

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
BYLAW 2057

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A By-law to establish services to prevent and suppress  
fire, as well as other powers relating to hazards, dangerous  
conditions and public safety.

**WHEREAS** the Council of the Corporation of the City of White Rock under the authority of the *Community Charter* and of the *Fire Services Act* may provide services and requirements for the protection of persons and property;

**NOW THEREFORE**, the COUNCIL of the Corporation of the City of White Rock in open meeting assembled, enacts as follows:

1. In this Bylaw, unless the context otherwise requires:

"**Apparatus**" means any vehicle provided with machinery, devices, equipment of materials for firefighting as well as vehicles used to transport fire fighters or supplies.

"**Chief Administrative Officer**" (CAO) means the Chief Administrative Officer of the City of White Rock.

"**City**" means the Corporation of the City of White Rock.

"**Council**" means the elected Council of the Corporation of the City of White Rock.

"**Equipment**" means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

"**Extraordinary Waste**" means vegetation located on a property when it has become a health, fire or safety hazard.

"**Fire Chief**" means the person appointed to hold that position by Council.

"**Fire Protection**" means all aspects of fire safety including but not limited to fire prevention, firefighting or suppression, pre-fire planning, fire investigation, public education and information, training and/or other staff development and advising.

"**Incident**" means a fire, an explosion, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property or the environment and to which White Rock Fire Rescue has responded.

"**Member**" means any person appointed by the Fire Chief as a Member of the Department and includes without limitation the Officers, Firefighters, and administrative staff of the Department.

**"Officer"** means those members of White Rock Fire Rescue who are the Fire Chief, Deputy Fire Chiefs, Captains and Lieutenants or those members who are acting in the capacity as a supervisor or designated by the Fire Chief as an officer

## **2. OPERATIONS**

- 2.1** A City Fire Department is hereby established and will be known as the City of White Rock Fire Rescue Department hereinafter referred to as the "Fire Department".
- 2.2** The British Columbia Fire Code Regulations, hereinafter referred to as "the fire code", as amended from time to time, are hereby adopted and made applicable within the City.
- 2.3** The Fire Chief shall be appointed by a resolution of Council. The recommendation of the appointment of the Fire Chief is the responsibility of the CAO. The Fire Chief shall report to the CAO in respect of the management of the Fire Department and the condition of buildings, apparatus and equipment under the control of the Fire Department.
- 2.4.** The Fire Chief may appoint officers and members. The approved staffing may not be increased without the specific approval of Council.
- 2.5** The Fire Chief may designate other Officers of the Fire Department to act as Fire Chief on their behalf.
- 2.6** The limits of the jurisdiction of the Fire Chief, and the Officers and Members of the Fire Department will extend to the areas and boundaries of the City, and to the operation and control of fire apparatus and fire personnel of the White Rock Fire Department when used beyond the limits of the City for mutual response, either automatic or requested. Automatic mutual response shall be limited to those areas covered by the Surrey Fire Department. Requested response to any jurisdiction shall be with:
- (a) the express authorization of a written contract or agreement providing for the supply of firefighting and assistance response services outside the City's boundaries, or
  - (b) the approval of the CAO, Mayor or Council.
- 2.7** The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the Council and CAO to which he shall be responsible, and in particular, he shall be required to carry out all fire protection activities and such other activities as the CAO or Council directs including but not limited to:
- (a) Fire Suppression:
  - (b) First Response, Medical Emergencies:

- (c) **Rescue Operations:**  
To provide rescue operations in areas commensurate with the training levels of response personnel.
- (d) **Mutual Aid to Fire Services including Ministry of Forests:** To provide mutual aid as per agreements entered into from time to time and to provide mutual aid commensurate with available apparatus and manpower.
- (e) **Hazardous Materials (Dangerous Goods):**  
To provide a first responder awareness level response to any Hazardous Materials (Dangerous Goods) incident and to provide for response by competent personnel from industry and/or other jurisdictions to mitigate, confine and eliminate any hazard to life, environment, and property.
- (f) **Fire Prevention and Pre-Planning**
- (g) **Response to situations that present a danger or possible danger to life, property or the environment**
- (h) **Emergency Planning**

**2.8** The Fire Chief shall establish rules regulations, policies and committees necessary for the proper organization and administration of the Fire Department, including:

- (a) use, care and protection of City property;
- (b) the conduct and discipline of Officers and Members of the Fire Department;
- (c) efficient operations of the Fire Department

**2.9** The Fire Chief, or in their absence, their designate or 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, they shall continue to act until relieved by a Senior Officer.

