

**FIRE PREVENTION AND REGULATION BYLAW, AMENDMENT BYLAW (NO. 1)**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to amend the Fire Prevention and Regulation Bylaw to update it in accordance with technological changes, City development changes, and the requirements of the Fire Department.

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Under its statutory powers, including sections 8(3)(a), 8(3)(g), 8(3)(l), 66, 194 and 258 of the *Community Charter*, and sections 6, 10, 11, 21, 22, 25, 26 and 36 of the *Fire Services Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the “FIRE PREVENTION AND REGULATION BYLAW, AMENDMENT BYLAW (NO. 1)”.

**Amendments**

- 2 Bylaw No. 14-100, the Fire Prevention and Regulation Bylaw, is amended in the Contents as follows:
  - (a) by inserting the following new entry immediately after “17 Regular System of Inspection”:

“17A Mobile Cooking Operations”;
  - (b) at entry 24, by inserting “Transmission of” immediately after “False”;
  - (c) by inserting the following new entry immediately after entry 24:

“24A Smoke Alarms”; and
  - (d) by repealing entry 30 and substituting the following:

“30 Emergency Radio Communications Equipment”.
- 3 The Fire Prevention and Regulation Bylaw is further amended in section 2 as follows:

- (a) by inserting the following new definition directly before the definition for “Apparatus”:

“**Amplification System**” means

within-building radio communications support and enhancement systems designed to overcome the interruption of emergency radio communications;”;

- (b) by inserting the following new definition directly after the definition for “Dangerous Goods”:

“**Delivered Audio Quality of 3.4**” means

speech over radio that is understandable without repetition and may have some noise or distortion present;”;

- (c) by inserting the following new definition directly after the definition for “Fire Protection”:

“**Grease**” means

rendered animal fat, vegetable shortening, or other such oily matter used for the purpose of and resulting from cooking or preparing foods;”;

- (d) by inserting the following new definition directly after the definition for “Member”:

“**Mobile Cooking Operation**” means

any vehicle, cart, trailer, or other temporary or portable installation that is not part of a building and is utilized for the sale and production of food or beverages;”;

- (e) by inserting the following new definitions directly after the definition for “Motor Vehicle”:

“**NFPA 10**” means

the Fire Code referenced standard of the National Fire Protection Association’s “Standard for Portable Fire Extinguishers”, which is referred to as “NFPA 10” in the Fire Code;

“**NFPA 96**” means

the Fire Code referenced standard of the National Fire Protection Association’s “Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations”, which is referred to as “NFPA 96” in the Fire Code;

**“NFPA 705” means**

the Fire Code referenced standard of the National Fire Protection Association’s “Recommended Practice for a Field Flame Test for Textiles and Films”, which is referred to as “NFPA 705” in the Fire Code;”;

- (f) by inserting the following new definition directly after the definition for “Open Air Burning”:

**“Operator” means**

a person carrying on the business of operating a Mobile Cooking Operation;”;

- (g) in the definition for “Public Building”, by striking out “.” and substituting “,”; and
- (h) by inserting the following new definitions directly after the definition for “Public Building”:

**“Qualified Technician” means**

a person who demonstrates to the satisfaction of the Fire Chief that they have the certification and training necessary to perform inspections, testing and maintenance on fire protection equipment in accordance with manufacturer’s specifications and the applicable standards;

**“Service” means**

the City’s public safety communications service provider;

**“Shadowed Area” means**

an area that suffers attenuation or obstruction of radio signals to or from the area as a result of the interposition of all or any part of the building or structure in the radio signal path between the area and the transmitting/receiving site of the Service;

**“Smoke Alarm” means**

“smoke alarm” as defined by the Building Code.”.

