

# CITY OF PRINCE RUPERT

## FIRE CONTROL AND PROTECTION BYLAW NO. 3663, 2025

### A BYLAW TO ESTABLISH A FIRE DEPARTMENT AND TO PROVIDE FOR THE REGULATION AND CONTROL OF FIRES AND FIRE PROTECTION IN THE CITY OF PRINCE RUPERT

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The Council of the City of Prince Rupert, in open meeting assembled, enacts as follows:

#### PART 1 - CITATION

1. This Bylaw may be cited as “City of Prince Rupert Fire Control and Protection Bylaw No. 3663, 2025”.

#### PART 2 - INTERPRETATION

2. In this Bylaw, unless the context otherwise requires, the following expressions shall have the meanings hereinafter assigned to them, that is to say:

“**Approved**” means approved by an Officer.

“**Authority Having Jurisdiction**” means the “Fire Chief” or “Officer” or “Firefighter” or “Member” as defined in the Bylaw, and as may be appropriate to the duties, responsibilities and authorities of each in routine and Emergency Incident activities.

“**BC Structure Firefighter Minimum Training Standards**” means the British Columbia Structure Firefighter Minimum Training Standards manual developed and issued by the Office of the Fire Commissioner of British Columbia.

“**Building**” means a structure having a roof supported by columns or walls and used for the shelter or accommodation of Persons, animals or property.

“**Building Code**” means the British Columbia Building Code and regulations made under it and includes any and all amendments and successor codes.

“**City**” means the City of Prince Rupert, and, where the context requires, the jurisdictional area of the City of Prince Rupert.

“**City Administrator**” means the City Manager for the City of Prince Rupert or his or her designate.

“**Civilian Member**” means a person duly employed by the Fire Department that

is not a Firefighter.

**“Combustible Liquid”** means any liquid having a flash point at or above 37.8 Celsius and below 93.3 Celsius.

**“Combustible Material”** means any material that is able to catch fire and burn easily, and includes Combustible Liquids and Flammable Liquids.

**“Council”** means the Council of the City of Prince Rupert.

**“Container”** a metal transport container with an assigned gross vehicle weight that is designed for and customarily associated with road, rail or ocean transport with a maximum dimension of eight feet wide by forty feet long by eight feet high. For clarity, a container is a ‘Container’ for the purposes of this bylaw if it is being used for storage or as a Building or structure and is not being actively used for shipping.

**“Control Zone”** means Buildings, structures or areas as designated by an Officer, if an emergency arising from a Fire Hazard or from a risk of explosion causes an Officer to be apprehensive of imminent and serious danger to life or property, or of a panic, or space is required to perform all of the tasks required to mitigate, extinguish, or normalize an Emergency Incident and its effects.

**“Dangerous Goods”** means any product, substance or organisms that meets the definition of ‘dangerous goods’ under either the *Transportation of Dangerous Goods Act*, 1992, SC 1992, c 34 or the *Transport of Dangerous Goods Act*, RSBC 1996, c 458.

**“Deputy Fire Chief”** means a Member appointed by the Fire Chief to be the Deputy Chief Firefighter in charge of the Fire Department, its assets and firefighting personnel and shall include any Member of the Fire Department authorized by the Fire Chief to act on their behalf.

**“Emergency Incident”** means any situation that could cause public panic or where there is danger to life, Real Property or Improvements, or personal property. For clarity, ‘Emergency Incidents’ are not limited to fires.

**“Emergency Response”** means all actions taken in response to an Emergency Incident.

**“Explosive”** has the same meaning as in the Explosives Act.

**“Explosives Act”** means the *Explosives Act*, RSC 1985, c E-17.

**“Firefighter”** means any persons duly appointed to or employed in the Fire Department who may be involved in any direct fire prevention or suppression activities or other Emergency Response and work related to routine housekeeping of the Fire Hall and maintenance of Fire Department equipment and vehicles and includes those persons employed as part-time or auxiliary firefighters.

**“Fire Chief”** means a person appointed by the Council to be the Chief Firefighter in charge of the Fire Department, its assets and firefighting personnel and shall include any Member authorized by the Fire Chief to act on their behalf.

**“Fire Code”** means the British Columbia Fire Code and regulations made under it and includes any and all amendments and successor codes

**“Fire Commissioner”** means a person appointed pursuant to the Fire Safety Act and having the duties as defined therein.

**“Fire Department”** means the City of Prince Rupert Fire and Rescue Department and includes and includes a person performing duties or functions on behalf of the City of Prince Rupert Fire and Rescue Department.

**“Fire Hall”** means the fire hall of the Fire Department located at 200 - 1st Avenue West, Prince Rupert, B.C., and includes any fire hall built in replacement thereof or any additional fire hall or fire halls owned or used by the Fire Department.

**“Fire Hazard”** means any condition, arrangement or act which increases the likelihood of fire or which may provide a ready fuel supply to augment the spread or intensity of a fire, or which may obstruct, delay, hinder, or interfere with the operations of the Fire Department or the egress of Occupants of a Building or Real Property in the event of a fire.

**“Fire Inspector”** has the same meaning as in the Fire Safety Act.

**“Fire Investigation”** has the same meaning as in the Fire Safety Act.

**“Fire Investigator”** has the same meaning as in the Fire Safety Act.

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

**“Fire Safety Act”** means the *Fire Safety Act*, SBC 2016, c 19.

**“Fire Safety Inspection”** has the same meaning as in the Fire Safety Act.

**“Flammable Liquid”** means any liquid having a flash point below 37.8 Celsius and having a vapor pressure not more than 275.8 kPa (absolute) at 37.8 Celsius.