**2.10** 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 the authority of the Local Assistant to the Fire Commissioner.

**2.11** The Fire Chief, or any Officer or Member authorized by the Fire Chief may at any reasonable time enter any premises for the purpose of Fire Protection matters.

**2.12** The Fire Chief, Officer, or Member in charge at an incident, 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 to other buildings, structures or things.

- 2.13** The Fire Chief, Officer, or Member in charge at an incident, is empowered to enter at any time, premises or property where the incident occurred and to cause any Member, apparatus or equipment of the Fire Department to enter, as they deem necessary, in order to combat, control or deal with the incident.
- 2.14** The Fire Chief, Officer, or Member in charge at an incident is empowered during the incident 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 over or through buildings structures or property where they deem it necessary to gain access to the incident or to protect any person or property.
- 2.15** The Fire Chief, Officer or Member in charge at an incident, may at their discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by them.
- 2.16** The Fire Chief, Officer or Member in charge at an incident, may request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 2.15 of this bylaw.
- 2.17** The Fire Chief may obtain assistance from other officials as they deem necessary in order to discharge their duties and responsibilities under this bylaw.
- 2.18** The Fire Chief, Officer or Member in charge at an incident is empowered to commandeer privately owned equipment which they consider necessary to deal with an incident.

The owner of property, equipment or premises where an incident originates must pay all costs, expenses and charges incurred by the City to commandeer the privately owned equipment.

- 2.19** No person shall enter the boundaries or limits of an area as prescribed in accordance with Section 2.15 of this bylaw unless they have been authorized to enter by the Fire Chief, Officer or Member in charge.

### **3. CONDUCT OF PERSON(S)**

- 3.1** 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, Officer or Member in charge.
- 3.2** No person shall damage, or destroy, or obstruct impede or hinder the operation of any Fire Department apparatus or equipment.
- 3.3** No person at or near an incident shall drive a vehicle over any equipment without the permission of the Fire Chief, Officer or Member in charge.

- 3.4** No person shall falsely represent himself as a member or wear or display any White Rock Fire Rescue Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.
- 3.5** 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 firefighting purposes.

#### **4. CONTAMINATION AND REPLACEMENT OF EQUIPMENT**

- 4.1** The Fire Chief may charge an owner or occupant of a premise for the replacement or repair of Fire Department equipment where as a result of an incident at or near their premises, such equipment has been damaged or contaminated by a hazardous substance or dangerous good, and will require decontamination, repair or replacement. This will be the actual repair or replacement cost. Failure for the owner or occupant to pay a fee charged within thirty (30) days will result in those costs being added to the property taxes of the owner of the property.

#### **5. FIRE PREVENTION**

- 5.1 OUTDOOR BURNING** - No person shall at any time start, light, ignite or burn, or knowingly permit or cause to be started, lighted, ignited or burn any fire of any kind in the open air or in any portable incinerator or other portable appliance or device in the open air, except where such fire is contained within an approved portable appliance or device that has been specifically designed to be fueled by propane, natural gas or charcoal.

For purposes of this section, an open air fire does not include:

- (a) fire training exercises approved by the Fire Chief;
- (b) fires necessary for public safety and approved by the Fire Chief;
- (c) fires for special circumstances and approved in advance in writing by the Fire Chief;

#### **5.2 RESIDENTIAL BURNING**

- (a) A person must not burn residential waste, including, without limitations, household waste and yard materials, indoors or in the open air under any circumstances.
- (b) A person must not fuel a residential fireplace or woodstove with any material other than seasoned firewood or similar material designed for that use and that does not contain painted or adhesive materials.

### **5.3 ACCUMULATION OF COMBUSTIBLES**

- (a) No occupier or owner shall cause or permit wastepaper, grass, weeds, litter or other combustible material, waste or rubbish to accumulate on a roof or in a yard, vacant lot, carport, garage or open space
- (b) Every occupier or owner shall ensure that all brush, vines or other growth, which may catch fire and endanger property are cut down and removed from the property.
- (c) The Fire Chief or a Member may order an occupier or owner to take certain measures to comply with this Section. If a person who has been delivered such an order fails to comply fully within the time specified in the order, the Fire Chief may cause or direct the work to be carried out by the City through its employees or contractors, and in that event, the occupier or owner shall be responsible for all costs and expenses incurred by the City as set out on an invoice.

