

TOWN OF VIEW ROYAL

BYLAW NO. 114

As Amended by Bylaw No. 178, 1993; Bylaw No. 301, 1997; and Bylaw No. 660, 2007

CONSOLIDATED FOR CONVENIENCE ONLY

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A BYLAW TO ESTABLISH A MUNICIPAL FIRE DEPARTMENT AND TO REGULATE  
FIRE PREVENTION, PROTECTION AND CONTROL SERVICES

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The Municipal Council of the Town of View Royal, in open meeting assembled, enacts as follows:

**PART I - INTERPRETATION**

1. This Bylaw may be cited as the "Town of View Royal Fire Services Bylaw, 1992, No. 114".
2. View Royal Fire Protection District Bylaw No. 67, 1989 and all amendments thereto are hereby repealed.
3. The British Columbia Fire Code Regulation is hereby adopted and in force within the Municipality.
4. Definitions:

In this Bylaw:

"Ceremonial Burn" means any or all fires related to traditions adopted and recognized by the First Nations communities or as deemed appropriate by the Chief and Council of the Esquimalt and Songhees Nations;

*(Amendment Bylaw No. 660, 2007)*

"Council" means the duly elected Council of the Municipality;

"Fire Chief" means the person appointed from time to time as the Chief of the Fire Department of the Municipality and an officer, member or inspector authorized in writing by the Fire Chief to act on his behalf;

"Fire Code" means the British Columbia Fire Code Regulation made pursuant to the *Fire Services Act*;

"Fire Department" means the Fire Department of the Municipality established by this Bylaw;

"Garbage" means any animal, vegetable and food wastes or scraps;

"Highway" has the same meaning as in the *Municipal Act* and includes a gazetted road which is not opened or improved;

"Incinerator" means a constructed or prefabricated device or structure or container, including but not limited to a barrel or drum, used for the purpose of burning materials;

*(Amendment Bylaw No. 660, 2007)*

"Inspector" means a Fire Department member authorized in writing by the Fire Chief to act on his behalf;

“Member” means a member of the Fire Department;

“Municipality” means the Town of View Royal;

“Officer in Command” means the senior Fire Department member present;

“Open Air Fire” means a fire out of doors, not contained in an incinerator;  
*(Amendment Bylaw No. 660, 2007)*

“Owner or Occupier” means an owner or a tenant, lessee, agent, and any other occupant of premises to which this Bylaw applies;

“Smoking” includes the carrying of a lighted pipe, cigar or cigarette;

“Town Administrator” means the person appointed from time to time as the Chief Administrator Officer of the Municipality.

## **PART II - FIRE DEPARTMENT**

5.
  - 1) The Town of View Royal Fire Department and the position of Fire Chief as the head of the department are established.
  - 2) The Fire Department:
    - a) is responsible for fire prevention, suppression and inspection in the Municipality;
    - b) may provide assistance response to vehicle accidents or other incidents in the Municipality where:
      - i) harm has been or may be caused to persons or property; and
      - ii) the Fire Department has the required and sufficient equipment and trained personnel to provide assistance;
    - c) shall respond when required to do so under any agreement between the Municipality and other jurisdictions.
6. The Fire Chief may:
  - a) appoint persons as members of the Fire Department within the complement established by Council from time to time;
  - b) make rules and regulations for the proper and efficient administration and operation of the Fire Department, and for the discipline of its members, and alter or repeal them from time to time as he thinks necessary.
7. The Fire Chief is hereby authorized to administer this Bylaw, and to report violations of the Bylaw to the Council, through the office of the Town Administrator.

### **PART III- INSPECTION OF PREMISES**

8. Entry for Inspection:

- a) In addition to the powers conferred upon the Fire Chief in his capacity as a Local Assistant under the *Fire Services Act*, the Fire Chief or his Designate may enter, at all reasonable times, on any property subject to this Bylaw, to ascertain whether the requirements of this Bylaw and any orders issued pursuant to it are being observed and to carry out testing required by this Bylaw.
- b) The Fire Chief is authorized to inspect premises in the Municipality for conditions which may cause a fire or increase the danger of a fire, or increase the danger to persons from fire.
- c) The Fire Chief is hereby authorized to exercise the powers conferred upon the Fire Commissioner by Section 21, 22 and 23 of the *Fire Services Act* with respect to matters contained in this Bylaw.

