

THE CORPORATION OF THE MUNICIPALITY OF SOUTH BRUCE

BY-LAW 2010-31

BEING A BY-LAW to establish a Policy for the procedures regarding the Fire Prevention and Inspection activities in the Municipality of South Bruce.

WHEREAS the Council of the Municipality of South Bruce deems it expedient to establish a policy to provide guidelines and procedures for the fire prevention and inspection activities in the Municipality of South Bruce.

AND WHEREAS Part 2 of Fire Protection and Prevention Act, 1997 authorizes the Council of a Municipality to;

- (a) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and
- (b) provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances.

AND WHEREAS Section 11 (2), Municipal Act 2001, authorizes the Municipality to pass by-laws respecting the Health, safety and well-being of persons;

NOW THEREFORE, the Council of the Municipality of South Bruce hereby ENACTS as follows:

- 1.0 The Corporation of the Municipality of South Bruce hereby adopts the procedures and guidelines for the fire prevention and inspection activities, conducted by the designated Fire Officials, in the Municipality of South Bruce, contained in the attached Schedule "A" to this by-law.
- 1.0 This By-law shall come into full force and effect upon its final passage.
- 2.0 This By-law may be cited as the "Fire Prevention & Inspection By-law".
- 3.0 Any by-law, or part thereof, that contravenes the intent of this by-law is hereby repealed.

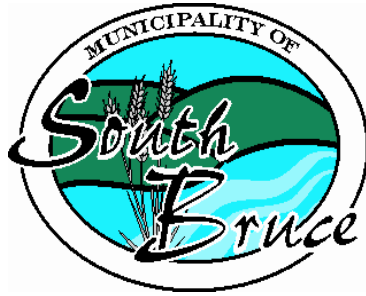
THAT THIS BY LAW BE READ, ENACTED, SIGNED AND SEALED THIS 27th DAY OF APRIL, 2010.

William Goetz, Mayor

Robert W. Small, CAO/Clerk

SEAL

Original Signed



MUNICIPALITY OF SOUTH BRUCE

Schedule "A" to Bylaw #2010-31

Policy & Procedure Manual

November 2009

Fire Prevention & Inspection Policy

Coverage: This policy shall apply to the whole of the Municipality of South Bruce.

Policy Statement: This policy will establish the policies and procedures regarding the **Fire Prevention and Inspection** activities in the Municipality of South Bruce.

Legislative Authority: **Fire Protection and Prevention Act, 1997 and Part XVIII, Section 475, Municipal Act, 2001**

Fire Prevention Records Keeping and Risk Assessment

Current records relating to all fire prevention activities must be prepared and retained in a safe manner at the respective Fire Hall and be available for review when necessary. These records may include:

- Emergency response statistics using the Standard Fire Incident Report
- Fire investigations
- Fire prevention inspection program – complaints, requests, mortgage and resale, licensing, building code, other inspection types
- In-service inspection program
- Home inspection program
- Smoke alarm program
- Distribution of Public Fire Safety information and media releases
- Public displays, fire hall tours, etc.
- Lectures, demonstrations, presentations to the public
- Building code plans examinations
- Simplified risk assessment and other needs analysis processes containing a current community fire profile identifying current public education and prevention needs

Risk Assessment

The simplified risk assessment will be updated every 3 years and programs modified as appropriate.

Public Education Programs

The fire chief and department personnel will provide fire prevention education programs within the community in accordance with the priorities identified in the community's risk assessment. Community groups and organizations may request fire safety related presentations, demonstrations and tours of fire stations.

Appropriate fire safety education materials will be distributed in an effective manner to address community fire safety issues and concerns based upon needs and circumstances.

Open Air Burning

Open air burning is regulated within the municipality. Open air burning will only be conducted with approval of the Chief Fire Official and in accordance with the conditions set out in the *Permit for Open Air Burning By-law*.

Building Code Inspection and Plan Approvals

Building code inspections and plan approvals will be carried out in accordance with the Municipality's By-laws that prescribe types of fire inspections, specified areas of authority and designates the Fire Chief and Fire Prevention Personnel as Inspectors under the Ontario Building Code Act to assist the Chief Building Official in ensuring compliance with the Ontario Building Code.

Fireplaces and Solid Fuel Burning Appliances

These appliances will be inspected upon request by the Fire Department, however, where there are existing fixtures, comments will be limited to the visible portions of the unit only at the time of the inspection.

Requested Inspections for Change of Ownership

Inspections will be conducted within a reasonable period of time when requested by the purchaser's solicitor and only where written permission has been obtained from the owner or the owner's agent to inspect and release inspection results.

