



COUNCIL REPORT

Report Date: March 28, 2023
Contact: Karen Fry
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VanRIMS No.: 08-2000-20
Meeting Date: May 31, 2023
[Submit comments to Council](#)

TO: Standing Committee on Policy and Strategic Priorities
FROM: General Manager and Fire Chief, Vancouver Fire & Rescue Services
SUBJECT: Proposed Fire By-law Amendments for Notice Delivery

Recommendations

- A. THAT Council approve, in principle, amendments to the Fire By-law that alter administrative provisions of the By-law generally as set out in Appendix D.
- B. THAT the Director of Legal Services be instructed to bring forward for enactment by Council a by-law as generally set out in Appendix D

Purpose and Executive Summary

This report recommends amendments to the Fire By-law that will provide for increased safety for persons and enhanced administrative efficiency.

Staff reviewed the administrative forms and process used by Vancouver Fire Rescue Services (VFRS) with the aim of better communicating the requirements of the Fire By-law and the duties imposed by the Fire By-law during a fire watch that was required because a fire protection system is impaired.

Staff are proposing changes to administrative prescribed forms that will more clearly state the requirements for a fire watch ordered by the Fire Chief and better describe the procedures of a fire watch.

Another amendment to the Fire By-law is proposed that would authorize any member of Fire Rescue Services whose duty is fire suppression, fire inspection, or fire investigation to issue an order for a fire watch on behalf of the Fire Chief.

Council Authority/Previous Decisions

Under Section 311 of the *Vancouver Charter*, Council may make by-laws to maintain acceptable

standards for fire safety in buildings and facilities within the city and within the scope of the provincial Fire Services Act.

Section 306 (w) of the *Vancouver Charter* provides that Council may make by-laws adopting, by reference, any codes relating to fire safety.

In 2019, Council enacted Fire By-law no. 12472 which incorporated the provisions of the 2018 BC Fire Code with certain changes to deal specifically with issues that are unique to Vancouver. Since that time, Council has enacted a number of amendments to the Fire By-law.

City Manager's Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

The Fire Prevention Division of the Fire Department has reviewed its policies and procedures to identify areas that can be improved for public safety, and ways to improve communicating fire safety information and education to the public.

As part of this effort, staff reviewed the process of issuing to a building owner or occupant a Notice of Violation (see Appendix A) as a result of a routine inspection or an emergency call to a fire.

A Notice of Violation identifies violations of the Fire By-law which require corrective action to be taken by the building owner or occupant. A follow up re-inspection may be scheduled after two weeks to check on the progress of corrective action. If the violation was found to be corrected upon re-inspection, the Notice of Violation is cleared and no fee is charged to the owner or occupant. If little or no progress of corrective action is shown by the owner or occupant, it will be documented and another re-inspection will be scheduled. This re-inspection and every subsequent re-inspection of the same violation will result in re-inspection fees of \$200 being charged to the owner or occupant each time.

The Notice of Violation is on a prescribed form that is completed by the VFRS employee who conducted the inspection or who attended the emergency incident. There are variations of the Notice of Violation forms that contain pre-printed information on the most common infractions depending on the type of occupancy of the building.

Discussion

In an ongoing effort by VFRS to improve public safety, it reviewed the process of issuing a Notice of Violation and the prescribed forms. Changes to the process and the forms are now proposed which require amendments to the Fire By-law.

Notice of Violation Forms

The current Notice of Violation forms contain pre-printed check boxes with accompanying description for the most frequent infractions and common requirements, including one for a 24-hour fire watch.

It is proposed to delete the pre-printed 24-hour fire watch requirement from the Notice of Violation form (see Appendix B for the proposed updated form) and create a separate form for the fire watch. The new form will be titled Fire Watch Order - Notice of Violation and Order to Comply and is in format approved by the Fire Chief.

