



DISTRICT OF HIGHLANDS BYLAW NO. 474

A BYLAW TO PROVIDE FOR FIRE PROTECTION AND CONTROL

The *Council* of the District of Highlands, in open meeting assembled, enacts as follows:

1. Citation

This Bylaw may be cited as "Fire Control and Protection Bylaw No. 474, 2025".

2. Definitions

In this Bylaw, unless the context otherwise requires:

"animal organic waste" means solid organic waste material of animal origin and includes flesh, carcass, offal, hides and feathers.

"apparatus" means any vehicle provided with machinery, devices, *equipment* or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.

"approved" means *approved* and acceptable to the *Fire Chief* of the Municipality.

"building" means a structure that is used or intended to be used for supporting or sheltering persons or animals or property, except those prescribed by regulation as exempted from the *Building Code*.

"chiminea" means a container made of pottery or metal containing a fire box and flu in a design for the purposes of burning a solid fuel.

"construction or demolition waste" means woodcuttings, sawdust, packaging, *building* materials and other waste items or discarded materials produced in the construction, repair, renovation, or demolition of a *building* or structure.

"Council" means the *Council* of the District of Highlands.

"dangerous goods" means any product, substance or organism which is of a highly combustible and flammable, or explosive nature, all as set out in the *Fire Code* and the National Fire Protection Association (N.F.P.A.) codes and any other material which, because of the toxic or other inherent characteristics, constitutes a fire hazard or a hazard to life safety or health and without restricting the generality of the foregoing:

- a) Includes liquid chlorine, compressed natural gas, liquefied natural gas, liquefied petroleum gas and other similar substances, and

b) For the purposes of this Bylaw and in conformity with the classification of the dangerous good in an Act to Promote Public Safety in the Transportation of *Dangerous goods*, as classified as follows:

- Class 1 Explosives, including explosives within the meaning of the *Explosives Act*.
- Class 2 Gases, including compressed gases, liquefied petroleum, liquefied natural gas, liquefied or dissolved gases under pressure.
- Class 3 Flammable liquids and combustible liquids.
- Class 4 Flammable solids, including substances liable to spontaneous combustion, substances that on contact with water emit flammable gases.
- Class 5 Oxidizing substances, including organic peroxides, chlorates, nitrates.
- Class 6 Poisonous (toxic) and infectious substances.
- Class 7 Radioactive materials, including prescribed substances within the meaning of the *Atomic Energy Control Act*.
- Class 8 Corrosives.
- Class 9 Miscellaneous *dangerous goods* or organisms not included in any of the above classes.

"District" means the District of Highlands.

"*domestic incinerator*" means a container used in the burning of material in the open air and serving any dwelling unit occupied by a single-family or two-family dwelling unit.

"*equipment*" means any tools, contrivances, devices or materials used by the *Fire Department* to combat an incident or other emergency.

"*Evacuation Order*" means the mandatory directive to leave an area immediately due to an imminent threat to life or injury. The order can be given for both tactical and/or preventative reasons.

"*Fire Chief*" means the person duly appointed as such from time to time by *Council* and also includes any person appointed by the *Fire Chief* as Assistant Chief to act on his/her behalf on a temporary basis from time to time.

"*Fire Code*" means the B.C. *Fire Code* and Regulations adopted thereto, and any amendments as adopted by Order in *Council*.

"Fire Department" means and includes any member, or Officer of the Police Department authorized by the *Fire Chief* to act for him and the *Fire Department* and members of any other municipal corporation, or of any member of the *Fire Department* of the Government of Canada attending at fires within the Municipality.

"Fire Safety Act" means the provincial legislation, effective August 1, 2024, which outlines fire safety by streamlining inspections, evacuation orders, and enforcement, while supporting local governments and updating the BC *Fire Code*.

"garbage" means refuse from a household including meat, vegetable matter, egg shells, plastics and packaging.

"garden refuse" means refuse from the garden, including decaying vegetable matter, leaves or branches.

"gas regulatory authority" means the Ministry which provides for an inspection service and has the authority to require an inspection of regulated work in respect of gas in an area of British Columbia.

"incident" means a fire, *building* collapse, or a situation where a fire, *building* collapse or explosion is imminent, and includes a rescue, a threat to life situation and a call for assistance.