### **5.4 FIRE SAFETY PLAN REQUIREMENTS**

- (a) Every occupier of a building, site, storage area or other area for which a Fire Safety Plan is required by the Fire Code shall submit a Fire Safety Plan to the Fire Department for approval.
- (b) Every occupier submitting a Fire Safety Plan to the Fire Department for review shall pay the applicable fee prescribed in the City's approved Fees and Charges Bylaw.
- (c) Every Fire Safety Plan shall conform to the requirements of the Fire Code and shall be submitted in a form acceptable to the Fire Chief.
- (d) Every occupier of premises where a Fire Safety Plan is required, shall review the Fire Safety Plan annually and either submit an updated plan to the Fire Department for review or provide notification to the Fire Department that no updated plan is required. Where changes are to be made to the Fire Safety Plan, the revised plan shall first be submitted to the Fire Department for review and approval.
- (e) If an occupier fails to submit a Fire Safety Plan as required by this bylaw, they may be issued a ticket under the City's approved Ticketing for Bylaw Offences Bylaw.

## **5.5 FIRE PROTECTION EQUIPMENT**

### **Buildings**

- (a) In respect of every building or occupancy, Fire Protection Equipment must be installed and maintained in accordance with good engineering practices and in accordance with the codes and standards
  - i) Set out in the *British Columbia Building Code* and *BC Fire Code* as amended, from time to time; and
  - ii) Published by the National Fire Protection Association as amended from time to time;
- (b) Where the design or construction of a new or existing building may cause poor communications for firefighting and rescue operations, or where the owner is directed to do so by the Fire Chief, the owner shall, at the owners cost, ensure that an engineered communications system, compatible with Fire Department radio communications and acceptable to the Fire Chief, is installed and maintained on the building.

## **5.6 INSPECTION FEE COST RECOVERY**

- (a) Where violation(s) under the *Fire Code*, *Fire Services Act* or this Bylaw are observed upon inspection of a premises, an Officer may issue an order requiring that the violation(s) be corrected within a specified time period and advising of a return date for a re-inspection. If upon re-inspection the order has not been complied with and the violations corrected, the owner or occupier of the premises shall pay the applicable re-inspection fee prescribed in the City's current Fees and Charges Bylaw, for that re-inspection and for each re-inspection required thereafter until the violations are corrected.
- (b) If any additional inspection is requested or required during an inspection period, a fee shall be charged for each additional inspection. The charge is subject to a cost recovery in accordance with the City's current Fees and Charges Bylaw. Failure for the owner or occupant to pay a fee charged within thirty (30) days will result in those costs being added to the property taxes of the owner of the property.
- (c) **Remedial Orders**  
The Fire Chief or an Officer designated by them are hereby authorized and empowered to issue orders in writing requiring the correction or removal of any condition or thing in or about any building or structure which is in contravention of this Bylaw, and every owner or occupant of same shall carry out of every requirement of the order.
- (d) **Dating of Orders**  
Every order issued by the Fire Chief or an Officer designated by them pursuant hereto shall state a date by which the order shall be carried out, which date shall in the discretion of the issuer, have regard to the degree or urgency

involved in correcting or removing conditions which may tend to increase the hazard of fire or danger to life and property.

(e) **Enforcement Orders**

If the Fire Chief finds that any provision of this bylaw has been contravened or has not been complied with or has been complied with improperly or only in part, or that conditions exist in or about a building or property to which the bylaw applies and which constitutes a fire hazard or otherwise constitutes a hazard to life or property or both, he or she may make an order to ensure full and proper compliance with this bylaw and, in particular, but without limiting the generality of the foregoing, he or she may:

- i) make to the owner, occupier or lessee of the building or property such recommendations to correct the contravention or to ensure compliance with this bylaw or to remove the hazards referred to in the bylaw; or
- ii) make orders with respect to any of the matters referred to this in the bylaw; and
- iii) if the owner does not comply with sentences (1) and/or(2) above, the Fire Chief may take appropriate action to mitigate the hazard and may recover the costs and expenses from the owner or occupier.

## **5.7 CONTACT PERSONS**

(a) Every registered owner and occupier of real property or either of them that has a fire alarm system or a monitored or unmonitored automatic fire sprinkler system installed on premises on the property, or both, must submit to the Fire Chief, in a prescribed form, the name and telephone number of at least one person (the "Contact Person") who is available to attend, enter and secure the premises in the event that either system is activated and the Fire Department attends at the property. The Contact Person form must be updated on the earlier of every twelve months and the date on which the Contact Person is changed. The Contact Person must:

- i) normally reside and work in the areas that will allow the Contact Person to reach the premises within 45 minutes under normal conditions;
- ii) be familiar with the premises and have possession of any keys, passcards, security codes and any other required entry devices or information to gain access to and re-secure the premises; and
- iii) have full authority to take possession and control of the premises and property from the Fire Department once an incident is concluded.