**“Garage”** means any Building or portion of a Building used for placing, keeping, repairing or demolishing one or more motor vehicles.

**“Garbage”** means all household and commercial waste or Refuse, whether it contains the remains of edible food or not.

**Hazardous Substance** a product or chemical, biological or physical agent that, by reason of a property that the product or agent possesses, is dangerous or detrimental to the safety or health of a person exposed to it.

**Improvements** has the same definition as found in the *Community Charter*, SBC 2003, c 26.

**Land** has the same definition as found in the *Community Charter*, SBC 2003, c 26.

**Member** means a person duly employed by the Fire Department as a Firefighter but does not include a Civilian Member.

**NFPA 68** means the standard published by the National Fire Protection Association and referred to as *NFPA 68: Standard on Explosion Protection by Deflagration Venting*. This standard applies to the design, location, installation, maintenance, and use of devices and systems that vent the combustion gases and pressures resulting from a deflagration within an enclosure.

**Occupant** means Owner, tenant, lessee, agent, licensee, and any other Person who has the right of access, the right to occupy or control of any Land, Building or Improvement to which any of the provisions of this Bylaw apply.

**Occupier**, **Owner**, and **Registered Owner** has the same definition as found in the *Community Charter*, SBC 2003, c 26.

**Officer** means the Fire Chief, a Deputy Fire Chief, a Captain, a Lieutenant, and Members acting in those capacities, as authorized in writing by the Fire Chief.

**Permit** means a document applied for or issued pursuant to this Bylaw.

**Person** means natural persons of either sex, or associations, corporations, bodies politic, co-partnerships, whether acting by themselves or by a servant, agent, or employee and the heirs, executors, administrators, or assigns or other legal representatives of such person to whom the context shall apply according to law. The singular shall, when necessary, be held to mean and include the plural; the masculine to include the feminine; and the converse thereof in each case.

**Public Hydrant** means any fire hydrant within the City that is not a Private Hydrant.

**Private Hydrant** means a fire hydrant located on private property as part of a system of Fire Protection for that property.

**Real Property** has the same definition as found in the *Community Charter*, SBC 2003, c 26.

**Refuse** means any waste or refuse from the clearing of Land, or reconstruction or construction of Buildings, and includes trees, branches, roots and stumps.

**“Service Station”** means any premises at which Flammable Liquids or Combustible Liquids are put into fuel tanks of Vehicles or vessels and includes marine service stations and self- service stations.

**“Smoking”** means the inhaling of, or exhaling of, the smoke of tobacco or other organic substance, or the carrying of a burning cigarette, cigar or any devise in which tobacco or any other organic substance is burning.

**“Tank Vehicle”** means any Vehicle, other than railroad tank cars and boats with a cargo tank having a capacity of more than 450 litres, mounted or built as an integral part thereof, used for the transportation Combustible Liquids or Flammable Liquids and including Tank Vehicles, trailers and semi-trailers.

**“Vehicle”** means a vehicle as defined in the *Motor Vehicle Act*, RSBC 1996, c. 318.

**“Water Supply Main”** means any main, pipeline or other conduit designed or used for the supply or distribution of water and located on private property as part of a system of fire protection for that property.

3. In this bylaw all words and phrases not otherwise defined shall be construed as having their ordinary meaning except those words and phrases defined in accordance with the Building Code, the Fire Safety Act or the Fire Code will have the same meanings as assigned in the Building Code, the Fire Safety Act or the Fire Code.
4. Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

### **PART 3 – ADMINISTRATION**

5. This Bylaw establishes the Fire Department and authorizes the Fire Department to provide Fire Protection and prevention services within the City, and encompasses all of those assets including Real Property and policies and procedures already established and which may be altered from time to time by the Council, and those Persons authorized to act under the authority of the Council.
6. The Fire Department shall consist of a Fire Chief, a Deputy Fire Chief or Chiefs and a number of firefighting personnel, which may be altered from time to time.
7. The Fire Chief is responsible to the Council through the City Administrator.
8. The names of all the Members with the dates of the commencement and end of their employment with the Fire Department shall be recorded by the Fire Chief in a register to be kept by the Fire Chief for that purpose, which register shall contain any other particulars that the Fire Chief may deem expedient or necessary.

9. There is hereby established a Fire Hall at the following location in the City:

200 - 1st Avenue West  
Prince Rupert, British Columbia  
V8J 1A8

#### **PART 4 – FIRE CHIEF DUTIES**

10. In addition to such duties as may be prescribed by statute, or by other bylaws of the City, or by motions adopted by the Council from time to time, the Fire Chief shall have responsibility and authority over the Fire Department subject to the direction and control of the Council and in particular they shall be required to carry out or have carried out all Fire Protection and Emergency Response activities and such other activities as the Council directs, which include, without limitation:

- (a) keeping an accurate record in a convenient form of reference of all fires occurring in the City and operations of the Fire Department while in attendance of such fires;
- (b) ensuring that the Fire Chief, Deputy Fire Chief(s) or their designates are present at all fires in the City;
- (c) investigating or causing to be investigated the cause of all fires that occur in the City and to keep a record of all such investigations at the Fire Department's offices;
- (d) carrying out Fire Investigations and Fire Safety Inspections;
- (e) investigating all cases of violation of any rules or regulations of the Fire Department and determining and administering the appropriate discipline;
- (f) collecting and disseminating information regarding fires in the City, conducting studies into conditions under which fires are likely to occur and methods of fire prevention, and rendering advice and recommendations on fire prevention to City staff and residents upon the approval of the City Administrator;
- (g) making recommendations and suggestions to the Council regarding improving the Fire Department;
- (h) designating in writing persons or a class of persons as Fire Inspectors and Fire Investigators to conduct Fire Safety Inspections and Fire Investigations;
- (i) ensuring that a Deputy Fire Chief is trained to take over as Fire Chief in the Fire Chief's absence; and
- (j) ensuring that the Fire Chief, Deputy Fire Chief, other Officer, or a Member authorized by the Fire Chief attend all:

- (i) emergency rescue operations including, without limitation Vehicle extrications;
  - (ii) Hazardous Substance and Dangerous Goods incidents;
  - (iii) Emergency Incident assistance calls;
  - (iv) public service calls; and
  - (v) Fire Investigations and Fire Safety Inspections.
11. The Fire Chief will manage the Fire Department generally, including all of the property of the Fire Department.
12. At every fire, the Fire Chief, or in their absence, an Officer, shall have sole control over all:
- (a) equipment and property of the Fire Department;
  - (b) Members and Civilian Members; and
  - (c) Persons engaged at any fire.
13. Any Officer, Firefighter, Member, Civilian Member or other Person engaged in any fire who refuses or neglects to obey any lawful order of the Fire Chief or Chief Officer shall be subject to the penalties under this Bylaw.
14. No Fire Department equipment or property will be used for anything other than Fire Department activities.
15. The Fire Chief will report to the Council at least monthly and whenever specifically requested to do so by the Council's request regarding the following:
- (a) the number and sufficiency of Officers, Firefighters, Members and Civilian Members of the Fire Department under their control;
  - (b) the quantity, condition and adequacy of the Fire Department's equipment and property;
  - (c) the number of fires and alarms of fire which occurred since the last report to Council;
  - (d) the extent of damage of all fires;
  - (e) the nature and occasion of all accidents resulting from fire, and all accidents whatsoever that have occurred to Firefighters and Civilian Members while on duty; and
  - (f) the training of Firefighters and Civilian Members.

## **PART 5 – FIRE DEPARTMENT OPERATION**

15. The Council hereby adopts the Fire Code and makes it part of this Bylaw. If there is a conflict between this Bylaw and the Fire Code, the provisions of this Bylaw shall prevail.
16. If there is any conflict between the provisions of this Bylaw and the Fire Safety Act, the provisions of the Fire Safety Act will prevail.
17. The Fire Department may establish and maintain a structured system of Emergency Incident command to deal with Emergency Incidents, as may be appropriate, and relate such system as information to any other jurisdiction through which assistance may be requested.
18. The Fire Department may establish and maintain an agreement under which a different municipality provides the Fire Department with assistance in the event of the substantial depletion of the Fire Department's resources. Such assistance includes providing supplies or materials for use at an Emergency Incident within the City's jurisdiction and the commitments therein may be reciprocal between the Fire Department and the other municipality.
19. The Fire Chief will ensure that each Firefighter of the Fire Department meets the following requirements:
  - (a) has received a BC Certificate of Graduation for completing the minimum number of credits to graduate high school or an Adult Graduation Diploma or completed a reasonably equivalent level of education as determined by the Fire Chief;
  - (b) is of good character;
  - (c) is medically and physically fit to meet the physical demands required of a Member, as certified by a physician and a recognized fitness assessor, in consultation with the Fire Chief;
  - (d) holds a class 5 British Columbia driver's license with an "on-highway" air brake endorsement;
  - (e) holds a National Fire Prevention Association (NFPA) 1001 certification with an International Fire Service Accreditation Congress seal or a Pro Board accreditation.
  - (f) successfully completes such written, practical and oral examinations as may be required by the Fire Chief.
20. The Fire Chief will ensure that each Firefighter of the Fire Department:
  - (a) maintains a minimum standard of performance, competence, education and knowledge appropriate to the position held;
  - (b) maintains mental alertness, capability and capacity appropriate to the duties and

responsibilities of the position held;

- (c) maintains the good order, conduct and reputation of the Fire Department through acts, deeds, work and personal conduct;
  - (d) complies with the rules and regulations of the Fire Department as established by the Fire Chief;
  - (e) maintains physical health and conditioning appropriate to the position held, as certified by a physician and a recognized fitness assessor every year, in consultation with the Fire Chief; and
  - (f) exercises and performs any duties, responsibilities and authority given as appropriate and required, in a timely, efficient and prudent manner, and reports all matters as required through the established or appropriate communication channels in a timely and prudent manner.
21. The Fire Chief may make and enforce rules and regulations for the efficient and effective administration and operation of the Fire Department and may alter, add to, replace or withdraw rules and regulations as they determine necessary and proper, and all Members and Civilian Members shall comply with those rules and regulations.
22. The Fire Chief may, but is not obliged to, review the plans and inspect the construction of all new Buildings and structures in the City.
23. No Person may obstruct, hinder or prevent the Fire Chief from entering into or upon any Lands, premises, Buildings or structures for the purpose of inspecting the same in the ordinary course of their duties and to ensure requirements of this Bylaw are being met.
24. The Fire Department shall maintain the service level of a Full-Service Operations Fire Department as defined by the BC Structure Firefighter Minimum Training Standards and as is appropriate to community needs under the confinements of the community's economic ability to maintain and improve that level of service.