- 4 The Fire Prevention and Regulation Bylaw is further amended as follows:

- (a) in section 14(3)(a), by striking out “,” and then inserting the following directly after “Incident”:

“until such time as active fire operations and fire investigations have been completed and the care of the property returned to the Owner;”;

- (b) in section 17(1), by inserting “churches,” directly after “Public Buildings,”;
- (c) in section 17, by renumbering current subsection (2) as subsection (3);
- (d) in newly renumbered section 17(3), by striking out “section 17(1)” and substituting “this section”;
- (e) in section 17, by inserting the following new subsection (2) directly after subsection (1):

“(2) Mobile Cooking Operations shall be inspected in accordance with section 17A.”;

- (f) by inserting the following new section 17A directly after section 17:

**“Mobile Cooking Operations**

- 17A (1) No person shall operate a Mobile Cooking Operation unless:
- (a) the Mobile Cooking Operation has been inspected and approved by the Fire Chief, or any Member authorized by the Fire Chief;
  - (b) the Operator has paid the fee for inspection specified in Schedule “B”; and
  - (c) the decal indicating that the Fire Chief has approved the Mobile Cooking Operation is displayed in a conspicuous place on the Mobile Cooking Operation.
- (2) Every approval pursuant to section 17A(1)(a) shall be valid until the 31st day of December of the same year, but the full inspection fee shall nevertheless be payable for every inspection.
- (3) On or before January 15 of every calendar year that the Operator continues to operate the Mobile Cooking Operation, the Operator must arrange for a new inspection pursuant to section 17A(1)(a) and pay the inspection fee specified in Schedule “B”.
- (4) The Operator of a Mobile Cooking Operation that produces Grease laden vapor must:
- (a) be in compliance with NFPA 96 and have appropriate equipment installed, used and maintained as to prevent a hazard; and
  - (b) display a valid service decal from a Qualified Technician on all fixed extinguishing systems.

- (5) The Operator of a Mobile Cooking Operation that has a fixed extinguishing fire protection system must have instructions for use of the system posted in a conspicuous place within the cooking area.
- (6) The Operator of a Mobile Cooking Operation must:
  - (a) have any hoods, Grease removal devices, fans, ducts and other appurtenances in the Mobile Cooking Operation cleaned at frequent intervals to prevent surfaces from becoming heavily contaminated with Grease or other residues;
  - (b) have any service on a hood system in the Mobile Cooking Operation completed by a Qualified Technician, and display a valid service decal upon the hood system indicating that service on the hood system has been completed;
  - (c) install portable fire extinguishers within the Mobile Cooking Operation in accordance with NFPA 10 requirements;
  - (d) have any portable fire extinguishers within the Mobile Cooking Operation serviced annually by a Qualified Technician and display a valid service decal accordingly;
  - (e) ensure that any temporary electrical power generators and connections for the Mobile Cooking Operation are:
    - (i) of proper grade and rated by a testing laboratory,
    - (ii) protected from weather, vehicle traffic, and restricted from public access,
    - (iii) properly grounded, and
    - (iv) used as per manufacturers specifications;
  - (f) ensure that any appliances and equipment used at the Mobile Cooking Operation are certified for commercial use and installed and maintained in accordance with their certification and applicable standards;
  - (g) subject to section 17A(7), not use any wood burning appliances for the Mobile Cooking Operation;
  - (h) if the Mobile Cooking Operation is located inside a Motor Vehicle or other vehicle utilizing natural gas or

propane, install and maintain within the Mobile Cooking Operation a gas monitoring detector with alerting capabilities with respect to unsafe levels of gas or propane;

- (i) ensure there is a barrier of no less than one meter horizontally and vertically between any cooking appliance of the Mobile Cooking Operation and the public;
  - (j) ensure that the Mobile Cooking Operation is a minimum distance of three meters from any other structure or Motor Vehicle; and
  - (k) if the Mobile Cooking Operation utilizes any tent or awning, the material of the tent or awning must be fire resistive and conform to the requirements of NFPA 705.
- (7) A Mobile Cooking Operation that utilized wood burning appliances and was approved by the Fire Chief prior to the date of adoption of Fire Prevention and Regulation Bylaw, Amendment Bylaw No. 1 (No. 21-010) may continue to use wood burning appliances, provided that the scale or extent of use is not significantly greater than at the time of approval.”;
- (g) in section 18(1), by striking out “section 17” and substituting “sections 17 and 17A” and by inserting “or a Mobile Cooking Operation” directly after “premises”;
- (h) by repealing section 18(2) and substituting the following:
  - “(2) If, after performing an inspection pursuant to section 17, 17A or 18(1), the Fire Chief, or any Member authorized by the Fire Chief, determines that a property or Mobile Cooking Operation is not in compliance with this bylaw or the Fire Code, or that one or more conditions exist which may be a fire hazard, increase the danger of fire or the danger to persons or property from a fire, the Fire Chief, and any Member authorized by the Fire Chief, may issue an order to the following persons to do what is necessary to remove the condition or to bring the property or Mobile Cooking Operation into compliance within a specified time period and advise of a return date for a re-inspection:
    - (a) for an inspection of a property, to the Owner or any Occupier of the property; or
    - (b) for an inspection of a Mobile Cooking Operation, to the Operator of the Mobile Cooking Operation.”;
- (i) in section 18(3), by inserting “, and into a Mobile Cooking Operation,” directly after “premises”;

