
PART 5 - POLICE AND FIRE REGULATIONS
Division 1 - Fire Protection

Subdivision 1 – Interpretation

- 5.1.1. 1. Unless the context otherwise requires, all words and phrases in this Division shall be construed in accordance with the meaning assigned to them in the *Building Code*, the *Fire Services Act*, and the *Fire Code*.

Subdivision 2 - Definitions

- 5.1.2. “APPARATUS” means any vehicle provided with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport firefighters or supplies.

“ASTTBC” means Applied Science Technologists and Technicians of British Columbia which is a self-governing, professional association pursuant to the *Applied Science Technologists and Technicians Act*, RSBC 1996, c 15.

“AUTOMATIC FIRE SPRINKLER SYSTEM” means all equipment forming part of or used in connection with a fire sprinkler system, including without limitation all heads, valves, piping, switches, sensors, relay equipment, and other accessories.

“BUILDING CODE” means the *British Columbia Building Code Regulation*, B.C. Reg 264/2012.

“BUILDING” means any Structure used or intended for supporting or sheltering any use or occupancy.

“CERTIFICATE OF QUALIFICATION” means a certificate issued by a provincial safety manager to an individual who provides evidence of knowledge and ability to do regulated work in a manner that meets the requirements under *the Safety Standards Act* S.B.C. 2003, c. 39, and which allows an individual to perform regulated work in British Columbia within the scope of the certificate.

“CHIEF ADMINISTRATIVE OFFICER” means the individual appointed by Council as the Chief Administrative Officer or who holds the position of Chief Administrative Officer of the Municipality, or his or her lawful deputy, assistant Chief Administrative Officer or Acting Chief Administrative Officer.

Subdivision 2 – Definitions (Continued)

- 5.1.2. “CONSTRUCTION” means any aspect of construction, including but not limited to alteration, erection, installation, demolition, repair, or renovation of any Building or Structure(s) within the Municipality.
- “CONTACT PERSON” means a person designated by the Owner or Occupier of a Premises at which a Fire Alarm System of an Automatic Fire Sprinkler System is installed who is able to attend the Premises when the Fire Alarm System has been activated.
- “DANGEROUS GOODS” means any product, substance or organism defined as a “dangerous good” pursuant to the *Transportation of Dangerous Goods Act*, 1992, S.C. 1992, c. 34 and its regulations.
- “FALSE ALARM” means the activation of a Fire Alarm System resulting in the direct or indirect notification of the Fire Department to attend the address of the Fire Alarm System and where a Member does not find any evidence of an Incident at that Premise.
- “FIRE ALARM SYSTEM” means a device or devices installed and designed to issue a warning of a fire by activating an audible alarm signal and alerting a monitoring facility, but does not include a fire alarm or Smoke Alarm that is intended to alert only the Occupants of the Building or Suite in which it is installed.
- “FIRE CHIEF” means the person appointed by the Chief Administrative Officer as head of the Fire Department and any other person authorized to act on behalf of that person.
- “FIRE CODE” means the *British Columbia Fire Code Regulation*, BC Reg 263/2012.
- “FIRE COMMISSIONER” means the person appointed by the Lieutenant Governor in Council to administer the *Fire Services Act*.
- “FIRE DEPARTMENT” means the District of Kitimat Fire and Ambulance Service.
- “FIRE EXTINGUISHER” means a fully charged and operable fire extinguisher suitable for use on Class A or B or C fires, as defined by the Canadian Underwriter’s Association.

Subdivision 2 – Definitions (Continued)

5.1.2. “FIRE PIT” means a non-combustible receptacle constructed of cement, brick or metal.

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

“FIRE PROTECTION TECHNICIAN” means a person certified by ASTTBC or other recognized certification agencies acceptable to the Fire Chief, to inspect and test Fire Safety Systems and:

- a. For the purpose of inspecting, testing and maintenance of Fire Alarm Systems, the Fire Protection Technician must be either:
 - i. A licensed electrical contractor in good standing with the BC Safety Authority; or
 - ii. An individual holding a valid electrical Certification of Qualification, working under the holder of the facilities electrical operating permit.
- b. For the purpose of inspecting, testing and maintenance of Automatic Fire Sprinkler Systems, the Fire Protection Technician must be an individual holding a valid Sprinkler Fitter Certificate of Qualification.

“FIRE SAFETY PLAN” means a set of emergency procedures and guidelines to be followed by the Occupants of a Building in the event of a fire and may include without limitation the location of utilities and emergency shutoffs for gas and water, and operational information of a Fire Safety System.

“FIRE SAFETY SYSTEM” includes without limitation, Fire Alarm Systems, Smoke Alarms, Automatic Fire Sprinkler Systems, special extinguishing systems, portable Fire Extinguishers, fire hydrants, water supplies for Fire Protection, standpipe and hose systems, and fixed pipe fire suppression systems in commercial cooking exhaust systems, smoke control measures and emergency power installations.

“FIRE SERVICES ACT” means the *Fire Services Act*, RSBC 1996, c 144.

Subdivision 2 – Definitions (Continued)

5.1.2. “FIRE WATCH” means the assignment of a person or persons to an area for the express purpose of notifying the Fire Department, the Occupants of a Premises or both of an emergency, preventing a fire from occurring, extinguishing small fires or protecting the public from fire or life safety dangers.

“HAZARDOUS PRODUCT” means any product, material or substance defined as a “hazardous product” or “controlled product” pursuant to the *Hazardous Products Act*, RSC, 1985, c H-3.

“INCIDENT” means an accident, occurrence or emergency and includes, but is not limited to, a fire, an explosion, a natural disaster, the escape or spill of Dangerous Goods or Hazardous Products, a transportation-related accident, and necessity rescue efforts or medical emergencies.

“INCIDENT RESPONSE” means all activities undertaken by the Fire Chief and Members to respond to an Incident.

“LIMITED FIRE SERVICE AREA” shall mean those lands that are for the development, construction, and operation of a liquefied natural gas production and export project facility, and/or smelting and production of aluminum. These lands are bounded East and South of Alcan Way, West of the Kitimat River, South of Ocelot Road, and North of the Northside of Hospital Beach and more particularly as legally described in Schedule A, which is attached hereto and forms part of this bylaw.

“LIMITED FIRE SERVICE PROTECTION STANDARDS” shall mean fire service provided as a secondary responder only and more particularly in a supportive role to already established site fire prevention and protection equipment and personnel.

“MEMBER” means any person appointed by the Fire Chief as a member of the Fire Department and who is an employee of the Municipality.

“OCCUPIER” includes the registered Owner and or any lessee, agent, tenant and licensee or any other person who has the right of access to and control of a Building or Premises.

Subdivision 2 – Definitions (Continued)

5.1.2. “OFFICER” means those Members of the Fire Department who are the Fire Chief, Deputy Fire Chief and Captains or those Members who are acting in the capacity as a supervisor or designated by the Fire Chief as an Officer.

“OFFICER IN COMMAND” means the most senior Officer in attendance at an Incident Response and in the event that no Officer is in attendance at an Incident Response, the most senior Member in attendance at that Incident Response.

“OPEN BURNING” means a fire in the open air but does not include the combustion of gas, propane, or charcoal in a barbecue or hibachi for the purpose of cooking food or where the products of combustion are conveyed to and disposed of by means of a chimney in a Structure constructed and maintained in accordance with the *Building Code*.

“ORDER” means an order from the Fire Chief requiring the correction or removal of any condition or thing in or about any Building or Structure or on a Premises which is in contravention of this bylaw and or the *Fire Code*.

“PREMISES” means the whole or part of a lot of real property and any Building or Structure or portion of a Building or Structure on the real property.

“PRIVATE HYDRANT” means a fire hydrant on private property or common property within a strata property.

“SMOKE ALARM” means a combined smoke detector and audible alarm device designed to sound an alarm within the room in which it is located upon detection of smoke within the room or Suite in which it is located upon the detection of smoke within that room or Suite.

“STRUCTURE” means a Construction or portion thereof, of any kind, whether fixed to, supported or sunk into land or water, except landscaping, fences, paving and retaining structures less than 1.22 metres in height.

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Subdivision 2 – Definitions (Continued)

- 5.1.2. “SUITE” means a single room or series of rooms of complementary use, operated under a single tenancy, and includes individual guest rooms in motels, Hotels, boarding houses, rooming houses and dormitories.

Subdivision 3 - Scope of the Department

- 5.1.3. 1. The Fire Department is hereby continued for the purpose of providing fire suppression, first medical response, fire inspections, fire investigations, public education, fire training, emergency management, and rescue services as set out in this bylaw.

Subdivision 4 - Jurisdiction of the Fire Department

- 5.1.4. 1. The Fire Department may take all necessary measures for the prevention, inspection, investigation, suppression, control and extinguishment of fires and for the protection of life and property, including rescue and hazmat awareness level operations and the administration of medical services for which all Members have been trained.
2. The limits of the jurisdiction of the Fire Chief and Members of the Fire Department will extend to the area and boundaries of the Municipality, and neither the Fire Chief nor Members shall supply fire-fighting services or respond to an Incident nor shall any Apparatus or equipment be used outside the boundaries of the Municipality without the consent of the other local government, a request for assistance pursuant to the *Emergency Program Act*, R.S.B.C. 1996, c. 111, or express authority pursuant to a written agreement between the Municipality and the other local government providing for the supply of fire-fighting, Incident Response or inspection services outside the municipal boundaries.
3. In the event a request for the deployment of road rescue services outside the Municipality, an emergency response task number from Emergency Management BC (EMBC) must be obtained prior to response.

