

TOWN OF MAPLE CREEK

BYLAW NO. 2017-MC-02

**A BYLAW RESPECTING FIRE PREVENTION**

The Council of the Town of Maple Creek in the Province of Saskatchewan enacts as follows:

1. In this bylaw:
  - a. "Chief" means the Chief of the Fire Department or such other person who may be appointed by the Council to carry out the provisions of this Bylaw.
  - b. "Council" means the Council of the Town of Maple Creek.
  - c. "Clear Period" means an uninterrupted length of time in which no false alarm has occurred.
  - d. "E.M.O. Coordinator" means the Emergency Measures Coordinator appointed by the Council.
  - e. "Fire Department" means the Fire Department for the Town of Maple Creek.
  - f. "Local Assistant to the Fire Commissioner" means the Chief or Acting Chief of the Fire Department.
  - g. "Permit" means the written authority of the Fire Chief issued pursuant to this Bylaw.
  - h. "False Alarms" means the activation of a Security Alarm System or a Fire Alarm System as a result of which the Maple Creek Fire Department or emergency response services:
    - i) Are paged and are subsequently cancelled after having been paged; or
    - ii) Are provided on behalf of the town and have responded and do not find any evidence of fire, fire damage, smoke in relation to the building structure, residence or facility, or where there has been no other fire emergency situation.
  - i. "Fire Alarm System" means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal or alerting a Monitoring Service but does not include a Fire Alarm System that is intended to alert only the occupants of a single family dwelling unit in which it is installed.
  - j. "Fireworks" shall mean and include any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation.
  - k. "Monitoring Service" means any mechanical, electrical or electronic device which is designed, intended or used for detection of an unauthorized entry into a building, structure, facility or surrounding area, or for alerting others to the commission of an unlawful act, or both, and which emits a sound or transmits a message, or does both, but does not include:
    - i) A device which registers an alarm which is not Audible, visible or perceptible outside the premises.
    - ii) A device which is installed in a motor vehicle.

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#### 1.1.1 Carrying out of Orders by Fire Chief

- (1) The Fire Chief may carry out or cause to be carried out the activities required to be done by an order if:
  - a. The person to whom the order is directed fails to comply with the order within the time specified in the order and, no stay of the order has been issued; or
  - b. After reasonable inquiry, the whereabouts of the owner, an agent of the owner or occupant of the building, structure or premises that is the subject of the order cannot be determined.
- (2) If an order is carried out by the Fire chief under Subsection (1), the costs incurred in carrying out the order are a debt due to the municipality of Maple Creek and may be recovered from the owner of the building, structure or premises in or on which the order was carried out.
- (3) If the costs mentioned in Subsection (2) are not paid at the end of the year in which the order was carried out, the municipality may add the amount of the costs and expenses to the owner's property taxes.

#### 1.2 Appeals to Fire Commissioner

- (1) A person who is aggrieved by an order made by the Fire Chief or a municipal inspector may, within 20 days of being served with the order, appeal the order to the fire commissioner.
- (2) An appeal under this Section is made by filing a written notice of appeal setting out the reasons for the appeal on the fire commissioner and serving a copy of the appeal on the Fire chief or their delegate.
- (3) The fire commissioner shall consider the appeal within 20 days of the serving of the appeal and may confirm, modify or revoke the order appealed from or substitute an order for the order being appealed from.
- (4) The fire commissioner shall cause a copy of the decision to be served on:
  - (a) The appellant;
  - (b) The Fire Chief or municipal inspector; and
  - (c) Any other persons whom the fire commissioner considers may be interested in the decision.
- (5) An appeal taken under this Section does not operate as a stay of the order appealed from unless the fire commissioner, on an application by the appellant, decides otherwise.

#### 1.3 Appeals to the Saskatchewan Municipal Board

- (1) The Fire Chief, municipal inspector or other person who is aggrieved by a decision of the fire commissioner under Section 13 may, within 20 days of being served with the decision, appeal the decision to the Saskatchewan Municipal Board.
- (2) A person making an appeal under this Section shall serve a written copy of the appeal on the fire commissioner.
- (3) On receipt of an appeal under this Section, the Saskatchewan Municipal Board shall consider the appeal and may confirm, modify or repeal the decision appealed from or substitute its decision for the decision being appealed from.

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- (4) The Saskatchewan Municipal Board shall give written notice of its decision to the Fire Commissioner, the appellant and any other person that the Saskatchewan Municipal Board considers may be interested in the decision.
- (5) An appeal taken under this Section does not operate as a stay of the decision appealed from unless the Board, on an application by the appellant, decides otherwise.

#### Appeal to Court of Appeal

(1) Notwithstanding The Municipal Board Act, with leave of a judge of the Court of Appeal, any person who is aggrieved by a decision of the Saskatchewan Municipal Board made under Section 14 may appeal to the Court of Appeal against the decision of the Saskatchewan Municipal Board within:

- (a) 30 days after the date the decision was made; or
- (b) any further period not exceeding 30 days that a judge of the court of Appeal may allow on an application that is made within 30 days after the date the decision was made.