- (j) in section 18(4), by striking out “site” inserting “property or premises”;
- (k) by striking out section 18(8)(5) and inserting the following sections 18(8)(5) – (7):
  - “(5) If upon the first re-inspection of a Mobile Cooking Operation pursuant to section 18(3), the Fire Chief, or any Member authorized by the Fire Chief, determines that an order issued pursuant section 18(2) has not been complied with, he or she may schedule a second re-inspection and further subsequent re-inspections, if required, to ascertain whether the order has been complied with, and the person to whom the order was made shall pay to the City the re-inspection fee specified in Schedule “B” for the second, and each subsequent, re-inspection.
  - (6) Notwithstanding any of the requirements of this section, anyone that fails to comply with an order issued pursuant to this section remains subject to penalties pursuant to this bylaw.
  - (7) An Owner, Occupier or Operator who is issued an order pursuant to
    - (a) section 18(2);
    - (b) section 18(4)(a); or
    - (c) section 18(5)
 must comply with the order in the time specified within the order.
- (l) in section (19), by inserting “, 17A” immediately after 17;
- (m) by repealing section 20 and substituting the following:
  - “20 (1) An Owner or Occupier of property or an Operator of a Mobile Cooking Operation who has been notified of an inspection to be conducted pursuant to this bylaw, or any other enactment relating to fire safety, must provide access to the site to any Member or other inspector conducting the inspection on the date and at the time specified in the notice, and any person who fails to do so shall pay to the City the fee specified in Schedule “A”.
  - (2) Access may be provided by the Owner, Occupier or Operator pursuant to section 20(1) by attending the site, having an agent attend on their behalf, or by providing access to a key.”;
- (n) in section 21, by inserting “and Operator of a Mobile Cooking Operation” immediately after the first occurrence of “property” and by striking out the second occurrence of “property” and replacing it with “location”;
- (o) at section 24, by inserting “Transmission of” immediately after “False” in the heading to the section;

- (p) by inserting a new section 24A immediately after section 24, as follows:

**“Smoke Alarms**

24A (1) Every Owner of a building shall ensure that Smoke Alarms are installed and maintained in accordance with the Building Code and the Fire Code.

(2) Smoke Alarms may only be individually battery powered in accordance with the Building Code.

(3) Smoke Alarms must be replaced when they become inoperable or have exceeded their lifespan as per the manufacturer's specifications.”

- (q) in section 26(1), by striking out “Every” and replacing it with “Subject to section 26(2), every”;

- (r) by renumbering current sections 26(3)-(5) as new sections 26(6)-(8), respectively;

- (s) by repealing section 26(2) and replacing it with the following subsections (2)-(4):

“(2) An Owner of a premises is not required to install a lock box if a staff person is on site at the premises to provide the Fire Department access to all items listed in section 26(5) 24 hours per day, 7 days per week, subject to section 26(3).

(3) An Owner of a premises may intermittently not have a staff person on site in accordance with section 26(2), provided that at all such times, a staff person that can provide access is available and can be on the premises within fifteen minutes of notification by the Fire Department.

(4) Any Owner of a premises that does not contain a lock box in accordance with section 26(1):

(a) must provide the Fire Department with the contact details of any persons who are to provide access pursuant to sections 26(2) and (3); and

(b) is subject to penalties under this bylaw if none of the contacts provided pursuant to section 26(4)(a) are able to provide access to all items listed in section 26(5) within fifteen minutes of notification by the Fire Department.”

- (t) in newly renumbered section 26(5), by striking out “which exists” and replacing it with “items that are present”;



- (u) in newly renumbered section 26(6), immediately before “the approval of a Member”, by striking out “to” and replacing it with “with”; and
- (v) by striking out subsection 27(1)(b)(iii) and replacing it with the following:
  - “(iii) is in a secured box or enclosure that is clearly labelled “Fire Safety Plan” in contrasting colours; and”.

