

CITY OF SURREY

BY-LAW NO. 16418

A by-law to amend the provisions of "Surrey Fire Service By-law, 1990, No. 10771," as amended.
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The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. 'Surrey Fire Service By-law, 1990, No. 10771" as amended, is hereby further amended as follows:

a) By replacing the definition of "Building Code" in Section 1 of the By-law with the following new definition of "Building Code":

Building Code – means the British Columbia Building Code Regulation 295/98 as may be amended or replaced from time to time.

b) By replacing the existing definition of "Code" in Section 1 of the By-law with the following new definition of "Code":

Code – means the British Columbia Fire Code Regulation 15/87 as may be amended or replaced from time to time.

c) By deleting Section 11 in its entirety and replacing it with the following new heading and Sections 11 and 11.1:

Inspection of Premises

11. The Fire Chief, or any member of the Fire Department authorized by the Fire Chief, may at any reasonable time enter any premises for the purpose of fire prevention inspections or to ascertain whether:

- (a) the requirements of this by-law are being complied with;
- (b) the premises are in such a state of disrepair that a fire starting in them might spread rapidly to endanger life or other property;
- (c) the premises are so used or occupied that fire would endanger life or property;

- (d) combustible, flammable or explosive conditions exist on the premises so as to endanger life or property; or
- (e) in the opinion of the Fire Chief or member a fire hazard exists on or about the premises.

11.1. No person shall refuse to permit any member of the Fire Department to enter into premises where the member has reasonable grounds that a fire or a fire hazard exists.

d) By deleting the words ", subsection (a) through (c)" from Section 26(d).

e) By renumbering revised Section 26(d) to Section 27 and giving it the following heading:

"Recovery of Costs and Expenses as Taxes"

f) By adding new Sections 26(d) and (e) as follows:

- (d) Where an owner or occupier does not comply with an order under Section 29(a) or 29(c) and the City carries out or causes to be carried out the requirements of the order, the property owners shall be liable to the City for all costs and expenses incurred in carrying out the requirements of the order.
- (e) Where the Fire Chief or a member attends an incident caused or contributed to by a condition that was the subject of an order under Section 28 or 29 and the owner or occupier had not carried out every requirement of the order at the time of the incident, the property owners shall be liable to the City for all costs and expenses incurred in attending and combating the incident.

g) By adding new Sections 28 and 29 as follows:

28. Remedial Orders

- (a) The Fire Chief, or any member of the Fire Department authorized by the Fire Chief, is authorized to issue orders in writing to an owner or occupier of any building or premises requiring the correction or removal of any condition or thing in or about any building or structure which is in contravention of this by-law, and every owner or occupier shall be responsible for the carrying out of every requirement of every such order.

- (b) Every order issued under Section 28(a) shall state a date by which the order shall be carried out, which date shall, in the discretion of the Fire Chief, be fixed having regard to the degree of urgency involved in correcting or removing conditions which may tend to increase the hazard of fire or danger to life and property.

29. Order to Remedy Conditions

Without limiting the generality of Section 28, the Fire Chief, or any member of the Fire Department authorized by the Fire Chief, May in writing, order that:

- (a) the owner or occupier destroy or repair premises, in whole or in part, and if the owner or occupier fails to destroy or repair the premises as required and within the time period set out in the order, the City may carry out or cause to be carried out the required destruction or repairs at the cost of the owner or occupier;
- (b) the owner or occupier alter the use or occupancy of the premises;
- (c) premises be secured by the owner or occupier, or in default of the owner or occupier securing the premises within the time set out in the order, may make the premises secure at the cost of the owner or occupier; or
- (d) the owner or occupier remove or take precautions against a fire hazard.

- h) By adding a new Section 31 as follows:

31. Fire Safety Plan

- (a) Every owner or occupier of a building, site, storage area or other area for which a Fire Safety Plan is required by the Code, the Building Code or other enactment shall submit a Fire Safety Plan to the Fire Chief for review and approval.
- (b) Every Fire Safety Plan shall conform to the requirements of the Code and shall be submitted in a form prescribed by and acceptable to the Fire Chief.
- (c) Every Fire Safety Plan shall be placed on the property in a location and manner acceptable to the Fire Chief.
- (d) Every owner or occupier of premises where a Fire Safety Plan is required shall review the Fire Safety Plan annually. Where

changes are to be made to a Fire Safety Plan, the revised plan shall first be submitted to the Fire Chief for review and approval.

i) By adding a new Section 32 as follows:

32. Code

The Code is adopted as a standard of the City.

j) By replacing existing Section 36(e) with a new Section 36(e) as follows:

(e) For each completed Fire Safety Plan reviewed, \$150.00, except in the case of a high building as defined in the Building Code, or a care or detention occupancy (Group B) as defined in the Code, the fee shall be \$300.00.

k) By inserting the following headings directly above the Section number named below:

<u>Heading</u>	Section Number
<u>Definitions</u>	1.
<u>Fire Chief and Fire Personnel</u>	2.
<u>Department Operations</u>	5.
<u>Fire and Other Incidents</u>	12.
<u>Fees Added to Taxes</u>	36(h).
<u>Offences and Penalties</u>	37.
<u>Citation</u>	40.

2. This By-law shall be cited for all purposes as "Surrey Fire Service By-law, 1990, No. 10771, Amendment By-law, 2007, No. 16418."

PASSED THREE READINGS on the 25th day of June, 2007.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the day 9th of July, 2007.

_____MAYOR

_____CLERK