Chief.

(d) All ashes when deposited within a building shall be placed in a non-combustible container and shall not be placed on a combustible floor and, when deposited outside, shall be placed at least 4.5 m (15 ft.) from any wooden structure or other combustible material or placed in a non-combustible container or pit.

(e) No person shall start the burning of straw, weeds, grass or fire a stubble field until a permit has been obtained from the Fire Chief or by resolution of Council, and no such permit shall be issued unless the applicant undertakes to see that the fire is kept under complete control at all times; that a competent person shall be constantly in charge of the fire until it is extinguished; and that smoke shall not create a traffic hazard on any public highway.

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- (4) Open-air fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
- (5) Open-air fires shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
- (6) If smoke from an open-air fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately.
- (7) The Fire Chief 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.

3.0 False Alarm

Through the Town of Maple Creek Fire Prevention Bylaw False Alarm fees, the ultimate goal of the Maple Creek Fire Department is to reduce the number of false incidents to which fire crews respond each year.

- 3.1 False Alarm incidents include but are not limited to:
 - i) the testing of an Alarm without notice to the Maple Creek Fire Department which results in a fire call out;
 - ii) an Alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
 - iii) an Alarm activated by user error;
 - iv) an Alarm reporting a fire or a fire emergency situation occurring on or in relation to the address in which the Alarm System is installed where no evidence exists or where no such event took place; or
 - v) an Alarm actually or apparently activated by atmospheric conditions, excessive vibrations or power failure.
- 3.2 The owner or occupier of real property shall use, install, maintain and operate any Fire Alarm System or Security Alarm System installed on or in the real property in a manner that will ensure the prevention of False Alarms.
- 3.3 In the event that the Maple Creek Fire Department is required to forcibly enter a premises due to a False Alarm, all costs incurred must be paid by the owner or occupier of the property.
- 3.4 Fees apply to the owner or occupier of real property where any Fire Alarm System or Security Alarm System is installed on or in the real property.
- 3.5 The owner or occupier of real property where any Fire Alarm System or Security Alarm System is installed on or in the real property shall maintain a twelve (12) month clear period from the date of the last false alarm occurrence before such time where a First (1st) occurrence fee will be reinstated.

4.0 Fireworks

(1) Sale of Fireworks

No person shall sell any fireworks and no person being the owner, occupant or person in charge of any premises shall permit any fireworks to be sold on the premises:

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4.2.3 The handling, storage and use of indoor fireworks shall be in conformance with the Explosives Act and its Regulations, and The National Fire Code.

4.3 High Hazard Fireworks Display

4.3.1 No person shall hold a public fireworks display using high hazard fireworks without first obtaining a permit from the Fire Department.

4.3.2 A public fireworks display using high hazard fireworks shall be conducted under the direct supervision of a fireworks supervisor.

4.3.3 The person holding the permit shall be responsible to ensure that the display is conducted in accordance with the current Fireworks Display Manual prepared by Natural Resources Canada.

4.3.4 The handling, storage and use of high hazard fireworks shall be in accordance with the Explosives Act, its Regulations, and The National Fire Code.

4.4 Fireworks Display Permits

4.4.1 The Town of Maple Creek shall have the sole discretion to issue a permit to allow a person to:

- i) Sell Fireworks; or
- ii) The types of permit that may be issued by the Fire Department include:
 - a. Fireworks permits;
 - b. Fireworks display permits in respect of:
 - i. High hazard fireworks;
 - ii. Low hazard fireworks; and
 - iii. Indoor fireworks

4.4.2 Application for a permit shall be made to the Town of Maple Creek Fire Chief on such forms and accompanied by such information as may be prescribed by the Department from time to time.

4.4.3 The Fire Chief or his designate may issue a permit upon such terms and conditions as the Fire Chief considers appropriate.