### **PART IV - FIRE DEPARTMENT AUTHORITY**

9. Control and Assistance at Fires:

- a) The Fire Chief or the officer in command at a fire is authorized to order the demolition of a building or part of it in order to prevent damage to persons or property or the spreading of the fire.
- b) The Fire Chief or officer in command may require persons at or near fires to leave the area, and in the event of refusal to leave, may order the person removed by a police officer or member of the Fire Department.
- c) No person shall interfere with the prevention or suppression of a fire.
- d) No person shall prevent the entry of a member of the Fire Department into or upon any premises for which a fire alarm has been received or where that member has reasonable grounds to believe that there is a fire.

### **PART V - FLAMMABLE MATERIALS**

10. Depositing Ashes:

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

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

11. Depositing Flammable Material Among Ashes:

No person shall deposit, or allow or cause to be deposited, any paper, straw, hay, shaving, or other combustible or flammable material or thing in or among any ashes or other material or things taken from any stove, furnace, or fireplace.

12. No Open Flame or Smoking Near Flammable Material:

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

13. Metal Receptacles for Flammable Material:

No person shall keep any waste, rags, papers or cause other substances liable by spontaneous combustion to cause fire, except in a container made of metal or other noncombustible material and with an airtight top or lid of the same type of material.

14. Control of Combustible Material:

- 1) No person shall deposit or allow to collect or be deposited anywhere in the Municipality any paper, rubbish, or other combustible material likely to cause or promote fire dangerous to buildings or other property.
- 2) No owner or occupier shall allow or permit accumulations of waste paper, hay, grass, straw, weeds, litter or any other combustible waste or rubbish of any kind to remain upon any roof, court, yard, vacant lot, or other open space in, or about his premises.

**PART VI - BURNING PROHIBITIONS AND EXCEPTIONS**

*(Amendment Bylaw No. 660, 2007)*

15. No person may burn, either by open air fire or incinerator, any materials, including but not limited to debris associated with demolition or construction or from land clearing development, in the Municipality;

*(Amendment Bylaw No. 660, 2007)*

16. Section 15 does not apply to:

- 1) Indoor residential fireplaces or woodstoves or solid fuel burning appliances;  
*(Amendment Bylaw No. 660, 2007)*
- 2) Outdoor gas-fired appliances;  
*(Amendment Bylaw No. 660, 2007)*
- 3) Outdoor appliances that use charcoal briquettes;  
*(Amendment Bylaw No. 660, 2007)*
- 4) Ceremonial burns on lands receiving the Municipality's fire protection services under Esquimalt Indian Reserve Fire Protection Agreement Bylaw No. 192, 1994 and Songhees Indian Band Fire Protection Services Agreement Bylaw No. 336, 1998; or  
*(Amendment Bylaw No. 660, 2007)*
- 5) Fires for the purposes of training the Municipality's Fire Department.  
*(Amendment Bylaw No. 660, 2007)*

**PART VII - ENFORCEMENT**

17. Issuance of Order:
- a) When the Fire Chief or an inspector determines that:
    - i) a provision of this Bylaw or the Fire Code has been either wholly or in part contravened; or
    - ii) there exists a condition in a building or on property which constitutes a fire hazard or a hazard to life or property,he may order the owner or occupier to take steps to comply with the Bylaw or remove or remedy the condition which constitutes a hazard.
  - b) The provisions of sections 22 and 23 of the *Fire Services Act* apply to an order made under this section.
  - c) Service of an order under this Bylaw shall be effected by delivering it or by sending it by return registered mail to the last known address of the person to whom it is directed.