"Local Authority" means the *Council* of a municipality, which for this bylaw is the District of Highlands.

"Member" means any person or Officer that is duly appointed by the *Fire Chief* as a member of the *Fire Department* and is an employee of the Municipality.

"Monitoring Authority" means the *Council* of a municipality, which for this bylaw is the District of Highlands.

"Officer" means Deputy Chief, Assistant *Fire Chief*, Captain or Lieutenant of the *Fire Department*.

"Officer in Command" means the highest-ranking Officer in attendance at an incident, or in the absence of an Officer, the most senior member in attendance at the incident.

"opacity" is the degree to which the visibility of the background, viewed through the plume of smoke, is reduced.

"owner" means, in respect of any real property, the registered owner of an estate in fee simple, and in the event of there being registered a life estate includes the tenant for life. In the event that there is a registered agreement for sale and purchase, *"owner"* shall mean the registered holder of the last registered agreement for sale and purchase.

“open air burning” and “in the open air” means any burning of any kind, of any material, for any purpose that takes place outside of a *building*, structure, accessory *building* or commercial establishment.

“Peace Officer” means the Fire Chief or any person employed by the District as a Bylaw Enforcement Officer or any Municipal Police Officer or member of the RCMP.

“permit” means a document issued pursuant to this Bylaw authorizing a person to carry on a procedure or undertaking under specified terms and conditions.

“person” includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to the law.

“premises” means any of the following:

- a) a private dwelling;
- b) a public *building*;
- c) the parcel of land on which a private dwelling or public *building* is located;
- d) a motor vehicle within the meaning of the Motor Vehicle Act, railway vehicle, aircraft, vessel or other means of transportation.

“private dwelling” means the following:

- a) a structure that is occupied as a private residence;
- b) if only part of a structure is occupied as a private residence, that part of the structure;
- c) any other structure located on the parcel of land on which a private residence is located, except for a structure:
 - (i) to which the public is ordinarily invited or permitted access, or
 - (ii) that is used for commercial, industrial or institutional purposes.

“public dwelling” means the following:

- a) a *building* other than a private dwelling including daycares and short-term rentals;
- b) a structure:
 - (i) to which the public is ordinarily invited or permitted access, or
 - (ii) that is used for commercial, industrial or institutional purposes;
- c) a facility, including a storage yard or tank farm.

“solid fuel burning device” means a device that burns wood, coal or any other non-gaseous or non-liquid fuels, and includes any device burning any solid fuel used for aesthetic or space heating purposes within a private residence or commercial establishment or accessory *building*, and includes a fireplace, wood stove, *chiminea*, fireplace insert or wood heater.

“treated wood” means wood of any species that has been chemically impregnated, painted or similarly modified, or milled or processed lumber.

PART 1 – ADMINISTRATION

3. Application

This Bylaw and the provisions contained herein, as may be amended from time to time, shall apply throughout the boundaries of the Municipality.

4. Fire Department

The *Fire Department* of the District, established by the *Council* is hereby confirmed and continued pursuant to the *Community Charter*.

5. Fire Department Responsibilities

The *Fire Department* is authorized to:

- a) Take all proper measures to prevent, control and extinguish fires;
- b) Provide assistance in response to:
 - (i) medical emergencies;
 - (ii) land rescue operations;
 - (iii) requests for aid from other fire services and rescue operations;
 - (iv) hazardous materials incidents; and
 - (v) requests for public service.
- c) The *Fire Chief* and/or *Officer in Command* may, in his or her sole discretion, restrict, delay, modify or terminate emergency assistance and response due to available department resources and/or priorities.
- d) Notwithstanding the list of *Fire Department* responsibilities as authorized in accordance with this Bylaw or *Council* policies, the Department shall undertake only those emergency response activities for which its responding *Members* are properly trained and equipped. The *Fire Chief* and/or *Officer in Command* may, in his or her sole discretion, restrict or terminate emergency response activities in any circumstances where the Incident is considered to exceed the training or capabilities of the responding *Members* or *Apparatus* available to them.

6. Fire Chief

The position of *Fire Chief* as established by the *Council* is hereby confirmed.