Subdivision 5 - Appointment and Powers of the Fire Chief

- 5.1.5.
1. The Fire Chief, subject to guidance from the Chief Administrative Officer, shall establish rules and regulations, policies and committees necessary for the proper and efficient organization and administration of the Fire Department.
 2. The Fire Chief, subject to guidance from the Chief Administrative Officer, shall establish rules and regulations, policies and committees necessary for the proper and efficient organization and administration of the Fire Department.
 3. The Fire Chief shall be responsible for the management, control and supervision of the Fire Department, for all Members and discipline thereof, and for the care, custody and control of all property, Apparatus and equipment of the Fire Department.
 4. The Fire Chief may appoint other Officers and Members as the Fire Chief deems necessary to the Kitimat Fire Department, subject to the approval of the Chief Administrative Officer.
 5. The Fire Chief shall take responsibility for all Fire Protection matters, including the enforcement of applicable sections of the Fire Services Act and regulations thereunder, including the Fire Code, and shall assume the responsibilities of the Local Assistant to the Fire Commissioner under the *Fire Services Act*.
 6. The Fire Chief may appoint or designate other Officers of the Fire Department to act as Fire Chief on his or her behalf and may, in writing, authorize Officers to exercise the powers of a Local Assistant to the Fire Commissioner under the *Fire Services Act*.
 7. The Fire Chief shall report to Council through the Chief Administrative Officer on the operations of the Fire Department or on any other matter in the same manner.
 8. Council authorizes the Fire Chief to exercise all the powers of the Fire Commissioner under Section 25 of the *Fire Services Act* and for these purposes that section applies.

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Subdivision 6 - Responsibility of the Officers and Members

- 5.1.6.
1. The Deputy Fire Chief shall report to the Fire Chief and, in the absence of the Fire Chief, shall have the powers and shall perform the duties of the Fire Chief as directed or assigned.
 2. Members shall assist the Fire Chief in carrying on the duties and responsibilities assigned to the Fire Department by Council, as set out in this bylaw or any applicable other bylaw, statute or regulation.
 3. Members shall comply with the policies, procedures, rules and regulations of the Fire Department, and a Member that fails to comply with the policies, procedures, rules and regulations of the Fire Department may be subject to discipline as deemed appropriate and administered by the Fire Chief.

Subdivision 7 - Control, Direction and Management

- 5.1.7.
1. The Fire Chief, or in the absence of the Fire Chief the senior ranking Officer or 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, that Member shall continue to act in that capacity until relieved by an Officer authorized to do so.
 2. The Fire Chief and Members are authorized to enter onto property and into any Building, Structure or Premises, including those adjacent to an Incident, with or without Apparatus and equipment, to take measures to prevent and suppress fires or respond to some other form of Incident.

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Subdivision 8 - Powers of the Fire Chief and Members in Providing Incident Response

- 5.1.8. 1. For the purpose of providing an Incident Response:
- a. The Fire Chief and the Officer in Command may issue an Order for the demolition or removal of all or part of a Building or Structure involved in, or in proximity to, an Incident if deemed necessary by the Fire Chief or Officer in Command to prevent or suppress a fire or to protect the public.
 - b. The Fire Chief and the Officer in Command may issue an Order for the evacuation of any Building or area where there is an emergency arising from a fire hazard, risk of explosion, or a panic.
 - c. The Fire Chief and the Officer in Command may establish one or more limited entry areas in the vicinity of an Incident and prohibit any person from entering such limited areas without proper authorization.
 - d. The Fire Chief and the Officer in Command at an Incident may commandeer privately owned equipment which he considers necessary to deal with an Incident.
 - e. The Fire Chief and the Officer in Command may obtain assistance from other officials of the District as deemed necessary.

Subdivision 9 - Conduct of Persons at an Incident

- 5.1.9. 1. A person at or near an Incident shall comply with the directions of the Fire Chief or Member and shall, upon request of a Member, provide information and assistance with respect to the Incident.

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Subdivision 10 - Obstruction

- 5.1.10. 1. No person shall impede, hinder or obstruct the Fire Chief or a Member, or any person under the direction of the Fire Chief or Member, in providing Incident Response, and without limiting the generality of the foregoing, no person shall:
- a. Obstruct or prevent entry to a Building, Structure or Premises where the Fire Chief or a Member has reasonable grounds to believe that an Incident exists.
 - b. Damage or destroy Fire Department Apparatuses or equipment.
 - c. Obstruct or otherwise interfere with access roads or streets or other approaches to any Incident, fire hydrant cistern or body of water that may be utilized for firefighting purposes.
 - d. Drive a vehicle over any Fire Department Apparatus or equipment without permission from the Fire Chief or Officer in Command.
 - e. Falsely represent themselves as the Fire Chief or Member of the Fire Department or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.

Subdivision 11 - Fire and Sprinkler Alarms

- 5.1.11. 1. An Occupier of a Building or Premises at which a Fire Alarm System or Automatic Fire Sprinkler System is installed must provide to the Fire Department and maintain a current list of three (3) Contact Persons who are available to receive telephone calls from the Fire Department in the event that a Fire Alarm System or an Automatic Fire Sprinkler System at the Occupier's Building or Premises is activated. When contacted, a Contact Person shall:
- a. attend the address of the Building or Premises with the Fire Alarm System or Automatic Fire Sprinkler System within thirty (30) minutes of being requested to do so by the Fire Department;

Subdivision 11 - Fire and Sprinkler Alarms (Continued)

- 5.1.11 1.
- b. provide the Fire Department access to the Building or Premises where the Fire Alarm System or Automatic Fire Sprinkler System has been activated; and
 - c. operate the Fire Alarm System and Automatic Fire Sprinkler System and take control of and secure the Building or Premises where the Fire Alarm System or an Automatic Fire Sprinkler System has been activated.
2. When a Fire Alarm System or an Automatic Fire Sprinkler System has been activated and none of the three designated Contact Persons for the Premises can be reached or are unable to attend the Building or Premises, the Fire Department will forcibly enter the Premises at which the Fire Alarm System or an Automatic Fire Sprinkler System is activated to suppress a fire or determine the cause of the alarm.
3. Where the Fire Department is unable to establish contact with any of the Contact Persons or none of the Contact Persons attend the Premises within thirty (30) minutes of being requested to do so by the Fire Department, the Fire Department will secure the Building or Premises or provide security or remain on standby until the Building or Premises can be secured. The Owner of the Building or Premises shall be liable to the Municipality for the cost of security or securing the Premises as set out in Schedule A of this bylaw.
4. No Occupier of any Building or Premises where there is a Fire Alarm System or an Automatic Fire Sprinkler System shall service, test, repair, adjust, alter, or install any parts or items of the Fire Alarm System or Automatic Fire Sprinkler System which might activate a False Alarm without first notifying the Fire Department and the alarm monitoring company. Upon completion of any work performed on Fire Alarm System or Automatic Fire Sprinkler System the Occupier shall complete a local test or send a test signal to the Fire Department or monitoring company to confirm the Fire Alarm System or Automatic Fire Sprinkler System has been returned to working order.

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Subdivision 11 - Fire and Sprinkler Alarms (Continued)

5.1.11

5. An Occupier of a Building or Premises which has a Fire Alarm System or Automatic Sprinkler System shall notify the Fire Department immediately of a False Alarm.
6. An Owner of a Premises in respect of which more than three (3) False Alarms occur in any twelve (12) month period shall pay the fee prescribed in Schedule A to this bylaw for the attendance of the Fire Department.

Subdivision 12 - Inspections

- 5.1.12.
1. The Fire Chief and Members are authorized to enter onto property and inspect a Building, Structure or Premises to determine whether all regulations, prohibitions and requirements are being met in relation to any matter contained in this bylaw, the Fire Services Act and its regulations and the Fire Code.
 2. The Fire Chief and Members are authorized to enter into or onto property and into any Building, Structure or Premises, with or without Apparatus and equipment, to inspect for conditions that may cause a fire, increase the danger of a fire, or increase the danger to persons or property from a fire.

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Subdivision 13 - Orders

- 5.1.13. 1. In addition to the power to issue Orders pursuant to any other section of this bylaw, the Fire Chief and any Member authorized by the Fire Chief has the authority to issue one or more written Orders to an Occupier of a Premises requiring the Occupier to undertake any actions or remove or reduce any thing or condition that the Fire Chief or the Member authorized by the Fire Chief considers necessary to remove a fire hazard or reduce the danger of fire.
2. In addition to the power to issue an Order pursuant to any other section of this bylaw, and after inspection of a Premises, the Fire Chief or his designate may issue one or more written Orders to:
- a. the Owner of the Premises to remove or destroy a Building or Structure on the Premises;
 - b. the Occupier of the Premises to repair the Premises;
 - c. the Occupier of the Premises to alter the use or occupancy of the Premises;
 - d. the Occupier of the Premises to remove or keep securely the combustible or explosive material or remedy flammable conditions on the Premises; and
 - e. the Occupier of the Premises to remove or take proper precautions against a fire hazard present at the Premises.

Subdivision 14 - Duration of an Order

- 5.1.14 1. An Order shall state a date by which the Order shall be carried out, which date may, in the discretion of the Fire Chief, be fixed having regard to the degree of urgency involved in correcting or removing conditions which may tend to increase the hazard of fire or damage to life and property.

Subdivision 15 - Appeal of an Order

- 5.1.15 1. A person to whom an Order has been issued pursuant to this bylaw may, before the expiration of forty-eight (48) hours after receipt of the Order, appeal to the Fire Chief, who shall review the Order and issue a written decision to either amend, revoke or confirm the Order or substitute another Order within five (5) days.

