

SHIPS POINT IMPROVEMENT
DISTRICT BYLAW No. 83

A bylaw setting out the fire protection and regulations of the Ships Point Improvement District.

The Trustees of the Ships Point Improvement District ENACT AS FOLLOWS:

1. In this bylaw, unless the context otherwise requires, the following terms and expressions shall have the meanings hereinafter assigned to them, that is to say:

- a) "Animal organic waste" shall mean solid organic waste material of animal origin and includes flesh, carcasses, offal, hides, hair and feathers;
- b) "Approved plastic container" shall mean approved by a recognized testing authority;
- c) "Authorized" shall mean authorized by the chief of the fire department;
- d) "Authorized incinerator" shall mean any metal or masonry container in good condition mounted on a non-combustible base, fitted with a metal screen or grill of less than 12.5mm (1/2") mesh to restrict any sparks or flying debris;
- e) "Board" shall mean the Board of Trustees of the Ships Point Improvement District;
- f) "Building" shall mean any structure or building used or intended to be used for the support, shelter or enclosure of persons, animals or chattels;
- g) "Dwelling" shall mean any building or part of a building occupied or intended to be occupied as the residence of not more than one family;
- h) "Extinguished" shall mean no visible flame, sparks, glowing embers or smoke;
- i) "Fire Chief" shall mean the fire chief of the Ships Point Improvement District or any person designated by him to act on his behalf;
- j) "Fire Danger Rating" is an index of Low, Moderate, High and Extreme, as established by the Ministry of Forest's Fire Danger Rating System, and shall be based on the indices set for the Bowser weather station;
- k) "Fire Department" shall include the fire department of the improvement district and the fire department of any other fire protection district or municipal corporation attending fires within the improvement district;
- l) "Fire hazard" shall mean any condition that is conducive to the destruction of life or property by fire, or will, or is likely to increase the extent or severity of the fire;
- m) "Fire Season" includes all days between April 15th and October 15th of each year, unless extended due to dangerous fire weather;
- n) "Flash point" shall mean the flash point of a flammable liquid as determined by the Tagliabue Closed Cup Tester or the Abel-Pensky Flash Point Tester methods;
- o) "Garbage" shall mean any animal, vegetable and food wastes or scraps;
- p) "Gasoline" shall mean any product of petroleum or any liquid that will flash or emit a flammable vapor below the temperature of one hundred ten degrees Fahrenheit (110°F), or forty-four degrees Celsius (44° C);
- q) "Improvement District" shall mean Ships Point Improvement District;
- r) "Occupant" shall mean owner, agent, lessee, licensee or tenant of any building or premises to which any of the provisions of this bylaw shall apply;
- s) "Person" where used in this bylaw shall mean natural persons of either sex, associations,

corporations, or co-partnerships, whether acting by themselves or by a servant, agent, or employee, and the heirs, executors, administrators, or assigns or other legal representatives of such persons to whom the context shall apply according to law;

- t) "Private Residence" shall mean any dwelling or two-family dwelling;
 - u) "Refuse" shall mean any approximately evenly proportioned mixture of rubbish and animal or vegetable waste material of low moisture content;
 - v) "Rubber" shall mean rubber goods, tires, plastics, and tar and asphalt roofing materials;
 - w) "Rubbish" shall mean any readily combustible inorganic dry waste material but does not include animal or vegetable wastes;
 - x) "Smoking" shall include the carrying of a lighted pipe, cigar or cigarette
 - y) "Two-family dwelling" shall mean any building occupied or intended to be occupied as the residence of not more than two families; and
 - z) "Vehicle" shall mean every device upon or in which any person or property is, or may be, transported or drawn on or upon a public highway.
2. Unless the context otherwise requires, wording importing the singular number shall include the plural and words importing the masculine gender shall include the feminine, and the converse shall apply.
3. a) Even where this bylaw and any regulations under the Fire Services Act deal with the same subject matters, any further or more stringent restrictions in this bylaw on the use of the property or fire shall have full force and effect; and
- b) In the event of any conflict, inconsistency or repugnancy between these bylaws and the Waste Management Act, the Waste Management Act shall, in all cases, prevail.