7. Responsibilities and Duties of the Fire Chief

- a) The *Fire Chief* is responsible for the efficient management of the *Fire Department* including the *Members*, property, *apparatus* and *equipment* and for the provision of fire prevention and protection services to the Municipality.

- b) The *Fire Chief* shall ensure that the *Fire Department* is staffed with trained *Members* in accordance with *Council* policy and direction and applicable legislation and regulations.
- c) The *Fire Chief* shall establish rules, regulations and policies necessary for the proper organization, administration and operation of the *Fire Department* including but not limited to:
 - (i) the use, care and protection of *Fire Department* property, *apparatus* and *equipment*;
 - (ii) the safe and efficient operation of the *Fire Department*; and
 - (iii) the recruitment, training, conduct, discipline and termination of *Officers* and *Members* of the *Fire Department*.
- d) The Local Authority is responsible for all fire protection and prevention matters including the enforcement of this Bylaw.
- e) In accordance with the *Community Charter*, the *Fire Chief* is hereby authorized to exercise the following powers:
 - (i) enter on property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire;
 - (ii) take measures to prevent and suppress fires, including the demolition of *buildings* and other structures to prevent the spreading of fire;
 - (iii) require an owner or occupier of real property to undertake any actions directed by the *Fire Chief* for the purpose of removing or reducing any thing or condition that the *Fire Chief* considers is a fire hazard or increases the danger of fire.
- f) The *Fire Chief* is responsible for reviewing applications for *building* and development permits to ensure compliance with the *Fire Code*.

8. Designation of Inspection and Investigation Duty of Fire Chief and Officers

The *Monitoring Authority* will utilize a risk-based compliance monitoring system for public *buildings* and operate a pro-active fire inspection model in compliance with the *Fire Safety Act*.

9. System of Inspection of Buildings and Premises

Council hereby designates the *Fire Chief* as responsible for establishing and maintaining a regular system of inspections and timely fire investigations in the District in accordance with the *Fire Safety Act*. These duties may be delegated, at the *Fire Chief*'s discretion, to any qualified Deputy Chief, Assistant Chief, Captain, or Lieutenant.

10. Appointment and Accountability of Officers and Members

- a) The *Fire Chief* shall be appointed by *Council*.
- b) *Officers* shall be appointed by the *Fire Chief*, as vacancies occur or as needs dictate, and subject to compliance with the *approved Municipal financial plan*.
- c) All *Officers* are responsible for ensuring that all applicable Municipal bylaws and *Fire Department* policies, procedures, rules and regulations are complied with by *Members*.

11. Fire Chief May Appoint Deputy or Assistant Chiefs

The *Fire Chief* may appoint any *Officer* as Deputy Chief or an Assistant Chief on a temporary basis from time to time to act on his/her behalf in his/her absence.

12. Jurisdiction of Fire Department

The limits of the jurisdiction of the *Fire Chief*, and the *Officers* and *Members* of the *Fire Department*, will extend to the area and boundaries of the Municipality, and no part of the *Fire Department apparatus* shall be used beyond the limits of the District without:

- a) the express authorization of a written contract or agreement providing for the supply of fire fighting and rescue services outside the Municipal boundaries;
- b) the approval of *Council*; or in an emergency, the approval of the Mayor or Acting Mayor.

PART 2 – FIRE PROTECTION**13. Control, Direction and Management at Incident**

The *Fire Chief*, or any *Officer in Command*, shall have control, direction and management of all *Fire Department apparatus, equipment*, and *Members* assigned to an incident and, where an *Officer in Command* is in charge, he/she shall continue to act until relieved by a senior Officer.

14. Authorization to Enter onto Premises and Property

- a) The *Fire Chief*, or any *Officer in Command*, is empowered to enter in or upon premises or property where an incident occurred or where an alarm of an incident has been received or which the *Fire Chief* or *Officer in Command* has reasonable grounds to suspect that an incident exists, with or without permission from the owner or occupier and to cause any *Member, apparatus or equipment* of the *Fire Department* to enter and to take whatever action or measures he/she deems necessary in order to investigate, combat, control or deal with the incident.

- b) The *Fire Chief* and any *Officer in Command* is empowered to enter, pass through or over *buildings* or property adjacent to an incident and to cause any *Member* and the *apparatus and equipment* of the *Fire Department* to enter or pass through or over *buildings* or property, where he/she deems it necessary to gain access to the incident or to protect any person or property.