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Subdivision 16 - Re-Inspection and Compliance with Orders

- 5.1.16
1. A person to whom an Order has been issued pursuant to this bylaw shall comply with the terms of the Order by the date specified in the Order.
 2. If upon re-inspection the Occupier of a Premises has not complied with an Order, a fee may be charged for that re-inspection and each additional re-inspection. Failure for the Owner or Occupier to pay a fee imposed under this section will result in those costs being added to the property taxes of the Owner of the Premises subject to the Order.
 3. If the person subject to an Order fails to comply with the terms of the Order, the Municipality may carry out the work required on the Premises subject to the Order at the sole cost and expense of the Owner of the Premises. The Municipality's costs may be collected in the same manner and with the same remedies as property taxes and if they are due and payable by December 31 and unpaid on that date, are deemed to be taxes in arrears.

Subdivision 17 - Inspection Reports

- 5.1.17 1. The Fire Chief may require information or the production of documents relevant to the Fire Safety System of a Building. Every person who is required under a provision of the *Fire Code* to perform or cause to be performed, annually or less frequently than annually, an inspection or test of a Fire Safety System or any component thereof shall ensure that:
- a. the inspection or test is performed by a Fire Protection Technician and in accordance with the *Fire Code*; and
 - b. the inspection or test is recorded or the component of the Fire Safety System is tagged or labelled in accordance with the Fire Code and the rules, regulations and bylaws of the ASTTBC.
2. Every person who owns, controls or otherwise has charge of a Fire Safety System must notify the Fire Chief if at any time such system is inoperable or taken out of service and must notify the Fire Chief again once service is restored.
3. Every Fire Protection Technician who inspects or maintains Fire Safety Systems shall use the appropriate inspection/testing form approved by the ASTTBC and must forward a copy of the completed form upon completion of the inspection or maintenance to the Occupier of the Building. The Occupier shall provide a copy to the Fire Chief upon request.
4. The Occupier of every Building that is equipped with a Fire Safety System that is not continuously monitored shall ensure that at each manual fire alarm pull station a permanent sign is mounted that reads:
- LOCAL ALARM ONLY – IN CASE OF FIRE, DIAL 9-1-1
- The sign shall not be less than 50 mmm by 100 mm in size and be printed on permanent red on white or white on red plastic laminate or equivalent material.
5. The Occupier of a Building for which the Fire Safety System is tested and inspected under this section shall retain records of such tests inspections for 2 years or the interval between tests/inspections, whichever is greater.

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Subdivision 18 - Fire Department Frequency of Inspections

- 5.1.18
1. The authority and duty of Council under the *Fire Services Act* to establish, revise and implement a regular system of inspections of hotels and public buildings in the Municipality shall be established by Council policy, and shall provide different frequencies of inspection depending on a Building's *Building Code* building classification, its use, age and fire risk assessment.
 2. The Fire Chief may amend the frequency of inspection schedule from time to time.
 3. The Fire Chief shall report to Council when requested by Council on the inspection system created and implemented under this section.

Subdivision 19 - Fire Hazard Regulations

- 5.1.19
1. Every Occupier of a Building shall submit to the Fire Chief a Fire Safety Plan on a form and diagram template acceptable to the Fire Chief.
 2. Every Occupier of a Building shall review the Fire Safety Plan every year and submit all updates to the Fire Safety Plan to the Fire Chief.
 3. No Occupier shall allow excessive growth of weeds, grass, vines or other growth which in the opinion of the Fire Chief creates a fire hazard or endangers any property.

Subdivision 20- Accumulation of Combustibles

- 5.1.20
1. No Occupier shall allow a Premises to accumulate noxious waste, yard and garden waste, land clearing debris or any other material that in the opinion of the Fire Chief creates a fire hazard.

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Subdivision 21 - Outdoor Storage of Waste Containers

- 5.1.21 1. All containers used for the disposal, removal or storage of garbage, refuse, building debris, papers or combustibles for which the circumference or perimeter of the receptacle of the container is greater than 1.5 meters shall:
- a. have lids kept closed at all times unless otherwise approved by the Fire Chief; and
 - b. not be located within
 - i. five (5) metres of any combustible Building or Structure, unless stored within a non-combustible Structure or in a location approved by the Fire Chief; or
 - ii. one (1) metre of any combustible Building or Structure unless the container is fabricated from non-combustible materials, with a secure self-closing lid and is not equipped with a hold-open device.
2. No person shall allow combustible waste material or garbage to remain longer than forty-eight (48) hours in any street, lane, alley or sidewalk located so as to constitute a fire hazard to any property.

Subdivision 22 - Open Air Burning

- 5.1.22 1. No person shall light, ignite, start, or maintain an Open Burning or any fire in any portable incinerator, outdoor fireplace, outdoor solid-fuel-combustion appliance, or other portable appliance or device in the open air for any purpose.
2. Despite section 5.1.22.1, a person may light, ignite, start or maintain an Open Burning if the fire is:
- a. fueled by a propane heater;
 - b. a camp fire in a designated Fire Pit in Radley Park and Hirsch Creek Park;
 - c. a backyard fire for recreational purposes subject to the following provisions:
 - i. the zoning designation of the Premises pursuant to Part 9 of the Code must allow for a Fire Pit;

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Subdivision 22 - Open Air Burning (Continued)

- 5.1.22 2. c.
- ii. fires must be contained in a Fire Pit that is a non-combustible receptacle constructed of cement, brick or metal;
 - iii. a maximum one Fire Pit per property;
 - iv. the Fire Pit shall be no larger than 1 meter in diameter in R1-A, R1-B, R1-C, R2-A and R2-B residential Zones (Single Family and Two Family Residential);
 - v. the Fire Pit shall be no larger than 1.5 meters in diameter in the G3, G3-A, G3-B, G4, G4-A and G5-A Zones (Small Holdings, Recreation, Rural Resort and Forestry Transitions);
 - vi. Fire Pits must be a minimum of 3 meters from any Building, Structure, fence or standing timber;
 - vii. only cut, seasoned wood, charcoal or commercially fabricated fire place logs shall be burned in a Fire Pit;
 - viii. all fires in a Fire Pit must be supervised at all times by a person at least 18 years old;
 - ix. at any time a fire is burning, extinguishment capabilities and resources must be in the immediate vicinity of the Fire Pit;
 - x. smoke from Fire Pits shall not create a nuisance to other properties; and
 - xi. any fire in a Fire Pit must be extinguished immediately if direction to extinguish the fire is given by a Member, RCMP Officer or a bylaw Officer of the Municipality; and
- d. authorized by a permit issued by the Fire Chief.
3. No person shall light, ignite, start or maintain an Open Burning before 8:00 AM and every person shall completely extinguish an Open Burning by 11:00 PM.
4. Every person who lights, ignites, starts, or maintains an Open Burning permitted by this bylaw or a permit issued under this bylaw shall establish and maintain a Fire Watch.

Subdivision 22 - Open Air Burning (Continued)

5.1.22

5. If the Fire Chief is of the opinion that hazardous fire conditions or a health and safety hazard to the public exist or the Fire Chief deems it otherwise expedient to do so, the Fire Chief may issue a directive prohibiting some or all Open Burning permitted by this bylaw or a permit issued under this bylaw within the boundaries of the Municipality and may suspend or revoke any burning permit.
6. Every Owner who lights, ignites, starts or maintains or permits to be lit, ignited, started or maintained an Open Burning in contravention of this bylaw or a permit or directive of the Fire Chief issued pursuant to this bylaw shall be liable for all expenses incurred by the Fire Department to extinguish the Open Burning as a cost recovery fee as set out in Schedule A of this bylaw.

Subdivision 23 - Burning Permits

5.1.23

1. No person shall light, start, ignite or maintain a fire permitted under the *Environmental Management Act*, SBC 2003, c. 53 and the *Open Burning Smoke Control Regulation*, BC Reg 145/93 without a permit issued by the Fire Chief.
2. In issuing a permit under this section the Fire Chief may impose terms and conditions relating to fire safety concerning:
 - a. the location of a fire;
 - b. the dates and times a fire may be lit or maintained;
 - c. the maximum area occupied by a fire;
 - d. materials that may be burned in a fire;
 - e. precautions to be taken in connection with a fire; and,
 - f. the construction and supervision of a fire.

Subdivision 24 - Vacant and Fire Damaged Buildings

- 5.1.24 1. The Owner of an unoccupied Premises shall
- a. keep the Premises free from debris and combustible materials; and,
 - b. in a manner approved by the Fire Chief or Officer, ensure that at all times all openings in any Building on the Premises are guarded or securely closed and fastened so as to prevent the entry of unauthorized persons.
2. If the Fire Chief or Member finds a Building that is not guarded or securely closed , the Fire Chief may issue an Order to the Owner of the Building to secure the Building against unauthorized entry.
3. If the Owner fails to secure the Building against unauthorized entry within forty-eight (48) hours of being directed to do so by the Fire Chief, or the Fire Chief is unable to contact the Owner within forty-eight (48) hours of finding the Building unsecured, the Fire Chief may carry out the work of securing the Building in a manner he deems appropriate at the sole cost and expense of the Owner, and if those cost go unpaid by December 31st in the year in which the Owner failed to take the required action, the costs will be added to and form part of the property taxes on the Owner's property.

