

THE CORPORATION OF THE CITY OF VERNON

BYLAW 5931

A bylaw to amend Fire Services Bylaw 5635

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend "Fire Services Bylaw 5635, 2017";

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **"Fire Services (Ice and Swift-Water Rescue) Amendment Bylaw Number 5931, 2022"**.
2. Fire Services Bylaw 5635 is hereby amended as follows:
 - A. **AMEND PART THREE – FIRE AND EMERGENCY SERVICES OPERATIONS, 3.3 Prevention, Control and Enforcement and 3.4 Services** as shown in **Red** on attached Schedule '1'
 - B. **AMEND PART FIVE – FIRE PREVENTION REGULATIONS, removing (ix) from 5.6 Burning Permits** as shown in **Red** on attached Schedule '2'
 - C. **AMEND PART TEN – ENFORCEMENT, 10.1 Order to Comply** as shown in **Red** on attached Schedule '2'
 - D. **AMEND PART ELEVEN – OFFENCES AND PENALTIES, increasing 11.1 Penalties (a) from ten thousand to fifty thousand** (as per the *Community Charter*) as shown in **Red** on attached Schedule '2'
 - E. **AMEND SCHEDULE A – DEFINITIONS** as shown in **Red** on attached Schedule '3'.
 - F. **AMEND SCHEDULE B – OUTDOOR BURNING/DISPLAY FIREWORKS PERMIT** as shown in **Red** on attached Schedule '4'.

3. Fire Services Bylaw Number 5635, 2017” is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this	28 th day of November, 2022.
READ A SECOND TIME this	28 th day of November, 2022..
READ A THIRD TIME this	28 th day of November, 2022.
ADOPTED this	day of , 2022.

Mayor

Corporate Office

SCHEDULE '1'
Attached to and forming Part of Bylaw 5931
"Fire Services (Ice and Swift-Water Rescue) Amendment Bylaw Number 5931,
2022"

PART THREE - FIRE AND EMERGENCY SERVICES OPERATIONS

3.3 Prevention, Control and Enforcement

- (a) The Director of Fire Rescue Services, ~~or other~~ Member ~~or other~~ **Authorized Persons** is authorized to:

3.4 Services

Fire Rescue Services is authorized to provide assistance in response to:

- (a) fire suppression as defined in "Fire Rescue Services Level of Service Policy"
- (b) medical emergencies
- (c) hazardous environment, including confined space rescue
- (d) ice and swift-water rescue
- (e) technical rope rescue
- (f) dangerous goods and hazardous material incidents
- (g) transportation incidents and
- (h) aid agreements with other local governments or agencies
- ~~(a) medical emergencies;~~
- ~~(b) hazardous environment, land, and shore-based water rescue;~~
- ~~(c) dangerous good and hazardous material incidents;~~
- ~~(d) transportation accidents; and~~
- ~~(e) aid agreements with other local governments or agencies.~~

SCHEDULE '2'
Attached to and forming Part of Bylaw 5931
"Fire Services (Ice and Swift-Water Rescue) Amendment Bylaw Number 5931,
2022"

PART FIVE - FIRE PREVENTION REGULATIONS

5.6 Burning Permits

- ~~(i) For each Permit, no burning shall be allowed for more than 72 consecutive hours and no smoke caused by a fire shall be released for more than 72 consecutive hours.~~

PART TEN - ENFORCEMENT

10.1 Order to Comply

- (a) If a Member of the Fire Rescue Services or **authorized persons** finds that:

PART ELEVEN – OFFENCES AND PENALTIES

11.1 Penalties

Every person who contravenes or violates any provision of this Bylaw or any Permit or order issued pursuant hereto, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw or any Permit or order issued pursuant hereto, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or any Permit or order issued pursuant hereto:

- (a) commits an offence and shall be liable, on summary conviction thereof, to a fine of not less than one hundred (\$100.00) dollars and not more than ~~fifty ten~~ thousand (\$~~10,000.00~~ 50,000.00) dollars;

SCHEDULE '3'
Attached to and forming Part of Bylaw 5931
"Fire Services (Ice and Swift-Water Rescue) Amendment Bylaw Number 5931,
2022"

SCHEDULE "A" - DEFINITIONS

In this Bylaw:

"Agriculture Material" means material that is specified in the Farm Practices Protection (Right to Farm) Act.

"Authorized Persons" means Member, Police Officer or Bylaw Enforcement Officer.

"Building Code" means the current edition of the British Columbia *Building Code* and all amendments.

"Bylaw" means the City of Vernon Fire Services Bylaw No. 5635.

"Bylaw Enforcement Officer" means a member of Vernon Bylaw Enforcement.

"Campfire" means a contained outdoor fire used for cooking or recreation, not exceeding one meter in diameter (3 ft.) and one meter (3 ft.) in height in Interface Zone 1, or not exceeding 0.60 meters (2 ft.) and 0.60 meters (2 ft.) in height in Interface Zone 2 or Interface Zone 3.

Outdoor Burning/Display Fireworks Permit

Pursuant to Section 5 and Section 9 of the City of Vernon Fire Services Bylaw No. 5635

Property Owner/Agent: _____

Contact Phone Number: _____

Property Address: _____

- ☐ Agricultural Material (\$75.00)
- ☐ Special Public Events/~~Fireworks~~ (\$75.00)
- ☐ Land Clearing (\$75.00)
- ☐ Display Fireworks (\$100.00)

- ☐ The application for a permit must be made by the owner or the owner's authorized agent.
- ☐ The applicant agrees to the conditions identified in this permit.
- ☐ The designated open burning period shall be carried out only during daylight hours and no materials shall be added after 1700 hours (5:00 pm). ~~The smoke release for this permit shall not be greater than 72 consecutive hours.~~
- ☐ The applicant shall be responsible for, and in charge of, the fire until it is completely extinguished.
- ☐ The applicant shall provide sufficient appliances and equipment in order to prevent the fire from getting beyond control or causing damage to life or property.
- ☐ Burning is only to occur when the smoke ventilation index as reported by the Meteorological Service of Canada is 55 or greater, and 34 or greater for the second day and the air quality index is 3 or less.
- ☐ Environment Canada automated voice message system for ventilation indexes are available by calling 1-888-281-2992.
- ☐ Burning of debris must be carried out at least 100 meters from residences and businesses, and 500 meters from schools in session, hospitals and continuing care facilities.
- ☐ Pile sizes shall not be more than two (2) meters in height and three (3) meters in width. Not more than two (2) piles shall be burned concurrently.
- ☐ If the applicant allows such fire to get out of control he or she may be liable for a fine of \$500.00.
- ☐ This permit may be cancelled or a fire ordered extinguished whenever burning, having regard to all the prevailing circumstances, is hazardous or creating a nuisance.

This permit does not preclude permits or approvals required by other authorities having jurisdiction.

Permit valid for (3) consecutive days commencing _____

Signature of applicant

Fire Chief or designate

Date Issued