#### 2.1 General Precautions Against Fire

- (a) No waste paper, hay, straw, shavings, accelerator or other flammable material shall be allowed to accumulate in any building, yard, or premises unless placed in a covered metal receptacle or in a fireproof room provided with fire doors. All such material, if not so placed, shall be removed or destroyed at the close of each business day.
- (b) No uncovered hay, straw, or accumulation of flammable material shall be placed within 60 m (200 ft.) of any building.
- (c) The burning of rubbish or flammable waste material shall not be kindled within 23 m (75 ft.) of any building except by permit (in accordance with attached Schedule B) from the Fire Chief and resolution of Council; and any such burning shall be done between 7:00 am and 11:00 p.m. when a competent person shall be constantly in charge of the fire until it is extinguished. The burning shall be in a properly constructed brick or metallic burning receptacle covered with a suitable 3 mm wire mesh or in an incinerator of a design approved by the Fire Chief.
- (d) All ashes when deposited within a building shall be placed in a non-combustible container and shall not be placed on a combustible floor and, when deposited outside, shall be placed at least 4.5 m (15 ft.) from any wooden structure or other combustible material or placed in a non-combustible container or pit.
- (e) No person shall start the burning of straw, weeds, grass or fire a stubble field until a permit has been obtained from the Fire Chief or by resolution of Council, and no such permit shall be issued unless the applicant undertakes to see that the fire is kept under complete control at all times; that a competent person shall be constantly in charge of the fire until it is extinguished; and that smoke shall not create a traffic hazard on any public highway.

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### 2.2 Fire Pits

Open cooking fires shall not be set unless the following measures are taken to limit their spread:

(a) Fires must be contained in a non-combustible receptacle constructed of concrete, brick, stones or sheet metal with a minimum eighteen (18) gauge thickness and with a maximum diameter of eight-two (82) centimeters (32.28”).

(b) The brick, stone, concrete or sheet metal shall be separated from grass and any other vegetation by a distance of at least forty (40) centimeters (15.7”) by means of clean earth, sand, gravel or other non-combustible medium;

(c) A receptacle must be covered with a heavy gauge metal with openings not exceeding thirteen (13) millimeters (0.5”) and

(d) The receptacle shall be located on private property, a distance of at least three (3) meters (9.8 ft.) from any property line, building or other combustible structure.

### 2.3 Chimenea and Portable Fire Pits

(a) Shall not be used on apartment balconies

(b) Shall not be used indoors

(c) Shall not be used on wooden decks; may be used on a noncombustible surface such as earth, concrete, stone, brick, etc.

### 2.4 General Requirements

(a) Open-air fires shall not be set unless the following measures are taken to limit their spread:

(b) fires shall be contained in a non-combustible receptacle constructed of cement, brick or sheet metal with a minimum 18-gauge thickness;

(c) a receptacle shall be covered with a heavy gauge screen with openings not exceeding 13 millimeters; and

(c) the size of the fire box of any receptacle shall not exceed 0.61 meters.

(2) The fuel for open-air fires shall consist only of charcoal or cut, seasoned wood, the burning of the following material is prohibited:

(a) rubbish;

(b) garden refuse;

(c) manure;

(d) livestock or animal carcasses; and

(e) any material which when burned will generate black smoke or an offensive odor including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, or any similar material.

(3) Open-air fires shall be reasonably supervised so as to prevent their spread.

(4) Open-air fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.

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- (5) Open-air fires shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
- (6) If smoke from an open-air fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately.
- (7) The Fire Chief may issue a "Permit" to a person to set an open-air fire as part of a block party, community event or similar special function or celebration. In this event, the Department may waive any requirements of this Section with respect to the permitted open-air fire, but the permittee shall comply with all other requirements of this Section and any other conditions attached to the Permit by the Department.

### 3.0 False Alarm

Through the Town of Maple Creek Fire Prevention Bylaw False Alarm fees, the ultimate goal of the Maple Creek Fire Department is to reduce the number of false incidents to which fire crews respond each year.

- 3.1 False Alarm incidents include but are not limited to:
  - i) the testing of an Alarm without notice to the Maple Creek Fire Department which results in a fire call out;
  - ii) an Alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
  - iii) an Alarm activated by user error;
  - iv) an Alarm reporting a fire or a fire emergency situation occurring on or in relation to the address in which the Alarm System is installed where no evidence exists or where no such event took place; or
  - v) an Alarm actually or apparently activated by atmospheric conditions, excessive vibrations or power failure.
- 3.2 The owner or occupier of real property shall use, install, maintain and operate any Fire Alarm System or Security Alarm System installed on or in the real property in a manner that will ensure the prevention of False Alarms.
- 3.3 In the event that the Maple Creek Fire Department is required to forcibly enter a premises due to a False Alarm, all costs incurred must be paid by the owner or occupier of the property.
- 3.4 Fees apply to the owner or occupier of real property where any Fire Alarm System or Security Alarm System is installed on or in the real property.
- 3.5 The owner or occupier of real property where any Fire Alarm System or Security Alarm System is installed on or in the real property shall maintain a twelve (12) month clear period from the date of the last false alarm occurrence before such time where a First (1<sup>st</sup>) occurrence fee will be reinstated.

### 4.0 Fireworks

#### (1) Sale of Fireworks

No person shall sell any fireworks and no person being the owner, occupant or person in charge of any premises shall permit any fireworks to be sold on the premises:

- (a) without first having obtained a business license with the Town of Maple Creek and also obtaining a license for the sale of fireworks within the federal guideline; and;
- (b) Except to a person who is 18 years of age or older.