Fire Watch Order – Notice of Violation and Order to Comply Forms

The new form will not simply indicate that a fire watch is required, but will more clearly state that the building owner or occupant must provide a fire watch as an order from the Fire Chief (see Appendix C). It is in a format approved by the Fire Chief.

An order to comply is a significant enforcement action. By issuing an order, the VFRS will be able to better enforce the requirement for the fire watch using the tools already available to it. Any person found contravening a Fire Chief's Order is in breach of the Fire By-law and can be served a municipal ticket information (MTI). The associated fine upon conviction is \$500. For more serious fire and life safety conditions, a contravention of a Fire Chief Order may also be referred to the City's Prosecutor's office to consider a long form information where more significant monetary and other penalties may be imposed on the building owner or occupant.

Fire By-law Amendments for Notice Delivery Proposed

An amendment to the Fire By-law is proposed that will update how a Notice of Violation or a Fire Watch Order may be delivered to the building owner or occupant. The current methods of delivery described in the Fire By-law remain the same except that now it is proposed that an occupant of the building, and not necessarily the owner of the building, may be served the notice or order. In addition, if no person is available on the premises to receive the notice or order, or no one will accept it, then the fire department will be authorized to post the notice or order on the premises.

The current authority to issue a Fire Chief Order rests with the Fire Chief or Deputy Fire Chiefs. Limiting who is granted the authority to issue an order provides better oversight of the process. Typically, a Fire Chief Order and the documentation that may eventually be used in any prosecution is prepared by staff in the Fire Prevention Division of VFRS. Staff from VFRS's Operations Division who conduct routine inspections of less complex buildings and who respond to emergency incidents are authorized to issue a Notice of Violation but are not authorized to issue orders. Any cases requiring increased enforcement are referred to the Fire Prevention Division to follow up with orders, MTI or prosecution.

An amendment to the Fire By-law is proposed that will authorize any member of the fire department whose duty is fire suppression, fire inspection, or fire investigation to sign and issue a Fire Watch Order. Other amendments of a housekeeping nature are also proposed for the Fire By-law, including formally authorizing the Fire Chief to designate persons to act as a Deputy Fire Chief.

Financial Implications

There are no financial implications associated with this report's recommendations.

Legal Implications

A By-law to amend the Fire By-law will be brought forward for enactment if Council authorizes this (see Appendix D). The By-law is authorized by the *Vancouver Charter*.

* * * * *

VFRS FIRE COMPANY INSPECTIONS

ANNUAL CHECK AND TAG MUST BE DONE IN THE 12 MONTHS PRIOR TO THE INSPECTION

ASTTBC is the Applied Science Technologists & Technicians of British Columbia. All service technicians must be certified by ASTTBC.

FIRE ALARM SYSTEMS:

1. Must be checked and tagged annually by an ASTTBC approved Technician
2. Must be tested and recorded monthly, including proper panel enunciator light on, all bells working and audible throughout the building. This can be done by the Mgr.
3. The enunciator panel must be unobstructed and in good repair, with the AC power light on and no trouble signals indicated.
4. All devices, including pull stations, and smoke or heat detectors, must be secure, unobstructed and unpainted.

FIRE EXTINGUISHERS:

1. Are required to be in every building or occupancy we inspect, with a minimum of one (1) per floor.
2. Maximum travel distance to a fire extinguisher in ordinary occupancies is 75 feet, except inside residential suites.
3. The type of extinguisher must be appropriate to the area covered.
4. Must be ULC approved, minimum "2A" rating, securely mounted on the wall, with the top of the extinguisher maximum five (5) feet from the floor.
5. They must be visible and easily accessed, preferably near an exit.

EXIT SIGNS, EXIT LIGHTS AND EMERGENCY LIGHTS:

1. Exit signs must be illuminated at all times the building is occupied.
2. Signs must be clearly visible with no obstructions
3. Emergency lights must have no physical damage and be aimed to cover the appropriate area.
4. Emergency light units must be inspected and tagged annually by an ASTTBC approved technician.
5. Generators must have monthly test records on site and be tagged by an ASTTBC approved technician.

