

CITY OF MELVILLE

BYLAW NO.2/2001

**(CONSOLIDATED FOR OFFICE USE ONLY)
INCLUDES AMENDMENTS 15/01, 15/04**

**A BYLAW OF THE CITY OF MELVILLE FOR THE PREVENTION OF FIRE, THE
PREVENTION OF THE SPREAD OF FIRE, AND FOR THE PRESERVATION
OF LIFE IN THE EVENT OF FIRE**

WHEREAS the Council of the City of Melville, Saskatchewan has deemed it expedient to enact a bylaw for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosions in the City of Melville, in the Province of Saskatchewan.

NOW THEREFORE the Council of the City of Melville in open meeting assembled enacts as follows:

1. This Bylaw may be cited as the **Fire Prevention Bylaw**, for the City of Melville.

2. **GOVERNING LEGISLATION**

The Melville Fire Department shall be established, governed by and obtain its authorities from the provisions of this bylaw, the current National Fire Code of Canada, the Saskatchewan Fire Prevention Act and the Constitution of the Melville Fire Department, together with their appendices, amendments, supplements and revisions, as they are published from time to time which are hereby adopted and form a part of this Bylaw.

3. **DEFINITIONS**

In this Bylaw:

- 1) **"Approval"** or "Approved" means the written approval of the authority having jurisdiction.
- 2) **"Authority having jurisdiction"** shall mean the Fire Chief.
- 3) **"Fire Chief"** means the Chief of the City of Melville Fire Department appointed by resolution of the Council of the City of Melville and in his absence the Deputy Fire Chief appointed by the Fire Chief.

- 4) **"Fire Inspector"** means the same as Fire Chief.
- 5) **"Fire Agreement District"** means the district boundaries within which the Melville Fire Department is contracted to provide specific protective services.
- 6) **"Fire Services"** means fire suppression, inspections, rescue and hazardous materials spill control.

4. **ADMINISTRATION OF BYLAW**

The provisions of this Bylaw shall be administered and enforced by the Fire Chief, who shall also be the City of Melville "Fire Inspector" and local assistant to the Saskatchewan Fire Commissioner as defined in the Saskatchewan Fire Prevention Act.

5. **OPEN FIRES - PERMITS**

- 1) Subject to Subsection (3) no person shall light, ignite or start or allow or cause to be lighted, ignited or started a fire of any kind whatsoever in the open air without first having obtained a written permit to do so from the Fire Chief in the Form 1 shown in Appendix "A" to this Bylaw.
- 2) A person to whom a permit has been issued under Subsection (1), shall place and at all times keep a competent person in charge of the fire while it is burning or smouldering and shall provide that person with sufficient equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous. Equipment to be used may include a garden hose connected to a water supply or portable fire extinguisher.
- 3) Nothing contained in this section shall relieve any person from complying with the provisions of The Air Pollution Control Act of the Province of Saskatchewan and the regulations passed pursuant thereto.
- 4) There shall be a \$10.00 annual permit fee for all recreational fire pits. Permits will only be issued to registered property owners or renters with a letter indicating written approval from the property owner.

6. **SOLID FUEL BURNING APPLIANCES - PERMITS**

Indoor

- 1) No person shall install a solid fuel burning appliance outdoors or in any building in the City of Melville without first having a written permit to do so from the Fire Chief in the Form 2 shown in Appendix "B" to this Bylaw.
- 2) Where such permit is issued for an indoors appliance to a person, such person after having commenced to install the said appliance shall not finally enclose such appliance until an inspection is carried out by the Fire Chief as to its safety.

