

Town of Creston

Bylaw No. 1930

A bylaw to regulate the inspections and testing of Fire Protection Equipment in the Town of Creston.

WHEREAS the *Community Charter* authorizes Council, by bylaw to regulate, prohibit and impose requirements in relation to municipal services and any matter within the scope of the *Fire Services Act*, including exercising powers for fire related inspection and prevention.

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

Part 1 Citation

- 1.1 This Bylaw may be cited as “Inspection and Testing of Fire Protection Equipment Bylaw No. 1930, 2021”.

Part 2 Severability

- 2.1 If a portion of This Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of This Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause, or phrase.

Part 3 Definitions

- 3.1 In This Bylaw, unless the context otherwise requires,

“**Alarm System**” means a Fire Alarm System or a Security Alarm System;

“**ASTTBC**” means the Applied Science Technologists and Technicians of BC, a self-governing, professional association incorporated under the *Applied Science Technologists and Technicians Act*;

“**Authority Having Jurisdiction**” means the Fire Chief, a Local Assistant and any other person authorized by the Fire Chief to exercise some or all of a Local Assistant's power;

“**British Columbia Fire Code**” and “**BC Fire Code**” means the Schedule to the British Columbia Fire Code Regulation enacted under the *Fire Services Act*;

“**Building**” means any structure used or intended to be used for supporting or sheltering any use or occupancy;

“**Council**” means the elected Council of the Town of Creston;

“**Fire Alarm System**” means one or more devices and other interconnecting parts of a system installed on or in real property and designed to warn protective services of a fire by activating an audible alarm signal and / or alerting a monitoring facility, but does not include a Fire Alarm System that is intended to alert only the occupants of the dwelling unit in which it is installed;

“Fire Chief” means a person appointed by Council to serve as Chief of the Fire Department;

“Fire Department” means Creston Fire & Rescue Services, a department of the Town of Creston;

“Fire Protection Equipment” means, but is not limited to, Fire Alarm Systems, automatic sprinkler systems, special fire extinguishing systems, portable fire extinguishers, standpipe and hose systems, fixed pipe fire suppression systems in commercial kitchen exhaust systems, and emergency lighting and power installations;

“Fire Protection Technician” means a person certified by ASTTBC to inspect and test Fire Protection Equipment or systems;

“Hotel” includes

- a) an apartment Building,
- b) a residential condominium Building that has:
 - i. two or more levels of strata lots as defined in the *Strata Property Act*, and
 - ii. one or more corridors that are common property as defined in the *Strata Property Act*, and
- c) a boarding house, lodging house, club or any other Building, where lodging is provided, except a private dwelling;

“Local Assistant” means a Local Assistant as defined in the *Fire Services Act*;

“Municipality” means the body incorporated as the Town of Creston and the Town’s territorial jurisdiction, according to its context in This Bylaw;

“Occupier” includes an Owner, tenant, lessee, agent, and any other person who has the care, control and the right of access to real property or a Building;

“Owner” has the same meaning as in the *Community Charter*;

“Public Building” means a factory, warehouse, store, mill, school, hospital, theatre, public hall, office Building and any Building other than a private dwelling house;

“Security Alarm System” means any one or more devices and the other interconnecting parts of a system installed on or in real property and designed to warn of criminal activity or unauthorized entry by activating an audible alarm signal and / or alerting a monitoring facility;

“This Bylaw” means “Inspection and Testing of Fire Protection Equipment Bylaw No. 1930, 2021”.

Part 4 Inspection and Testing of Fire Protection Equipment

- 4.1 The Owner and Occupier of each Hotel and Public Building in the Municipality must ensure that all Fire Protection Equipment in their Buildings are inspected and tested by a Fire Protection Technician in accordance with the requirements of the British Columbia Fire Code and the regulations made under it.