- 5 The Fire Prevention and Regulation Bylaw is further amended by striking out the entirety of section 30 and replacing it with the following:

**“Emergency Radio Communications Equipment**

- 30 (1) Where a building may cause poor radio communications for the Service, or where the Owner of the building is directed to do so by the Fire Chief or Member authorized by the Fire Chief, the Owner of the building must, at the Owner's expense, ensure that:
- (a) all of the following areas meet a minimum standard Delivered Audio Quality of 3.4, as certified by a professional engineer, registered in the Province of British Columbia:
    - (i) within the building, a minimum of 90% of the area of each floor of the building, including underground areas, and
    - (ii) within Shadowed Areas of the building, a minimum of 90% of all areas where Delivered Audio Quality of 3.4 could be achieved before the erection, construction or modification of the building or structure;
  - (b) continual monitoring is always active for any system put in place to ensure that the requirements specified in section 30(1)(a) are met;
  - (c) maintenance and testing is conducted annually by a professional engineer, registered in the Province of British Columbia, to ensure the requirements specified in section 30(1)(a) are met; and
  - (d) a record of the maintenance and testing referred to in section 30(1)(c) is maintained and available for inspection by the Fire Chief or Member authorized by the Fire Chief.
- (2) The radio frequency range that must be supported for radio communications pursuant to section 30(1) shall be any frequencies used by the network of the Service.
- (3) If a building fails to meet the requirements specified in section 30(1)(a), the Owner of the building must, as soon as the owner becomes aware of the failure:
- (a) notify the Fire Chief in writing as soon as practicable; and

- (b) make repairs or other works within five business days, to meet the requirements specified in section 30(1)(a).
- (4) If the Owner of a building fails to complete repairs or other works under section 30(3)(b) to the satisfaction of the Fire Chief, the Fire Chief may have a temporary Amplification System installed in order to meet the requirements specified in section 30(1)(a) at the expense of the Owner of the building, to be recovered as a debt owing to the City, which, if not recovered from the Owner of the building by December 31, may be collected in the same manner as for property taxes.
- (5) If an Amplification System is required to meet the requirements specified in section 30(1)(a) in the building,
  - (a) the building Owner must coordinate with the Service to ensure that the Service's outdoor radio communication performance is not degraded by such amplification, and if the Service determines that the requirements of section 30(1)(a) cannot be met while still maintaining the Service's outdoor radio communication performance, the building Owner must communicate that decision promptly to the Fire Chief, in writing; and
  - (b) the Amplification System must comply with section 1 of Schedule "D", and may include any of the following in order to meet the requirements of section 30(1)(a):
    - (i) passive antenna systems or radiating cable systems,
    - (ii) distributed antenna systems with uni-directional or bi-directional amplifiers as needed,
    - (iii) voting receiver systems, or
    - (iv) another system that will improve audio quality of radio communications, as certified by a professional engineer, registered in the Province of British Columbia, and to the satisfaction of the Fire Chief;
  - (c) the Amplification System must be tested annually in accordance with section 2 of Schedule "D"; and
  - (d) if any testing of the Amplification System shows that communications within the building or within the Shadowed Area have degraded such that they fail to meet the requirements specified in section 30(1)(a), the Owner of the building shall make repairs or other works within five business days to remedy the problem and meet the requirements specified in section 30(1)(a), unless the Owner can demonstrate conclusively that the degradation is solely the result of external changes not under their control.

- (6) If a new building has caused a decline below the requirements specified in section 30(1)(a) in an existing building, the Fire Chief, or a Member authorized by the Fire Chief, may require the Owner of the new building, at their expense, to provide for repairs or other works under section 30(3)(b) so that the existing building again meets the requirements specified in section 30(1)(a), to the satisfaction of the Fire Chief.
- (7) This section 30 shall not apply to:
  - (a) any single-family detached or semi-detached residence;
  - (b) any building or structure constructed of wood frame and not metal-clad;
  - (c) any building or structure less than 5000 square metres in floor space; or
  - (d) any building or structure less than 12 metres in height.
- (8) The construction or erection of a building or structure that interferes with the City's emergency radio or telecommunications networks shall constitute a nuisance because it threatens the health, safety and welfare of those in the City, and in addition to any other remedies or enforcement procedures provided in this bylaw, the City may seek an injunction to restrain such a nuisance."