15. Obstruction of Fire Department in Performance of its Duties

- a) No person shall impede, obstruct, abuse or in any way hinder the *Fire Chief*, any *Officer in Command*, or any *Officer or Member* of the *Fire Department* in attendance at any incident, or any other person under the direction of the *Fire Chief* or *Officer in Command* in the performance of their duties.
- b) No person shall use or allow to be used a standpipe or fire hydrant, or affix a hose to the stand pipe or fire hydrant without permission from the District of Highlands.
- c) No person shall drive, push or pull a vehicle of any kind over a fire hose or fire equipment without first obtaining permission to do so from a Member.
- d) No unauthorized person shall park a vehicle in a signed prohibited area at a Fire Hall or in a fire lane.
- e) No unauthorized person shall park or stop a vehicle within 15 meters of a standpipe, fire hydrant or water tank.
- f) No person shall refuse to permit the *Fire Chief* or anyone under the direction of the *Fire Chief* from entering upon any *building* or property for the purpose of:
 - (i) making an inspection or investigation for conditions which may cause a fire, increase the danger of a fire or increase the danger to persons, or
 - (ii) making an inspection to ensure any flammable matter is rendered harmless or suitably safeguarded against fire.

16. Orders and Direction

The *Fire Chief* and any *Officer in Command* may make such orders or give such direction as are deemed in his/her discretion to be reasonably necessary to ensure any flammable matter is rendered harmless or suitably safeguarded against fire.

17. Failure to Comply with Order or Direction

Any person who fails to comply with an order or direction of the *Fire Chief*, any *Officer in Command*, or any *Officer or Member* of the *Fire Department* engaged at any incident, may be forcibly removed from the scene of any such incident by a Peace Officer, *Officer* or *Member* of the *Fire Department*.

18. Evacuation of Buildings

- a) The *Officer in Command* is empowered to order the evacuation of any *building* that is directly involved with fire or other risk to life.

- b) The *Fire Chief* is empowered to order the tactical evacuation of any *building*, structure, property or area which in his/her opinion is endangered by fire or other risk to life.
- c) In such case no person, other than the preventative *Fire Chief*, the *Officer in Command*, an *Officer* or *Member* of the *Fire Department*, Peace Officer, or other person authorized by the preventative *Fire Chief* or *Officer in Command*, shall remain in or shall enter such *building*, structure, property or area.

19. Demolition of Adjacent Buildings

The *Fire Chief* at any incident, is empowered to cause a *building*, structure or thing to be pulled down, demolished, or otherwise removed if he/she deems it necessary to prevent the spread of an incident to any other *building*, structure or thing, or to protect any person.

20. Commandeering of Privately Owned Equipment

The *Fire Chief* at any incident is empowered to commandeer privately owned *equipment* which he/she considers necessary in order to deal with such incident.

21. Access for Fire Fighting

No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any incident, fire hydrant, cistern or body of water designated for firefighting purposes.

22. Duty to Provide Assistance

The *Fire Chief* or any *Officer in Command* may order any person to assist in the fighting of any fire or in the preserving of any property threatened by an incident, or to assist in the salvaging and safeguarding of property so threatened.

23. Impeding Fire Department Equipment

No person shall obstruct, impede or interfere with any *Fire Department apparatus* or *equipment* while responding to or while engaged in the prevention, control or extinguishment of an incident.

24. Interference with Access to Buildings or Premises

- a) No person shall sit or stand or place or leave any article, thing or matter, in such a manner as to interfere with the means of ingress or egress within or outside any *building* or premises.
- b) No person shall, except as authorized by the *Fire Chief* or *Officer in Command*, at an incident:
 - (i) enter any *building*, structure or premise threatened by an emergency incident;
 - (ii) enter within an area designated by guards, tapes or ropes erected by or under

the direction of a *Peace Officer or Member*; or

(iii) refuse to move from such designated area when directed to do so by a *Peace Officer or Member*.

25. Discarding Burning Substances

No person shall discard, deposit, or cause to be deposited any ignited or smoldering material, including matches, cigars, cigarettes, or similar burning objects, in any location where it may ignite combustible material or create a fire hazard, including but not limited to roadways.