Fire Danger Rating Signage

4. The Fire Danger Rating will be identified on the Ships Point Volunteer Fire Department sign immediately before the intersection of Ships Pt Rd and Tozer Rd, and at the SPID Office.

Right of Entry

5. With the exception of a privately owned and occupied single-family dwelling, the fire chief is hereby empowered to enter upon any land or premises for the purpose of making an inspection or investigation:
- a) To inspect for conditions which may cause a fire, increase the danger of a fire or increase the danger to persons; and
 - b) To see that any flammable matter is rendered harmless or suitably safeguarded against fire by requiring:
 - i) The erecting of barricades;
 - ii) The posting of "no admittance signs"; or
 - iii) Any other measures deemed necessary by the fire chief.

No Obstruction

6. No person shall obstruct the fire chief in making any entry authorized by this bylaw.

No Hindrance

7. No person shall, in any way, hinder any member of the fire department, or any other person under the direction of the fire chief, at any fire or other emergency.

Breaking Blockade

8. Except with the permission of the fire chief, no person shall be permitted to enter any burning building, or within the lines across any lane, street or area marked by ropes or guards.

Driving Over Hose

9. No person shall drive or run over any fire hose with any vehicle, except as directed by a fire fighter or duly authorized person.

Access to Fire Hydrant

10. No person shall place or maintain any object or matter on a roadside or street that interferes with free access or approach to any fire hydrant.

Smoking Prohibited

11. a) Where, in his opinion, smoking may create a fire or explosion hazard, the fire chief may prohibit smoking in any building, structure or open space in which combustible materials are handled, stored, manufactured or sold;
- b) Where, in the opinion of the fire chief, smoking should be prohibited, he may give notice in writing to the occupant to post suitable signs that smoking is prohibited in or on such premises or buildings and the occupant thereof shall prohibit smoking in such premises or buildings;
- c) Any person violating any such order or notice shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties herein imposed; and
- d) In the event of any conflict, inconsistency or repugnancy between these bylaws and the BC Ministry of Health Tobacco Control Act, the Tobacco Control Act shall, in all cases, prevail.

Chimneys

12. a) No owner or occupant of any building shall permit any chimney, stovepipe or flue to remain in any condition which may cause or create a fire hazard; and
- b) Every owner or occupant of any building shall keep all openings in any chimney in such buildings, while such openings are not in use, closed by a proper stopper of metal or other non-combustible material (e.g. multiple flue access holes in older chimneys).

Inspection of Chimneys, Flues, Furnaces

13. Where he deems it necessary, the fire chief may examine any chimney, flue, fireplace, hearth, oven, furnace, heater, boiler, stove, steam pipe, funnel or any other equipment he may deem to be a fire hazard.

Notice to Remedy Fire Hazard

14. Where any chimney, flue, fireplace, hearth, oven, furnace, heater, boiler, stove, steam pipe, funnel or any other equipment is found to be a fire hazard, the fire chief shall notify the owner or occupant of the building of the condition and indicate the remedy and the time within which the condition shall be remedied.

Duty to Comply

15. Where any owner or occupant has received notice under Section 14, he shall comply with the notice within the time indicated.

Depositing Ashes or Flammable Material Among Ashes

16. No person shall deposit any ashes or allow any ashes to be deposited or remain:

- a) In any combustible container;
- b) On the floor of any building belonging or occupied by him; or
- c) In any metallic container which is within 300 mm (12 inches) of any woodwork or any other combustible material.

17. It shall be unlawful for any person to deposit, or allow or cause to be deposited any paper, straw, hay, shavings, or other combustible or flammable material or thing in or among any ashes or other materials or things taken from any stove, furnace, or fireplace.

No Open Flame or Smoking Near Flammable Material

18. No person, within the improvement district, in that part of any building where there is an accumulation of hay, straw, shavings or other readily flammable material, or liquids, shall smoke, or have in his possession any lighted pipe, cigar or cigarette, or light or carry any naked light, flame, or light not enclosed in a shade or other non-combustible guard.