Fees for Services

Fees may be charged for any or all of the above referenced inspections/services in accordance with the Municipality's Fee By-Law as amended from time to time.

A fee schedule for various types of inspections/services, is available upon request from the fire department or municipal office.

Municipally Licensed Buildings

Annual inspections of ancillary apartments (regulated by Ontario Fire Code 9.8) and boarding, lodging and rooming houses (regulated by Ontario Fire Code 9.3) shall be done and fees charged in accordance with the schedule specified in the Licensing By-law.

Investigation of Fires

The Fire Chief and/or members of the fire department delegated by the Fire Chief shall assess the origin and cause of all fires within the municipality. The Ontario Provincial Police will be notified for the following reasons: Fatality or Serious Injury (likely to cause death), gaseous explosions, large loss fire or suspicion of arson. The municipal fire investigator will assist the OFM investigator as requested.

Inspections and Enforcement

Fire Prevention Inspections are to be conducted for all complaints received by the fire department containing reports of potential Fire Code violations and/or potential fire hazards.

Additional Fire Prevention Inspections may be conducted of occupancies and buildings as deemed necessary to address the needs and circumstances of the community or a targeted risk.

Appropriate action will be taken to ensure the elimination of serious fire hazards, immediate threats to life from fire, and to enforce the Fire Code under the authority and in accordance with the provisions outlined in the Fire Protection and Prevention Act, 1997.

Where the fire department receives a complaint or request for an inspection on **ANY** premise or building in the municipality, the inspection shall be conducted as soon as practical under the authority of the Fire Protection and Prevention Act regardless of the frequency established in this Fire Prevention Policy.

Where a fire has occurred, the fire prevention division will inspect the property to ensure compliance with the Ontario Fire Code or any provisions under the Fire Protection and Prevention Act.

The following process is to be followed for the completion of Fire Inspections in the Municipality of South Bruce, in the event that a Ratepayer or Resident contacts the Firehall, the Fire Chief, the Deputy Fire Chief or the Fire Prevention Officer (hereafter called the Municipality's representative), and requests an Inspection OR the Municipality's representative may determine the need for an inspection on a property.

1. The date for the inspection will be mutually agreed to by both parties whenever possible.
2. The Municipality's representative should wear his/her fire uniform and arrive in a Fire Department vehicle when possible and/or practical.
3. The Municipality's representative shall carry a clipboard and supplies needed (eg pens, check lists, FMO documents, etc) to conduct the inspection.
4. If the Municipality's representative suspects that the inspection may be completed in a less than cordial environment then two (2) members from the fire department should attend.
5. The inspection should be conducted in the presence of the property owner or a designated agent of the property owner. The Municipality's representative should use the opportunity to educate the property owner as to the fire protection provisions of the Ontario Fire Code.
6. The Municipality's representative shall conduct him/herself in a co-operative and assistive manner and in accordance with the Municipality's code of conduct.
7. The Municipality's representative should review the compliance orders and recommendations with the property owner (or designated agent).
8. A follow-up inspection date is to be scheduled, if necessary.
9. The compliance notes from the inspection are signed by both parties and a copy is to be forwarded to the property owner or the designated agent.
10. The billable hours are to be determined by the Municipality's agent and approved by the Fire Chief.

Summary

This policy provides for the participation of all members of the department in fire prevention and public education activities, during available hours and also addresses the types of inspection services that have been approved by council. It is intended as an affirmative direction to the fire chief, fire department personnel and the public.

Appendix 1 Municipality of South Bruce Fire Prevention Inspection Schedule

Assembly Occupancies (A)	Frequency
Schools and Churches	Upon request or at determination of Fire Chief
Nursery/Day care facilities	Upon request or at determination of Fire Chief Upon request Or
Licensed Premises	Upon request or at determination of Fire Chief
Institutional (B)	
Hospitals, Nursing Homes, or Homes providing special care	Upon request or at determination of Fire Chief n/a
Commercial or Business (D & E)	
In service Mercantile	Upon request or at determination of Fire Chief
Comprehensive Mercantile	Upon request or at determination of Fire Chief
Business/Personal Services	Upon request or at determination of Fire Chief
Industrial (F)	
Factories or complexes	Upon request or at determination of Fire Chief
Industrial malls	Upon request or at determination of Fire Chief
Residential (C)	
Ancillary apartments regulated by 9.8	Upon request or at determination of Fire Chief
Apartments regulated by 9.5	Upon request or at determination of Fire Chief
Apartments regulated by 9.6	Upon request or at determination of Fire Chief
Rooming houses regulated by 9.3	Upon request or at determination of Fire Chief
Hotels/Motels	Upon request or at determination of Fire Chief
Home inspection program	Upon determination of Fire Chief