

## **CITY OF CORNER BROOK FIRE PREVENTION REGULATIONS**

**PURSUANT** to the powers vested in it under Sections 216, 217, 280.1, 280.2 and 280.4 of the *City of Corner Brook Act*, R.S.N.L. 1990, c. C-15, as amended, and all other powers it enabling, the Corner Brook City Council, in a session convened on the 21<sup>st</sup> day of April, 2008, hereby passes and enacts the following regulations.

1. These Regulations may be cited as the *City of Corner Brook Fire Prevention Regulations*.

### **Definitions:**

2. In these Regulations:
  - (a) "Building" includes those structures commonly known as mobile homes or trailers that are adopted for use as residences, shops, offices or the like;
  - (b) "City" means the City of Corner Brook;
  - (c) "Council" means Corner Brook City Council;
  - (d) "Chief" means the Fire Chief within the meaning of section 74 and 81 of the *City of Corner Brook Act*;
  - (e) "Fire Department" means the city fire department established pursuant to section 74(1) of the *City of Corner Brook Act* and whose department head is the Fire Chief;
  - (f) "Firefighter" means a full-time or part-time employee of the Fire Department;
  - (g) "Outdoor Fire" means any fire not inside a Building, including fireworks displays, but does not include any fire which is caused, set, lit or otherwise ignited in outdoor fireplaces, grills or barbecues on private property and which is designed and used solely for the purposes of cooking; and
  - (h) "Permit" means permit for an Outdoor Fire.

## **Codes Adopted as Regulations:**

2. Council adopts and includes the following codes for the fighting of fires, the prevention of fire in the City and the inspection of buildings in the City for fire prevention purposes as part of these regulations:
  - (a) For the construction of all buildings after the commencement of these regulations:
    - i) The whole of the National Fire Code of Canada 2005 as amended from time to time;
    - ii) The National Building Code of Canada 2005, as amended from time to time, except part 9 where relative to one and two family dwellings within group C.
  - (b) For the use and operation of all buildings, processes, areas and vehicles:
    - i) The whole of the National Fire Code of Canada 2005 as amended from time to time; and
    - ii) The Life Safety Code (National Fire Protection Association No. 101) as published by the National Fire Association (USA) as amended from time to time.
  - (c) In the event of conflict between the National Building Code of Canada 2005 and the Life Safety Code (National Fire Protection Association No. 101) with regard to design and construction, the provisions of the National Building Code of Canada 2005 shall prevail.

## **Prohibition On Outdoor Fires**

3. No person or persons shall cause, set, light or otherwise ignite an Outdoor Fire within the boundaries of the City during the months of June, July and August without first applying for and obtaining a Permit from the Chief or a Firefighter authorized by the chief to issue such permits.
4. No person shall burn any petroleum product or petroleum based product in an Outdoor Fire within the boundaries of the City save and except a petroleum product or petroleum based product designed and sold commercially for the purpose of starting a fire or for cooking.

## **Permits**

5. A Permit shall be in the form prescribed in Schedule "A" to these Regulations and may be issued by the Chief. The chief may also authorize a Firefighter to issue Permits.
6. The Chief or a Firefighter authorized by the Chief may include in a Permit those terms and conditions he or she considers appropriate for the prevention of fire or may refuse to issue a Permit.
7. A person to whom a Permit is issued shall keep a copy of the Permit on the site where the burning is taking place.

## **Cancellation of Permits**

8. A Permit may, by oral or written notice, be cancelled or suspended at any time by the Chief, a Firefighter or a person authorized by the Chief and upon receiving notice of a cancellation or suspension, the Permit holder shall immediately extinguish any fire caused, set, lit or otherwise ignited under the Permit.

## **Civil Liability**

9. The holder of a Permit who causes, sets, lights or otherwise ignites an Outdoor Fire shall take every reasonable and reasonably foreseeable precaution to prevent the fire from spreading and shall not leave the fire unattended until it is extinguished.
10. The possession of a Permit does not discharge the person to whom it is issued from responsibility for damage resulting from an Outdoor Fire caused, set, lit or otherwise ignited by that person.
11. In the event of any person failing to do anything which under these Regulations he or she ought to do, the Fire Department may do that act and recover the expense thereof from the person so in default as a civil debt.