Metal Receptacles for Flammable Material

19. No person shall, within the improvement district, keep any waste, rags, papers or other substance liable by spontaneous combustion to cause fire, except in a container made of metal or other non-combustible material and with an airtight top or lid of the same type of material.

Control of Combustible Material

20. No person shall deposit, or allow to collect, or be deposited, within the improvement district, any paper, rubbish, or other combustible material likely to cause or promote fire dangerous to buildings or other property.

Clearing of Roof

21. No owner or occupant of any building shall allow any paper, wood, debris or other combustible rubbish or material to accumulate upon the roof of the building.

Duty to Safely Store

22. Any person who makes, uses, or has charge of shavings, paper bags, litter or other combustible material shall, at the close of each day, ensure that they are safely stored or disposed so as to be safe from fire.

Remove Fire Hazard and Secure Unoccupied Buildings

23. a) Any owner or occupant of real property in the improvement district shall remove any matter or thing situated in or on any building or premises which, in the opinion of the fire chief, is a fire hazard or increases the danger of fire;
- b) Any owner of any unoccupied building shall ensure that it is properly secured against entry by unauthorized persons;
- c) Where, in the opinion of the fire chief, any fire hazardous condition exists or any unoccupied building is not properly secured, the fire chief shall give written notice to the owner or occupant at his last known address or by posting a notice in a conspicuous place on the building or premises; and
- d) In any notice under this section, the fire chief shall indicate the nature of the condition to be remedied, the manner in which the condition may be remedied, and the time within which the owner or occupant must comply.

Burning

24. No person shall light, ignite, or maintain any fire, or permit or cause any fire to be lit, ignited, or maintained, except as provided in this bylaw.

Unauthorized Fires

25. No person shall light or maintain any fire either in the "open air" or in any form of container except in accordance with this regulation, and will be deemed an unauthorized fire. The Ships Point Volunteer Fire Department at the discretion of the Fire Chief or any officer in-charge may extinguish any and all unauthorized fire. The person lighting or maintaining an unauthorized fire will be subject to penalties set out in this Bylaw.

Form of Written Permit

26. A written permit shall be in the form as approved by the Board and shall be limited to the terms stated on the approved permit.

Issuance

27. The fire chief may withhold or cancel any permit issued where, in his opinion, the igniting of a fire in any area may create a hazard to persons or property.

No Noxious Odors

28. No person shall burn any rubber, garbage, animal organic waste, or any materials, which create a noxious odor.

"Open Air" Fires

29. A fire in the "open air" shall mean a fire out-of-doors, not contained in a fire pit, or authorized outdoor fireplace.

- a) The person igniting, permitting, or maintaining an Open Air Fire shall take the following precautions to prevent escape of the fire:
 - i) No burning to be done during windy periods;
 - ii) Light material such as paper, dry leaves, etc., that could fly away while on fire, must be covered by heavier material or held down by a wire mesh or other suitable means, while being burned;
 - iii) No burning to be done within 5 meters (16 ft.) of slash, brush, dry grass, wooden buildings, trees, or any other flammable material;
 - iv) Fire must be attended and safeguarded at all times while burning by at least one adult person;
 - v) A charged hose and shovel are to be on the fire site and available for immediate use;
 - vi) Maximum size of a fire shall not be greater than 1.5 meters by 1.5 meters by 1 meter high (4.5 ft. by 4.5 ft. by 3 ft. high)
 - vii) Extinguish the fire forthwith upon suspension of burning conditions, or when instructed to do so by the Fire Chief or his representative; and
 - viii) Is responsible to immediately contact the Fire Department should the fire threaten to, or does escape, by calling 911.
- b) A person may ignite, permit, and maintain a fire outside of Fire Season without a Burning Permit, but must do so in accordance with this Bylaw;
- c) No person shall permit any Open Air Fire to be ignited between the dates of April 15 and October 15 unless they have first obtained Ships Point Improvement District, Burning Permit;
- d) No person shall permit any Open Air Fire to be ignited when the Fire Danger Rating is High or when there is a total burning ban;
- e) The person igniting, permitting, or maintaining an Open Air Fire shall ensure that the fire is fully extinguish should the Fire Danger Index reach High or Extreme;
- f) It is the responsibility of any person igniting, permitting, or maintaining an Open Air Fire to check the Ships Point Fire Danger Rating, before igniting the fire and regularly there after;
- g) No Burning Permits shall be issued by fire department members once the Fire Danger Rating has reached High, and no permit shall be issued until the Ships Point Fire Danger Rating has been less than High for a period of one week or more;
- h) Fires in excess of the maximum size stated above may be authorized on a case-by-case basis. While it is recognized that the size of the Open Fire restriction conflicts with the size of fires where the Ministry issues permits, all requests for burning in excess of the size stated above must follow the following procedures prior to carrying out the burn:
 - i) Individual requesting must obtain a Forestry Burning Permit / Number;
 - ii) All burning must be done in accordance with ministry of Forests regulations (ventilation index, etc); and