EXIT DOORS:

1. Must function as designed, have clear aisles and visibility, free of any obstructions. This also includes vegetation and snow and ice build up outside the doors. Should also have a white light outside the exit.
2. Require approved self closing devices and feely self close and latch, including stairwell doors.
3. Are able to be readily opened without key or special knowledge of the door opening device.
4. Must have a clearly visible exit light above door.
5. Require "Fire Door Keep Closed" signs, visible when the door is open, unless the approved hold open sentence applies.
6. May be held open....by electromagnetic devices approved by the City of Vancouver, when connected to the Fire Alarm system.
7. No wedges, blocks or other devices to hold the doors open are permitted.
.....with panic hardware, they must also
8. **NOT** have any overriding locking/security devices in place while the business is open to the public.

CORRIDORS, EXIT STAIRS AND PASSAGEWAYS:

1. Must be maintained in good repair and kept clear of all storage or obstructions.
2. Exterior passageways must also be kept free of snow or ice build up.
3. Stair treads and handrails must be solid, not slippery or rotted, and maintained in good condition.
4. Adequate artificial lighting for good visibility must be provided at all times, including during daylight hours.
5. No timer controlled lights.

SPRINKLER SYSTEMS:

1. Fire Department connections, (Siamese), must be clearly visible, with directional signs if required.
2. F.D. connections must have unobstructed clear access, labels/signs indicating area covered and protective caps in place.
3. The main shutoff valve is to be in the open position with access to it locked against tampering.
4. Sprinkler valves must have clear labelling indicating their function and building coverage area.
5. A sprinkler wrench and a minimum of 6 spare heads for small systems must be on site with main shutoff valves.
6. All sprinkler heads must be kept free of any paint or coating they may be exposed to.
7. Check the log book of sprinkler system activities.
8. Sprinkler systems are required to be checked and tagged annually by an ASTTBC approved technician.

STANDPIPE AND HOSE SYSTEMS:

1. Fire Department connections, (Siamese), must be clearly visible, with directional signs if required.
2. F.D. connections must have unobstructed clear access, signs indicated area covered and protective caps in place.
3. The main shutoff valve is to be in the open position with access to it locked against tampering.
4. Fire hose cabinet valves are to be checked and tagged annually by and ASTTBC approved technician.
5. Fire hose in cabinets to be re-racked annually.

GENERAL:

1. Building addresses must be easily readable from the street, even at night.
2. **NO propane fuelled vehicles** in underground parking.
3. No general storage in underground parking, electrical rooms, or furnace rooms.
4. Assembly occupancies, e.g., restaurants or meeting rooms/halls holding over 60 people, require **Occupant Load Certificates** from VFRS, which **must be mounted visibly**, near the main entrance.....e.g. each room or hall area involved.

Review the Fire Safety Plan/Operations Manual; test the building keys from lock box.

FIRE COMPANY INSPECTIONS

ANNUAL CHECK AND TAG MUST BE DONE IN THE 12 MONTHS PRIOR TO THE INSPECTION

All service technicians must be certified by ASTTBC.

FIRE ALARM SYSTEMS:

1. Must be checked and tagged annually by an ASTTBC approved technician
2. Must be tested and recorded monthly, including proper panel annunciator light on, all bells working and audible throughout the building. This can be done by the building manager.
3. The annunciator panel must be unobstructed and in good repair, with the AC power light on and no trouble signals indicated.
4. All devices, including manual pull stations and smoke or heat detectors must be secure, unobstructed and free of paint.

FIRE EXTINGUISHERS:

1. Required in every building or occupancy we inspect, with a minimum of one (1) per floor.
2. Maximum travel distance to a fire extinguisher in ordinary occupancies is 75 feet, except inside residential suites.
3. The type of extinguisher must be appropriate to the area covered.
4. Must be ULC approved, minimum "2A" rating, securely mounted on the wall, with the top of the extinguisher maximum five (5) feet from the floor.
5. Must be visible and easily accessed, preferably near an exit.