- 4.2 When a Fire Protection Technician has inspected or tested Fire Protection Equipment pursuant to 4.1 of This Bylaw, the Fire Protection Technician shall label the equipment and maintain records of the inspection in a manner acceptable to ASTTBC and the Authority Having Jurisdiction.
- 4.3 Fire Protection Equipment labeling pursuant to section 4.2 of This Bylaw must be in a format provided by ASTTBC as shown attached as Schedules “A” and “B”.
- 4.4 Only a Fire Protection Technician may inspect Fire Protection Equipment in Hotels and Public Buildings within the Municipality for the purposes of This Bylaw.
- 4.5 The Owner and Occupier of a Hotel or Public Building must notify the Fire Department immediately if all or any part of the Fire Alarm System, automatic sprinkler system or Fire Protection Equipment in the Owner’s or Occupier’s Building becomes inoperable.
- 4.6 The Fire Department shall be notified when a system referred to in section 4.5 has been restored to its full operational capabilities.

Part 5 Offence and Penalty

- 5.1 A person who violates a provision of This Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of This Bylaw, or who neglects or refrains from doing anything required by a provision of This Bylaw, commits an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is liable to either or both of the minimum or maximum fine for each day that the offence continues.

Part 6 Effective Date

- 6.1 This Bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME by title and SECOND TIME by content this 22nd day of June, 2021.

READ A THIRD TIME by title this 22nd day of June, 2021.

ADOPTED this 13th day of July, 2021.

“Ron Toyota”
Mayor Ron Toyota

“Kirsten Dunbar”
Kirsten Dunbar, Corporate Officer

Schedule "A" – Fire Protection Equipment Labeling, Inspection and Testing

Standard Layout and Tag Use

This is the standard tag layout required for fire protection tests and inspections.

This standard layout is required by ASTTBC and it is the responsibility of the Fire Protection Technician to supply his/her own tag.

Space at the top is provided for the test/inspection company name, logo, address, phone and fax (required information).

Tag Use

Space is provided for the Fire Protection Technician to tick off work done. When tested/inspected, this column should be ticked for the appropriate equipment.

If additional work is required, the Fire Protection Technician should tick the "Additional Work Req'd" as well as the "See Log and Report" columns.

The Serial Number of the equipment must be noted and Next Service Date written on Tag.

The Tag has the months and year at the bottom. The Fire Protection Technician will punch out the month in which the test/inspection is done or date the Tag under the Stamp.

After all work is completed, the Fire Protection Technician will stamp the Tag and sign/initial over the Stamp.

FIRE PROTECTION SYSTEMS	TESTED/INSPECTED	ADDITIONAL WORK REQ'D	SEE LOG & REPORT
RECORD			
FIRE ALARM SYSTEM			
SMOKE CONTROL SYSTEM			
EMERGENCY LIGHTING SYSTEM			
GENERATOR SYSTEM			
SPRINKLER SYSTEM			
STANOPPE SYSTEM			
FIRE PUMP			
PORTABLE FIRE EXTINGUISHERS			
SPECIAL FIRE SUPPRESSION SYSTEMS			

TECHNICIAN STAMP	SER # _____ NEXT SERVICE DUE ON OR BEFORE Y M D DO NOT REMOVE THIS TAG UNTIL NEW TAG IS APPLIED
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J F M A M J J A S O N D
2003, 2004, 2005, 2006

Schedule “A” – Fire Protection Equipment Labeling, Inspection and Testing

Inspection and Testing

Procedures

- a) Fire Protection Equipment shall be inspected and tested as required by the BC Fire Code. Any deviations or alternatives to the Fire Code must be approved in writing by the Authority Having Jurisdiction.
- b) Deviations or alternatives to the BC Fire Code must also be acceptable to the Owner or Occupier who is responsible for carrying out the provisions of the BC Fire Code and may have additional obligations with respect to inspections and testing relative to an insurance policy or corporate loss control program.
- c) **When a fire protection system or individual piece of equipment has been inspected and tested in accordance with the BC Fire Code and is free of deficiencies, a new tag bearing the Fire Protection Technician stamp and signature shall be attached to that equipment.** The standard inspection form shall be provided to the Owner, and the report shall be stamped and signed by the Fire Protection Technician.
- d) For “minor deficiencies” the new tag shall be punched as “inspected / tested” and “additional work required”.
- e) “See log & report” shall also be punched to draw attention to the nature of the deficiencies. A tag bearing the Fire Protection Technician stamp and signature shall be attached to the equipment. The standard inspection form shall be provided to the Owner and the report shall be stamped and signed by the Fire Protection Technician.
- f) For “major deficiencies” the new tag (provided by the Fire Protection Technician) is to be attached to the equipment. **The tag shall be defaced using a large (preferably red) “X” across the front and on the back.** A complete description of the deficiencies shall be filled out on the inspection form and the report shall be stamped and signed by the Fire Protection Technician. The standard inspection form shall be provided to the Owner.
- g) When fire protection systems or individual piece of equipment are not inspected or tested as required by the BC Fire Code, the Fire Protection Technician shall not tag or stamp that equipment and the Owner shall be notified that the required inspection and test was not completed.
- h) ASTTBC master form “F00” shall be completed and provided to the Owner (refer to ASTTBC documentation and forms).
- i) When these procedures are followed including the use of standard inspection forms, the Fire Protection Technician is authorized under the bylaws and code of ethics of ASTTBC to affix his/her stamp to the tags and inspection forms.

