

PROPOSE FIRE PREVENTION BY-LAW #83-18

FOR

VILLAGE OF BLACKS HARBOUR

A By-Law relating to the prevention and extinguishment of fires in the Village of Blacks Harbour.

The Council of the Village of Blacks Harbour under the authority vested in it by Section 109 of the Municipalities Act, being Chapter M-22, Revised Statutes of New Brunswick 1973 and amendments thereto, enacts as follows:

Title

1. This by-law may be cited as the Blacks Harbour Fire Protection By-Law.
2.
 - (a) "Council" means the Council of the Village of Blacks Harbour.
 - (b) "Fire Prevention Officer" means a person duly appointed a Fire Prevention Officer by the Council of the Village of Blacks Harbour.
 - (c) "Order" means an order made by authority of this by-law by the Fire Prevention Officer.
 - (d) "Place of Assembly" includes a building or structure or portion thereof and a tent or awning with walls or side curtains designed, used or intended to be used to accommodate twenty-five or more persons at the same time for the purpose of meetings, entertainments, instructions, worship, recreation, drill or the viewing or purchasing of goods.
 - (e) "Ground Floor" means the lowest floor divided into self-contained units providing living accommodations.
 - (f) "Sleeping Accommodations" includes:
 - (i) a hotel, motel, or any other building in which lodgings are provided for rent or hire,
 - (ii) any building in which an educational institution lodges its students,
 - (iii) any building in which an educational institution lodges its students,
 - (iv) any building, other than a small family residence, in which a religious organization lodges its members,
 - (v) a hospital, sanatorium, infirmary, nursing home or home for the aged,

- (3) When in the opinion of the Fire Prevention Officer the smoking of pipes, cigars or cigarettes in a place of assembly or in a building or structure containing a place of assembly constitutes a fire hazard dangerous to the safety of persons, he may order that smoking shall not be permitted in the place of assembly or in the building or structure containing it, or shall only be permitted in such rooms or portions of the place of assembly, building or structure as shall be designated in the order.
- (4) When the Fire Prevention Officer or a local assistant finds a building or other structure that, for want of proper repair or by reason of age and dilapidated condition or for any cause, is especially liable to fire, or that is so situated as to endanger or other buildings or property, or so occupied that fire would endanger persons or property therein or that exits from the building or buildings are inadequate or improperly used, or that there are in or upon any building or premises, combustible or explosive material or conditions dangerous to the safety of persons, buildings or premises, he may order the owner or occupant to
 - (a) remove or demolish such building or make such repairs or alterations as such officer deems necessary;
 - (b) remove such combustible or explosive material or remove or repair anything that may constitute a fire hazard;
 - (c) install safeguards by way of fire extinguishers, fire alarms and other devices and equipment and also such fire escapes and exit doors as such officer deems necessary to afford ample exit facilities in the event of fire or an alarm of fire.
- (5) Where, in the opinion of the fire prevention officer or any local assistant, any electrical installation, apparatus or equipment in or upon any building or premises is in a condition to be especially likely to cause fire and to be dangerous to the safety of person or property, he may in writing order any person or organization supplying electrical energy to such building or premises until the condition of the electrical installation, apparatus or equipment is remedied.

6. Outside Fires

- (1) Other than in a properly constructed incinerator approved in writing by the Fire Prevention Officer, no person shall light a fire outside a building for the purpose of disposing of any refuse or waste material without the written permission of the Fire Prevention Officer.
- (2) The lighting of fire to dispose of dry grass is prohibited without the written permission of the Fire Prevention Officer.

making the request that the requirements of the Fire Prevention Act have been complied with and approval of the plans and specifications has been obtained from the Provincial Fire Marshal.

10. (1) No person, firm or corporation shall construct new self-service facilities for the dispensing of flammable liquids or convert existing attended service stations to self-service facilities for the dispensing of flammable liquids before obtaining approval to do so from the Council of the Village of Blacks Harbour.
 - (2) The establishing of self-service facilities for the dispensing of flammable liquids shall be in accordance with the requirements of the Fire Prevention Act, Chapter F-13, Revised Statutes of New Brunswick and Regulations thereto and Subsection 4, 5, 8, Part 4, National Fire Code of Canada.
 - (3) No person, firm or corporation shall install movable storage tanks for dispensing flammable or combustible liquids into fuel tanks of vehicles or other motorized equipment on private property or other premises not accessible to the public situated within the limits of the Village of Blacks Harbour without approval of Council.
11. Where the Fire Prevention Officer finds gasoline, oil, liquefied petroleum gas or other petroleum products stored in a bulk storage plant that:
 - (a) has not been approved by Council
 - (b) has been constructed contrary to the required safety standards or has not properly diked, or
 - (c) for any other reason, in his opinion, creates a dangerous fire or explosion hazard,

he may order the owners or operators of such bulk storage plant to discontinue the storage or handling of petroleum products at the plant within a time limit set out in such order, until the dangerous conditions are rectified to his satisfaction.

12. Every person who
 - (a) obstructs, hinders or disturbs the Fire Prevention Officer in the execution of his duties hereunder, or
 - (b) violates any of the provisions of this by-law for which violation no other penalty is provided,

is guilty of an offence and on Summary Convictions is liable to a penalty of not less than fifty dollars and not more than one thousand dollars.