## **PART 6 – EMERGENCY INCIDENTS**

25. In the event of an Emergency Incident, an Officer may:
- (a) evacuate any area in the City, including Buildings and structures;
  - (b) evacuate or close down roads, highways and transportation routes within the City;
  - (c) establish a Control Zone; and
  - (d) enlist other emergency services personnel or personnel with specialized expertise to assist or advise an Officer.
26. An Officer may order the removal of any Vehicle, stock, chemical, object, material or supplies which in their opinion impedes the mitigation of, or contributes to the

proliferation of any Emergency Incident.

27. During an Emergency Incident, no person shall impede, hinder or obstruct a Firefighter or other Person under the authority of an Officer who is engaged in or about to engage in the saving of life, or mitigation of damage to Land, property or Improvements, and any Person not in compliance with this Section of this Bylaw shall be subject to penalties and other actions as stated in this Bylaw and may be removed from such location of an incident by a police officer or a Member.
28. No Person, aside from a Member, shall:
  - (a) enter into or remain in a Control Zone unless authorized to do so by an Officer;
  - (b) impede, hinder or obstruct any Fire Department Vehicle accessing or egressing the Fire Hall or the Control Zone;
  - (c) impede, hinder or obstruct a Firefighter or other Person under the authority of an Officer at an Emergency Incident;
  - (d) disobey traffic control directions of a Member;
  - (e) refuse entry to a Building, structure or Land by Members in the execution of their Fire Department duties where a Member reasonably suspects that a condition or situation exists in the building, structure or on land that may:
    - (i) cause or increase the danger of fire; or
    - (ii) place life, Land, or property at risk.
29. A Member may take all necessary and reasonable steps to remove or have removed from a Control Zone Persons at risk or Persons in the Control Zone without authorization, and every Person at or inside the Control Zone shall comply with an order or direction of a Member.
30. An Officer may order the:
  - (a) demolition of any Building or part of a Building or other Real Property; and
  - (b) excavation, destruction, or alteration of Real Property,if doing so is reasonably necessary to mitigate or contain the effects an Emergency Incident.
31. All Persons present at any fire shall follow the orders of the Fire Chief, a Deputy Fire Chief or any other Officer and assist with all tasks as requested, including, without limitation:
  - (a) extinguishing a fire;

- (b) removing property from any Building on fire or in danger of being on fire;
  - (c) guarding and securing any Building on fire or in danger of being on fire; and
  - (d) demolishing a Building or structure.
32. Every non-Member Person ordered by the Fire Chief, a Deputy Fire Chief or any other Member to assist at a fire shall automatically be appointed as a Member of the Fire Department without the need for further ratification.
33. Every appointment made under Section 33 of this Bylaw shall be without remuneration except for the purposes of compensation under the provisions of the *Workers Compensation Act*, RSBC 2019, c 1.
34. For the purpose of this Bylaw, a senior Firefighter that answers a fire call or alarm will be an Officer until an Officer of the Fire Department arrives.
35. All movable property of the Fire Department shall have the paramount right-of-way at all times through all streets, lanes, and alleys in the City and no Person shall willfully or carelessly permit any Vehicle to obstruct the progress of the apparatus of the Fire Department at any time.

## **PART 7 – GENERAL**

36. No non-Member Person shall ride on or in a Fire Department Vehicle or enter onto or in any Fire Department property without bona fide business to conduct or the express permission of a Chief Officer.
37. No non-Member Person shall remove, alter, adjust or interfere with property or equipment of the Fire Department and no Person shall drive a Vehicle on or over, or walk on or over, a charged or uncharged hose line under any circumstances, without permission from a Member present, or from any other Person authorized by a Member present.
38. No non-Member Person shall:
- (a) make or circulate, or cause to be made or circulated, any false alarm of an Emergency Incident;
  - (b) set or cause to be set any fire or create a hazardous condition which may put at risk life or property within the City;
  - (c) refuse to provide information related to an Emergency Incident to an Officer or authorized Member of the Fire Department;
  - (d) damage or injure any Fire Department property; or

- (e) use, attempt to use, tamper with, deface, obstruct, damage, remove or destroy or interfere with a Private Hydrant or Public Hydrant in the City except with the written permission of the Fire Chief.
39. No non-Member Person shall:
- (a) use or operate a standpipe or Public Hydrant without written permission from an Officer except employees of the City acting within the scope of their duties;
  - (b) modify, alter, or attach equipment to a standpipe or a Public Hydrant, and an Officer may remove and confiscate unauthorized attachment or equipment attached to a standpipe or Public Hydrant;
  - (c) except where necessary to avoid conflict with traffic, or to comply with the directions of a peace officer, traffic control device or traffic patrol, or where operating a Vehicle of a municipal or provincial or public utility while engaged in the duties of the utility, or in accordance with a permit issued by the City, stop, stand or park a Vehicle within five meters of any Public Hydrant or standpipe; or
  - (d) place, build, construct or locate a Building, structure or Improvement within one and a half meters of a Public Hydrant or standpipe.
40. All Real Property, Buildings and other structures within the City will be kept in a safe condition satisfactory to an Officer.
41. No Person shall place, permit, or allow to remain on any portion of the exterior of a Building, structure or Real Property any accumulation of any Combustible Material which, in the opinion of an Officer, may act as a fire accelerant.
42. No Person shall place, permit, or allow to remain on any portion of the exterior of a Building, structure or Real Property any accumulation of brush or trees resulting from Land clearing for a time period exceeding 90 days.
43. An Officer may enter upon Real Property and into a Building or structure to ensure compliance with and exercise their authority under this Bylaw, and no Person shall in any way prevent an Officer from doing so or refuse to provide information related to such exercise to an Officer upon their request.
44. The metal covers required on receptacles for Combustible Material under Article 2.4.1.3 Sentence (4) of the Fire Code shall be kept closed at all times and maintained in good repair and working order.
45. Where doors or shutters are installed in a Building to prevent the spread of fire, such doors or shutters shall at all times be kept and maintained in good and efficient repair and working order.
46. Whenever in any Building or on Real Property there exists any Combustible Material, or any dangerous or unnecessary accumulation of waste materials, or litter, of a nature especially liable to fire, and which materials are so situated, in the opinion of an Officer,