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Subdivision 25 - Commercial Cooking Equipment

- 5.1.25
1. Occupiers or persons in charge of a Premises that includes a commercial cooking facility shall ensure that the cooking equipment is maintained in accordance with the requirements of the Fire Code for commercial cooking equipment, including but not limited to ensuring that:
 - a. hoods, grease removal devices, fans, ducts and other appurtenances of commercial kitchens are inspected on a weekly basis and cleaned as required to remove grease and other combustible residues; and
 - b. all commercial kitchen exhaust systems are serviced and cleaned at least every six (6) months by a Fire Protection Technician.
 2. Occupiers or persons using cooking equipment in fixed, mobile or temporary concessions, such as trucks, busses, trailers, pavilions, tents, or any form of roofed enclosure, shall comply with the requirements of the *Fire Code*.

Subdivision 26 - Fire & Emergency Service Access Requirements

- 5.1.26
1. Every Occupier of a Premises shall ensure that emergency access to all Buildings on the Premises remains clear and unobstructed for emergency vehicles at all times.
 2. Every Occupier of a Premises on which Construction is occurring must ensure that emergency access routes are clear and unobstructed and have a surface condition suitable for use by emergency vehicles.

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Subdivision 27 - Street Addressing of Buildings

- 5.1.27
1. Every Occupier of a residential Premises shall post the civic address of the Premises
 - a. on the front of the exterior of the principal Building on the Premises;
 - b. Subdivision 27 - Street Addressing of Buildings
 - c. in such a position that the address is plainly visible from the street, road, fire lane or other right of way or easement; and
 - d. in every case legible from a distance of fifteen (15) meters.
 2. Every Occupier of a commercial or multi-family residential Premises shall post the civic address on the exterior of the Building in a position in which the address is clearly visible from the main road.
 3. Multi-family units that have exterior entrances and share a common driveway shall have the addresses posted at the entry to the driveway.

Subdivision 28 - Fire Hydrants

- 5.1.28
1. Every Occupier shall maintain an area having a radius of one (1) meter around every fire hydrant or standpipe clear and unobstructed and every hydrant or standpipe shall be located in clear view from the roadway while being approached from either direction, in accordance with the requirements of the *Fire Code*.
 2. No person shall open, interfere or tamper with any municipal fire hydrant unless that person has been duly authorized to do so by the Chief Administrative Officer.

PART 5 - POLICE AND FIRE REGULATIONS
Division 1 - Fire Protection

Subdivision 29 - Private Hydrants

- 5.1.29
1. The Owner shall promptly remedy any deficiencies, damaged parts, or impairments found during an inspection or test in accordance with the maintenance requirements set out in the Fire Code. If such work is not carried out by the Owner, the Fire Chief may issue an Order that it be completed.
 2. The Owner of a Private Hydrant shall ensure safe access to the Private Hydrant is maintained, and if the Owner fails to do so, the Fire Chief may issue an Order that the Owner do so.
 3. The Owner of a Private Hydrant shall ensure that the requirements of National Fire Protection Association 25 "Impairments" are implemented when a Private Hydrant is removed from service either through preplanning or emergency impairment. If such work is not carried out by the Owner, the Fire Chief may issue an Order that it be completed.

Subdivision 30- Cost Recovery, Fees & Charges

- 5.1.30
1. The Municipality may recover the costs and expenses, as outlined in Schedule A, of providing Incident Responses and Fire Department services that are outside of the Council-mandated Fire Department duties and responsibilities.

Subdivision 31 – Filling of SCBA and SCUBA Air Cylinders

- 5.1.31
1. The District of Kitimat Fire Services will provide the filling of SCBA and SCUBA Air Cylinders as a service when operationally possible and per established policy and procedure.
 2. The filling of these air cylinders is to be charged at the specified rate outlined in Schedule A.

PART 5 - POLICE AND FIRE REGULATIONS
Division 1 - Fire Protection

Schedule A to "Limited Fire Service Area"

Roll Number	PID	Legal Description	Notes
15060000	004329627	BK 1506 DL 73 R5C PL 6148	
50009000	004332041	DL 5469 RANGE 5 COAST EXC PL 5906 & EPP41247	
50600100	004333021	DL 6001 R5C	
50600200	004333276	DL 6002 R5C	
50600300	004333519	W 1/2 OF DL 6003 R5C	
50600400	004334078	DL 6004 R5C	
50605000	004336887	BK B DL 6050 R5C EXC PLS 5744 & 7123	Limited Fire Service Area South of Alcan Way
50605100	004336976	DISTRICT LOT 6051 RANGE 5 COAST DISTRICT, EXCEPT THE NORTH 550 FEET AND EXCEPT PART IN PLAN EPP86969	Limited Fire Service Area is East and South of Alcan Way
50759500	004337069	DL 7595 R5C	Limited Fire Service Area is East of Alcan Way
50009000	004337191	DL 7596 R5C	Limited Fire Service Area is East of Alcan Way
50605800	0012877298	DL 6058 R5C	
50009000	0013061208	DL 90 R 5 COAST EXC PL PRP14738	Limited Fire Service Area is East of Alcan Way
50009000	0013085352	DL 91 R 5 COAST EXC PL PRP14738	Limited Fire Service Area is East of Alcan Way
50009000	0013085395	DL 92 R5C	Limited Fire Service Area is East of Alcan Way
50009000	0013085441	DL 93 R 5 COAST	
50009000	0013085522	DL 96 R5C	
50009000	0013085549	DL 102A R5C	Limited Fire Service Area is East of Alcan Way
50009000	0013085590	DISTRICT LOT 186 RANGE 5 COAST DISTRICT EXCEPT PLANS EPP74151, EPP74154 AND EPP85558	
50018700	0013085638	DL 187 R5C EXC PL 11524	
50600300	0013119621	PCL A (SEE L361) OF DL 6003 R5C	
15000004	0016334558	L 1 DLS 981 5469 & 7940 R 5 COAST PL 12731	

PART 5 - POLICE AND FIRE REGULATIONS
Division 1 - Fire Protection

50018705	0030237939	L A DLS 6050 & 187 R 5 COAST DISTRICT PL EPP67347	
50009000	0030409055	L 1 DL 186 R 5 COAST DISTRICT PL EPP74151	
50186000	0030473667	L A DL 186 R 5 COAST DISTRICT PL EPP74154	
50009000	0030666961	L 1 DLS 73 93 96 & 186 R 5 COAST DISTRICT PL EPP85558	
50009400	0013085484	DL 94 RANGE 5 COAST DISTRICT	

Schedule A - Fire Department Fees

Fire Safety Inspections (outside of a regularly scheduled inspection)	\$ 100.00
False Alarm when 3 or more in previous 12 month period	\$ 100.00
Extinguish unlawful open-air fire or Open Burning	Actual cost
Securing premises	Actual cost
Re-inspection	Actual cost
Fulfill remedial action in Order	Actual Cost
Extraordinary Fire Department Services	Actual Cost
Filling of SCBA and SCUBA Air Cylinders	\$30.00 per cylinder
Filling of "K" Air Cylinders	\$40.00 per cylinder

Schedule "B"

Section	Kitimat Fire Department Municipal Bylaw infraction Charges	Charge
5.1.9	Failure to provide information	\$ 500.00
5.1.9	Failure to provide assistance at Incident	\$ 500.00
5.1.9	Failure to comply with directions at Incident	\$ 500.00
5.1.10(a), (c)	Obstruct or impede Incident Response	\$ 500.00
5.1.10(b), (d)	Damage or destroy Fire Department Apparatus or equipment	\$ 500.00
5.1.10(e)	Impersonate Fire Chief of Member	\$ 500.00
5.1.11.1	Failure to provide list of Contact Persons	\$ 500.00
5.1.11.1(a)	Failure of Contact Person to attend premises	\$ 500.00
5.1.11.1(b)	Failure of Contact Person to provide access	\$ 500.00
5.1.11.1(c)	Failure of Contact Person to operate alarm/sprinkler systems	\$ 500.00
5.1.16.1	Failure to carry out requirements of Order in accordance with terms of Order	\$ 500.00
5.1.17.1(a)	Failure to ensure inspection/test of Fire Safety System Conducted by Fire Protection Technician	\$ 500.00
5.1.17.1(b)	Failure to ensure inspection/test recorded or	\$ 500.00

PART 5 - POLICE AND FIRE REGULATIONS
Division 1 - Fire Protection

	In accordance with ASTTBC rules, regulations, bylaws	
5.1.17.2	Failure to notify Fire Department of disconnect/reconnect Fire Safety System	\$ 500.00
5.1.17.3	Failure to provide inspection/test to Fire Chief	\$ 500.00
5.1.17.4	Failure to post sign in accordance with section	\$ 500.00
5.1.17.5	Failure to keep records	\$ 500.00
5.1.19.1	Failure to submit Fire Safety Plan on approved form	\$ 500.00
5.1.19.2	Failure to submit update to Fire Safety Plan	\$ 500.00
5.1.19.3	Allow vegetation that constitutes fire hazard	\$ 250.00
5.1.20.1	Allow accumulation of combustible materials that create hazard	\$ 250.00
5.1.21.1(a)	Waste receptacle lid not closed	\$ 500.00
5.1.21.1(b)	Waste receptacle too close to Building	\$ 500.00
5.1.21.2	Permit waste on street for more than 48 hours	\$ 250.00
5.1.22.1	Open Burning	\$ 250.00
5.1.22.3	Open Burning outside authorized hours	\$ 500.00
5.1.22.4	Failure to establish or maintain Fire Watch	\$ 500.00
5.1.22.5	Open Air fire or Open Burning in contravention of Fire Chief	\$ 500.00
5.1.23.1	Fire permitted under Environmental Management Act Open Burning Regulation without permit	\$ 500.00
5.1.25.1(a)	Failure to inspect components of commercial cooking weekly	\$ 500.00
5.1.25.1(b)	Failure to ensure commercial kitchen exhaust system by Fire Protection Technician	\$ 500.00
5.1.26.1	Failure to ensure that emergency access unobstructed	\$ 500.00
5.1.26.2	Failure to ensure emergency access on construction site Unobstructed and capable of use by emergency vehicles	\$ 500.00
5.1.27.1(a)	Failure to post civic address on the front of residence	\$ 250.00
5.1.27.1(b)	Failure to post civic address in required position on	\$ 250.00
5.1.27.1(c)	Civic address on residence not visible from 15 metres	\$ 250.00
5.1.28.1	Fire Hydrant obstructed	\$ 500.00
5.1.28.2	Tamper with Fire Hydrant	\$ 500.00

PART 5 - POLICE AND FIRE REGULATIONS
Division 3 - Public Protection

Subdivision 1 - Firing of Firearms and Bows Prohibited

- 5.3.1. 1. No person shall fire a longbow, crossbow, gun, air gun, air rifle, air pistol, spring gun or other firearm within the District except:
- a. police, persons in military service, or other authorized person, in the discharge of their duties;
 - b. as provided in Section 5.3.2., 5.3.3., or 5.3.4.; or
 - c. for the humane destruction of sick or injured animals.