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(2) No person shall sell any high hazard fireworks and no person being the owner, occupant or person in charge of any premises shall permit any high hazard fireworks to be sold on the premises to anyone other than a fireworks supervisor.

(3) No person shall sell, and no person being the owner, occupant or person in charge of any premises shall permit any fireworks to be sold other than as specified in the fireworks sale permit.

(4) The handling and storage of fireworks shall be in accordance with the Explosives Act and its Regulations, and The National Fire Code.

### 4.1 Discharge of Fireworks

(1) No person shall discharge any fireworks in a manner that would create a danger or nuisance to any other person or property.

4.1.1 No person shall discharge any fireworks into or onto any public place and no person being the owner or occupant of any premises shall permit any fireworks to be discharged into or onto any public place without first obtaining a firework display permit from the Fire Department.

4.1.2 No person shall discharge any low hazard fireworks and no person being the owner or occupant of any premises shall permit any low hazard fireworks to be discharged except:

- i) between the hours of dusk and 11:00 p.m. on Victoria Day, Canada Day, or Labour Day; or
- ii) such other dates and times as permitted by the Fire Chief in the permit.

4.1.3 No person shall discharge any fireworks on a school site without the prior written consent of the Board of Education or School Division that owns the site, and without first obtaining a fireworks permit from the Fire Chief.

4.1.4 No person under 18 years of age shall discharge any fireworks except under the direct supervision of a parent, guardian or other responsible adult.

4.1.5 No parent or guardian of a child under 18 years of age shall suffer or permit the child to discharge any fireworks, except when under the direct supervision of the parent or guardian.

4.1.6 No person shall discharge any fireworks other than as specified in the fireworks display permit and in accordance with the terms and conditions of the fireworks display permit.

### 4.2 Indoor Fireworks

4.2.1 No person shall hold an indoor fireworks (pyrotechnics) display without first obtaining a permit from the Fire Department.

4.2.2 The person holding the permit shall be responsible to ensure that the display is conducted in accordance with provisions of the current Pyrotechnic Special Effects Manual prepared by Natural Resources Canada.

4.2.3 The handling, storage and use of indoor fireworks shall be in conformance with the Explosives Act and its Regulations, and The National Fire Code.

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#### 4.3 High Hazard Fireworks Display

- 4.3.1 No person shall hold a public fireworks display using high hazard fireworks without first obtaining a permit from the Fire Department.
- 4.3.2 A public fireworks display using high hazard fireworks shall be conducted under the direct supervision of a fireworks supervisor.
- 4.3.3 The person holding the permit shall be responsible to ensure that the display is conducted in accordance with the current Fireworks Display Manual prepared by Natural Resources Canada.
- 4.3.4 The handling, storage and use of high hazard fireworks shall be in accordance with the Explosives Act, its Regulations, and The National Fire Code.

#### 4.4 Fireworks Display Permits

4.4.1 The Town of Maple Creek shall have the sole discretion to issue a permit to allow a person to:

- i) Sell Fireworks; or
- ii) The types of permit that may be issued by the Fire Department include:
  - a. Fireworks permits;
  - b. Fireworks display permits in respect of:
    - i. High hazard fireworks;
    - ii. Low hazard fireworks; and
    - iii. Indoor fireworks

4.4.2 Application for a permit shall be made to the Town of Maple Creek Fire Chief on such forms and accompanied by such information as may be prescribed by the Department from time to time.

4.4.3 The Fire Chief or his designate may issue a permit upon such terms and conditions as the Fire Chief considers appropriate.

4.4.4 Without limiting the generality of subsection 4.4.3, the Fire Chief may, in any permit:

- a. Place restrictions on the quantity and the type of fireworks that may be sold or discharged in the display;
- b. Require the applicant to submit specified information;
- c. Require the applicant to provide security and fire safety measures;
- d. Place restrictions on the manner in which fireworks may be discharged; and
- e. Require the permit holder to, at the conclusion of the public fireworks display, immediately remove and dispose of all unused fireworks and debris.

4.4.5 A permit for an indoor fireworks display shall only be issued to persons holding a valid Assistant Pyro technician, Pyro technician or Special Effects Pyro technician card issued by Natural Resources Canada. Applicants with pyrotechnic accreditation from other jurisdictions shall not receive a permit unless the Fire Department is satisfied that the applicant is properly trained and qualified in indoor pyrotechnics.

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- 4.4.6 A fireworks display permit for a public fireworks display using high hazard fireworks shall only be issued to persons holding a valid Fireworks Supervisor Level I or Level II card issued by Natural Resources Canada. Applicants with Fireworks Supervisor accreditation from other jurisdictions shall not receive a permit unless the Fire Department is satisfied that the applicant is properly trained and qualified in the use of high hazard fireworks.
- 4.4.7 The applicant for a firework display permit or a fireworks distribution permit shall procure and provide the Fire Department, at least 7 days prior to the scheduled date of the display, a Certificate of Insurance which shall name the Town as insured under the applicant’s insurance policy evidencing public liability insurance in the amounts hereinafter specified:
  - a. For a permit regarding an indoor firework display or a public fireworks display using high hazard fireworks, a minimum of \$5,000,000.00; or
  - b. For a permit regarding a public fireworks display using low hazard fireworks, a minimum of \$2,000,000.00.
- 4.4.8 The Fire Chief may, upon application from the holder of a permit, or at his discretion, amend the terms and conditions of the permit.
- 4.4.9 No person shall assign or transfer a fireworks distribution permit or a firework display permit.