Outdoor

- 5) No permit shall be required to light, ignite, or start or cause to be lighted a charcoal or gas operated barbeque, grill or similar appliance used to cook food.
- 6) Open air fires must be contained in a manufactured, non-combustible appliance constructed of cement or precast brick or clay chimenaeyas, or sheet metal (minimum 10 gauge) and designed for use as a fire pit and be approved by the Fire Chief. Permitted fire pits shall not include a pit or hole dug in the ground.
- 7) A permitted appliance must be located on private property, a minimum distance of ten (10) feet or 3 meters from any property line, building or other combustible structure or from trees or combustible vegetation situated on the property.
- 8) Any opening in the appliance must be covered with heavy gauge expanded metal screen with opening not exceeding 10 millimeters. A chimney must be covered with a drip cap and spark arrester screen with openings not to exceed 10 millimeters.
- 9) An area under 45 centimeters (18") out from the circumference of the appliance shall be free of combustible material or vegetation and shall be covered with sand, concrete, brick or other non-combustible material acceptable to the Fire Chief.
- 10) Fuel used in approved appliance shall consist only of charcoal briquettes or seasoned wood. The burning generating dense, black smoke or an offensive odor are strictly prohibited: eg:
 - cardboard
 - rubbish
 - garden or lawn refuse
 - manure
 - classified dangerous goods
 - creosote laden wood
 - asphalt roofing
 - animal carcasses

- 11) No open air fires shall be permitted in any front yard.
- 12) Open air fires are not to be set in windy conditions conducive to creating a running fire, and if smoke from an open air fire causes unreasonable interference with the use and enjoyment of another person's property, the fire will be ordered extinguished immediately, the permit revoked and no further permit issued for the appliance on that property.
- 13) Exterior solid fuel burning hydronic heating systems shall not be allowed in any residential, commercial or industrial areas within the city limits of Melville.
- 14) Burning barrels or similar devices used for burning of any household or yard waste are prohibited.

7. **FIREWORKS/PYROTECHNICS**

No person shall discharge fireworks from any location within the City Limits of Melville without first having obtained a written permit to do so from the Fire Chief (Bylaw 1/01)

No person shall sell fireworks to children under the age of eighteen (18) years

Fireworks permit - Schedule "D" attached

8. **TRANSPORT VEHICLES**

No person shall park, place or leave any vehicle containing any hazardous substances or waste dangerous goods on any highway, street, lane or any other public place except in accordance with the provisions of the transportation of dangerous goods regulations of Saskatchewan.

This section references the Saskatchewan Hazardous Substances and Waste Dangerous Goods Regulations, E-10-2 Regulation 3 as amended by Saskatchewan Regulations 29/94.

9. **EMERGENCIES**

If any emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to be apprehensive of imminent and serious danger to life or property, or of a panic, he shall forthwith take such steps as he thinks advisable to remove the hazard or risk, and he may cause the evacuation of any building or area, and he may call upon the police and fire prevention authorities to assist him.

10. **DUTIES OF THE FIRE CHIEF**

It shall be the duty of the Fire Chief:

- a) To make a general inspection of the business district and other areas within the City for the purpose of ascertaining any violation of the provisions of this Bylaw and obtaining information concerning conditions liable to cause fire.
- b) To keep a permanent record of all fires and causes thereof and at the end of the year to make a written report thereon to the Council.
- c) To be the director of operations at and regulate the conduct of all persons present at or assisting in the suppression of a fire or rescue incident.
- d) To investigate or cause to be investigated, all fires in order to ascertain the cause, origin or other circumstances thereof.
- e) To foster Fire Prevention.
- f) To keep a permanent record of all emergency calls and causes thereof and to make a monthly written report thereon to the Council.
- g) To keep a permanent record of all orders issued to remedy fire hazardous conditions and to make a monthly written report thereon to the Council.
- h) To provide training to the members of the Fire Brigade making them familiar with all fire/rescue apparatus and equipment and the use thereof by holding practises at least twice monthly.
- i) To uphold the regulations set forth in this Bylaw in accordance with Section 2 of this Bylaw.
- j) To uphold the standards as established under the O. H. & S. Act as it relates to the Fire Service.

11. **PERSONS PRESENT AT A FIRE**

It shall be the duty of all persons at a fire to assist in its suppression if called upon to do so by the Fire Chief and all person present at or assisting in the suppression of fire shall obey the commands of the Fire Chief.