Subdivision 2 - Duck Hunting

- 5.3.2. 1. During the open season for duck hunting under the provisions of provincial legislation, the firing of shotguns, with shot shells only, shall be permitted in the District in the following areas:

District Lot 94
District Lot 95
District Lot 471
District Lot 6001

provided that no person shall at any time fire a shotgun within 100 yards of any power or transmission line.

Subdivision 3 - Game Hunting

- 5.3.3. 1. During the open season for the hunting of game, the firing of longbows, crossbows, and firearms, in conjunction with all regulations, shall be permitted in that portion of the District lying to the south of the southern boundary of District Lot 309, Range 4, Coast District.

PART 5 - POLICE AND FIRE REGULATIONS
Division 3 - Public Protection

Subdivision 4 - Ranges

- 5.3.4. 1. The firing of longbows, crossbows, guns, and other firearms, may be permitted on shooting and target ranges as the Council by resolution designates and the Council may, in granting its permission, impose such conditions as it deems fit.
2. No person shall fire a gun, or other firearm on a shooting or target range designated by the Council under this Division unless a red flag, at least four feet in width by six feet in length, is prominently displayed at such range in public view at the time of firing.

Subdivision 5 - Dog Control Regulations

- 5.3.5. 1. Notwithstanding Subdivision 1, any person engaged in the enforcement of the Animal Control Regulations may use a tranquilizer gun for the purposes of such control.

PART 5 - POLICE AND FIRE REGULATIONS
Division 4 - Fireworks

Subdivision 1 - Sale and Purchase of Fireworks

- 5.4.1. 1. No person shall sell any fireworks to any person under the age of EIGHTEEN (18), except caps for a toy pistol.

Subdivision 2 - Possession of Fireworks

- 5.4.2. 1. No person under the age of EIGHTEEN (18) shall possess, fire, or set off fireworks within the municipality other than low hazard Class 7.2.1. fireworks for recreation such as fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers and Christmas crackers unless under adult supervision on private property.

Subdivision 3 - High Hazard Class Fireworks

- 5.4.3. 1. Notwithstanding the provisions of Section 5.4.2., high hazard Class 7.2.2. fireworks for recreation, such as rockets, serpents, shells, bombshells, tourbillons, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, mines and firecrackers, also known as "display fireworks" may be sold to and discharged by an organization or person conducting a public display for the purpose of the observance or celebration of a special event or festival provided that such organization or person holds a valid permit issued by the Fire Chief under the guidelines provided by the Fireworks Manual, Explosives Division, Government of Canada Publication as amended, and the Explosives Act R.S.C./E-15, as amended.

PART 5 - POLICE AND FIRE REGULATIONS
Division 4 - Fireworks

Subdivision 4 - Low Hazard Class Fireworks

- 5.4.4. 1. Low Hazard Class 7.2.1. fireworks for recreation such as showers, fountains, golden rain, lawn lights, pin wheels, roman candles, volcanoes, and sparklers may be sold at the following times:
- a. New Year's, December 24 to December 31;
 - b. Canada Day, June 22 to July 1; and
 - c. Halloween, October 24 to October 31.
2. A person may discharge low hazard Class 7.2.1. fireworks for recreation at the following times:
- a. New Year's, December 31 until 2:00 a.m. on January 1;
 - b. Canada Day, July 1; and
 - c. Halloween, October 31.

Notwithstanding 5.4.4.1. and 2. above, the Fire Chief may issue a permit to persons wishing to purchase low hazard class fireworks for special festive occasions. If approval is granted for a special festive occasion, all properties within 100 metres of the discharge property must have a notice delivered indicating the time and location of the fireworks display.

Subdivision 5 - Storage and Handling of Fireworks

- 5.4.5. 1. Up to 100 kilograms (220 lbs.) of low Class 7.2.1. fireworks may be stored in a container in a mercantile occupancy detached from any house. The container must comply with the following:
- a. be a box or suitable container;
 - b. kept in a part of the premises away from goods of a flammable nature;
 - c. have a close fitting lid;
 - d. be kept securely closed and locked;
 - e. not be used for any other purpose or storage;

PART 5 - POLICE AND FIRE REGULATIONS
Division 4 - Fireworks

Subdivision 5 - Storage and Handling of Fireworks (Continued)

- 5.4.5.
1.
 - f. the interior to be kept scrupulously clean; and
 - g. have the words "Class 7.2.1. Fireworks" on a contrasting background conspicuously displayed.
 2. When low hazard Class 7.2.1. fireworks are displayed for sale during the period stated in Subdivision 5.4.4. they shall be displayed:
 - a. in lots that do not exceed 25 kilograms (55 lbs.);
 - b. aggregate lots shall not exceed 100 kilograms (220 lbs.);
 - c. in a package, glass case, or other suitable receptacle away from flammable goods; and
 - d. in places where they are not exposed to the sun's rays or excessive heat.
 3. A person may, provided reasonable precautions are taken against accident, keep in their possession on their premises for private use and not for sale:
 - a. low hazard Class 7.2.1. fireworks not exceeding 10 kilograms (22 lbs.) that were sold him/her in accordance with this bylaw; and
 - b. any quantity of Christmas crackers or caps for toy pistols.

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

Subdivision 1 - Interpretation

5.5.1. 1. In this Division unless otherwise specified:

Animal means any member of the animal kingdom, other than a human being, that is not considered wildlife in relation to the *Wildlife Act*, R.S.B.C. 1996, c. 488 and amendment thereto including animals listed under the most current regulation regarding S.9(1)(c) of the *Community Charter*, S.B.C. 2003, c. 26

Animal Control Officer shall mean the person(s), company or organization appointed from time to time by the District to ensure compliance with this Division of the *Municipal Code*

Cat shall mean any domesticated Animal of the feline species apparently over the age of FOUR (4) months

Dangerous Animal shall mean:

- a. an Animal that has killed or seriously injured a person or Animal
- b. an Animal which has a known tendency or disposition to attack humans or Animals without provocation
- c. an Animal which has bitten, attacked or aggressively pursued a person or Animal without provocation
- d. an Animal Control Officer has reasonable grounds to believe the Animal is likely to kill or seriously injure a person

Dangerous Dog shall mean:

- a. a Dog that has killed or seriously injured a person or Animal
- b. a Dog which has a known tendency or disposition to attack humans or Animals without provocation
- c. a Dog which has bitten, attacked or aggressively pursued a person or Animal without provocation
- d. an Animal Control Officer has reasonable grounds to believe the Dog is likely to kill or seriously injure a person

Dog shall mean any domesticated Animal of the canine species apparently over the age of FOUR (4) months

Guide Dog shall mean a Dog as defined as a Guide Dog or Service Dog under the *Guide Dog and Service Dog Act*, 2015, c. 17 and amendments thereto (PART 5 - POLICE AND REGULATIONS, Division 5 - Animal Control, does not apply to 'Guide Dogs', except S. 5.5.2)

Leash shall mean a tether, strap or device, not exceeding two (2) metres in length, used to secure an Animal to a person

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

Owner shall mean any person over the age of 18, residing on the property where the animal is normally harboured, possessed or domiciled

Owner of Record shall mean the person or persons shown as the licensed owner on the District record

Paved Roadway shall mean the paved surface of any road or parking lot and shall include an area two (2) metres adjacent to the paved surface

Paved Walkway shall mean the paved surface of any walkway and shall include an area of two (2) metres adjacent to the paved surface

Pound shall mean the place or places designated by the District for the care and control of impounded animals

Poundkeeper shall mean any person or organization appointed by Council to operate the pound and includes the employees of the poundkeeper

Running at Large shall mean an Animal not under control by being other than:

- a. on the property of its Owner or of another person who has the care and control of the Animal; or
- b. when in the District of Kitimat attached directly by a Leash to a person competent to control the Animal and to ensure the Animal does not break free; or
- c. securely confined within an enclosure.

5.5.1.2 Nothing in this Division should be interpreted as attempting to regulate Wildlife as defined in the *Wildlife Act*, R.S.B.C. 1996, c. 488 and amendment thereto.