Schedule “A” – Fire Protection Equipment Labeling, Inspection and Testing

Inspection and Testing

Procedures (continued)

- j) If this procedure is not followed then the Fire Protection Technician shall not affix his/her stamp to the tags or inspection forms.
- k) Tagging the Fire Protection Equipment – Tags used on the Fire Protection Equipment shall be the standardized tag accepted by ASTTBC. Once the Fire Protection Equipment has been inspected, tested and maintained in accordance with the fire code, it shall have the tag placed on the item with the Fire Protection Technician stamp.
- l) Application of tags to Fire Protection Equipment requires placing the tag facing out so that it is easily readable by the Fire Inspector.
- m) If a fire protection system does not meet code, the Fire Protection Technician should stamp and sign the tag and then tick the additional work required and see inspection and test reports. He/she may wish to identify the problem by writing on the back of the tag.

Minor Deficiencies (defined and examples)

A minor deficiency in a fire protection system or piece of equipment associated with a fire protection system would be if:

- a) it functions in accordance with the design criteria for which it was originally installed but,
- b) the equipment is in need of minor repair and or additional maintenance (not additional testing).

Examples of a minor deficiency would include, but not be limited to:

- a) a portable fire extinguisher that is less than 6 months overdue for a hydrostatic test;
- b) a Fire Alarm System where less than 5% of the total alarm initiating devices do not work and are in need of repair (not complete circuits);
- c) a dry pipe sprinkler system that trips, however, exceeds the 1 min. maximum trip time;
- d) two or three painted sprinklers; and
- e) a fire pump that needs additional maintenance.

Schedule “A” – Fire Protection Equipment Labeling, Inspection and Testing

Inspection and Testing

Major Deficiencies (defined and examples)

A major deficiency in a fire protection system, or Fire Protection Equipment would be if:

- a) the primary function is impaired relative to the original design due to deficiencies; and/or
- b) the operation of this equipment is in question due to lack of testing or inspection.

Examples of a major deficiency would include, but not be limited to:

- a) a battery pack that does not work;
- b) a fire extinguisher that has been discharged;
- c) a fire pump that does not start;
- d) audible alarm devices on a Fire Alarm System are not operative;
- e) more than 5% of the alarm initiating devices do not work;
- f) a sprinkler system that is impaired;
- g) a system or equipment was not tested in accordance with the BC Fire Code and 6 months overdue for inspection and testing;
- h) extinguishing agent discharge plug (squib) missing or disconnected; and
- i) a portable fire extinguisher that is more than 6 months overdue for a hydrostatic test, and fire hose that is rotted and/or overdue for a hydrostatic test.

Note: Minor or major deficiencies reduce the level of safety from the minimum standard of life safety and property protection required by the BC Fire Code.

Schedule “A” – Fire Protection Equipment Labeling, Inspection and Testing

Inspection and Testing

Red Tagging a Fire Protection System

- a) For major deficiencies red tags can be used by the Fire Protection Technician to indicate that the fire protection System was inspected, tested or maintained but does not provide the level of protection for which it was originally designed and installed or the fire protection system that is red tagged has deficiencies on the system that may cause it during activation, not to operate in the manner to which it was intended.
- b) A red tag would be used to advise and alert the Owner and Fire Department that although the system has been inspected, tested or maintained and there are deficiencies that remain on the system.
- c) The tag shall be defaced using a large (preferably red) “X” across the front and on the back.
- d) The Fire Protection Technician shall notify the Owner or his authorized agent immediately of any deficiencies on the fire protection system(s).
- e) When major deficiencies of the fire alarm, fire extinguishing systems (including sprinkler systems), or a combination of major deficiencies are identified by the Fire Protection Technician, and the Owner or Owners authorized agent after being advised by the technician does not take appropriate action, and when in the Fire Protection Technicians opinion the public is placed in imminent danger.
- f) The Fire Protection Technician shall notify the Authority Having Jurisdiction by telephone or in person and document that notification in writing.