12. **ORDERS TO REMEDY HAZARDOUS CONDITIONS**

- 1) When, upon an inspection under the provisions of this Bylaw, the Fire Chief finds that any part of this Bylaw have been contravened or has not been complied with or has been complied with improperly or only in part, or that conditions exist in or upon a building or property to which this Bylaw applies, which in his opinion constitutes a fire hazard, or otherwise constitutes a hazard to life or property or both, he may make such orders to ensure full and proper compliance with this Bylaw and in particular, but without limiting the generality of the foregoing, he may make to the owner, occupier or lessee of the building or property such recommendations as he deems necessary to correct the contravention or to ensure compliance with this Bylaw or cause the removal of the hazards.
- 2) The Chief of the Melville Fire Department may order that a property be evacuated and boarded up and secured and be kept in a safe condition to guard against fire or other dangerous risk or accident, and that if the work directed to be done is not done by the owner within a specified period of time as shall be set out in the order, the work shall be done by the municipality and the cost thereof added to the taxes on the property on which the work was done subject to the right of appeal to City Council by the owner, occupant or lessee.
- 3) An order under this section:
 - a) shall specify:
 - 1) the contravention;
 - 2) the civic address and the legal description of the building, structure, premises or land in or on which the contravention is occurring;
 - 3) any terms and conditions to be complied with to remedy the contravention; and
 - 4) the date by which the terms and conditions of the Order are to be complied with;
 - b) shall provide:
 - 1) a statement that if the terms and conditions of the Order have not been complied with within a time specified in the Order, the Fire Chief may carry out the remedy at the expense of the owner;
 - 2) the date and place at which and the process by which an appeal from the Order may be made; and
 - 3) a statement that filing an appeal does not stay the Order but that the appellant may apply to the Fire Commissioner for a

stay of the Order pursuant to Section 25 of The Fire Prevention Act, 1992.

13. **FEES FOR SERVICE**

- 1) The City of Melville is authorized to charge the applicable fees for the various services, tests and emergency responses listed in Schedule "C" of this Bylaw.
- 2) The fees shall be reviewed and set by the City Council on the recommendation of the Fire Chief, as required.

14. **OFFENSES AND PENALTIES**

Every person who violates any of the provisions of this Bylaw or fails to comply with an order made by the Fire Chief, is guilty of an offence and liable on summary conviction to the penalties set out in The Fire Prevention Act of the Province of Saskatchewan, and where the said Act is not specific on an offence the provisions of the General Penalty Bylaw of the City of Melville shall apply.

Everyone who commits an offence under this Bylaw is guilty of a summary offence and liable to a fine of not more than \$5,000.00 for an individual and not more than \$10,000.00 for a corporation.

15. **REPEAL OF BYLAWS**

- 1) Bylaw No. 19/98 be hereby repealed.
- 2) This Bylaw shall come into force and take effect on the day of the final passing thereof.

Mayor

City Manager

INTRODUCED and **READ** a first time this 19th Day of March, 2001, A.D.

READ a Second time this 19th Day of March, 2001 A.D.

READ a Third time and **PASSED** with the unanimous consent of all members present this 19th Day of March, 2001 A.D.

SCHEDULE "A" TO BYLAW 02/2001

CITY OF MELVILLE

FIRE DEPARTMENT BURN PERMIT

Permission is hereby granted to _____ residing at _____
_____ in the City of Melville, to burn **wood/charcoal products only** in an outdoor
burning receptacle which has received prior approval by the Local Authority. This burning for
recreational purposes only shall take place in an approved location at the address above while
under competent and constant adult supervision to ensure that the fire is kept well under control
and until the fire is extinguished.

It is an express condition of this permit that the applicant, whose signature appears hereunder, is
familiar with local fire codes and adheres strictly to such codes so as to minimize the risk of
injury or damage to persons or property arising from the use of this permit.

Conditions

- Only wood and charcoal products may be burnt
- One class ABC fire extinguisher must be located near the fire pit (min. 2 ½ lb.) or
garden hose connected to a water supply
- Must be located a minimum of 10' from the nearest combustible as determined by
the Local Authority
- Must be under supervision of an adult until extinguished
- Should the City receive complaints from neighbors wishing the fire be
extinguished citing health reasons this permit will be immediately revoked. A site
plan must be attached.