5.0 Stoves, Furnaces, Etc.

- 1. Except where certified for lesser clearances by an agency acceptable to the regulatory authority or as approved by the regulatory authority, the minimum clearance between any solid fuel burning appliance and combustible material, whether or not such material is covered with non-combustible material such as plastic shall be:

Top	Sides	Rear	Fueling Side
1500mm (60")	1200mm (48")	1200mm (48")	1200mm

Except that where protection is provided as described below.

<u>Type of Protection</u>	<u>% Reduction</u>	
	<u>Top</u>	<u>Sides/Rear</u>
A minimum of 0.33mm (0.013 in) sheet metal spaced Out 25mm (1 in) by non-combustible spacers	67	50
Solid brick wall, ceramic tiles, or equivalent non-combustible Material on non-combustible supports and spaced out at Least 25mm (1 in) by non-combustible spacers	50	33
Ceramic tiles or equivalent non-combustible Material on non-combustible supports with a Minimum of 0.33mm (0.013 in) sheet metal Backing spaced out 25mm(1 in)by non-combustible spacers	67	50



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2. An appliance mounted on any type of floor other than a concrete pad on the ground or a concrete floor shall be installed on a floor-protecting pad on non-combustible material (0.55mm (0.022 in) sheet metal or equivalent) extending at least 450mm (18 in) beyond the appliance on any side equipped with a door and 200mm (8 in) beyond the appliance on other sides. The appliance shall be supported off the floor protection pad by 2 courses of 100mm (4 in) hollow brick arranged so that the hollow cores in the two courses are in at right angles to each other and will permit air circulation through them.
3. Solid fuel burning appliances mounted on legs that provide a clear space at least 175mm (7 in) high may be mounted directly on the floor pad if a 0.55mm (0.022 in) thick sheet metal plate covers the area of the appliance bottom and is installed at least 50mm (2 in) from the appliance bottom and at least 50mm (2 in) from the floor pad by non-combustible spacers or attached to the appliance legs.
4. Every low pressure heating boiler, laundry stove, portable oven or stove, range or stove, without legs, using solid fuel, shall rest upon a non-combustible base of 100mm (4 in) hollow masonry units arranged to allow air circulation from one side to the other, and covered with sheet metal, not less than 0.55mm (0.022 in (25 gauge)) thick.
5. Unless the appliance is approved by a testing laboratory (C.S.S., U.L.C., Warnock Hersey) overhead clearances between heating boilers or hot air furnaces and wood, wood lath and plaster, or other combustible ceilings, shall be at least 1500 mm (60 in) unless the combustible ceiling is protected as per 5.1.
6. All warm air heating units and related equipment must be installed and conform to provincial regulations governing installation of gas and oil-fired equipment and The National Building Code of Canada 2005 and CSA Standard 8365-M84 in the case of solid fuel fired equipment.

6.0 Flue Pipe

1. The minimum clearance between a flue pipe or breeching serving solid fuel burning appliance and combustible material, whether or not such material is covered with non-combustible material such as plaster, shall be 450mm (18 in), except where protection is provided as described on the following table.

Minimum Flue Pipe Clearances with Specified Forms of Protection

	<u>Type of Protection</u> m	<u>Minimum Clearance</u> mm
0.33mm (0.013 in) sheet metal spaced out from the Flue pipe 25mm (1 in) by non-combustible spacers And of such width that the shortest distance to any Unprotected combustible surface is at least 450mm (18 in)	225	9
0.033mm (0.013 in) sheet metal spaced out 25mm (1 in) From combustible surfaces by non-combustible spacers	225	9
Ceramic tiles or equivalent non-combustible material On non-combustible supports and spaced out at least 25mm (1 in) by non-combustible spacers.	225	9

2. A flue pipe or breeching serving 1 or more solid-fuel burning appliances shall be constructed of steel, masonry or other non-combustible material with a melting point of not less than 1100 degrees C (2000 degrees F).

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3. Tile shall not be used as a flue pipe.
4. A flue pipe or breeching shall not pass through
  - a. An attic, roof space, closet, or similar concealed space; or
  - b. A floor or ceiling of combustible construction.
5. Where a flue pipe or breeching passes through a wall or partition of combustible construction, a clearance of 450mm (18 in) shall be maintained between the pipe and the combustible material where the combustible construction is unprotected, or 225mm (9 in) where the combustible construction is protected by sheet metal of not less than 0.33 mm (0.013 in) placed at least 25mm (1 in) from the flue pipe.
6. A flue pipe or breeching shall:
  - a. Be securely supported from the structure by means of metal or other non-combustible supports. Horizontal pipes shall be supported at intervals not exceeding 1m (3 ft.);
  - b. Be as short and straight as practicable. A single-walled flue pipe shall not exceed 3m (10 ft.) of horizontal length and shall have no more than two 90 degree elbows;
  - c. Be designed and constructed to allow for expansion;
  - d. Be sloped upward toward the chimney at least 20mm/m (0.25 in/ft.) of horizontal run;
  - e. Enter the side of a chimney through a metal thimble or masonry flue ring mechanically fastened to prevent displacement under normal use; Note: The bond between the thimble and mortar is not considered a mechanical fastening.
  - f. Not extend into the chimney flue;
  - g. Have a sealed connection with the chimney;
  - h. Have provisions for visual inspection and cleaning either by clean-outs in the flue pipe or by removal of the flue pipe; and
  - i. Have joints arranged so that condensation from the chimney will drain towards the appliance.
7. The minimum thickness of metal used in steel flue pipes shall be not less than that shown below.