26. Duty of Owners or Occupiers

The owners or occupiers of any real property shall remove any matter or thing from a *building* or premises which constitutes a fire hazard and shall maintain and clean chimneys, flues and other *apparatus* or things in order to reduce the risk of fire.

27. Vacant Buildings

The owner of any vacant *building* in the District shall at all times keep the *building* free from debris and flammable material, and shall keep all openings in the *building* securely closed and fastened so as to prevent the entry of unauthorized persons.

28. Containers for Collection of Combustible Refuse

- a) All containers used for the collection of combustible refuse in quantities exceeding 140 litres shall be constructed entirely of solid sheet non-combustible material.
- b) Each container shall have easy closing lids that must be operational at all times.
- c) Containers shall be located at least 3 metres from any *building* or fuel supply tank unless otherwise *approved* by the *Fire Chief*.
- d) Containers equipped with self-closing lids may be located within 1 metre of a *building* or fuel supply tank.

29. Fire Safety Plans

Where the *Fire Code* requires the owner of a property to establish fire emergency procedures and prepare and maintain a fire safety plan, the owner shall submit to the *Fire Department* a detailed fire safety plan, together with a record of emergency systems installed within a *building* and the applicable fee as set out in the District's Fees and Charges Bylaw, for review and approval prior to implementation of such plan.

30. False Alarms

No person shall, without reasonable cause, make or circulate or cause to be made or circulated, any alarm of fire by outcry, ringing of bells, sounding of alarms or otherwise.

31. Shipping Containers Used for Storage

Shipping Containers will:

- a) meet or exceed all relevant requirements of all relevant British Columbia safety codes for *Buildings*, including the *Fire Code*, the *Building Code*, and the B.C. Electrical Code adopted under the Electrical Safety Regulation, B.C. Reg 100/2004;
- b) where Flammable Liquids and Combustible Liquids are stored in the Container, combustible construction shall be removed from the Container, provisions for spill containment installed, properly vented and the proper rated electrical *equipment* installed;
- c) be fully vented; and
- d) not be used to store *dangerous goods* other than those *approved* by the *Fire Chief* and any changes to the type of *dangerous goods* must be *approved* by the *Fire Chief*.

32. Hydrants and Water Supply for Fire Suppression

- a) The Owner of real property that has a private hydrant, standpipe or water supply mains, reservoirs and cisterns shall ensure that the hydrant and all water supply components and appurtenances are maintained in good working condition at all times and that inspection, servicing and testing of the hydrant is carried out by persons qualified to perform these services as *approved* by the *Fire Chief*.
- b) Fire Hydrant Standards – All Private Hydrants and Public Hydrants shall:
 - (i) Conform to American Water Works Association Standard for dry barrel fire hydrants (AWWA C502);
 - (ii) be the slide gate or compression type;
 - (iii) meet or exceed the flow capacity of a hydrant having two 65 mm hose outlets and one 100 mm pumper outlet;
 - (iv) have a minimum internal main valve opening of 115 mm or 10,000 mm;
 - (v) have main operating stem, hose and pumper outlet threads that conform to the British Columbia standard fire hose thread (as specified in the BC *Fire Code*) for 65mm fire hose couplings and allied fittings, and the 100mm outlet shall be a sexless storz style fitting;
 - (vi) be automatic self-draining;
 - (vii) have a minimum clearance between the ground and the center of the lowest outlet of at least 450mm;
 - (viii) have a main operating stem and independent cut off valve stem that open in a counterclockwise direction;
 - (ix) be arranged in a layout and spaced in a way that complies with the Fire Underwriters Survey; and

- (x) design and installation of Dry Hydrants and Cisterns must conform to NFPA 25 and be *approved* by the *Fire Chief*.
- c) The Owner of a Private Hydrant shall:
 - (i) not less than annually, at intervals of not less than twelve months, have the Private Hydrant inspected, flushed, drained and all threads of outlets and caps greased with waterproof grease;
 - (ii) not less bi-annually have a detailed internal inspection and service test; and
 - (iii) keep the ground surface around the Private Hydrant clear of shrubs, trees, structures and other obstructions of any kind, in order to facilitate use of the hydrant by the *Fire Department* at anytime.