Subdivision 2 - Licences

- 5.5.2.
1. No person shall own, possess or harbour any Dog within the boundaries of the District unless a valid and subsisting licence has been issued by the District under this Division for such a Dog.
 2. No Dog licence shall be issued to any person under the age of EIGHTEEN (18) years, unless such person provides the District with the written consent, from their parent or guardian; and any parent or guardian providing a written consent shall be deemed to be the Owner of Record of the Animal.
 3. Every licence issued under this Division shall be for a specific Dog, and no person shall place, fix or use a licence issued in respect of one Dog on or for another Dog.
 4. The Owner of a Dog for which a licence and corresponding licence tag have been issued under the division shall affix, and keep affixed, the licence tag on the Dog by a collar, harness, or

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

other suitable device except where the Owner has a certificate from a qualified veterinarian that the Dog cannot, due to sickness, injury or disease, comfortably wear a collar, harness or other suitable device.

5. On or before February 15th every Owner shall apply for a licence for that calendar year for each Dog. On being satisfied the application meets the provisions of this Division and on receiving the appropriate fee listed in Schedule "A" of this Division, the District shall issue a Dog licence and numbered Dog tag.
6. The District, upon being satisfied that the Dog has been acquired after February 15th, may prorate the purchase of the full licence fee by the number of full months remaining in the licence period, provided that in no event shall the licence fee be prorated to less than a THREE (3) month period.
7. Owners applying for licences for a spayed female Dog or neutered male Dog, shall provide proof to the satisfaction of the District that their Dog is in fact spayed or neutered.
8. The Owner of a licenced Dog shall, within thirty days of the Owner's change of address, notify the Poundkeeper of the change.
9. Where an Owner has a valid licence for a Dog from an area other than the District, upon surrender of that licence, a credit of one month for each month the surrendered licence remains in effect in the period January 1st to December 31st, will be given.
10. The District upon being satisfied that a tag issued has been lost or stolen, may issue a replacement tag on the payment of the fee listed in Schedule "A" of this Division.
11. All Dog licence fees payable under this Division are non-refundable.

Subdivision 3 - Impoundment

- 5.5.3. 1. Any Animal Running at Large or violating any portion of this Division commits offence and the animal may be impounded and/or the Owner may be prosecuted.
2. No person shall take an Animal into or otherwise allow any Animal to be within the fenced area of the Kitimat Municipal Cemetery.
3. No person shall tether or otherwise fasten an Animal in a public place.

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

4. No Animal shall be released from impoundment except to the Owner, or delegate, and until all provisions of this Division are complied with and all applicable charges, licence fees, board costs, damage costs and/or fines as specified in Schedule "A" are paid to the Poundkeeper.
5. Notwithstanding any other provision, a Dog may not be released from impoundment if it is judged by the District, Animal Control Officer, or Poundkeeper to be a Dangerous Dog and an application is made to the Provincial Court for an order that the Dangerous Dog be destroyed. A Dangerous Dog that is not the subject of an application to the Provincial Court for Destruction may be released back to the Owner of Record after a 21-day impoundment period or at an earlier time as the Animal Control Officer may determine, and after all payment of fees set out in the Schedule A.
6. When an Animal has been impounded, the Poundkeeper shall provide good and sufficient nourishment, shelter and attendance.
7. Where the Poundkeeper can determine from District licence records the Owner of Record of an impounded Animal, the Poundkeeper shall attempt to notify the Owner of Record by telephone of such impoundment.
8.
 - a. All impounded Animals shall be kept for a maximum period of SEVENTY-TWO (72) hours, excluding Sundays and Statutory Holidays, or until released to the Owner Record or designate, whichever is shorter.
 - b. After SEVENTY-TWO (72) hours, if unclaimed by the Owner or designate, ownership of the Animal will be with the District and the Animal may be destroyed, retained or ownership transferred; at the discretion of the District.
9. Any Animal may be destroyed at any time on the request of the Owner of Record or designate, or if the Animal is diseased or suffering.
10. The Owner of Record or Owner shall be responsible for all uncollected amounts in respect of an impounded Animal whether or not they effect the release of the Animal.

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

Subdivision 4 - Obstruction

- 5.5.4. 1. No person shall hinder, delay or obstruct any person lawfully engaged in the capturing or the taking to the Pound of any Animal under this Division and no person shall release, take or let out any Animal from the Pound, without the consent of the Poundkeeper.

Subdivision 5 - Nuisance

- 5.5.5. 1. The Owner of any Animal, or any person who is in possession of or harbouring any Animal which; by excessive barking, or howling or by chasing any person or Animal, or otherwise disturbs the quiet and peace of any person, shall be guilty of an infraction of this Division.
2. No Owner shall keep their Animal in such a manner that they, or their feces, are offensive to sight or smell.
3. The Owner or person in charge of any Animal shall remove immediately any feces defecated by the Animal from any private residential or commercial property unless the property is owned by the Owner or person in charge of the Animal and dispose of it in a sanitary manner.
4. The Owner or person in charge of any Animal, shall remove immediately any feces deposited by the Animal from publicly accessible areas of City Centre, Service Centre, Kildala Neighbourhood, Whitesail Neighbourhood, and Nechako Neighbourhood, and dispose of it in a sanitary manner.
5. No person may keep an animal unless the animal is provided with:
- a. clean, potable drinking water at all times and suitable food of sufficient quantity and quality to allow for normal growth and maintenance of normal body weight;
 - b. food and water receptacles kept clean and disinfected and located so as to avoid contamination by fecal matter;
 - c. the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be free from a fixed area and exercised regularly under appropriate control;
 - d. necessary veterinary medical care when the animal exhibits signs of pain or suffering;

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

e. no person may keep an animal which normally resides outside, or which is kept outside for short to extended periods of time, unless the animal is provided with outside shelter;

f. protection from heat, cold and wet that is appropriate to the animal's weight and type of coat. Such shelters must provide sufficient space to allow the animal the ability to turn around freely and to easily stand, sit and lie in a normal position; and

g. no person shall willfully abandon an animal anywhere within the District of Kitimat

Subdivision 6 - Dangerous Dogs/Dangerous Animals

- 5.5.6.
1. An Animal Control Officer may designate a Dog as a Dangerous Dog if the Dog:
 - a. Bites a human or Animal without provocation
 - b. Has a known propensity, tendency or disposition to attack a human or Animal without provocation, or
 - c. Has previously been designated as a Dangerous Dog and endangers the safety of a person or Animal.
 2. After designating a Dog as a Dangerous Dog, an Animal Control Officer must inform the Owner of Record of the designation in writing and outlining the responsibilities of the Owner of Record of a Dangerous Dog and all fines and licensing fees that pertain to a Dangerous Dog.
 3. No Owner of a Dangerous Dog/Dangerous Animal shall permit the Dangerous Dog/Dangerous Animal to be Running at Large in the District unless the Dangerous Dog/Dangerous Animal is kept on a Leash, tether or other suitable device not exceeding two (2) metres in length, is securely fitted with a humane basket muzzle that allows the Dog or Animal to pant and drink and so as to prevent the Dangerous Dog/Dangerous Animal from biting a person or Animal, and is under the immediate care and control of a competent person so as to prevent it from endangering the safety of any person or Animal.
 4. The Owner of a Dangerous Dog/Dangerous Animal shall, at all times when the Animal is on the Owner's property, keep the Animal securely confined within a building or enclosure capable of preventing the Animal's escape and in any other manner as requested by the Animal Control Officer. The property Owner must affix a 'Dangerous Dog' or 'Dangerous Animal' sign to their fence or home where the Dog or Animal is kept, in a form as directed by the Animal Control Officer.

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

5. The Owner of a Dangerous Dog must
 - a. On request of an Animal Control Officer allow them to photograph the Dog
 - b. Within two (2) working days of moving to a new residence, provide an Animal Control Officer or Poundkeeper with the Owner's new address
 - c. Within two (2) working days of selling or giving away the Dangerous Dog, provide an Animal Control Officer or the Poundkeeper with the name, address and telephone number of the new Owner.
 - d. Within two working days of the death of the Dangerous Dog, provide an Animal Control Officer or the Poundkeeper with a veterinarian's certificate of the death, and
 - e. Immediately advise an Animal Control Officer or the Poundkeeper if the Dangerous Dog is loose, or has bitten or attacked any person or Animal.
6. Failure to abide by any of the conditions of Subdivision 6 – Dangerous Dogs/Dangerous Animals are grounds for impoundment of the Dangerous Dog/Dangerous Animal.

Subdivision 7 - Number of Cats and Dogs

- 5.5.7.
 1. No person shall keep, harbour or permit to remain on any dwelling in a residential zone more than FOUR (4) Dogs at any one time.
 2. No person shall keep, harbour or permit to remain on any dwelling in a residential zone more than SIX (6) Cats at any one time
 3. No person shall keep, harbour, or permit to remain on any dwelling in a residential zone at any one time an aggregate of more than SEVEN (7) Dogs and Cats.

Subdivision 8 - Spay or Neuter Requirements

- 5.5.8.
 1. Without limiting the generality of the prohibition in the foregoing Section 5.5.3.1, no person shall permit a Cat or Dog to Running at Large if the Cat or Dog is not spayed or neutered.
 2. Any Cat or Dog released under this section shall receive a certificate for a \$100 reduction in the fees for a spay or neuter from participating veterinarians.
 3. Every impounded Animal shall be considered to be unsterilized unless the Owner is able to provide evidence otherwise.

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

4. There are no exemptions from these requirements.

Subdivision 9 - Micro Chip Requirements

- 5.5.9.
1. Without limiting the generality of the prohibition in the foregoing Section 5.5.3.1, no person shall permit a Cat or Dog to be Running at Large if the Cat or Dog does not have an internal microchip for identification purposes.
 2. If a fee is imposed under this section the Owner shall have the opportunity to receive a microchip inserted into the Cat or Dog by the Kitimat Community Humane Society at no additional cost.