Minimum Flue Pipe Thickness

Flue Pipe Diameter		Minimum Thickness For Sheet Steel*	
mm	in	mm	gauge
Less than 150	Less than 6	0.41	26
150 – 199	6 to less than 8	0.53	24
200 – 249	8 to less than 10	0.69	22
250 and over	10 and over	+	+

\*These thicknesses are the minimum acceptable. No reductions are permissible for rolling or mill tolerances.

+As required by acceptable engineering practices.

7.0 Chimneys

1. a. All brick or concrete chimneys shall be constructed in accordance with the provisions of Subsection (2) of this section and, where any chimney is declared unsafe by the Fire Chief or Building Official or designate, it shall be made safe by repair or taken down and rebuilt.

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- 1.b. A suitable clean-out shall be provided near the base of every chimney and all flue and clean-out holes, when not in use shall be closed with well-secured non-combustible stoppers.
- 1.c. Every chimney connected to an appliance using solid or liquid fuel shall be cleaned at least once every year.
- 2.a. Chimneys shall be of brick or concrete construction and the walls thereof shall be at least 200mm (8 in) thickness and lined throughout with tile.  
All bricks shall be laid flat in mortar with all joints filled. Chimneys servicing one and two family dwellings shall be at least 100mm (4 in) in thickness and be tile lined.
- 2.b. A chimney shall extend not less than 900mm (3 ft.) above the highest point at which the chimney comes in contact with the roof and not less than 600mm (2 ft.) above the highest roof surface or structured within 3m (10 ft.) of the chimney.
- 2.c. All masonry chimneys shall have foundations of masonry or concrete which shall extend down to the level of the foundation wall footing surrounding the area where the chimney is located.
- 2.d. Prefabricated chimneys may be used providing they have been listed and labeled by a recognized testing laboratory as being reasonably free from fire hazard and installed according to manufacturer's specifications. If a prefabricated chimney is used to vent a fuel efficient furnace or air tight heater, it must be a labeled 650-degree C (1200-degree F) chimney.
- 2.e. Flues serving gas appliances must comply with the provincial regulations governing the installation of gas piping equipment and venting.

#### 8.0 Use of Blowlamps

1. No person shall use a blowlamp or similar device to burn any material which when burned will generate black smoke or an offensive odor, including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood or any similar material, unless such use is permitted under The Environmental Management and Protection Act and is conducted in a manner acceptable to The Saskatchewan Environment and Resource Management Department.

#### 9.0 Barbecuing

1. Every person who uses a barbecue or similar device shall:
  - a. Use the barbecue in a reasonable and safe manner;
  - b. Keep the barbecue, when lit, a sufficient distance from all combustible material;
  - c. Refrain from leaving the barbecue unattended, when lit;
  - d. Keep the barbecue in a reasonable state of repair; and
  - e. Comply with all federal and provincial regulations governing the use and storage of propane cylinders.
2. In addition to requirements of Subsection (1), if any person uses a barbecue or similar device on a balcony, the following provisions apply:
  - a. Solid fuel barbecues or similar cooking devices shall not be used;
  - b. Propane cylinders shall not exceed the 20-pound size;

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- c. Propane cylinders shall not be repaired, stored or contained within the building;
- d. Propane cylinders shall be shut off at the tank valve when not in use;
- e. Propane cylinders shall be connected and secured to the barbecue;
- f. Propane cylinders shall be kept in an upright position at all times including when cylinders are in transit, in service or in storage; and
- g. If a building has a freight or service elevator, propane cylinders shall be delivered to and from the dwelling units within the building using that elevator. If a building has a passenger elevator only, propane cylinders may be delivered to and from dwelling units within the building using that elevator as long as no passengers other than the person who owns the tank or maintenance or delivery personnel are on the elevator at the time of the delivery.

#### 10.0 Wood Piles

1. A person may store lumber, timber or firewood on a residential property subject to the following restrictions:
  - a. The yard or storage area shall be surrounded by a firmly anchored fence that is substantially constructed to discourage climbing and unauthorized entry; and
  - b. The total amount of lumber, timer and firewood stored on the property shall not exceed one cord.
2. Subsection (1) does not apply to lumber or timber stored on site during the construction of any building on a residential property.