- iii) A letter / permit authorizing the burning must be approved by the Fire Chief;
- iv) The person must have a tanker truck, fire pump and hose on site at all times when the fire is not fully extinguished.

Fire Pit Fires

- 30. Campfires shall be permitted in a commercially available fire pit, where:
 - a) The non-combustible spark arresting construction material shall have an opening size of not greater than ¼ inch by 3/8 inch;
 - b) In the case of 'bowl type' commercially available fire pits, the hemispheric spark arrestor shall be placed over the fire at all times, except when burnable material is being added to the fire;
 - c) Fires in Fire Pits may not be ignited, permitted, or maintained in a Fire Pit where the Fire Danger Rating is Extreme or where there is a total burning ban;
 - d) Fires in Fire Pits may not be ignited, permitted, or maintained in a Fire Pit, during Fire Season should the Fire Danger Rating sign be missing or removed from the Ships Point Volunteer Fire Department sign; and
 - e) The person igniting, permitting, or maintaining a Fire Pit Fire shall take the following precautions to prevent escape of the fire:
 - i) No burning to be done during windy periods;
 - ii) No burning to be done within 3 meters, 10 ft) of slash, brush, dry grass, wooden buildings, trees, or any other flammable material;
 - iii) The fires must be attended and safeguarded at all times while burning by at least one adult person; and
 - iv) A charged hose and shovel are to be immediately available.
- 31. In the case of non-commercially available or home made fire pit:
 - a) Restrictions and cautions noted in paragraph 30 above remain in force;
 - b) Prior to use, the unit be inspected and authorized by the fire chief; and
 - c) An "Open Burning" permit must be obtained before its use;
 - i) Depending on type of construction and safety features, a "Open Burning" permit for the fire pit may be issued for the entire fire season.

Authorized Outdoor Fireplaces

- 32. The owner of an Outdoor Fireplace shall ensure that:
 - a) Prior to use, the unit be inspected and authorized by the fire chief;
 - b) The authorized unit is maintained in a condition that provides proper combustion of any material burned;
 - c) While it is in use, some competent person appointed by him shall supervise any burning and ensure that any equipment necessary for fire control is available;
 - d) The authorized outdoor fireplace is situated at the location and in the condition in which it was inspected; and
 - e) A new inspection is completed and new permit issued if the unit is moved or modified.

Fire Escapes

33. Each storey above the ground floor of any building in the improvement district used for commercial purposes or as a multiple dwelling, as defined in the local zoning bylaw, shall be provided by the owner with an adequate fire escape or adequate fire escapes, and the owner, and the tenant, if any, shall maintain the same in good repair and condition.

Exit Doors to Open Readily

34. No door to any exit leading to a fire escape in any building shall be closed or fastened except with a standard panic or exit bolt, which may be readily opened without the aid of a key or other device.

Gasoline Storage

35. Except as authorized by a valid written permit issued by the fire chief, no person shall store or keep gasoline within the improvement district other than:

- a) Gasoline not exceeding 45 litres (10 gallons) in closed metal containers or in approved plastic containers; and
- b) Gasoline in the gasoline tank of an automobile, gasoline engine, or motorboat, whose tank is permanently connected to and supplies its engine.