Subdivision 10 – Off-Leash Dog Areas

- Bylaw No. 2031, 2023 5.5.10
1. Unless otherwise noted in this Part, an Animal must be on Leash and under the care and control of its Owner or other person.
 2. The following areas within the District of Kitimat are designated as off-Leash areas:
 - a. Hirsch Creek Park and Hirsch Creek North Trail as shown in the attached Schedule B.
 - b. Beach areas at Hirsch Creek Park.
 - c. District of Kitimat's Off-Leash Dog Park (inside the fenced area) on Kuldo Boulevard shown in the attached Schedule C.
 - d. Kildala Dike as shown in the attached Schedule D.
 - e. Forest Avenue as shown in the attached Schedule E.
 3. Notwithstanding section 5.5.10.2, all Animals must be under the care and control of its Owner or another person.

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

SCHEDULE "A"

FEES

DOG LICENCES

1	Neutered Male or Spayed Female	\$15.00/yr.
2	Intact Dogs	\$50.00/yr.
3	Guide Dogs	No Charge
4	Replacement of Lost Tag	\$2.00
5	Dangerous Dog	\$300.00

IMPOUNDMENT OF ANIMALS NOT LABELED AS DANGEROUS

1st Impoundment	\$30.00
2nd Impoundment within 24 calendar months of last impoundment	\$60.00
3rd Impoundment within 24 calendar months of last impoundment	\$100.00
4th Impoundment within 24 calendar months of last impoundment	\$300.00
5th Impoundment within 24 calendar months of last impoundment	\$500.00
Additional Impoundment Fee for Unlicensed Dog	\$30.00
Additional Impoundment Fee for Animals not Spayed or Neutered	\$100.00
Additional Impoundment Fee for Animals without a Micro-Chip	\$25.00

IMPOUNDMENT OF DANGEROUS DOGS/ANIMALS

1st Impoundment	\$500.00
2nd Impoundment within 24 calendar months of last impoundment	\$1,000.00
3rd Impoundment within 24 calendar months of last impoundment	\$1,500.00
4th Impoundment within 24 calendar months of last impoundment	\$2,000.00
5th Impoundment within 24 calendar months of last impoundment	\$2,500.00
Additional Impoundment Fee for Unlicensed Dangerous Dog	\$100.00
Additional Impoundment Fee for Animals not Spayed or Neutered	\$500.00

PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

Additional Impoundment Fee for Animals without a Micro-Chip \$25.00

BOARD

Per Day \$10.00

DESTRUCTION

Cats Under 2 Months No Charge

Animal Under 10 lbs. \$3.00

Animals from 10 to Under 50 lbs. \$5.00

Animals Over 50 lbs. \$10.00

PART 5 - POLICE AND FIRE REGULATIONS
 Division 5 - Animal Control

Schedule "B"

Bylaw No. 2031, 2023





KITIMAT
A Marvel of Nature and Industry

HIRSCH CREEK PARK
BYLAW NO. 2031, 2023
SCHEDULE B

▲ Campsite
 ● Disc Golf Hole
 X Picnic Table
 □ Shelter
 ☺ Toilet
 — Paved Road
 — Gravel Road
 - - Trails
 - - Trails - Off Leash
 □ Parking
 ■ Ball Field/Off Leash Area
 ~ Stream
 ■ Hirsch Creek Park

Scale: 1:4,000

Author: AWS Date: 20-Jun-2023
 File: HCPark Revision: 2



PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

Schedule C

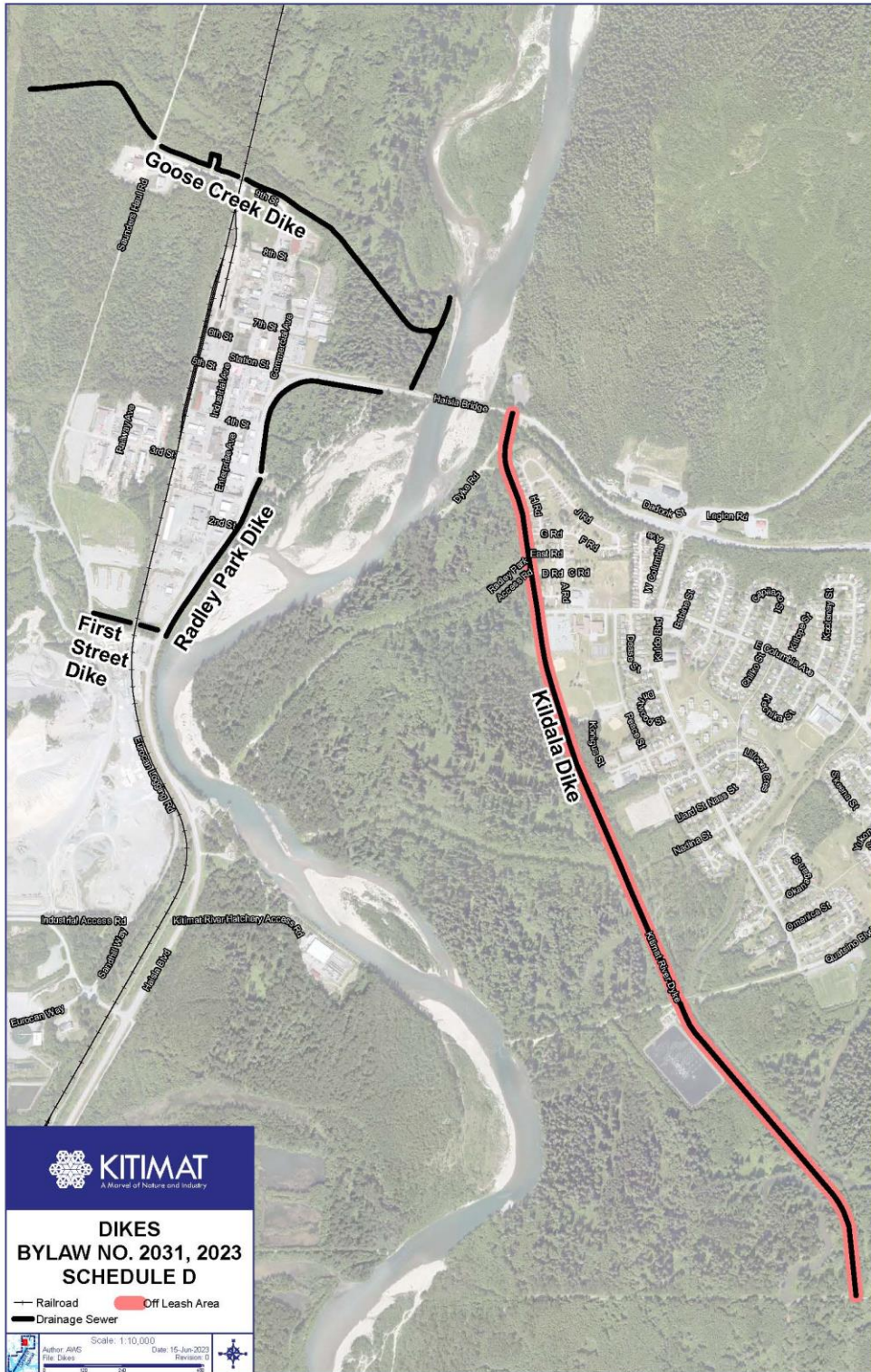
Bylaw No. 2031, 2023



PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

Schedule D

Bylaw No. 2031, 2023



PART 5 - POLICE AND FIRE REGULATIONS
Division 5 - Animal Control

Schedule E

Bylaw No. 2031, 2023



PART 5 - POLICE AND FIRE REGULATIONS
Division 6 - Vending Machines

Subdivision 1 - Regulations

- 5.6.1.
1. No person shall own, operate, have on his premises, use or play within the District, automatic vending machines for the vending of amusements of any kind except as provided in 5.6.1.2.
 2. Automatic vending machines for the vending of amusements in which the element of skill is more than incidental, such as table shuffle-board, billiard table, hockey game, pistol and rifle aiming machines, but not including pin-ball machines, shall be exempted from the provisions of 5.6.1.1., providing the location of such machines shall be within the confines of a private chartered club and/or camp lounge.

PART 5 - POLICE AND FIRE REGULATIONS
Division 7 - Service Levels

Subdivision 1 - Interpretation

5.7.1. 1. In this bylaw unless otherwise specified:

“Department” means the Kitimat Fire and Ambulance Services established under the Fire Protection Bylaw No. 1890, 2016;

“District” means the District of Kitimat.

“Exterior Operations Service Level” means the Service Level that includes firefighting activities restricted to the control and/or extinguishment of fire from a position external to the building or object in question, and outside of any Immediately Dangerous To Life Or Health (IDLH) environment;

“Fire Chief” means the individual who has been appointed as the fire chief of the District of Kitimat;

“Full Service Level” means the Service Level that includes activities that are undertaken by firefighters and officers trained in the full spectrum of Competencies outlined in the National Fire Protection Association 1001 Firefighter 2, Standard for Fire Fighter Professional Qualifications as well as the relevant competencies of National Fire Protection Association 1021 Standard for Fire Officer Professional Qualifications for officers;

“Interior Operations Service Level” means the Service Level that authorizes firefighting activities that include entry into structures and objects with the purpose of control and/or extinguishment of fire. This requires use of specialized protective equipment and procedures not covered by the training provided in relation to Exterior Operations Service Level;

“Member” means a firefighter in the Department and includes the Fire Chief and officers;

PART 5 - POLICE AND FIRE REGULATIONS
Division 7 - Service Levels

Subdivision 1 – Interpretation (Continued)

5.7.1.