so as to endanger life or property, or to obstruct ingress or egress from such Building or Real Property, in case of fire, or which may be liable to interfere with the operations of the Fire Department, or where any condition exists which is considered by the Officer to be a fire hazard, the Occupant of such Building or Real Property shall forthwith, on the order of the Officer, have Combustible Material, or any dangerous or unnecessary accumulation of waste materials or litter removed, disposed of, or otherwise dealt with as may be ordered or directed by the Officer, and any Occupant who fails, refuses, or neglects to carry out any such order of the Officer within the time specified therein, shall be guilty of an offence against this Bylaw.

47. No Person shall put, place, pour or deliver into any Container any Flammable Liquid or Combustible Liquid, unless the Container meets the requirements of Article 4.2.4.2. of the Fire Code.
48. Except as specifically permitted by this Bylaw, no Person shall store any Flammable Liquid or Combustible Liquid except:
  - (a) in accordance the applicable provisions of this Bylaw, the Fire Safety Act and its Regulations, and any other applicable legislation or enactment; and
  - (b) in a location where such storage will not endanger life, Buildings or property.
49. Any Occupant of an area where Flammable Liquids or Combustible Liquids are stored, received, or dispensed shall post adequate "No Smoking" signs of a type, and in such conspicuous place or places as required by an Officer.
50. It shall be unlawful to use Flammable Liquids or Combustible Liquids for cleaning floors, walls, furniture or woodwork within any Building.
51. No stationary internal combustion engine using Flammable Liquid or Combustible Liquid as fuel shall be installed or used in any Building except with written permission from an Officer.
52. Any Person who fails to post or removes, alters, or defaces a sign required under this Bylaw is guilty of an offence under this Bylaw.
53. Whenever or wherever within the City any premises or businesses licensed by the City shall be in a hazardous state or condition, in the opinion of an Officer, in respect to fire, or shall be dangerous to life or property, or which shall be in a condition which may cause fire, or assist in causing the spread of fire within the City, or which shall be hazardous and dangerous to surrounding or adjacent property, the Officer, may, by written notice served to the licensee of any such premises or business to whom or in whose name such license is issued, notify such Person that the Officer protests against issuing, granting, renewal, or holding of such license in respect of such premises or business, and shall state on such notice the reasons or grounds of such protest, and a true copy of such notice shall be lodged with the license inspector of the City.
54. The notice given pursuant to Section 54 of this Bylaw shall specify a reasonable time

within which the licensee to whom the notice is addressed shall be directed or ordered to remedy the condition, danger, hazard, or menace complained of.

55. The Owner of any vacant Building shall at all times ensure that the premises are free from debris and Combustible Material.
56. The Owner of any fire damaged Building shall, upon receiving the approval of the Fire Chief, ensure that the premises are secure and that all openings in the building are kept securely closed and fastened, so as to prevent the entry of unauthorized Persons.
57. No Person may, within the City, dispose of any Explosive, Combustible Material, Dangerous Goods, or petro-chemical liquid without first having obtained from the Fire Chief written permission, setting out the conditions and the location, if any, for such disposal.
58. It is the duty of the Occupant of Real Property, a Building, premises or a Vehicle to report immediately to the Fire Chief when an explosion, discharge, emission, escape or spill of a Hazardous Substance occurs, and to report to the Fire Chief where potential for an explosion, discharge, emission, escape or spill of a Hazardous Substance exists.
59. The authority and duty of the Council under the Fire Safety Act to establish, revise and implement a regular system of inspections of hotels and public Buildings is delegated to the Fire Chief and the Deputy Fire Chief, and, to other Members as directed by the Fire Chief.
60. The Occupant of a Building or Real Property, or any other Person having knowledge of that Building or Real Property, shall upon request, give to the Officer who is carrying out an inspection of that Building or Real Property, such assistance as they may require in the carrying out of the inspection.
61. *The Fireworks Act*, RSBC 1996, c 146, is hereby adopted.
62. An Officer may order the demolition of any Building or part of a Building or other Real Property that has been substantially destroyed by or during an Emergency Incident.

