

VILLAGE OF PEMBERTON

BYLAW No. 794, 2015

Being a bylaw to amend the Fire Prevention Bylaw No. 744, 2013

WHEREAS the *Community Charter* authorizes the Village of Pemberton, for the health, safety or protection of persons and property to regulate municipal services, firecrackers and fireworks by bylaw;

AND WHEREAS the Province of British Columbia has adopted a Fire Code to govern standards in respect of the protection of persons and property in municipalities and regional districts in the Province;

AND WHEREAS the Council may amend its bylaws from time to time when deemed appropriate.

NOW THEREFORE, the Council of the Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS**:

1. **CITATION**

This Bylaw may be cited as “Village of Pemberton Fire Prevention (Construction Bans) Amendment Bylaw No. 794, 2015.”

2. **APPLICATION**

Village of Pemberton Fire Prevention Bylaw No. 744, 2013 is amended as follows:

a) **Part Four – Definitions is amended by adding the following definition in alphabetical order:**

“**Fire Rescue Service Regulations**” means the Village of Pemberton Interface Construction and Maintenance Regulations attached as Schedule “A”.

b) **Part Seven – Open Air Fires is amended by adding Construction Ban.**

7.17 If at any time the Fire Danger Rating for the Village reached “high” or “extreme” no person shall carry on any construction activities in the Village except in strict accordance with the Fire Rescue Service Regulations.

3. SEVERABILITY

If any section, subsection, clause or phrase of this bylaw is held to be invalid for any reason by a court or competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

READ A FIRST TIME this 1st day of September, 2015.

READ A SECOND TIME this 1st day of September, 2015.

READ A THIRD TIME this 1st day of September, 2015.

ADOPTED this 15th day of September, 2015.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

SCHEDULE A

Interface Construction and Maintenance Regulations

For operations during “HIGH” and “EXTREME” Forest Fire Danger Class Ratings

At times, the Village of Pemberton can experience “high” and “extreme” forest fire danger class ratings. This creates a situation where construction in a wildland/urban interface or intermix zone can be a source of ignition resulting in a wildfire. Past years have shown that the fire behavior exhibited by wildfires can be both extreme and, at times, impossible to control. While the Village recognizes that this regulation may create some hardship on various construction projects, the loss of property and forest land resulting from a wildfire would be disastrous for the community and the economy.

The interface and intermix areas under this regulation are those areas where development and maintenance activities are taking place next to or among forested areas. This includes new developments in forested areas, infill development where the lot is fully treed, or trail work. If you question whether a project is subject to these regulations, please call Pemberton Fire Rescue at (604) 894-6111

The Pemberton Fire Rescue Service reviewed the Wildfire Regulations (and Wildfire Management Branch Interpretive Bulletin June/2011) and the Fire Protection Bylaws of other Sea-to-Sky corridor municipalities, as amended from time to time, in developing these regulations. It should be noted that these regulations apply to forested areas and are not totally suitable to an interface construction environment where the risk may be greater and the result more devastating. Therefore, all construction activity within the interface and intermix areas has been classified as a “High Risk Activity” as per the Wildfire Regulations.

Goal of the Regulations:

The goal of these regulations is to ensure that any sources of ignition are eliminated or mitigated during times of “high” and “extreme” ratings.

Regulations:

Work associated with construction and land clearing, land preparation and utility servicing within shall be regulated as follows:

When the Fire Danger Rating is “High”:

After **three (3) consecutive days** of Fire Danger Rating being “high”, high-risk construction activating in the interface area (within 10 metres of the forest) shall cease at 1300 hours each day.

High Risk activity are as follows:

- a) Blasting
- b) Excavating
- c) Drilling
- d) Grinding
- e) Other Hot Works

The following activities may continue after 1300 hours during a 'high' fire danger rating:

- a) Work inside a structure (excluding hot works)
- b) Use of electrically powered equipment
- c) Work with hand tools
- d) Heavy-duty equipment or small engines may continue to work in areas around a site where they are not within 10 metres of the forest

Sufficient fire equipment is required to be on site and may consist of:

- a) 2 shovels
- b) 2 pulaski tools
- c) 2 hand backpack pumps with a minimum of 5 gallons of water per backpack

A fire pump and hose capable of reaching any area where heavy equipment is working or hose connected to a hydrant or other water source capable of reaching any areas where heavy equipment is working is required. Permission to hook up to a Village hydrant will be required.

The amount of equipment and pumps shall be subject to approval of the Fire Chief or designate.

Smoking is restricted to a designated fire safe area on the site.

All sites must have a means of **communicating** in an emergency situation. This could be by means of a cell phone or radio to a central office where an emergency call could be placed.

A fire watch shall be maintained for a minimum of two hours after construction ceases.

High risk construction activities within the interface area may resume to a regular schedule after the fire danger class falls to Moderate or Low

When Fire Danger Rating is "Extreme":

After **three consecutive days** of fire danger rating being "extreme", all high-risk construction activity in the interface and intermix areas (within 10 metres of the forest) shall cease.

The following activities may continue during an "extreme" fire danger rating:

- a) Work inside a structure (excluding hot works)
- b) Use of electrically powered equipment

- c) Work with hand tools
- d) Heavy-duty equipment or small engines may continue to work in areas around a site where they are not within 10 metres of the forest

All other work, shall maintain a **minimum two hour fire watch** at the end of the construction day.

Regular Construction may resume based on the regulations for fire danger rating “high” when the fire danger rating falls below “extreme” for three or more consecutive days.

All construction restrictions shall be lifted when the danger rating is at Moderate or Low.

Exemptions

Exemptions to the above stated construction restrictions may be granted based on a site specific inspection and prescription for mitigating measures. Mitigating measures may include any or all of the following:

- a) Reduction of fuel
- b) Changing moisture content of fuel
- c) Provision of firefighting equipment
- d) Designated smoking area

Note: The ability to apply water to increase fuel moisture content may be impacted by sprinkler restrictions and will be monitored. This may result in an exemption being rescinded.