“Playbook” means the mandatory minimum training standards set under paragraph 3(3)(b) of the Fire Services Act (B.C.) by the Office of the Fire Commissioner and approved by the Minister of Justice, entitled British Columbia Fire Service Minimum Training Standards: Structure Firefighters – Competency and Training Playbook (September 2014), as same may be amended, revised or replaced from time to time;

“Principal Responding Member” means those Members expected to undertake interior fire suppression and/or rescue operations;

“Service Level Policy” means this bylaw, as same may be amended from time to time by the District.

Subdivision 2 – Authority and Application

5.7.2.

This Service Level Policy has been established by the District of Kitimat in accordance with the requirements of the Playbook, pursuant to the District’s authority under the Establishment Bylaw. This Service Level Bylaw applies to and is binding on the Department and its Members. It shall form the basis of the Department’s training of its Members and related operational planning for fire suppression and emergency response activities.

Subdivision 3 – Service Level Policy

5.7.3.

The Department is authorized to provide fire suppression activities in accordance with and subject to the limitations set out in the Full Service Level.

Subdivision 4 – Training of Members

5.7.4.

1. The Department:
 - a. shall train its Principal Responding Members at least to the standard required by the Playbook for the Full Service Level; and

PART 5 - POLICE AND FIRE REGULATIONS
Division 7 - Service Levels

Subdivision 4 – Training of Members (Continued)

- 5.7.4. 1. b. in relation to Members who are not trained to the Full Service Level, shall:
- i. develop an incident scene accountability system which clearly identifies the different levels of each Member's training by use of specific and visually contrasting identification on their Personal Protective Equipment, that rapidly differentiates those personnel who are not designated as Principle Responding Members; and
 - ii. develop and institute operational guidelines which specify and limit the incident scene of activities of Members depending on their current level of training.
2. In consultation with the District, the Fire Chief shall be responsible for ensuring that the Department develops an appropriate training program for all positions, tasks and roles including those which are not expressly covered by the Playbook. This training program shall meet the requirements of the Playbook and the Workers Compensation Act (B.C.) and regulations made thereunder, and shall be consistent with good practices and industry standards.

Subdivision 5 – Operational Guidelines, Records and Compliance

- 5.7.5. 1. The Department shall"
- a. develop appropriate operational guidelines implementing this Service Level Policy and the requirements of the Playbook, including operational guidelines:
 - i. which set out the conditions to be considered by an incident commander before an interior attack or rescue is undertaken; and
 - ii. which identify any hazards within the Department's fire suppression area in respect of which the Department will not undertake interior operations;
 - b. maintain accurate and complete records of the training of its Members, including any refresher training, certifications obtained and otherwise as required by the Workers Compensation Act (B.C.) and regulations thereunder, such that the training level of each Member can clearly be established; and

PART 5 - POLICE AND FIRE REGULATIONS
Division 7 - Service Levels

Subdivision 5 – Operational Guidelines, Records and Compliance (Continued)

- 5.7.5. 1. c. report annually to the District on the Department's training program, the training levels of its Members and compliance with this Service Level Policy and the requirements of the Playbook.

Subdivision 6 – Limitations on Services Provided

- 5.7.6. Notwithstanding anything in this Service Level Policy:
- a. in relation to any particular incident response, the Department shall undertake only those emergency response activities for which its responding Members at the incident are properly trained and equipped; and
 - b. the Fire Chief may determine to limit the fire suppression activities of the Department to the Exterior Operations Service level in circumstances where, because of turn-over in Members or for other reasons, in the Fire Chief's view the Department should suspend undertaking interior fire attack or rescue operations.
 - c. Where the Fire Chief has made a determination under Section 5.7.6, he or she shall immediately inform the District, including the reasons for the decision. The Fire Chief may elect to recommence providing Full Service Level Operations when he or she considers it warranted, and shall inform the District when making such decision.

Subdivision 7 – Policy Amendment

- 5.7.7. This Service Level Bylaw shall be reviewed annually by the District with the Fire Chief. It will be amended as determined appropriate by the District, or as required to conform with any changes to the Playbook or other applicable legislation or regulations.

Subdivision 8 – Limited Fire Service Protection

- 5.7.8. As the Limited Fire Service Area consists of major industry with its own specialized requirements and on site fire prevention and protection equipment and personnel and the District does not have sufficient equipment, personnel or financial resources to be the primary provider of fire services in such circumstances and areas, the District shall provide services only to the Limited Fire Service Protection Standards within the Limited Fire Service Area.

Subdivision 1 - Interpretation

5.8.1.1. In this Division unless otherwise specified:

Department means the Kitimat Fire and Ambulance Service.

District means the District of Kitimat.

Fire Chief means the individual who has been appointed as the fire chief of the District of Kitimat, or their delegate.

Fire Training Grounds or **Fire Training Facility** means the land, structures, and other items located within the property boundary available for the purpose of fire training located at District Lot 1867, Range 5 Coast District (2200 Forest Avenue, Kitimat BC).

Member means a firefighter in the Department and includes the Fire Chief and officers.

Safety Officer means an individual responsible for ensuring the safety and welfare of personnel involved in training ground operations.

Technician means an individual that is responsible for organizing and overseeing live fire training exercises.

Subdivision 2 – Fire Training Grounds

5.8.2.1 The District of Kitimat has been granted the use of the Fire Training Grounds through a Lease with the Province of British Columbia.

Subdivision 3 – Use - General

5.8.3.1 A third party may request to use the Fire Training Grounds by completing the Fire Training Facility Agreement. The Agreement will be in a form established by the Fire Chief.

5.8.3.2 Training exercises held at the Fire Training Grounds will occur between the hours of 8:00 a.m. and 6:00 p.m. The Fire Chief may vary these times in their sole discretion.

5.8.3.3 The Fire Training Grounds are available to third parties at the sole discretion of the Fire Chief. The District has the right to refuse access or use to any party.

PART 5 - POLICE AND FIRE REGULATIONS
Division 8 - Fire Training Grounds

- 5.8.3.4 All non-District users must be accompanied by a member of the Department. It is at the sole discretion of the Fire Chief to determine the number and role of Department members during the use by non-District users.
- 5.8.3.5 Equipment, including hoses, gear, and breathing apparatus, will not be provided by the District.
- 5.8.3.6 Third Party Users must comply with the direction of the Fire Chief or Member.
- 5.8.3.7 No person shall enter onto the Fire Training Grounds unless accompanied by a Member of the Department.

Subdivision 3 – Fees

- 5.8.4.1 Unless otherwise stated, fees are calculated:
- a) for a full day being eight (8) hours with one (1) hour for a lunch break. The eight (8) hours must be used on the same day during the hours established under section 6.8.3.2.
 - b) For a half day being four (4) hours. The four (4) hours must be used on the same day during the hours established under section 6.8.3.2.
- 5.8.4.2 The following fee schedule will be applied to the Fire Training Grounds:

Rental Schedule	Fee
Training grounds/facilities - Technician rate (2024 rate)	\$506/ half day
	\$910/ day
Training grounds/facilities - Safety Officer rate (2024 rate)	\$506/ half day
	\$910/ day
Training room (includes AV equipment) (Fire Hall)	\$ 375/ day
	\$ 200 half day
High Angle	\$ 375/ day
	\$ 200/ half day
	\$ 600/ day with classroom
Auto-extrication (includes 2 passenger vehicles, non-electric) (vehicle availability dependant)	\$ 475/ day
	\$ 300/ half day
	\$ 600/ day with classroom
Rail Tank Car	\$400/ day
	\$200/ half day
Training Grounds (no use of equipment)	\$ 400/ day
	\$ 200/ day

PART 5 - POLICE AND FIRE REGULATIONS
Division 8 - Fire Training Grounds

Fire building (no technician required, i.e. no use of burn or smoke system)	\$ 800/ day
	\$ 400/ half day
Use of high angle facilities on burn building	\$ 375/ day
	\$ 200/ half day
Fire building live fire rates (includes class A and theatrical smoke, interior prop use, water hydrant and training yard use).	Fee table below
Dumpster Fire Prop	\$375/ day
	\$200/ half day
Electric Motor Fire Prop	\$375/ day
	\$200/ half day
Burn Tray Prop (without fuel)	\$375/ day
	\$200/ half day
Car Fire Prop	\$375/ day
	\$200/ half day
Additional vehicles for Auto Extrication (passenger car, non-electric, depending on availability)	\$ 150 each
Fire Extinguishers (ABC / CO2)	\$ 50 each
Re-winterization of hydrant	Actual Cost
Snow removal	Actual Cost
Administrative Fee	\$100 per \$1000 pre-tax rental cost

Fire Building Live Fire Rates

	Fee	
	Half Day	Full Day
Maximum 20 participants		
Technician (includes pre/post prep time)	\$ 506	\$ 910
Building	\$ 800	\$ 1600
TOTAL (without Safety Officer)	\$ 1306	\$ 2510
Incident Safety Officer	\$ 506	\$ 910
TOTAL (with Safety Officer)	\$1812	\$3420

Fire Building – Theatrical Smoke Use only

Smoke Only	Half Day	Full Day
Technician (includes pre/post prep time)	\$ 506	\$ 910
Building	\$ 400	\$ 800
TOTAL	\$ 1075	\$ 2015

5.8.4.3 In addition to the fees noted above, a damage deposit of no more than 50% of the total rental cost (before taxes) may be requested by the Fire Chief and is payable at the time of booking.