#### 11.0 Storage of Containers

1. All boxes, crates, barrels and other containers, empty or otherwise, used or kept in any building or on any lot, shall be:
  - a. Stacked or piled clear of windows and doors to provide clear ingress and egress to any building; and
  - b. Kept away from any source of fire.
2. If in the opinion of the Fire Chief or a designated officer, any accumulation of boxes, crates, barrels or other containers or packing materials constitutes a fire hazard, the Fire Chief or designated officer may order the owner or occupant of the building or lot to remove the accumulation immediately.
3. In addition to the standards and requirements of The National Fire Code and The Hazardous Substances and Waste Dangerous Goods Regulations respecting the design, construction and use of storage tanks for flammable liquids and combustible liquids, the following standards and requirements shall apply:
  - a. Underground storage tanks and associated piping shall be double walled or monitored in a manner acceptable to the fire department.
  - b. Every underground storage tank shall be equipped with piezometers as required by this Section; and
  - c. All piping connections shall be visible through the use of a transition box.
4. Piezometers shall be designed, constructed and used in accordance with the following standards and requirements:
  - a. The piezometer shall be constructed of plastic (poly-vinyl chloride) pipe not less than 100 millimeters in diameter;

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- b. The piezometer shall be placed vertically from the bottom of the tank bed (sand or pea-gravel) to approximately 100 millimeters below grade level;
- c. The top of the piezometer shall be protected from damage by the installation of an approved metal frame and cover 300 millimeters in diameter. The cover shall be painted white and clearly marked;
- d. The top end of the piezometer shall be equipped with a threaded plastic nut for access to the pipe;
- e. The bottom end of the piezometer shall be plugged or sealed;
- f. The piezometer shall have slots cut in the sides of the pipe. The slots shall be 50 millimeters in length, 1 millimeter in width and 50 millimeters apart. The slots shall be staggered on all sides of the pipe and extend a minimum of 1,200 millimeters from the bottom of the pipe; and
- g. Piezometers shall be placed in the tank hole. There shall be at least 1 more piezometers in the tank hole than the number of storage tanks in the same tank hole.

#### 12.0 Outdoor Storage of Rubber Tires

1. Except as provided in Subsection (2), rubber tires shall be stored in accordance with Article 3.3.3 of The National Fire Code.
2. If the individual storage area for rubber tires is located on a site which abuts a residential site, the following size and clearance restrictions apply:
  - a. The maximum height of storage cannot exceed 2 meters; and
  - b. The minimum clear space between the storage area and any property line which separates the site from the residential site cannot be less than three meters.

#### 13. Propane Fueled Vehicles

1. No person shall park a vehicle fueled with propane in any underground or enclosed parking facility attached to a major residential, business and personal services or mercantile occupancy.
2. Subsection (1) does not apply to a sweeper used to clean any underground or enclosed parking facility provided the sweeper is stored in accordance with the following conditions:
  - a. The sweeper shall be located in a room that is separated from the remainder of the building by a gas-tight fire separation having a fire-resistance rating of at least two hours;
  - b. The room in which the sweeper is stored shall be located on an exterior wall of the building;
  - c. The room in which the sweeper is stored shall be provided with ventilation separate from the remainder of the building; and
  - d. The sweeper shall not be fueled anywhere in the underground or enclosed parking facility.
3. No person shall park a recreation vehicle including a motor home, travel trailer, van motor, fifth wheel, tent trailer, truck camper or similar vehicle that has any propane tank attached to it for any use, in any underground or enclosed parking facility attached to a major residential, business and personal services or mercantile occupancy.
4. The owner of every underground or enclosed parking facility shall post signs to indicate the parking prohibition of vehicles, fueled or using propane in any manner, in conspicuous locations near the principal entrances to the parking facility.

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5. Signs required by this Section shall have lettering not less than 100mm high with a 15mm stroke.

14. Property Identification

1. The civic address of any building or structure shall be prominently displayed on the front of the building or structure so as to be clearly visible from the street.

15. Inspection, Testing and Maintenance of Portable Fire Extinguishers

1. In accordance with Article 6.2.4.1 of The National Fire Code, all portable fire extinguishers shall be inspected, tested and maintained in conformance with NFPA 10, "Portable Fire Extinguishers".
2. Inspection, testing and maintenance of portable fire extinguishers shall be performed by properly trained and qualified persons as set out by the NFPA Standards.
3. Any label affixed to an extinguisher after a hydrostatic pressure test or any tag attached to an extinguisher after maintenance or recharge shall, in addition to the information required by Article of The National Fire Code, contain the identification number of the person who performed the test or maintenance on the extinguisher.

16. Inspection and Maintenance of Commercial Cooking Equipment

1. In accordance with sentence 2.6.1.9(2) of The National Fire Code, the inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be in conformance with NFPA 96, "Ventilation Control and Fire Protection of Commercial Cooking Equipment".
2. Inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be performed by properly trained and qualified persons.
3. Any person who intends to inspect or maintain commercial cooking equipment exhaust and fire protection systems shall submit proof of proper training to the Department before carrying out any inspections or maintenance.
4. Upon proof of proper training, Public health shall inspect for the owner/operator to maintain commercial cooking equipment exhaust and fire protection systems in the Municipality, which permit shall be valid for the term specified on the permit.
5. Any label or tag affixed to a commercial cooking equipment exhaust and fire protection system after inspection or maintenance shall, in addition to the information required by The National Fire Code, contain the identification number of the person who performed the inspection or maintenance of the system.

17. Inspection and Maintenance of Sprinkler and Standpipe Systems

1. Inspection and maintenance of sprinkler and standpipe systems shall be performed by properly trained and qualified persons.
2. All sprinkler systems must be maintained in accordance with manufacturers' specifications.

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3. Any label or tag affixed to a sprinkler or standpipe system shall, in addition to the information required by The National Fire Code, contain the identification number of the person who performed the inspection or maintenance on the sprinkler or standpipe system.