6 The Fire Prevention and Regulation Bylaw is further amended as follows:

- (a) by renumbering current section 32 as section 32(1);
- (b) in newly renumbered section 32(1), by striking out "first" and inserting the following language immediately after "authorized by the Fire Chief":
 

", prior to the date of adoption of Fire Prevention and Regulation Bylaw, Amendment Bylaw No. 1 (No. 21-010)";
- (c) by inserting the following new section 32(2) after section 32(1):
 

“(2) In the event that the scale or extent of storage permitted pursuant to section 32(1) increases from that at the time of approval, then the storage is no longer permitted and the Owner must comply with section 32(1).”;
- (d) in section 37(1) by striking out "without first obtaining a Permit." and replacing it with:
 

“unless:

  - (a) the fire is for one of the purposes listed in section 38(1)(b), and
  - (b) a Permit is first obtained.”;

- (e) by striking out section 38(3)(b) and replacing it with:
  - “(b) The person to whom a Permit has been issued shall:
    - (i) notify the Fire Department before the initiation and after the extinction of the fire;
    - (ii) be responsible for the management of the fire;
    - (iii) at all times ensure that a competent adult is keeping watch on the fire until the fire is completely extinguished; and
    - (iv) provide sufficient personnel, appliances and equipment to prevent the fire from becoming dangerous to life or property.”;
- (f) in section 42(b) by striking out “Motor Vehicle” and replacing it with “Mobile Cooking Operation”; and
- (g) in section 46(3) by striking out “\$10,000” and replacing it with “\$50,000”.

7 The Fire Prevention and Regulation Bylaw is further amended as follows:

- (a) by repealing Schedules “A” and “B” and replacing them with Schedules “A” and “B” attached to this Bylaw; and
- (b) by inserting the new Schedule “D” attached to this Bylaw after current Schedule “C”.

## Consequential Amendments to Ticket Bylaw

8 Bylaw No. 10-071, the Ticket Bylaw is amended by repealing Schedule O and replacing  
the Schedule O attached to this Bylaw as Appendix 1.

## Commencement

9 This Bylaw comes into force on adoption.

READ A FIRST TIME the day of 2021

READ A SECOND TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2021

READ A THIRD TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2021

ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_ 2021

CITY CLERK

MAYOR

**SCHEDULE A**

The fees specified in this schedule may be collected in the same manner and with the same remedies as property taxes, and if due and payable by December 31<sup>st</sup> and are unpaid on that date, are deemed to be taxes in arrears.

<b>ITEM #</b>	<b>SERVICE</b>	<b>SECTION</b>	<b>FEE</b>
1	Damage, destruction or demolition of building	12(4)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
2	Post-Incident Fire Watch	15(2)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site.
3	Securing Fire Damaged Building	16(3)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
4	Second and subsequent Condition and Compliance Re-inspections – Property or Premises	18(4)(a)	\$100.00 for second re-inspection and for each subsequent re-inspection.
5	Work to establish compliance – Property or Premises	18(4)(b)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site, plus any out-of-pocket expenses incurred by the City to complete the work.
6	Failure to provide access to site for inspection appointment	20(1)	\$100.00 staffing costs for inspector travel time, attendance, and re-booking fee.
7	Member performing Prevention Fire Watch	28(4)(a)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at the site after the first hour.
8	Private Company performing Prevention Fire Watch	28(4)(b)	All expenses incurred by the City for obtaining private company services.
9	Member inspecting or attending event	39(2)	Hourly rate of Equipment and all staffing costs, including any overtime rates, of each Member for actual time Member and Equipment attend at a site.
10	Requested Inspection of property	42(a)	\$100.00
11	Damaged Equipment	44(1)	All expenses incurred by the City to clean, repair

			or replace Equipment used at an Incident.
12	Use of Extraordinary personnel or Equipment	44(2)	All expenses incurred by the City for special equipment and additional non-Member personnel.
13	Fire Investigation	45(1)	If one or more Members investigate at a site in excess of 90 minutes, all staffing costs, including any overtime rates, of each Member for actual time Member(s) attend at site and for actual time Member(s) work on all matters related to the investigation offsite, including report preparation. No fee for a site investigation which concludes in under 90 minutes.
14	Private Company Services at investigation	45(2)	All expenses incurred by the City for obtaining private company services.