## **PART 8 – OPEN AIR BURNING**

63. No Person shall light, ignite, or start, or allow or cause to be lit, ignited or started, an open air fire of any kind whatsoever without:
  - (a) obtaining a Permit from the Fire Chief; and
  - (b) except in accordance with any restrictions or requirements imposed under the *Wildfire Act*, SBC 2004, c 31.
64. Notwithstanding Section 64 of this Bylaw, the Council may officially designate a specific “clean up” period during which Persons may, without a Permit, burn garden and

household Refuse:

- (a) outdoors;
- (b) on private property located in areas designated as “Residential Zones” in the City’s current zoning bylaw; and
- (c) during daylight hours.

65. The Fire Chief may issue an open air fire Permit for the following activities:

- (a) fire training exercises;
- (b) the burning of brush, stumps, slash and like materials, resulting from the clearing of Land;
- (c) the burning of dry garden Refuse;
- (d) necessary burning by the City; and
- (e) the burning of clean, untreated lumber.

66. No Person to whom a Permit has been issued under Section 66 of this Bylaw, shall:

- (a) burn any materials aside from those outlined in Subsections 66(a) – (e) without express written permission from the Fire Chief; or
- (b) discharge, permit or allow to be discharged, any smoke or fumes as to cause a nuisance.

67. Every Person to whom a Permit has been issued under Section 66 of this Bylaw, shall:

- (a) place and keep a competent Person at all times in charge of the permitted fire while it is burning or smoldering and until it is completely extinguished; and
- (b) provide that competent Person with the equipment needed to prevent the fire from getting beyond control, causing damage, or becoming dangerous to life or property.

68. The Fire Chief may refuse to issue a Permit if, in their opinion, the proposed fire would likely be hazardous or create a nuisance.

69. Without a Permit being secured, small confined fires may be set and used for cooking food in fireplaces, grills, propane fire places and barbecues.

70. Every Person setting and using a fire pursuant to Section 70 of this Bylaw, shall:

- (a) place and keep a competent Person at all times in charge of the permitted fire while it is burning or smoldering and until it is completely extinguished; and

- (b) provide that competent Person with the equipment needed to prevent the fire from getting beyond control, causing damage, or becoming dangerous to life or property.

## **PART 9 – PRIVATE HYDRANTS AND WATER SUPPLY MAINS**

- 71. The Occupant of Real Property that has a Private Hydrant and Water Supply Main shall ensure that the hydrant and Water Supply Main are maintained in good working condition at all times and that inspection, servicing and testing of the hydrant is carried out by Persons qualified to perform these services.
- 72. The Owner of a Private Hydrant shall:
  - (a) not less than twice each year, at intervals of not less than six months, have the Private Hydrant flushed, drained and all threads of outlets and caps greased with waterproof grease;
  - (b) not less than once each year have all components of the Private Hydrant inspected, serviced and tested; and
  - (c) keep the ground surface around the Private Hydrant clear of shrubs, trees, structures and other obstructions of any kind, in order to facilitate use of the hydrant by the Fire Department.
- 73. All Private Hydrants and Public Hydrants must conform to City's fire hydrant standards set out in Section 75 of this Bylaw.
- 74. Fire Hydrant Standards – All Private Hydrants and Public Hydrants shall:
  - (a) conform to American Water Works Association Standard for dry barrel fire hydrants (AWWA C502);
  - (b) be the slide gate or compression type;
  - (c) meet or exceed the flow capacity of a hydrant having two 65 mm hose outlets and one 100 mm pumper outlet;
  - (d) have a minimum internal main valve opening of 115 mm or 10,000 mm<sup>2</sup>;
  - (e) have main operating stem, hose and pumper outlet threads that conform to the British Columbia standard fire hose thread (as specified in the Fire Code) for 65 mm fire hose couplings and allied fittings, and the treads of the 100mm pumper outlet shall have an outside diameter of 115.656 mm and six threads per 25 mm.;
  - (f) be automatic self-draining;
  - (g) have a minimum clearance between the ground and the centre of the lowest outlet of at least 450 mm;

- (h) have a main operating stem and independent cut off valve stem that open in a counter-clockwise direction; and
- (i) be arranged in a lay out and spaced in a way that complies with the Fire Underwriters Survey administered by OPTA Information Intelligence.

## **PART 10 – FOREST CLOSURES**

- 75. The Fire Chief may, by written order, close any forested or woodland area or any portion thereof within the City if the Fire Chief determines that the area constitutes a fire hazard.
- 76. No Person shall enter an area closed pursuant to Section 76 for any reason without the authorization from the Fire Chief.

## **PART 11 – SERVICE AGREEMENTS**

- 77. The Fire Department may provide Fire Protection and Emergency Response services in accordance with agreements between the City and any owner or occupier of lands located outside of the City's municipal boundaries or that are within the City's boundaries but are otherwise not subject to this Bylaw.

## **PART 12 – PERMITS**

- 78. Application for a Permit required by this Bylaw shall be made in the form prescribed by the Fire Chief and shall contain the following:
  - (a) name and address of the applicant;
  - (b) the activity for which the Permit is requested;
  - (c) location or address of the Permit location;
  - (d) information about the intended use of the premises subject to the Permit;
  - (e) if applicable, two copies of the specifications, site plan and scale drawings of all Buildings on the premises subject to the Permit that include:
    - (i) the location and dimensions;
    - (ii) the proposed use of each room or floor area;
    - (iii) fire protection installations, including the location of portable extinguishers, fire alarms and smoke detectors;
    - (iv) means of access and egress to and from the Building; and

(v) siting and access roads.

79. The Fire Chief may issue a Permit where:

- (a) an application has been made;
- (b) the proposed activity to be authorized by the Permit conforms with this Bylaw and any other applicable enactments; and
- (c) the permit fee, if required, has been paid.