#### 18. Inspection, Testing and Maintenance of Fire Alarm Systems

1. In accordance with article 6.3.1.2 of The National Fire code, the inspection, testing and maintenance of fire alarm systems shall be in accordance with CAN/ULC-S536-M, "Inspection and Testing of Fire Alarm Systems".
2. Inspection, testing and maintenance of fire alarm systems shall be performed by properly trained and qualified persons. This means they must meet one of the following:
  - a. Is, or the person's employer is, a member in good standing of the Canadian Fire Alarm Association or the National Fire Protection Association; and
  - b. Has at least one of the following qualifications:
    - i) a certificate from a recognized alarm manufacturer that the person is a factory trained installed and service person; or
    - ii) a certificate that the person has successfully completed the Canadian Fire Alarm Association "Fire Alarm Technology" program, and has worked as an apprentice to a person who holds a permit under this section for a period of not less than one year; or
    - iii) a certificate that the person has successfully completed the journeyman electrician trade's upgrading course entitled "Fire Alarm and Protection Systems".

#### 19. Vacant Buildings

1. In accordance with Article 2.4.6.1 of The National Fire Code, all vacant buildings shall be secured against unauthorized entry as provided in this Article.
2. All exterior windows and doors, whether broken or intact, on the first storey of a vacant building shall be boarded up to prevent unauthorized entry.
3. All broken exterior windows on any storey above the first storey of a vacant building shall be boarded up to prevent unauthorized entry.
4. The boards used to secure a vacant building shall be plywood, OSB (oriented strand board), particleboard or wafer board with a minimum thickness of 7/16 inch.
5. Wherever possible, the boards shall be one solid piece and shall be secured to the window or door frame or brick molding using 2-inch gyro screws placed approximately 10 inches apart.
6. The boards shall be cut so as to fit tightly against the door or window frames to prevent a person from prying off the boards.
7. In addition to the windows and doors, any other openings in the exterior of a vacant building shall be secured to prevent unauthorized entry or an infestation of pigeons or rodents.

#### 20. Prevention of Fire Spread

The Fire department may pull down or demolish any buildings or other erections when, in the opinion of the Fire Chief or the senior officer in command of a fire or any other emergency, such actions are considered necessary to prevent the spread of fire.

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#### 21. Persons Present at a Fire

1. No person shall drive any vehicle over any hose while in use or about to be used at any fire or which has been used or laid to be used at a fire or at a practice.
2. No person shall in any way impede or hinder any fireman, or other person who shall be assisting at the extinguishing of any fire, or who may be engaged in other duties connected therewith.
3. No person shall obstruct, hinder or delay any fire equipment while the same is proceeding to a fire; and every person traveling, riding, or driving on any street or place along which any fire apparatus is proceeding to a fire, shall yield the right of way to the same.
4. No person shall park so that they are in the fire lane or yellow zone as to hinder the ability of the Fire Department to respond to a fire.

#### 22. Duties of Fire Chief

It shall be the duty of the Fire Chief:

1. To save life and property endangered by fire, and to foster fire prevention.
2. To keep a permanent record of all fires and causes thereof and to make a bi-annual written report thereon to the Administrator.
3. 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
4. To cause to be investigated all fires in order to ascertain the cause, origin and other circumstances thereof.
5. To notify the Fire commissioner immediately of any fire of a suspicious nature, any major outbreak of fire, or of any death caused by fire.
6. Notwithstanding any provision of this Bylaw, the Fire Chief may issue a written declaration, authorize by the Administrator, banning burning or incineration of any kind in the Municipality. The authorized written declaration shall detail the effective date of the ban, and relevant details of the ban as deemed appropriate by the Fire Chief in consultation with the Administrator.
7. The Fire Chief shall provide a copy of the authorized written declaration of any fire ban to the appropriate ministry of the Government of Saskatchewan, and the Administrator shall ensure that Council is notified of the authorized written declaration, as well as notification to the public through common means.

#### 23. Special Authorities of Fire Chief

1. The Fire Chief may call upon all or any person to assist in the suppression of a fire and all persons called upon shall obey the commands of the Fire Chief or other officer-in-charge.
2. The Chief, or other officer-in-charge of a fire, may prescribe the limits within which no person or vehicle shall be permitted, and shall have power to close any street or lane to the public for the duration of the fire and related operations.
3. The Fire Chief may order the pulling down or demolition of buildings or other erections when deemed necessary to prevent the spread of fire; and provided further that explosives shall not be used for the demolition purposes.
4. The Maple Creek Fire Department shall be governed, in terms of organizational structure, administrative policies for the operations, by the provisions contained in the Constitution of the Maple Creek Fire Brigade.
5. Hydrant Systems:
  - a. Fire hydrants shall be designed, installed, and maintained in accordance with the standards and specifications of the Town of



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Maple Creek Engineering services and Public Works  
Department.

- b. No person shall allow, permit or resist or impede access or view of any fire hydrant.
- c. No person shall grow vegetation (other than grass), or place any structures within a one (1) meter radius of a fire hydrant; and no more than at a grade higher than the base of the hydrant.
- d. No person shall paint, discolor, or otherwise alter the appearance of a hydrant, except as designated by Council.

#### 6. Fees for Services

- a. The Maple Creek Fire/Rescue Services is authorized to charge the applicable fees for the various services and emergency responses listed in Schedule "A".
- b. False alarms as per Schedule "A".
- c. The fees shall be reviewed and amended from time to time by bylaw.
- d. The fees provided for by this section may be charged to a Property owner, a Business Owner, the person requesting the service, or the Person who benefits from this service.