PART 3 – CONTROL OF BURNING

33. Burning Restrictions

- a) No person shall at any time within the District light, ignite, start or maintain, or knowingly permit, allow or cause to be lit, ignited, started or maintained, any fire of any kind whatsoever in the open air or in an appliance, container or device in the open air, without first having obtained a permit from the *Fire Chief*.
- b) Except as provided in this Bylaw, no person shall burn any of the following materials in a solid fuel burning device, a *domestic incinerator* or in an open air fire:
 - (i) treated wood
 - (ii) plastic or rubber products
 - (iii) *garbage*
 - (iv) garden refuse
 - (v) *construction or demolition waste*
 - (vi) *animal organic waste*
 - (vii) paints or solvents
 - (viii) paper products, other than to start a fire;
 - (ix) *dangerous goods*; or
 - (x) fireworks.
- c) The burning of *construction or demolition waste* is prohibited.
- d) The *Fire Chief* may issue a permit on such terms and conditions he/she feels are reasonably necessary for the protection of safety for open air fires for the purpose of:
 - (i) the burning of brush, stumps, slash and like materials, resulting from the clearing of land;
 - (ii) the burning of dry garden refuse;
 - (iii) disease and pest control;

- (iv) fire suppression training;
- (v) ethnic and cultural observances; and
- (vi) special events.

- e) Unless otherwise directed by the *Fire Chief*, burning must not be initiated unless the Ventilation Index covering the District is forecast as “good” for the period during which the burning is to take place.
- f) The *Fire Chief* may, where he/she deems it expedient to do so, order that no burning is to occur within the District for an indefinite or a specified period of time, and any previously issued permits cease to be effective as of the date of such order.
- g) This Bylaw shall not apply to burning by the District for municipal purposes or *Fire Department* training, or to the burning of natural gas or propane in an appliance or device that is regulated by the gas regulatory authority.
- h) Notwithstanding clause (a), an outdoor appliance that uses charcoal briquettes or is fueled by and burns natural gas or propane, for residential use only is permitted without a permit provided that it sits on a firm non-combustible base.

34. Supervision and Control

Any person in the possession of a valid and existing permit issued by the *Fire Chief* shall ensure that a competent adult person is at all times in charge of and supervising such fire until the fire is completely extinguished, and shall provide such person with sufficient labour, *apparatus* and *equipment* to effectively prevent the fire from getting beyond control or causing damage or becoming dangerous to life or property.

35. Distance Requirement

No person shall permit any fire larger than 0.5 metre cubed to be located within 6 metres of any *building* or property line or within 1 metre of any shrubbery, tall grasses, fence, or other combustible material, and any fire greater than 1 metre cubed shall increase these distancing requirements to 500 metres from any residence or business or within 15 metre of any shrubbery, tall grasses, fence, or other combustible material.

36. Nuisances from Emission of Smoke and Ash

- a) No person shall cause or allow burning to continue where such burning constitutes an interference with, or obstruction of, a person's reasonable and comfortable use and enjoyment of property through the emission of offensive, annoying, unpleasant or obnoxious smoke or ash.
- b) No person shall permit the emission of smoke of such opacity as to obscure an observer's view of the background through the smoke to a degree of greater than 20%.

- c) The *Fire Chief* may order the suppression of any fire, and in the event such person to whom the order was issued fails to comply with such order to the satisfaction of the *Fire Chief*, the *Fire Chief* may cause such fire to be immediately suppressed and the costs of doing so shall be paid by the person to whom the order was issued.

37. Dangerous Goods

- a) Where the *Fire Chief* or *Officer in Command* is satisfied on reasonable and probable grounds that a discharge, emission or escape of *dangerous goods* has occurred and that immediate action is necessary in order to carry out any reasonable emergency measures, he/she may take any such measures or request that any such measures be taken by any person he/she considers qualified to do so.
- b) It is the duty of the occupier, or if none, the owner of the property, *building*, premises, motor vehicle, vessel or railway rolling stock, to report immediately to the *Fire Chief* when an explosion, discharge, emission, escape or spill of *dangerous goods* occurs and to similarly report to the *Fire Chief* where the potential for an explosion or a discharge, emission, escape or spill of *dangerous goods* exists by reason of abnormal or unusual circumstances.