80. The Fire Chief may before or after issuance, impose on a Permit any conditions, restrictions, or requirements they consider necessary.

81. In addition to any specific conditions imposed on a Permit, each Permit is issued subject to the following conditions:

- (a) the Permit is not transferrable;
- (b) the Permit only authorizes the activity specified in the originating application made in accordance with Section 79 of this Bylaw to be carried out in the location specified in that application; and
- (c) the Fire Chief may suspend or revoke a Permit if:
  - (i) the Permit holder violates any condition under which the permit was issued, this Bylaw, or any other applicable enactment;
  - (ii) the Fire Chief determines that the activity authorized by the Permit is or is likely to become hazardous or creates a nuisance; or
  - (iii) the Fire Chief deems such suspension or revocation necessary to prevent, suppress, or stop the spread of a fire.

### **PART 13 – PERMIT AND INSPECTION FEES**

82. Fees for Permits and inspections issued and carried out pursuant this Bylaw shall be as specified by the Council in the *Prince Rupert Fee-Setting Bylaw* No.3165, 2003.

### **PART 14 – UNDERGROUND FLAMMABLE AND COMBUSTIBLE LIQUID STORAGE TANKS**

83. All underground Flammable Liquid and Combustible Liquid storage tanks installed after passing of this Bylaw shall comply with the Fire Code.

## PART 15 – CONTAINERS

84. Shipping Containers used for temporary storage will meet the requirements outlined in this Part 15.
85. No smoking shall be allowed in Containers.
86. Dispensing of Flammable Liquids or the storage of open containers within a Container is prohibited.
87. Shipping Containers will:
  - (a) meet or exceed all relevant requirements of all relevant British Columbia safety codes for Buildings, including the Fire Code, the Building Code, and the B.C. Electrical Code adopted under the *Electrical Safety Regulation*, B.C. Reg 100/2004;
  - (b) where Flammable Liquids and Combustible Liquids are stored in the Container, combustible construction shall be removed from the Container, provisions for spill containment installed in the Container and the Container shall be electrically grounded;
  - (c) be fully explosion proof;
  - (d) not be used to store Dangerous Goods other than those Approved at the permit stage and any changes to the type of dangerous goods must be Approved by the City;
  - (e) not be used for the storage of compressed gases; and
  - (f) not be used to store aerosols except in limited amounts, and provided such aerosols are stored solely in fully enclosed metal cabinets.
88. All Containers will be sited and located as follows:
  - (a) There must be a minimum of 1.5 meters of separation between any Container and any structure constricted via Noncombustible Construction to allow for Firefighter access to the exposed structures.
  - (b) The Container must be located at least 6 meters from all exits, windows and unprotected openings of a Building.
  - (c) Greater separation distances will be required based upon exposure to any combustible materials or structures constructed using Combustible Construction.
  - (d) The Container doors will be positioned such that they face away from any other structure and any means of Vehicle access to the Container.
  - (e) No combustible materials will be stored within 6 meters of a Container unless the Fire Chief or their designate provides written approval indicating that a distance less

than 6 meters is acceptable.

- (f) Containers shall not be located or sited so that any part of the Container is located directly below power lines.

89. Containers must be identified as follows:

- (a) For Containers being used to store Dangerous Goods, the relevant UN Number as defined in the *Transportation of Dangerous Goods Regulations*, SOR/2001-286 and Safety Marks as defined in the *Transport of Dangerous Goods Act*, RSBC 1996, c 458, c 34, must be located on at least two sides of such containers and must be visible at a distance of 10 meters from the Container.
- (b) Containers shall include the name of the company or Person responsible for the container and an emergency contact number marked on a side of the container and visible from a distance of 10 meters from the Container.
- (c) The Container and contents must be identified in the fire safety plan encompassing the Container if a fire safety plan is required under the Fire Code.

90. Containers must have the following safety features in place prior to being used for any use, including storage:

- (a) One ventilation opening located in the Container door that is primarily used for opening and access, with such ventilation opening being within 150 mm of the Container floor.
- (b) One ventilation opening located on the opposite end of the Container from the door that that is primarily used for opening and access, with such ventilation opening being within 150 mm of the top of the Container. Containers must be sited such that the ventilation openings do not directly vent toward any structures outside of the Container.
- (c) The following additional ventilation openings must be installed in a Container to the following minimum specifications:
  - (i) two 0.3 meter x 0.3 meter openings for a Container 6 meters in length or less; and
  - (ii) two 0.5 meter x 0.5 meter openings for a Container over 6 meters in length.
- (d) All ventilation openings will be covered by open grate wire mesh with greater than 50% free area.
- (e) The ventilation opening in the Container that is the furthest vertical distance from the Container floor will include a wind vent device that is designed to generate a “venturi effect” during low wind speeds.
- (f) No ventilation opening will be obstructed at any time and must be kept clean of

internal and external debris.

- (g) Where heavier than air Flammable Liquids and Combustible Materials are stored in a Container, the Container must include a ventilation opening located on the opposite end of the Container from the door that that is primarily used for opening and access, with such ventilation opening being within 150 millimeters of the floor of the Container
  - (h) Where 1A flammable liquids in quantities greater than 4 liters are stored in the Container, the Container will be constructed to the requirements for withstanding an internal explosion as per the Fire Code, Building Code and NFPA 68.
91. An individual may present the City with Container design specifications that are different from those outlined in this Part 15. The City will consider the proposed specifications and, if the City determines that the specifications are sufficient to ensure the City's storage and safety goals, the City will approve the specifications by notifying the applicant in writing of such approval and indicating which requirements of this Part 15 no longer apply to the design of the Container.