EXIT SIGNS, EXIT LIGHTS AND EMERGENCY LIGHTS:

1. Exit signs must be illuminated at all times the building is occupied and must be clearly visible with no obstructions
2. Emergency lights must have no physical damage and aimed to cover the appropriate area.
3. Emergency lights must be inspected and tagged annually by an ASTTBC approved technician.
4. Generators must have monthly test records on site and be tagged by an ASTTBC approved technician.

EXIT DOORS:

1. Must function as designed, have clear aisles and visibility, and be free of any obstructions, including vegetation and snow and ice build up outside the doors. A white light should be located outside the exit.
2. Require approved self-closing devices and must freely self-close and latch, including stairwell doors.
3. Must be readily opened without a key or special knowledge of the door opening device.
4. Must have a clearly visible exit light above door.
5. Require "Fire Door Keep Closed" signs, visible when the door is open, unless the door has an approved hold-open device with automatic release.
6. No wedges, blocks or other devices to hold the doors open are permitted.
7. Must not have any overriding locking/security devices in place while the business is open to the public.

CORRIDORS, EXIT STAIRS AND PASSAGEWAYS:

1. Must be maintained in good repair and kept clear of all storage or obstructions.
2. Exterior passageways must be kept free of snow or ice.
3. Stair treads and handrails must be solid, not slippery or rotted, and maintained in good condition.
4. Adequate artificial lighting for good visibility must be provided at all times, including during daylight hours.
5. No timer controlled lights.

SPRINKLER SYSTEMS:

1. Fire Department connections (Siamese) must be clearly visible, with directional signs as needed.
2. Fire Department connections must have unobstructed clear access, labels/signs indicating area covered and protective caps in place.
3. Main shutoff valve must be in the open position with access to it locked against tampering.
4. Sprinkler valves must have clear labelling indicating their function and building coverage area.
5. A sprinkler wrench and a minimum of 6 spare heads for small systems must be on site with main shutoff valves.
6. Sprinkler heads must be kept free of any paint or coating
7. Sprinkler systems must be checked and tagged annually by an ASTTBC approved technician.

STANDPIPE AND HOSE SYSTEMS:

1. Fire Department connections (Siamese) must be clearly visible, with directional signs as needed.
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4. Fire hose cabinet valves must be checked and tagged annually by ASTTBC approved technician.
5. Fire hose in cabinets must be re-racked annually.

GENERAL:

1. Building addresses must be easily readable from the street, even at night.
2. No propane fuelled vehicles in underground parking.
3. No general storage in underground parking, electrical rooms, or furnace rooms.
4. Assembly occupancies, e.g., restaurants or meeting rooms/halls holding over 60 people require Occupant Load Certificates from VFRS, which must be mounted visibly, near the main entrance.
5. The building's fire safety plan must be reviewed to ensure it is up-to-date with supervisory personnel information.
6. If a lock box is installed outside the main entrance, the keys to the building must be tested.



FIRE WATCH ORDER

PURSUANT TO THE FIRE BY-LAW

Firehall Office Use only	
<input type="checkbox"/> Routine Inspection	<input type="checkbox"/> Incident
<input type="checkbox"/> Entered into FDM	Date: _____

Date Issued _____ Time _____ Address of Violation: _____

Name of Business/Premises _____ Business/Premises Owner Name: _____

Business/Premises Owner Email: _____ Phone #: _____

Person Notice Given To (print name): _____ Title: _____ Ph #: _____

Signature of Recipient: _____

THIS IS A NOTICE OF VIOLATION OF THE FIRE BY-LAW and an ORDER TO COMPLY

In accordance with Fire By-law, Division B, Article 6.1.1.2. "Fire protection installations shall be maintained in operating condition."