**PART VIII – PENALTIES AND FEES**

*(Amendment Bylaw No. 660, 2007)*

18. 1) A person who violates a provision of this Bylaw commits an offence and is punishable in accordance with the *Offence Act*, subject to a minimum fine of \$100.00.
- 2) Each day that a violation continues shall be considered to constitute a separate violation for the purposes of this section.
19. 1) Notwithstanding Section 18, any person who violates Section 15 will also be required to pay a fee as prescribed in Schedule “A” for the deployment of Fire Department apparatus and personnel.
- (Amendment Bylaw No. 660, 2007)*
- 2) A minimum of one (1) hour deployment fee will be charged.
- (Amendment Bylaw No. 660, 2007)*
- 3) Any fees imposed under Section 19. 1) are due and payable within forty-five (45) days of invoice and, if not paid on December 31<sup>st</sup> of the year in which they are imposed, may be added to and form part of the taxes payable on the real property as taxes in arrears.
- (Amendment Bylaw No. 660, 2007)*

READ A FIRST TIME THIS	17 <sup>th</sup>	DAY OF	March	, 1992
READ A SECOND TIME THIS	17 <sup>th</sup>	DAY OF	March	, 1992
READ A THIRD TIME THIS	17 <sup>th</sup>	DAY OF	March	, 1992
ADOPTED BY COUNCIL THIS	7 <sup>th</sup>	DAY OF	April	, 1992

**Schedule "A"**

*(Amendment Bylaw No. 660, 2007)*

**Engines**

Minimum Requirements	Types			
	Structure Engines		Wildland Engines	
	1	2	3 & CAFS	4
Pump	1000 GPM	500 GPM	120 GPM	50 GPM
	825 IGPM	425 IGPM	100 IGPM	40 IGPM
Water Tank	400 Gal.	400 Gal.	300 Gal.	200 Gal.
	325 IG	325 IG	250 IG	175 IG
Hose 2 ½"	1200 Ft.	1000 Ft.	-	-
Hose 1 ½"	400 Ft.	500 Ft.	1000 Ft.	300 Ft.
Hose 1"	200 Ft.	300 Ft.	800 Ft.	800 Ft.
Ladder	20 Ft. Ext.	20 Ft. Ext.	-	-
Master Stream	500 GPM	-	-	-
Personnel	4 with SCBA	3 with SCBA	3 with SCBA	3 with SCBA
<b>Total</b>	<b>\$480/hour</b>	<b>\$400/hour</b>	<b>\$375/hour</b>	<b>\$275/hour</b>

**Truck Company**

Minimum Requirements	Types	
	1	2
Aerial Device	75 Ft.	50 Ft.
Elevated Stream	500 GPM	500 GPM
	425 IGPM	425 IGPM
Ground Ladders	115 Ft. (Total)	115 Ft. (Total)
Personnel	4	4
<b>Total</b>	<b>\$679/hour</b>	<b>\$579/hour</b>

**Water Tender**

Minimum Requirements	Types		
	1	2	3
Pump	300 GPM	120 GPM	50 GPM
	250 IGPM	100 IGPM	40 IGPM
Water Tank	2000 Gal.	1000 Gal.	1000 Gal.
	1600 IG	800 IG	800 IG
Personnel	2	2	2
<b>Total</b>	<b>\$297/hour</b>	<b>\$247/hour</b>	<b>\$222/hour</b>

### Brush Patrol

Minimum Requirements	
Pump	15 GPM
	12 IGPM
Hose 1"	150 Ft.
Tank	75 Gal.
	60 IG
Personnel	2
<b>Total</b>	<b>\$172/hour</b>

### Fire Fighters

Fire Fighter Rates	
<b>Total</b>	<b>\$30.50/hour/person</b>

Glossary

Ft. – Feet

Ft. Ext. – Foot extension

Gal. – Gallon

GPM – Gallons per minute

IG – Imperial gallon

IGPM – Imperial gallons per minute

SCBA – Self-contained breathing apparatus