(b) If a Contact Person is notified of an incident on the premises by the Fire Department, that person must attend at the premises from which the alarm originated within 45 minutes of notification.



- (c) Any owner or occupier, or both as the case may be, that fails or whose Contact Person fails to comply with Sections 5.7(a) and 5.7(b) will pay the fees prescribed in the City's current Fees and Charges Bylaw.

## **5.8 ADDRESSING OF OCCUPANCIES**

- (a) Each premise must be individually addressed. An individual address must be legible from a distance of 15 meters and placed on new or existing buildings or structures in such a position as to be plainly visible and legible from the street, road, fire lane or other right of way or easement and at the front of the structure.
- (b) Sizing of Address - The letters or numbers of any address shall be a minimum of 127 mm in height and no less than 12.7 mm width.

## **5.9 SECURING FIRE DAMAGED OR VACANT BUILDINGS**

- 5.9.1** Where a fire has occurred in a building or structure which, in the opinion of the Fire Department has rendered entry to that building or structure unsafe, it is the registered owner's responsibility to immediately secure the building or structure in a manner sufficient to prevent entry to the same.

The City may, after making reasonable efforts to contact the registered owner or occupant of the building or structure or the Contact Person where applicable, to advise them of the need to secure the building or structure under this section, instruct its employees or agents to board up the building or structure to the extent required by this section.

The registered owner of the property on which the building or structure is situated shall be liable for the cost of securing and boarding the building or structure.

Every registered owner of the property on which a vacant building or structure is located must comply with Section 2.4.6 of the Fire Code which requires that the building or structure be secured against unauthorized entry. Where a registered owner fails to meet the requirements of this section, the City may, after making reasonable efforts to contact the registered owner of the vacant building or structure or the Contact Person where applicable, to advise them of the need to secure the vacant building or structure under this section, instruct its employees or agents to board up the vacant building or structure to the extent required by this section. The registered owner of the property on which the vacant building or structure is situated shall be liable for the cost of securing and boarding the building or structure.

## **6. FIRE HYDRANTS**

### **6.1 Clearance Around Hydrants**

Every owner shall ensure that an area with a radius of one (1) metre is maintained clear and unobstructed around each fire hydrant, and in clear view from the roadway when approached from either direction.

An area having a radius of one (1) metre around every fire hydrant or standpipe shall be maintained clear and unobstructed and every hydrant or standpipe shall be located in clear view from roadway while being approached from either direction. Where an owner of a property has a fire hydrant located adjacent to their property, the maintenance of clearance around the hydrant is the responsibility of the registered owner of the property. The standard for clearance around a hydrant is regulated by the Fire Code.

## **7. FIRE INVESTIGATION FEE COST RECOVERY**

**7.1** For every incident where damage is in excess of five thousand dollars (\$5,000) and for which a Fire Investigation and Fire Investigation report must be completed by the Fire Chief or an Officer designated by the Fire Chief in accordance with the *Fire Services Act*, a charge or fee for the investigation may be levied against the owner of the structure where the damage occurred, in accordance with the City's current Fees and Charges Bylaw.

## **8. OFFENCES AND PENALTIES**

**8.1** A person who:

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

commits an offence and upon conviction shall be liable to a fine of not more than ten thousand dollars (\$10,000) and where the offense is a continuing one, each day that the offense is continued shall constitute a separate offence.

The City may enforce the provisions of this Bylaw through the issuance of a ticket under the City's current Ticketing for Bylaw Offences Bylaw.

In the event that an Owner fails to pay the costs for which they are responsible under this Bylaw before the 31<sup>st</sup> day of December in the year in which the compliance was effected and the invoice issued, the *Community Charter* provides that such costs will then be deemed to be taxes in arrears on the Property.

**9. SEVERABILITY**

- 9.1** If any portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed portion.
- 10.** This Bylaw shall come into full force and effect on its adoption by Council.
- 11.** "*White Rock Fire Department Establishment and Regulation Bylaw, 1998, No. 1479*" and all amending bylaws pertaining to it are hereby repealed in their entirety.
- 12.** This Bylaw may be cited as "*White Rock Fire Protection and Safety Bylaw, 2014, No. 2057.*"

RECEIVED FIRST READING on the 31<sup>st</sup> day of March, 2014

RECEIVED SECOND READING on the 31<sup>st</sup> day of March, 2014

RECEIVED THIRD READING on the 31<sup>st</sup> day of March, 2014

RECONSIDERED AND FINALLY ADOPTED on the 14<sup>th</sup> day of April, 2014



MAYOR



CITY CLERK