#### 24. Compensations for Demolition

1. Where action is taken as provided by Subsection (3) of Section 23 hereof, compensation shall be provided by the Council for loss or damage sustained by reason of the said pull down or demolition.
2. If the owner, tenant or occupant responsible for the building or premises refuses or neglects to do any matter or thing required to be done by him hereunder by the authority having jurisdiction, the matter or thing may be done by the Town of Maple Creek at the expense of the person in default and the Town of Maple Creek may recover the expenses of doing so with costs by adding the expenses to, and they thereby form part of the taxes on the land on which or with respect to which the work is done in accordance with The Municipalities Act, as amended from time to time.
3. The costs incurred by the Town of Maple Creek for additional protective services required that are over and above the normal services provided by the Town of Maple Creek for fire prevention, suppression, emergency response services and administrative fees and disbursements, shall be charged directly to the owner, tenant or occupant responsible for the building or premises receiving the benefit of such services, and they thereby form part of the taxes on the land on which or with respect to which the work is done in accordance with The Municipalities Act, as amended from time to time.

#### 25. Penalty

1. Any person who contravenes any of the provisions of this Bylaw for which no other penalty is specifically provided is guilty of an offense and liable on summary conviction to a fine of not more than:
  - a. In the case of an individual, to a fine of not more than \$5,000.00 and in the case of a continuing offence, to a further fine of not more than \$5,000.00 for each day during which the offence continues;
  - b. In the case of a corporation, to a fine of not more than \$10,000.00 and in the case of a continuing offence, to a further fine of not more than \$10,000.00 for each day the offence continues.

#### 26. Coming into Force

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1. Bylaws 99-MC-18; 2002-MC-33, 2004-MC-08 and 2015-MC-14 are hereby repealed.
2. This Bylaw shall come into force and be in effect on the final passing thereof.

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Mayor

S E A L

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Administrator

Read a third time and hereby  
adopted on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2017.

TOWN OF MAPLE CREEK

BYLAW NO. 2017-MC-02

SCHEDULE "A"

FEEES FOR SERVICES

Maltese Fire Inspections Ltd.  
302 – 1120 9<sup>th</sup> Avenue NE  
Swift Current, SK S9H 2S9  
306-773-1991

1. Fire Inspection Service Fee:
  - a. 30 days' notice required to conduct an inspection
  - b. Two members - \$55.00 per hour for the first person  
- \$35.00 per hour for the second person
  - c. Minimum charge one (1) hour
  - d. Each succeeding hour to be billed a rate of \$35.00 per hour for each of the two members.
  - e. \$25.00 fee for use of a member's personal vehicle for the first hour of Town Inspections
  - f. Mileage at the rate of \$0.45 cent per kilometer to be charged for inspection outside the Town of Maple Creek.
  
2. False Alarm Fee:
  - a. First (1<sup>st</sup>) Time – no fee – warning (12 months clear)
  - b. Second (2<sup>nd</sup>) Time – \$500.00
  - c. Third (3<sup>rd</sup>) and each additional time - \$500.00 and 25%.
  - d. Credit Union – has a low-pressure alarm.

TOWN OF MAPLE CREEK

BYLAW NO. 2017-MC-02

SCHEDULE "B"  
Town of Maple Creek  
Outdoor Fire Permit – Permit to Burn

ADDRESS OF OUTDOOR FIRE APPLIANCE:

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DESCRIPTION OF AREA WHERE APPLIANCE IS LOCATED (Include drawing on back of this form):

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SAFETY PRECAUTIONS/CONDITIONS:

1. Open-air fires shall not be set unless the following measures are taken to limit their spread:
  - a. Fires must be contained in a non-combustible receptacle constructed of cement, brick or sheet metal with a minimum 18-gauge thickness;
  - b. The appliance must be covered with a heavy gauge metal screen with openings not exceeding 13 mm.
  - c. The fuel for open-air fires shall consist only of charcoal or cut, seasoned wood.
  - d. Fires must be under direct supervision at all times.
  - e. A garden hose, extinguisher or other method of extinguishment must be available at all times.

The Maple Creek Fire Department assumes no responsibility for any burning or consequence of any burning. The owner is responsible for any or all damages as a result of burning. The owner may be required to extinguish the fire at any time if it causes unreasonable interference with the use and enjoyment of another person's property.

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

\_\_\_\_\_  
Applicant's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Property Owner's Name-(attach Owner's Letter of Consent)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Phone Number

**OUTDOOR FIRE APPLIANCE ACCEPTED**

\_\_\_\_\_  
Fire Chief

\_\_\_\_\_  
Date

TOWN OF MAPLE CREEK

BYLAW NO. 2017-MC-02

SCHEDULE "C"

PERMIT – FIREWORKS

Proof of Liability Insurance Required

Date: \_\_\_\_\_

Permission is hereby granted to \_\_\_\_\_  
\_\_\_\_\_

Representing \_\_\_\_\_ to conduct  
a fireworks display to \_\_\_\_\_ on

\_\_\_\_\_ between the hours of \_\_\_\_\_  
(a.m./p.m.)

and It is express conditions 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.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Fire Chief

COMMENTS: \_\_\_\_\_

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