Securing the Tag

- a) The tag is to be secured to the unit being inspected, tested and/or maintained in a manner that would not be considered a hazard.
- b) When secured, the tag shall be visible and easy to read.

Schedule “A” – Fire Protection Equipment Labeling, Inspection and Testing

Inspection and Testing

Test / Inspection Report

- a) After each test/inspection the Fire Protection Technician will complete and leave with the Owner or the Owners agent (eg. Building manager), a copy of the Test/Inspection Reports.
- b) The Fire Protection Technician will retain one copy of the Report for the test/inspection company's records.
- c) The Fire Protection Technician should remind the Owner to place the Report on file on site at the Building.
- d) Note that Test/Inspection Reports are to be on location in a single location, preferably in a 3 ring binder at each Building and not stored at some other location. The required Standard Test/Inspection Forms or templates for the Reports are available from ASTTBC and the Fire Department.

Building Owner's Log

- a) A standard log will be kept by the Owner or the Owners agent on site at every Building. The Fire Protection Technician should not make any entries in this book. This is the responsibility of the Owner or the Owner's Agent.

Schedule “B” – Kitchen Exhaust Systems Labeling, Inspection and Testing

Standard Layout & Tag Use

This is the standard tag layout required for kitchen exhaust systems.

This is the Standard Tag required for inspections, tests and cleaning of Kitchen Exhaust Systems.

This standard layout is required by ASTTBC and it is the responsibility of the Fire Protection Technician to supply his/her own tag.

Space is provided at the top for the test/inspection company name, logo, address, phone and fax (required information).

Tag Use

The Fire Protection Technician will tick or punch out the appropriate columns indicating the work done (inspected, tested and/or cleaned) on various parts of the system.

If additional work is required, the Fire Protection Technician will so note in the “Work Req’d” column and also the column marked “See Log Book” (the book maintained by the Owner or Owner’s agent).

“Work Req’d” relates to areas left un-cleaned due to inaccessibility or other reasons and/or access panels need to be installed to provide access to parts of the system.

The next *service* date must be noted.

KITCHEN EXHAUST INSPECTION / CLEANING					
	INSPECTED	CLEANED	OPERATING	WORK REQ'D	SEE REPORT
HOODS					
VENTS/DUCT					
FANS					
OTHER					

TECHNICIAN STAMP

NEXT CLEANING DUE
ON OR BEFORE

Y M D

J F M A M J J A S O N D
2003, 2004, 2005, 2006

The Tag has the months and year at the bottom. The Fire Protection Technician will punch out the month in which the test/inspection is done or date the Tag under the Stamp.

After all work is completed, the Fire Protection Technician will stamp the Tag and sign/initial over the Stamp.

Schedule “B” – Kitchen Exhaust Systems Labeling, Inspection and Testing

Inspection and Testing
Securing the Tag
a) The tag is to be secured to the unit being inspected, tested and/or maintained in a manner that would not be considered a hazard. When secured, the tag shall be visible and easy to read.
Test / Inspection Report
a) After each test/inspection the technician will complete and leave with the Owner or the Owners agent (e.g. Building manager), a copy of the Test/Inspection Reports.
b) The Fire Protection Technician will retain one copy of the Report for the test/inspection company’s records.
c) The Fire Protection Technician should remind the Owner to place the report on file on site at the Building. The Owner should retain all reports in a 3 ring binder at each Building and not stored at some other location.
d) The required Standard Test/Inspection Forms or template are available from ASTTBC and the Fire Department.
Building Owner’s Log
a) A standard log will be kept by the Owner or the Owners agent on site at every Building. The Fire Protection Technician should not make any entries in this book. This is the responsibility of the Owner or the Owner’s Agent.