## **Offence**

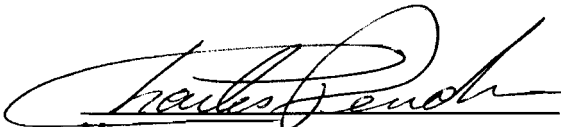
12. Where any person contravenes any of the provisions of these Regulations including the terms or conditions of a Permit:
  - (a) such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment in accordance with the *City of Corner Brook Act*; and

- (b) such person may be issued a violation notice pursuant to section 280.1 of the *City of Corner Brook Act*.

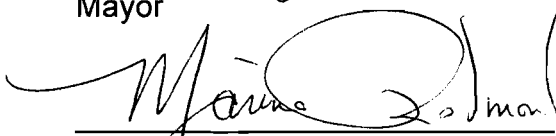
### **Enforcement**

13. The Chief, all Firefighters and all Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the *City of Corner Brook Act* for any contravention or failure to comply with the *City of Corner Brook Fire Prevention Regulations*.
14. These Regulations shall come into force as of the date enacted by Council and the Fire Prevention By-law 1969, the City of Corner Brook Fire Prevention (Control of Outdoor Fires) By-Law 1968 and all amendments thereto are hereby repealed upon the coming into force of these Regulations.

**IN WITNESS WHEREOF** these Regulations are sealed with the Common Seal of the City of Corner Brook and subscribed by and on behalf of the Council by the Mayor and City Clerk at Corner Brook, in the Province of Newfoundland and Labrador, this 5<sup>th</sup> day of May, 2008.



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
City Clerk

Published in the Western Star - March 12, 2008

First Reading – March 3, 2008

Second Reading – April 21, 2008

Schedule "A"  
City of Corner Brook

No. Place:  
Date:

**PERMIT FOR OUTDOOR FIRE**

(Issued Under City of Corner Brook Fire Prevention (Outdoor Fires) Regulation)

This permit authorizes (name) of (address)  
(telephone)  
to burn to have a fireworks display (combustible)  
on City land/private land at (place of fire or display)  
between the day of **200\_\_** and the day of **200\_\_** both days inclusive between  
o'clock .m. and o'clock .m. on the day of **200—**.

ISSUED BY: \_\_\_\_\_

on behalf of the  
Chief of the City of Corner Brook Fire Department

**CONDITIONS**

1. The permittee shall have at the location of the fire person(s) and fire fighting equipment as follows:
  - (a)
  - (b)
2. The permittee shall stack all bush, debris, or other flammable material/combustible a distance of at least \_\_\_\_\_ metres from any uncleared lands, woodlands, adjacent buildings or structure, grasslands or \_\_\_\_\_.
3. The fire shall not exceed \_\_\_\_\_ square meter(s).
4. No more than \_\_\_\_\_ fire(s) shall be burning at any one time.
5. The fire shall be, at all times, at least a distance of \_\_\_\_\_ meters from any uncleared lands, woodlands, adjacent buildings or structures, grasslands or \_\_\_\_\_.

6. The permittee shall not leave any fire unattended until it is extinguished.
7. The permittee shall not set or permit a fire to burn during periods of high or extreme Fire Weather Index or in winds over \_\_\_\_\_ kilometres per hour.
8. Under no circumstances does this permit relieve the permittee of liability for injury, loss, damages, costs or otherwise which may be caused by fire(s) lit under this permit.
9. This permit may be cancelled or suspended at any time by the Fire Chief of the City of Corner Brook Fire Department, a member of the Fire Department or a person authorized by the Fire Chief.
10. A person who fails to comply with the provisions and conditions of this permit is guilty of an offence contrary to Section 10 of the *City of Corner Brook Fire Prevention (Outdoor Fires) Regulation*.
11. A copy of the permit for Outdoor Fire is to be on site where the burning is taking place and must be shown when requested by a member of the City of Corner Brook Fire Department.
12. This permit is not transferable or otherwise assignable by the permittee.
13. Other conditions as follows:
  - (a)
  - (b)