**SCHEDULE B**

<b>ITEM #</b>	<b>SERVICE</b>	<b>SECTION</b>	<b>FEE</b>
1	Inspection of Mobile Cooking Operation	17A, 42(b)	\$100.00
2	Second and subsequent Condition and Compliance Re-inspections – Mobile Cooking Operation	18(5)	\$100.00 for second re-inspection and for each subsequent re-inspection
3	Fire Safety Plan Review	27(2)	\$150.00
4	Occupancy Load Calculation	40(2)	\$100.00 for occupancy load calculations of 100 occupants or less \$150.00 for occupancy load calculations of 101 occupants or more
5	File Search	43	\$40.00



## SCHEDULE D

### Requirements of Amplification System

- 1 (1) An Amplification System shall include filters that will protect the amplifiers from overload and protect the system from interference by out-of-band signals.
- (2) If any part of the Amplification System contains an electrically powered component, the system shall be equipped to operate on an independent uninterruptible power supply ("**UPS**"), using a battery or generator system, for a period of at least four hours without external power or maintenance.
- (3) All amplifiers and electronics required by the Amplification System shall be protected by National Electrical Manufacturers Association type 4 or higher electrical enclosures.
- (4) If the Amplification System operates on UPS,
  - (a) the UPS shall automatically charge the batteries in the presence of external power;
  - (b) the UPS shall provide a monitored alarm signal to indicate failure of primary power, failure of the UPS system power output, or discharge of the batteries; and
  - (c) the Owner of the building in which the Amplification System is located shall notify the Fire Department of any failure of the UPS no later than two hours after any power failure occurs.
- (5) Any critical alarms detected by the Amplification System equipment regarding battery condition and amplifier performance shall be reported to the Fire Department immediately.
- (6) The Owner of the building in which the Amplification System is located shall ensure that a system summary alarm for the Amplification System, consisting of a relay contact closure or equivalent, is provided to the building fire panel via a hard wired connection.
- (7) Any Amplification System shall be licensed by the federal regulator, Innovation, Science & Economic Development Canada ("**ISED**"), and shall comply with the applicable Standard Radio Systems Plan.
- (8) Any license required for the Amplification System shall be renewed annually by the building Owner and the cost of the licensing borne solely by the building Owner.
- (9) Any radio equipment within the Amplification System shall only be selected from the ISED Radio Equipment List.

### Testing of Amplification System

- 2
  - (1) Tests and measurements to verify and maintain compliance shall be made at the sole expense of the building Owner.
  - (2) The procedures used to test Amplification Systems for initial acceptance shall be in accordance with the following guidelines:
    - (a) Acceptance tests and measurements shall be performed after completion of installation of the Amplification System;
    - (b) Tests shall be performed using radio frequencies assigned by the Service, after proper coordination with an authorized representative of that system and with the Fire Chief and the Officer in Charge of Police for the City;
    - (c) If queuing occurs on the radio system while testing is underway, testing shall be terminated immediately and resumed only when traffic levels on the system drop to the level where queuing will no longer occur;
    - (d) Where the Shadowed Area, or the floor plate area of the building, is greater than 4500m<sup>2</sup> the area shall be divided into a uniform grid of not more than fifteen metres on a side, or if the floor area is smaller than 4500m<sup>2</sup> it shall be divided into a uniform grid of approximately twenty equal areas, to a minimum of 9m<sup>2</sup> and measurements shall be taken in each grid area;
    - (e) The size of the grids shall also be reduced, or the number of grids increased, upon recommendation of the Fire Chief or Member authorized by the Fire Chief in areas where special construction or other obstruction may significantly affect communications;
    - (f) Tests shall also be performed in fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms, and high-hazard areas;
    - (g) Tests shall first be made using a portable (handheld) radio of the type used by emergency service personnel, carried at hip level (with external speaker/mic) and using a simple "rubber ducky" antenna, and shall be deemed satisfactory if Delivered Audio Quality of 3.4 or better can be achieved for a five second test transmission in each direction;
    - (h) If system access is not reliable, or if Delivered Audio Quality of 3.4 for five seconds cannot be achieved at any location, the test operator may move a maximum of 1.5 metre in any direction inside of the grid and repeat the test, and if system access continues to be unreliable, or if Delivered Audio Quality of 3.4 still cannot be achieved, or if there is any doubt about whether it can be achieved, a failure shall be recorded for that location;
    - (i) For all tests, a pre-defined "Harvard" sentence should be used, such that the listeners are not aware of the sentence in advance on each test, and a different recorded sentence should be used at each location;