Storage of Explosive or Flammable Compound, Liquid or Material in Public Building

36. Except in a place especially provided for the purpose and approved by the fire chief, it shall be unlawful for any person to keep, store or use any combustible explosive or flammable compound, liquid or material in any part of a building used or maintained as a hotel, apartment house, school or place of public assembly.

Disposal of Gasoline, Fuel Oil, and Propane Storage Tanks

37. All unused gasoline, fuel oil, and propane storage tanks shall be removed and disposed of in an environmental friendly manner.

Enforcement

38. The fire chief may enter upon any premises in order to ascertain that the provisions of this bylaw are being obeyed. No person shall obstruct the fire chief in the discharge of his duty under this bylaw.

Penalty

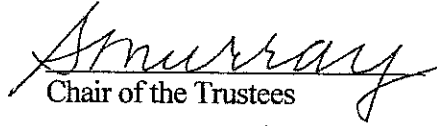
39. Any person who violates any provision of this bylaw shall be liable, under conviction, to a maximum penalty as authorized under the Offence Act. Where any violation continues, each day in which it continues shall be a separate violation for the purpose of prosecution under this bylaw.

Succession

40. This bylaw may be cited as the "Fire Protection and Regulation Bylaw" and repeals Bylaw No. 68 passed by the Trustees on November 9, 2005 and registered by the Deputy Inspector of Municipalities on November 22, 2005.

INTRODUCED and given first reading by the Trustees this 9th May 2012


RECONSIDERED and passed by the Trustees this 9th May 2012


Chair of the Trustees


Administrator-Officer

I hereby certify under the seal of the Ships Point Improvement District that this is a true copy of Bylaw No. 83 of the Ships Point Improvement District, passed by the Trustees on

Deputy Inspector of Municipalities

A true copy of By-Law No. 83
registered in the office of the Inspector
of Municipalities this 30th day of
August 20 12

Deputy Inspector of Municipalities

SHIPS POINT IMPROVEMENT DISTRICT

BYLAW NO. 67

A bylaw to provide for the establishment and operation of a fire department.

The Trustees of the Ships Point Improvement District ENACT AS FOLLOW:

1. In this bylaw, words and phrases shall be construed as specified hereunder:

“Apparatus” – means any vehicle provided with machinery, devices, equipment or materials for fire fighting and assistance response as well as vehicles used to transport firefighters or supplies.

“Board” – means the Trustees for the improvement district.

“Equipment” – means any tools, contrivances, devices or materials used by the fire department to combat an incident or other emergency.

“Fire Chief” – means the member appointed as head of the fire department

“Fire Protection” – means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development.

“Incident” – means a fire or situation where a fire or explosion is imminent and includes assistance response circumstances described in Section 7 or any other situation presenting a danger or possible danger to life or property and to which the fire department has responded.

“Member” – means any person that is a duly appointed member of the fire department.

2. There is hereby established fire department to known as the Ships Point Volunteer Fire Department.
3. The Fire Chief shall be appointed by the Board.
4. Other officers and members as the Fire Chief deems necessary, may be appointed to the fire department with approval of the Board.
5. The Fire Chief may appoint other officers of the fire department to act as Fire Chief on his behalf.
6. The limits of the jurisdiction of the Fire Chief, and the officer and members of the fire department will extend to the area and boundary of the improvement district, and no part of the fire apparatus shall be used beyond the limits of the improvement district without the express authorization of a written contract or agreement providing for the supply for firefighting services or assistance response outside the improvement district boundary.
7. In addition to any agreement to provide services beyond the boundary of the improvement district, at the direction of the Fire Chief, the fire department may respond to requests for assistance beyond the boundary of the improvement district.
8. The authority in Section 6 may only be exercised in relation to the following services:
 - (a) fire suppression
9. The authority in Section 6 may be only exercised if a local government does not provide the same service in that area.