On (DATE) _____, a member of Vancouver Fire Rescue Services has observed that a fire protection system is inoperable. In accordance with the Fire By-law, Division B, Article 6.1.1.4. "When any portion of a fire protection system is temporarily shut down, alternative measures shall be taken to ensure that protection is maintained."

YOU ARE HEREBY ORDERED TO IMMEDIATELY take all necessary steps to correct and bring the premises into compliance with the Fire By-law.

1. Fire protection systems must be repaired or replaced by an *acceptable* service company and be returned to service as soon as possible. Many service companies with qualified service agents are available 24 hours.
2. The central station company monitoring the fire alarm system **MUST** be notified when a fire protection system is out of service **AND** when it is repaired and returned to service.
3. When a fire protection system is out of service for more than **4 continuous hours** in a 24-hour period, you must notify the fire department by calling **3-1-1 during business hours**. You must also notify the fire department when the system is returned to service.

Pursuant to the authority vested in me in accordance with Vancouver Fire By-law, Division C, Sentence 1.4.3.1.(1), you are HEREBY ORDERED TO:

- 1) Provide and maintain a 24-hour fire watch acceptable to the Fire Chief until such time that the fire protection system is fully returned to service. The fire watch must:
 - a) Be conducted generally in accordance with the Procedures shown on page 2.
 - b) Include all areas of the building and you must notify all tenancies and occupants left unprotected by the shutdown.
 - c) Ensure all egress and exit doors are clear of obstructions on both sides, and are readily openable.
 - d) Be maintained in high hazard occupancies **AND** operations must cease until repairs are completed.
- 2) Post this notice and ORDER in a conspicuous location at the main entrance to the building.
- 3) Make copies of this notice and ORDER or use the copies with the adhesive backing provided and post at other main access points in the building, including inside elevators and stairs, and at all tenancies in the building.

This Order is to be complied with IMMEDIATELY.

Delivery of Notice of Violation and Order to Comply to Provide a Fire Watch

1) This Notice of Violation and Order to Comply to provide a fire watch may be delivered by:

- a) hand to an owner or representative of the owner, or an occupant of the premises,
- b) registered mail to the address of the owner as it appears on the records of the Assessment Authority of British Columbia,
- c) regular mail to the address of the owner as it appears on the records of the Assessment Authority of British Columbia, and by posting a copy of it on the building, structure, facility or premises,
- d) electronic mail to the electronic mail address of the owner or a representative of the owner, or
- e) posting a copy of it on the building, structure, facility or premises.

Failure to comply with the Fire By-law may result in you being found legally responsible for any consequences and may result in further enforcement action. A re-inspection service charge as per the current Vancouver Fire By-law fee schedule for each hour or part thereof (plus G.S.T.) will be assessed for each re-inspection, until the violations have been corrected.

Karen Fry, General Manager/Fire Chief
900 Heatley Avenue, Vancouver, BC

Name of Fire Department Member (print)