- (j) A maximum of two non-adjacent grid areas on a floor or in a Shadowed Area will be allowed to fail the test;
  - (k) In the event that three or more areas on a floor or in a Shadowed Area fail the test, the floor or Shadowed Area may be divided into forty approximately equal areas to a minimum of 4m<sup>2</sup>, and the tests repeated, and in such event, a maximum of four non-adjacent grid areas will be allowed to fail the test, and if the Amplification System fails the forty-area test, the building Owner must have the Amplification System altered to meet the 90% coverage requirement of section 30(1)(a) in order to be accepted;
  - (l) If the Amplification System fails to provide acceptable communication in any of the fire command centre, any portion of a stairwell, protect-in-place areas, lobby refuge areas, equipment rooms, or high-hazard areas, the building Owner must have the Amplification System altered to meet the 90% coverage requirement for these areas in order to be accepted;
  - (m) Backup batteries and power supplies for the Amplification System shall be tested under full load by generating communication traffic automatically for a duration of at least one hour, and if within the one-hour period, the battery shows no symptom of failure or impending failure, the test shall be continued for additional one hour periods to determine the integrity of the battery, and the battery must not fail within a four-hour continuous test period; and
  - (n) The gain values of all Amplification Systems shall be measured, using a service monitor that has been calibrated by a certified laboratory within the past twelve months, and the results shall be kept on file by the building Owner for future verification and monitoring of performance, and the gain records file must have multiple back-ups and be stored in more than one location.
- (3) The procedures used to test Amplification Systems annually shall be in accordance with the following guidelines:
- (a) At least annually, the building Owner shall test all active components of the Amplification System, including but not limited to all amplifiers, power supplies and back-up batteries;
  - (b) The Owner shall keep a record of any annual tests as part of the Fire Safety Plan for inspection by the Fire Department;
  - (c) The Amplification System's gain shall be adjusted if necessary in order to re-establish the gain recorded upon acceptance testing, and batteries and power supplies shall be tested under load for a period of at least one hour to verify that they will function properly during a power outage; and
  - (d) Additional tests or inspection of records with respect to the Amplification System may be conducted from time to time by the Fire Department at the

discretion of the Fire Chief, after giving reasonable notice to the building Owner.

**APPENDIX 1****Schedule O****Fire Prevention and Regulation Bylaw  
Offences and Fines**

Item #	Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
1	Enter limited area w/o permission	11(2)	\$200.00	\$175.00
2	Interfere with Member at Incident	14(1)(a)	\$350.00	\$300.00
3	Damage, destroy, obstruct, or otherwise interfere with Equipment	14(1)(b)	\$350.00	\$300.00
4	Refuse access to Member	14(1)(c)	\$350.00	\$300.00
5	Failure to comply with orders or provide information	14(2)	\$300.00	\$250.00
6	Enter building threatened by Incident	14(3)(a)	\$200.00	\$175.00
7	Enter designated area	14(3)(b)	\$200.00	\$175.00
8	Fail to leave designated area when directed	14(3)(c)	\$250.00	\$200.00
9	Remove ropes, guards or tapes	14(3)(d)	\$200.00	\$175.00
10	Failure to secure fire-damaged building	16(1)	\$250.00	\$200.00
11	Operating without inspection or approval	17A(1)(a)	\$250.00	\$200.00
12	Operating without paying inspection fee	17A(1)(b)	\$250.00	\$200.00
13	Operating without displaying valid fire inspection decal	17A(1)(c)	\$250.00	\$200.00
14	Failure to display valid service decal for fixed extinguishing system	17A(4)(b)	\$250.00	\$200.00
15	Failure to post instructions for fixed extinguishing	17A(5)	\$250.00	\$200.00