10. The Fire Chief has complete responsibility and authority over the fire department subject to the direction and control of the Board to which he shall be responsible and in particular, he shall be required to carry out all fire protection activities, assistance response and such other activities as the Board directs including, but not limited to:
 - (a) first response to medical emergencies
 - (b) mutual aid to other fire services
 - (c) public service
11. The Fire Chief, subject to ratification by the Board, shall establish guidelines, policies and committees necessary for the proper organization and administration of the fire department, including, but not limited to:
 - (a) use, care and protection of fire department property
 - (b) efficient operations of the fire department
12. The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of all fire department apparatus, equipment or manpower assigned to an incident and where a member is in charge, he/she shall continue to act until relieved by an officer authorized to do so.
13. The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Services Act and regulations thereunder and shall assume or designate the responsibilities of the Local Assistant to the Fire Commissioner.
14. Officers and members of the fire department shall carry out duties and responsibilities assigned to the fire department by the Board, and the Fire Chief shall report to the board on the operations of the fire department or on any other matter in the manner designated by the Board.
15. The Board shall determine the remuneration of all members of the fire department.
16. Any member of the fire department may be suspended or discharged by the Fire Chief at any time he may deem such action necessary for the good of the fire department, provided however, that the member so discharged or suspended by the Fire Chief, may within seven days, appeal in writing to the Board which shall within two weeks hold a hearing and either order that the member so suspended or discharged be reinstated, or that the action of Fire Chief is confirmed.
17. The Fire Chief, or any other member in charge at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire.
18. The Fire Chief, or any other member in charge at an incident, is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment of the fire department to enter, as he deems necessary, in order to combat, control or deal with the incident.
19. The Fire Chief, or any other member in charge at an incident, is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the fire department and the apparatus and equipment of the fire department to enter or pass through or over buildings or property, where deemed necessary to gain access to the incident or to protect any person or property.
20. The Fire Chief, or the member in charge at an incident, may at his discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits.
21. No person shall enter the boundaries or limits of an area prescribed in accordance with section 20 unless he has been authorized to enter by the Fire Chief or the member in charge.

22. The Fire Chief, or member in charge, at an incident may request peace officers to enforce restrictions on persons entering with the boundaries or limits outlined in section 20.
23. No person at an incident shall impede, obstruct, or hinder a member of the fire department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
24. No person shall damage or destroy fire department apparatus or equipment.
25. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or member in charge.
26. No person shall falsely represent himself or herself as a fire department member.
27. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any incident, fire hydrant, cistern or body of water designated for fire fighting purposes.
28. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in extinguishing a fire, removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding or securing same and in demolishing a building of structure at or near the fire or other incident.
29. The Fire Chief or member in charge of an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident.
30. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provision of this bylaw, or who does any act or thing or omits an act or thing thus violating any or the provision in this bylaw shall be deemed to have committed an offence, and upon a summary conviction is liable to a penalty in accordance with the Offence Act.
31. This bylaw may be cited as the "Fire Department Establishment and Operations Bylaw."

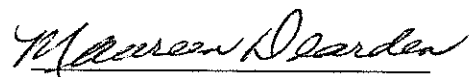
INTRODUCED and giving first reading by the Trustees on the 9th day of November, 2005.

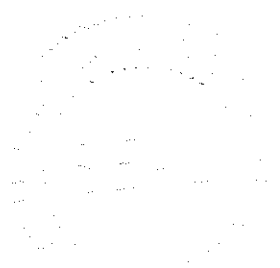
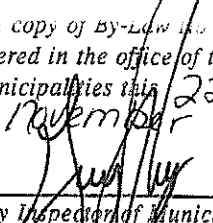
RECONSIDERED and finally passed by the Trustees on the 9th day of November, 2005.


Chairperson of the Trustees


Administrator-Treasurer

I hereby certify under the seal of Ships Point Improvement District that this is a true copy of Bylaw No. 67 of Ships Point Improvement District passed by the Trustees on the 9th day of November, 2005


Administrator-Treasurer


A true copy of By-Law No. 67
registered in the office of the Inspector
of Municipalities this 22nd day of
November 2005

Deputy Inspector of Municipalities