4.4.4 Without limiting the generality of subsection 4.4.3, the Fire Chief may, in any permit:

- a. Place restrictions on the quantity and the type of fireworks that may be sold or discharged in the display;
- b. Require the applicant to submit specified information;
- c. Require the applicant to provide security and fire safety measures;
- d. Place restrictions on the manner in which fireworks may be discharged; and
- e. Require the permit holder to, at the conclusion of the public fireworks display, immediately remove and dispose of all unused fireworks and debris.

4.4.5 A permit for an indoor fireworks display shall only be issued to persons holding a valid Assistant Pyro technician, Pyro technician or Special Effects Pyro technician card issued by Natural Resources Canada. Applicants with pyrotechnic accreditation from other jurisdictions shall not receive a permit unless the Fire Department is satisfied that the applicant is properly trained and qualified in indoor pyrotechnics.

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2. An appliance mounted on any type of floor other than a concrete pad on the ground or a concrete floor shall be installed on a floor-protecting pad on non-combustible material (0.55mm (0.022 in) sheet metal or equivalent) extending at least 450mm (18 in) beyond the appliance on any side equipped with a door and 200mm (8 in) beyond the appliance on other sides. The appliance shall be supported off the floor protection pad by 2 courses of 100mm (4 in) hollow brick arranged so that the hollow cores in the two courses are in at right angles to each other and will permit air circulation through them.
3. Solid fuel burning appliances mounted on legs that provide a clear space at least 175mm (7 in) high may be mounted directly on the floor pad if a 0.55mm (0.022 in) thick sheet metal plate covers the area of the appliance bottom and is installed at least 50mm (2 in) from the appliance bottom and at least 50mm (2 in) from the floor pad by non-combustible spacers or attached to the appliance legs.
4. Every low pressure heating boiler, laundry stove, portable oven or stove, range or stove, without legs, using solid fuel, shall rest upon a non-combustible base of 100mm (4 in) hollow masonry units arranged to allow air circulation from one side to the other, and covered with sheet metal, not less than 0.55mm (0.022 in (25 gauge)) thick.
5. Unless the appliance is approved by a testing laboratory (C.S.S., U.L.C., Warnock Hersey) overhead clearances between heating boilers or hot air furnaces and wood, wood lath and plaster, or other combustible ceilings, shall be at least 1500 mm (60 in) unless the combustible ceiling is protected as per 5.1.
6. All warm air heating units and related equipment must be installed and conform to provincial regulations governing installation of gas and oil-fired equipment and The National Building Code of Canada 2005 and CSA Standard 8365-M84 in the case of solid fuel fired equipment.

6.0 Flue Pipe

1. The minimum clearance between a flue pipe or breeching serving solid fuel burning appliance and combustible material, whether or not such material is covered with non-combustible material such as plaster, shall be 450mm (18 in), except where protection is provided as described on the following table.

Minimum Flue Pipe Clearances with Specified Forms of Protection

	<u>Type of Protection</u>	<u>Minimum Clearance</u>
	m	mm
0.33mm (0.013 in) sheet metal spaced out from the Flue pipe 25mm (1 in) by non-combustible spacers And of such width that the shortest distance to any Unprotected combustible surface is at least 450mm (18 in)	225	9
0.033mm (0.013 in) sheet metal spaced out 25mm (1 in) From combustible surfaces by non-combustible spacers	225	9
Ceramic tiles or equivalent non-combustible material	225	9