16	Failure to display valid service decal for hood system	17A(6)(b)	\$250.00	\$200.00
17	Failure to have appropriate portable fire extinguishers	17A(6)(c)	\$250.00	\$200.00
18	Failure to display valid service decal for portable fire extinguisher	17A(6)(d)	\$250.00	\$200.00
19	Improper use of temporary electrical solutions	17A(6)(e)	\$250.00	\$200.00
20	Use of wood burning appliances	17A(6)(g)	\$250.00	\$200.00
21	Failure to have functioning gas leak detector	17A(6)(h)	\$250.00	\$200.00
22	Failure to maintain barrier between cooking appliance and public	17A(6)(i)	\$250.00	\$200.00
23	Failure to maintain 3 metres from structure or Motor Vehicle	17A(6)(j)	\$250.00	\$200.00
24	Improper tent or awning material	17A(6)(k)	\$250.00	\$200.00
25	Failure to comply with order	18(7)(a)	\$250.00	\$200.00
26	Failure to comply with order	18(7)(b)	\$300.00	\$250.00
27	Failure to comply with order	18(7)(c)	\$300.00	\$250.00
28	Failure to provide information	21	\$250.00	\$200.00
29	Withholding or providing false information	22	\$350.00	\$300.00
30	Obstruct Member during inspection	23	\$500.00	\$500.00
31	Make false alarm	24	\$350.00	\$300.00
32	Failure to install or maintain smoke alarm	24A(1)	\$250.00	\$200.00
33	Failure to replace smoke alarm	24A(3)	\$250.00	\$200.00
34	Violate no occupancy notice	25(2)	\$250.00	\$200.00
35	Remove no	25(3)	\$300.00	\$250.00

	occupancy notice			
36	No approved lock box	26(1)	\$150.00	\$125.00
37	Failure to provide contact information for access	26(4)(a)	\$150.00	\$125.00
38	Failure to meet time requirements on site for access	26(4)(b)	\$150.00	\$125.00
39	Insufficient lock box contents	26(5)	\$150.00	\$125.00
40	Insufficient lock box	26(6)	\$150.00	\$125.00
41	Unauthorized access to lock box	26(7)	\$150.00	\$125.00
42	Failure to submit Fire Safety Plan	27(1)(a)	\$200.00	\$175.00
43	Improper storage of Fire Safety Plan	27(1)(b)	\$200.00	\$175.00
44	Failure to provide updated Fire Safety Plan	27(1)(c)	\$200.00	\$175.00
45	Failure to maintain fire watch	28(1)	\$250.00	\$200.00
46	Failure to maintain Fire Department Connections, standpipe systems and sprinklers	29	\$350.00	\$300.00
47	Failure to provide minimum standard communications	30(1)(a)	\$250.00	\$200.00
48	Failure to monitor standard of communications	30(1)(b)	\$250.00	\$200.00
49	Failure to maintain and test communications	30(1)(b)	\$250.00	\$200.00
50	Failure to maintain or make available record	30(1)(d)	\$250.00	\$200.00
51	Failure to notify of failure	30(3)(a)	\$250.00	\$200.00
52	Failure to repair in time	30(3)(b)	\$250.00	\$200.00
53	Failure of Amplification System to comply	30(5)(b)	\$250.00	\$200.00
54	Failure to test Amplification System	30(5)(c)	\$250.00	\$200.00
55	Failure to repair	30(5)(d)	\$250.00	\$200.00

	Amplification System			
56	Failure to repair new building	30(6)	\$250.00	\$200.00
57	Failure to provide fire protection equipment	31(1)	\$300.00	\$250.00
58	Improper storage of materials	32(1)	\$200.00	\$175.00
59	Accumulate combustible materials	33(1)	\$200.00	\$175.00
60	Improper garbage storage	34(3)	\$200.00	\$175.00
61	Unauthorized use of fire hydrant	35(2)	\$200.00	\$175.00
62	Prohibited burning	36	\$250.00	\$200.00
63	Prohibited Open Air burning	37(1)	\$250.00	\$200.00
64	Fail to notify or supervise permitted fire	38(3)(b)	\$300.00	\$250.00
65	Obstruct access to Incident	41(1)	\$350.00	\$300.00
66	Refuse access to premises	41(2)	\$350.00	\$300.00
67	Impede, hinder, obstruct or otherwise interfere with Member executing bylaw	41(3)	\$350.00	\$300.00
68	Drive Motor Vehicle over Equipment	41(4)	\$150.00	\$125.00