Issued this _____ Day of _____, 20__

Signature of Applicant

Signature of Local Authority

SCHEDULE "B" TO BYLAW NO. 02/2001

SOLID FUEL APPLIANCE INSPECTION

Date _____ Number _____

Name _____

Address _____

Telephone Number _____

APPLIANCE

CHIMNEY

Name _____

Type _____

Model _____

Temp Rating _____

Serial Number _____

CSA Approved Yes _____ No _____

Purchased from _____

The above appliance has been inspected to ensure installation is in accordance with the manufacturer's specifications or CSA standard for installation of Solid Fuel Appliances.

The following deficiencies were detected and must be remedied:

- 1) _____
- 2) _____
- 3) _____

INSPECTOR

TITLE

SCHEDULE "C" TO BYLAW NO.02/2001

FEEES FOR SERVICE

1. INSPECTION SERVICES

- 1) Third party requests for business premises required for a Provincial or Federal Grant or license
.....\$40.00/first hour
.....\$30.00/additional hour
- 2) File search.....\$30.00
- 3) Requested site inspection if over one hour
.....\$40.00/first hour
.....\$30.00/additional hour
- 4) Third party requests outside city limits: as above plus present km charges as established by Council for the City of Melville.

2. UNDERGROUND TANKS

- 1) Underground tank installation or removal inspection
.....\$40.00/first hour
.....\$30.00/additional hour

3. STANDBY SERVICES

- 1) Standby for special events such as demolition derby, fire works, large tent functions
.....\$30.00/event/day

SCHEDULE "C" TO BYLAW NO.02/2001

4. **EMERGENCY RESPONSE CHARGES**

1) Dangerous Goods response:

a) Rail carrier out of City limits

.....\$500.00/hour per unit plus
disposal

Rail carrier within City limits

..... No charge

b) Highway carrier

.....\$500.00/hour plus
disposal

5. **RESCUE CALLS**.....\$500.00/hour

6. **FIRE SERVICE - other than vehicle fires**

1) Within Fire Protection District.....\$150.00/hour plus

wages and
extinguishment

As per agreement with signing parties

2) Out of Fire Protection District.....\$800.00/hour plus

wages and
extinguishment

3) Within Fire Service Mutual Aid Agreement area and outside Fire
Protection District.....\$150.00/hour

4) Outside Fire Service Mutual Aid Agreement area and outside Fire Protection
District same as Part 6. (2).

SCHEDULE "C" TO BYLAW NO.02/2001

7. **VEHICLE EXTRICATION, HAZARDOUS GOODS SPILLS AND VEHICLE FIRE CALLS** (other than established in Part 4 & 5)

.....\$500.00/hour or part
thereof

8. **INSPECTION AND PREVENTION SERVICES - FIRE AGREEMENT ASSOCIATION**

1) Within Fire Protection District.....\$25.00/hour plus current km. charge as established by Council for the City of Melville.

2) Outside Fire Agreement District.....\$50.00/hour plus current km. charge as established by Council for the City of Melville.

9) **Fire Prevention Services/Public Education**

1) Outside of Melville & within the Melville Fire Protection District
..... Mileage at present km. charge as established by Council for the City of Melville.

2) Outside of the Melville Fire Protection District boundary
..... \$40.00/hr. plus mileage at present km. charge established by Council for the City of Melville.

SCHEDULE "D" TO BYLAW 0201

**CITY OF MELVILLE FIRE DEPARTMENT
PERMIT - FIREWORKS**

Permission is hereby granted to _____

of _____ to conduct a fireworks display
at _____ on _____,

between the hours of _____ (am/pm) and _____ (am/pm)
while competent and constant attendants are in charge.

It is the express condition of this permit that the applicant, whose signature
appears hereunder, shall be responsible for any injury or damage to person or
property arising from the use of this permit.

It is the express condition of this permit that the applicant, whose signature
appears hereunder, shall be responsible for any injury or damage to person or
property arising from the use of this permit.

Signature of Applicant

Signature of Fire Chief