## **PART 16 – ENFORCEMENT**

92. If the Fire Chief finds that any provision of this Bylaw has 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 Real Property to which the Bylaw applies and which in their opinion constitute a fire hazard or otherwise constitute a hazard to life or property or both, they may make such order as to ensure full and proper compliance with this Bylaw, and in particular but without limiting the generality of the foregoing, may:
- (a) make to the Occupant of the building or real property such recommendations as they deem necessary to correct the contravention, or to ensure compliance with this Bylaw or to remove the hazards or make such orders as they deem necessary with respect to any of the matters referred to in this Bylaw;
  - (b) require that work shall be done in conformity with higher standards than specified in this Bylaw, if, at their discretion, they deem that such higher standards are reasonably necessary in the interest of safety, and may use the fire code(s) of the National Fire Protection Association (NFPA) and the Fire Code as terms of reference in this regard;
  - (c) after the examination of any work, issue a written rejection, which shall have the same force and effect as an order issued pursuant to Subsection (a) under this Section.

All tests and corrective measures are to be carried out in conformance with Article 4.4. of the Fire Code or, if the Fire Code is amended, the Article of the Fire Code dealing with leak detection in storage tanks.

93. An order made under this Bylaw shall be served by:
- (a) delivering it or causing it to be delivered to the Person to whom it is directed; or
  - (b) sending the order by registered mail to the last known Real Property Owner; or
  - (c) posting a copy of the order in a conspicuous place on the Building or Real Property if the Person to whom it is directed cannot be found or is not known or refuses to accept service of that order; or
  - (d) where an order has been posted in accordance with this Section, no Person may remove, deface or destroy the order.
94. Any Person against whom an order has been made under this Bylaw may appeal such order to the Council before the expiration of 10 days after the order was made, and the Council may review and amend, revoke or confirm the order appealed against or substitute another order which the Fire Chief could have made in place of the order appealed against.

#### **PART 17 – PENALTY**

95. Every Person who:
- (a) violates a provision of this Bylaw;
  - (b) permits any act or thing to be done that violates a provision of this Bylaw; or
  - (c) fails to do anything required to be done by a provision of this Bylaw
- commits an offence and is liable upon summary conviction to pay a fine of not less than \$50.00 and not more than \$10,000.00.
96. Each day that a violation of the Bylaw continues to exist shall constitute a separate offence.
97. This Bylaw may be enforced by means of a ticket issued under the *City of Prince Rupert Ticket Information Bylaw No. 2783, 1992*.

#### **PART 18 – SEVERABILITY**

98. If a court of competent jurisdiction holds that any section, subsection, sentence, clause or phrase of this Bylaw is invalid, then that section, subsection, sentence, clause or phrase shall be severed and the remainder of this Bylaw shall be deemed to have been enacted without the invalid section, subsection, sentence, clause or phrase.

**PART 19 – APPLICATION**

99. This Bylaw shall come into full force and effect upon its adoption.

**PART 20 – REPEAL**

100. *City of Prince Rupert Fire Control and Protection Bylaw No. 2944, 1995* is hereby repealed.

READ THE FIRST TIME this 24<sup>th</sup> day of November 2025.

READ THE SECOND TIME this 24<sup>th</sup> day of November 2025.

READ THE THIRD TIME this 8<sup>th</sup> day of December, 2025.

READ THE FOURTH AND FINAL TIME this 12<sup>th</sup> day of January, 2026.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

This Bylaw was adopted by Council.  
To view the signed original,  
contact City Hall Administration at  
(250) 627 0934 or email  
cityhall@princerupert.ca

**Schedule E to Prince Rupert Fee Setting Bylaw 3165**

**CITY OF PRINCE RUPERT FIRE AND RESCUE DEPARTMENT PERMIT,  
INSPECTION & REPORT FEES AND CHARGES**

- (a) The Fees specified in this Schedule, shall be paid to the City of Prince Rupert by all applicants for any permit required by Bylaw, or under any Code adopted by Bylaw or by the regulations passed pursuant to the provisions of the *Fire Safety Act*, SBC 2016, c 19, and for the inspection of any work or thing for which the said permit is required or for any service named herein, that is requested by an applicant.
- (b) Pursuant to Section 194 of the *Community Charter*, SBC 2003, Chapter 26, there is hereby levied fees for City of Prince Rupert Fire and Rescue Department Services as follows:

<b>Service or Regulation</b>	<b>Fee</b>
1. Open air burning permit	\$20.00
2. Inspection of lands, buildings or premises other than routine inspection required by the <i>Fire Safety Act</i>	\$50.00
3. Report of a file search for lands, buildings or premises other than routine inspections required by the City of Prince Rupert Fire and Rescue Department	\$50.00
4. Fire Hydrant Flow Testing Report	
(a) 1 to 5 hydrants	\$100.00 each
(b) For each additional hydrant more than 5	\$20.00
5. Hydrant Inspection	
(a) 1 to 5 hydrants	\$100.00 each
(b) For each additional hydrant more than 5	20.00
6. Fire Investigations	
(a) Reports (copying)	\$10.00 per report
(b) Photos (printing)	\$40.00 per report