

PIERS ISLAND IMPROVEMENT DISTRICT

BY-LAW NO. 11

A By-Law to provide for fire prevention and protection

PURPOSE:

WHEREAS It is essential for the preservation and protection of the lands within the Improvement District and the lives, safety and welfare of the persons resident therein, that the Improvement District have broad powers with reference to fire prevention and protection;

NOW THEREFORE the Piers Island Improvement District enacts as follows:

1. Short Title: This By-Law may be cited for all purposes as "The Fire Prevention and Protection By-law, 1971."

2. Definitions:

"Fire Hazard" shall be deemed, inter alia, to include the accumulation of combustible or explosive matter or material on lands within the Improvement District, or in a dwelling house situate thereon, and accumulation of rubbish, paper, bush, grass cuttings or any other flammable material, and shall also include any and all obstructions, either on lands or in or upon premises in the said Improvement District likely to interfere with the operations of the Fire Department or the egress or ingress of occupants in case of fire, and shall also include the lack of an adequate path or road allowing easy access to McKenzie Crescent on Piers Island, to any building within the Improvement District.

"Fire Department" includes the Chief of the Fire Department of the Improvement District, any inspector thereof, and any person or persons instructed or authorized by the Chief or any other duly qualified officer of the Fire Department.

"Improvement District" is deemed to be the Piers Island Improvement District.

3. The Fire Department may enter onto any land and onto and into any building, premises or thing situate within or on lands in the Improvement District and at all reasonable hours, for the purpose of making any inspection or investigation deemed necessary by the Fire Department for the purposes of this By-Law and to ascertain and cause to be corrected conditions liable to cause fire, and to ensure compliance with the laws of the Province of British Columbia, and the Dominion of Canada relating to fire protection.

4. The Fire Department may, upon finding on any land or in or upon any building or thing within the Improvement District, a fire hazard, deliver to the owner or occupant of the said lands or buildings or thing, a Notice in writing directing the removal, alteration or rectification of the condition, and if an owner or occupier of the said lands or buildings or thing cannot be found at the time in question, within the said Improvement District, such Notice in writing may be effectually delivered by affixing a copy therefore in a conspicuous place on the said lands, or on the said premises or thing, or by mailing such copy by registered mail, to the owner's last known postal address.

5. If the owner or occupier of the lands and/or the building or thing, and as aforesaid, fails to remedy and/or rectify and/or remove the fire hazard as aforesaid within seven days of the delivery of the written Notice as aforesaid, the Fire Department may remove, rectify and/or eliminate the said fire hazard and the costs to the said District in so doing shall be charged to the owner of the land in question as determined by the Trustees.

6. In addition to the provisions contained in the last preceding paragraph hereof, any owner or occupier of lands within the District who knowingly or wilfully disobeys or fails to comply with the demand in writing hereinbefore described, within the time limit provided therefor, shall be guilty of an offence and liable on Summary Conviction to a penalty not exceeding one hundred dollars (\$100.00)

and in default of payment thereof, to imprisonment not exceeding thirty (30) days.

7. The Fire Chief of the District, or his appointee, may issue without charge, a permit to kindle and maintain a bonfire or rubbish fire, or an open campfire, on private lands within the District. The period of the day for which the permit is to be valid, and the location and any and all conditions and provisions and conditions for control may be set out as part of the permit. In the event that the holder of the permit permits or allows the fire to spread or to reach such magnitude as the Fire Department in its sole discretion deems necessary to control or put out the fire, the permit holder shall be liable for any and all costs involved which shall be collectible by the Improvement District in the manner hereinbefore described. The Fire Chief, or his nominee, may also in his discretion prohibit any and all outdoor fires of any description whatsoever when local circumstance and atmospheric conditions make such fires hazardous.

8. No act or omission done or performed by the Fire Department of the District in the furtherance of this By-Law, or the Fire Marshall's Act of the Province of British Columbia, or the Fire Prevention Code recommended by the National Board of Fire Underwriters shall give rise to proceedings or any cause of action for damages with reference to the loss or damage of property, goods or things within the Improvement District.

INTRODUCED and given first reading by the Trustees of the Piers Island Improvement District on the 8 day of Feb. A.D. 1971

RECONSIDERED and finally passed by the Trustees of the Piers Island Improvement District, the 6 day of April A.D. 1971.

M. Liska
Chairman of the Trustees

G. Jones
Secretary of the Trustees

I HEREBY CERTIFY under the seal of Piers Island Improvement District that this is a true copy of By-Law No. 11 of the Piers Island Improvement District, passed by the Trustees on the 6 day of April A.D. 1971.

Secretary of the Trustees

REGISTERED the day of A.D. 1971

G. Jones.

Comptroller of Water Rights



THIS BYLAW WAS REPEALED BY BYLAW 56 IN 1990/91