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7.0 Chimneys

1. a. All brick or concrete chimneys shall be constructed in accordance with the provisions of Subsection (2) of this section and, where any chimney is declared unsafe by the Fire Chief or Building Official or designate, it shall be made safe by repair or taken down and rebuilt.
- 1.b. A suitable clean-out shall be provided near the base of every chimney and all flue and clean-out holes, when not in use shall be closed with well-secured non-combustible stoppers.
- 1.c. Every chimney connected to an appliance using solid or liquid fuel shall be cleaned at least once every year.
- 2.a. Chimneys shall be of brick or concrete construction and the walls thereof shall be at least 200mm (8 in) thickness and lined throughout with tile.
All bricks shall be laid flat in mortar with all joints filled. Chimneys servicing one and two family dwellings shall be at least 100mm (4 in) in thickness and be tile lined.
- 2.b. A chimney shall extend not less than 900mm (3 ft.) above the highest point at which the chimney comes in contact with the roof and not less than 600mm (2 ft.) above the highest roof surface or structured within 3m (10 ft.) of the chimney.
- 2.c. All masonry chimneys shall have foundations of masonry or concrete which shall extend down to the level of the foundation wall footing surrounding the area where the chimney is located.
- 2.d. Prefabricated chimneys may be used providing they have been listed and labeled by a recognized testing laboratory as being reasonably free from fire hazard and installed according to manufacturer's specifications. If a prefabricated chimney is used to vent a fuel efficient furnace or air tight heater, it must be a labeled 650-degree C (1200-degree F) chimney.
- 2.e. Flues serving gas appliances must comply with the provincial regulations governing the installation of gas piping equipment and venting.

8.0 Use of Blowlamps

1. No person shall use a blowlamp or similar device to burn any material which when burned will generate black smoke or an offensive odor, including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood or any similar material, unless such use is permitted under The Environmental Management and Protection Act and is conducted in a manner acceptable to The Saskatchewan Environment and Resource Management Department.

9.0 Barbecuing

1. Every person who uses a 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 material;

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- b. Every underground storage tank shall be equipped with piezometers as required by this Section; and
 - c. All piping connections shall be visible through the use of a transition box.
4. Piezometers shall be designed, constructed and used in accordance with the following standards and requirements:
- a. The piezometer shall be constructed of plastic (poly-vinyl chloride) pipe not less than 100 millimeters in diameter;
 - b. The piezometer shall be placed vertically from the bottom of the tank bed (sand or pea-gravel) to approximately 100 millimeters below grade level;
 - c. The top of the piezometer shall be protected from damage by the installation of an approved metal frame and cover 300 millimeters in diameter. The cover shall be painted white and clearly marked;
 - d. The top end of the piezometer shall be equipped with a threaded plastic nut for access to the pipe;
 - e. The bottom end of the piezometer shall be plugged or sealed;
 - f. The piezometer shall have slots cut in the sides of the pipe. The slots shall be 50 millimeters in length, 1 millimeter in width and 50 millimeters apart. The slots shall be staggered on all sides of the pipe and extend a minimum of 1,200 millimeters from the bottom of the pipe; and
 - g. Piezometers shall be placed in the tank hole. There shall be at least 1 more piezometers in the tank hole than the number of storage tanks in the same tank hole.

12.0 Outdoor Storage of Rubber Tires

1. Except as provided in Subsection (2), rubber tires shall be stored in accordance with Article 3.3.3 of The National Fire Code.
2. If the individual storage area for rubber tires is located on a site which abuts a residential site, the following size and clearance restrictions apply:
 - a. The maximum height of storage cannot exceed 2 meters; and
 - b. The minimum clear space between the storage area and any property line which separates the site from the residential site cannot be less than three meters.

13. Propane Fueled Vehicles

1. No person shall park a vehicle fueled with propane in any underground or enclosed parking facility attached to a major residential, business and personal services or mercantile occupancy.
2. 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 fueled anywhere in the underground or enclosed parking facility.

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addition to the information required by The National Fire Code, contain the identification number of the person who performed the inspection or maintenance of the system.

17. Inspection and Maintenance of Sprinkler and Standpipe Systems

1. Inspection and maintenance of sprinkler and standpipe systems shall be performed by properly trained and qualified persons.
2. All sprinkler systems must be maintained in accordance with manufacturers' specifications.
3. Any label or tag affixed to a sprinkler or standpipe system shall, in addition to the information required by The National Fire Code, contain the identification number of the person who performed the inspection or maintenance on the sprinkler or standpipe system.