Signature of Fire Department Member

Hall #: _____ Shift: _____

(See Other Side)
FOR RE-INSPECTION APPOINTMENT CALL 3-1-1



FIRE WATCH PROCEDURES

1. Any person with a disability in the building requiring assistance? Yes No
If yes, write down all names and their locations in the Fire Watch Log.
2. Promptly inform all building occupants of the fire protection system shut downs or equipment that is out of service. Post this ORDER, in a conspicuous location at the main entrance to the building. Post copies of this ORDER, or use the copies with the adhesive backing provided, at other main access points including inside elevators and stairs, and at all tenancies in the building.
3. Fire watch may be conducted by a professional fire watch service, or by occupants of the building designated by the building owner(s) or the building's Fire Safety Director
4. The persons performing the fire watch must have a designated supervisor and shall:
 - a) Be easily identifiable to building occupants by uniform or clothing,
 - b) Be familiar with the operation of fire and life safety systems in the building,
 - c) Be capable of promptly notifying emergency agencies and occupants of an incident,
 - d) Maintain radio contact with each other using established emergency communications protocol, and
 - e) When required to notify the fire department, be identified by names and phone numbers for immediate contact.
5. The fire watch shall be maintained at all times that a fire protection system is out of service, and shall have sufficient staff to patrol all areas of the building involved, using the following as a minimum:
 - a) Non-residential buildings: during normal business open hours, every 30 minutes; other times every 60 minutes.
 - b) Buildings with sleeping accommodation:
 - i. between 2100-0800 hrs. (9 pm until 8 am) every 15 minutes
 - ii. between 0800-2100 hrs. (8 am until 9 pm) every 30 minutes
6. The fire watch shall have an acceptable method of alerting building occupants, and must inform the occupants and the VFRS of the method (e.g. air horn etc.).
7. Persons conducting the fire watch must maintain a chronological, written log of activities on site for VFRS, for the duration of the fire watch. Use a new "Fire Watch Log" sheet for each day. Use additional sheets for additional floors or areas where necessary.



Vancouver Fire Rescue Services Fire Watch Log

Building Address: _____ Date: _____

Contact/Person on Fire Watch: _____ Phone: _____

Persons with a disability requiring assistance:

Name and Location	Name and Location

TIME	FLOOR 1	FLOOR 2	FLOOR 3	FLOOR 4	FLOOR 5	FLOOR 6	Fire Watch Monitor Initials
00:00							
00:15							
00:30							
00:45							
01:00							
01:15							
01:30							
01:45							
02:00							
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07:00							
07:15							
07:30							
07:45							

Notes:



Vancouver Fire Rescue Services Fire Watch Log

TIME	FLOOR 1	FLOOR 2	FLOOR 3	FLOOR 4	FLOOR 5	FLOOR 6	Fire Watch Monitor Initials
08:00							
08:30							
09:00							
09:30							
10:00							
10:30							
11:00							
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Notes: _____

BY-LAW NO.**A By-law to amend Fire By-law No. 12472
Regarding Notice Delivery, Forms and Other Miscellaneous Matters**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of Fire By-law No. 12472.
2. In Division B, Article 6.1.1.5.(1), Council strikes “fire extinguishing systems” and replaces it with “fire suppression systems, emergency lighting systems, exit sign systems”.
3. In Division A, Article 1.4.1.2, Council strikes the definition of “*Fire Chief*” and replaces it as follows:

“*Fire Chief* means the person appointed as such by Council pursuant to the Vancouver Charter, every Deputy Fire Chief, and every *member* authorized in writing to act on behalf of the *Fire Chief*.”

4. In Division A, Article 1.4.1.2, Council adds a new definition of “Member” in correct alphabetical order as follows:

“*Member* means every employee of the fire department of the City of Vancouver whose duties include fire suppression, fire inspection, or fire investigation.”

5. In Division C, Council adds a new Article 1.4.1.6 as follows:

“1.4.1.6 Appointment of Deputies

1) The Fire Chief may appoint one or more Deputy Fire Chiefs as considered necessary from time to time.”

6. In Division C, Council adds a new Article 1.4.3.2.(2) and (3) as follows:

“2) The Fire Chief hereby authorizes every *Member* to issue a Notice of Violation in a form prescribed by the Fire Chief, and as amended by the Fire Chief from time to time.

3) The Fire Chief may issue a Fire Watch Order in a form prescribed by the Fire Chief, and as amended by the Fire Chief from time to time.”

7. In Division C, Council adds after Article 1.4.3.4 a new Article 1.4.3.5 as follows:

“1.4.3.5. Delivery of Notice of Violation or a Fire Watch Order

1) A Notice of Violation, or a Fire Watch Order may be delivered by:

- a) hand to an owner or representative of the owner, or an occupant of the premises,