PART 4 – PERMITS, INSPECTIONS AND FEES

38. Schedule of Fees

The fees as set out in the District's Fees and Charges Bylaw shall be applicable to the provision of services and issuance of permits as set out in this Bylaw, and such applicable fees shall be payable at the time of application for permits or immediately upon receipt of an invoice from the Municipality.

39. Oil Burning Equipment

- a) No person shall install, alter or remove an oil burner, oil burning *equipment* or oil tank without first having obtained a permit to do so issued by the *Fire Chief*.
- b) No permit required by this Bylaw shall be issued to any person, tenant, occupier or owner of any premises or any installer for the installation, removal or alteration of any oil burner, oil burning *equipment* or oil tanks until the permit fees and applicable inspection charges set out in the District's Fees and Charges Bylaw have been paid to the Municipality.
- c) No person shall install used, modified, or repurposed oil tanks as part of a new or upgraded oil burning or home heating system.

PART 5 - ENFORCEMENT

40. Authority to Remove or Seize

The *Fire Chief* may remove or seize any item that in his/her opinion will prevent the continuation of any non-compliance with any terms of this Bylaw.

41. Issuance of Order

- a) Where the *Fire Chief* finds that any provision of this Bylaw has been contravened or has not been complied with or that conditions exist in or upon a *building*, premises or property and which, in his/her opinion, constitutes a fire hazard or otherwise constitutes a hazard to life and/or property, he/she may make such order as deemed necessary to ensure compliance with this Bylaw or the elimination of the hazard.
- b) An order under this Bylaw shall be in writing and shall be directed to either the owner, occupier or lessee of the *building*, premises or property in respect of which the order is made, or to both.
- c) Where an owner or occupier or lessee fails to comply with any order made pursuant to this Bylaw, the District may cause the order to be carried out and the costs of such shall be paid by the owner, occupier or lessee to whom the order was issued.
- d) Any expenses incurred by the District in carrying out an order, if not paid by the owner, occupant or lessee to whom the order was issued within 30 days of being invoiced therefore by the Municipality, may be recoverable in the manner provided under the authority of the *Community Charter*.

42. Service of Order

An order made under this Bylaw shall be served by:

- a) Delivering or causing it to be delivered personally to the person to whom it is directed;
- b) Sending the order by registered mail to the last known address of the person to whom it is directed; or
- c) Posting a copy in a conspicuous place on the *building*, premises or property to which it relates, if the person to whom it is directed cannot be found, is not known or refuses to accept service of the order personally or by registered mail.

43. Removal of Order

Where an order has been duly issued and posted pursuant to this Bylaw, no person may remove, deface, cover or destroy the order.

44. False Representation

No person shall falsely represent themselves as an *Officer or Member of the Fire Department*.

45. Offence and Penalty

- a) Any person who violates any provision of this Bylaw, or who suffers, causes or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw, is guilty of an offence.
- b) Every person who violates any provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars (\$50,000.00) plus the costs of prosecution, and six months imprisonment.
- c) Each day during which a violation, contravention or breach of this Bylaw continues is deemed to be a separate offence.

46. Declaration of Service Level

The service level provided by the Fire Department, in accordance with the requirements of the Office of the Fire Commissioner for British Columbia, defined in the British Columbia Fire Service Minimum Training Standards Structure Firefighters Competency and Training Playbook shall be Interior Operations. The Incident Commander is hereby provided the authority to change the service level at an incident to either Exterior Service or Full Service based upon the training levels of the responders attending the incident whether such responders are members of the Fire Department or members of another fire department responding under mutual aid agreements existing at that time.

47. Severability

If a section, subsection, paragraph, subparagraph, or phrase of this Bylaw is for any reason declared invalid by a competent jurisdiction, the decision will not affect the validity of the remaining portions of this Bylaw.

48. Repeal

“District of Highlands Emergency Services Bylaw No. 264, 2005” and all amendments thereto are hereby repealed.

READ A FIRST TIME on the 17th day of November, 2025

READ A SECOND TIME on the 17th day of November, 2025

READ A THIRD TIME on the 17th day of November, 2025

ADOPTED on the 8th day of December, 2025

MAYOR

CORPORATE OFFICER