18. Inspection, Testing and Maintenance of Fire Alarm Systems

1. In accordance with article 6.3.1.2 of The National Fire code, the inspection, testing and maintenance of fire alarm systems shall be in accordance with CAN/ULC-S536-M, "Inspection and Testing of Fire Alarm Systems".
2. Inspection, testing and maintenance of fire alarm systems shall be performed by properly trained and qualified persons. This means they must meet one of the following:
 - a. 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
 - b. Has at least one of the following qualifications:
 - i) a certificate from a recognized alarm manufacturer that the person is a factory trained installed and service person; or
 - ii) 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
 - iii) a certificate that the person has successfully completed the journeyman electrician trade's upgrading course entitled "Fire Alarm and Protection Systems".

19. Installation, Inspection, Testing and Maintenance of Smoke Alarms

1. Smoke alarms shall be installed, operated, inspected and tested in accordance with The National Fire Code of Canada 2010, the National Building Code of Canada 2010, CAN/ULC-531 and CAN/ULC-S553. These minimum provisions may be exceeded as directed by the fire chief, municipal inspector, provincial inspector or local assistant.
2. Hard wired "interconnected" smoke alarms shall be installed in any occupancy as directed by the fire chief, municipal inspector, provincial inspector or local assistant.

20. Installation, Inspection, Testing and Maintenance of Carbon Monoxide Alarms

1. Carbon monoxide alarms shall be installed, operated, inspected and tested in accordance with The National Fire Code of Canada 2010, The National Building Code of Canada 2010, CAN/ULC-S552, and CAN/CSA-6.19. These minimum provisions may be exceeded as directed by the fire chief, municipal inspector, provincial inspector or local assistant.

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3. To keep a permanent record of all orders issued to remedy fire hazardous conditions and to make a monthly written report thereon to the Council
 4. To cause to be investigated all fires in order to ascertain the cause, origin and other circumstances thereof.
 5. To notify the Fire Commissioner immediately of any fire of a suspicious nature, any major outbreak of fire, or of any death caused by fire.
 6. Notwithstanding any provision of this Bylaw, the Fire Chief may issue a written declaration, authorize by the Administrator, banning burning or incineration of any kind in the Municipality. The authorized written declaration shall detail the effective date of the ban, and relevant details of the ban as deemed appropriate by the Fire Chief in consultation with the Administrator.
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7. The Fire Chief shall provide a copy of the authorized written declaration of any fire ban to the appropriate ministry of the Government of Saskatchewan, and the Administrator shall ensure that Council is notified of the authorized written declaration, as well as notification to the public through common means.

25. Special Authorities of Fire Chief

1. The Fire Chief may call upon all or any person to assist in the suppression of a fire and all persons called upon shall obey the commands of the Fire Chief or other officer-in-charge.
2. The Chief, or other officer-in-charge of a fire, 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 and related operations.
3. The Fire Chief may order the pulling down or demolition of buildings or other erections when deemed necessary to prevent the spread of fire; and provided further that explosives shall not be used for the demolition purposes.
4. The Maple Creek Fire Department shall be governed, in terms of organizational structure, administrative policies for the operations, by the provisions contained in the Constitution of the Maple Creek Fire Brigade.
5. Hydrant Systems:
 - a. Fire hydrants shall be designed, installed, and maintained in accordance with the standards and specifications of the Town of Maple Creek Engineering services and Public Works Department.
 - b. No person shall allow, permit or resist or impede access or view of any fire hydrant.
 - c. No person shall grow vegetation (other than grass), or place any structures within a one (1) meter radius of a fire hydrant; and no more than at a grade higher than the base of the hydrant.
 - d. No person shall paint, discolor, or otherwise alter the appearance of a hydrant, except as designated by Council.

6. Fees for Services

- a. The Maple Creek Fire/Rescue Services is authorized to charge the applicable fees for the various services and emergency responses listed in Schedule "A".
- b. False alarms as per Schedule "A".
- c. The fees shall be reviewed and amended from time to time by bylaw.

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Building Code of Canada, 2010, as amended from time to time or any subsequent edition of The National Building Code which may be enacted, shall be in force in the Town of Maple Creek.



TO THE TOWN OF
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The Building Code of Canada, 2010, as amended from time to time or any subsequent edition of The National Building Code which may be enacted, shall be in force in the Town of Maple Creek.

MAYOR