

BY-LAW NO. 144
A BY-LAW RESPECTING THE PREVENTION OF FIRES

The Council of the Town of Sackville under the authority vested in it by section 109 of the Municipalities Act, being Chapter M-22, revised statutes of New Brunswick 1973 and amendments thereto duly assembled, hereby enacts as follows:

1. In this By-Law, unless the context otherwise requires,
 - (a) "Council" means the Town Council of Sackville,
 - (b) "Department" means the Sackville Fire Department,
 - (c) "Firefighters" includes temporary and permanent firefighters,
 - (d) "Fire Prevention Act" means the Fire Prevention Act, Chapter F-13 of the Revised Statutes of New Brunswick and Regulations thereunder.
 - (e) "Fire Prevention Officer" means a person duly appointed a Fire Prevention Officer by Council of the Town of Sackville and includes the Fire Chief and Deputy Fire Chief.
2. Subject to direction of the Chief of the Department, the duties of a Fire Prevention Officer shall be those necessary to enforce this By-Law, Regulations, the Fire Prevention Act or other law relating to the prevention and extinguishment of fires.
3. A Fire Prevention Officer;
 - (a) is empowered to enforce the provisions of this and any other By-Law relating to the prevention and extinguishment of fires,
 - (b) is authorized to enforce the Fire Prevention Act and the regulations made thereunder, and
 - (c) without limiting the generality of the foregoing, has herewith conferred upon him the same powers under the same conditions as are conferred upon the Fire Marshall by section 11, 12, 16 and 21 of the Fire Prevention Act.
4. A Fire Prevention Officer or any person authorized in writing by the Fire Chief or Deputy Chief may enter any building at reasonable times to inspect for fire prevention or to investigate the cause or origin of a fire.
5.
 - (a) Other than a properly constructed incinerator approved in writing by the Fire Prevention Officer, no person shall light a fire outside a building for the purpose of disposing of any refuse or waste material.
 - (b) The lighting of a fire to dispose of dry grass is prohibited.

6.(1) Where there is no occupier of the building, structure or premises in respect of which an order is made and the owner is absent from the province or cannot be found within the province, a Fire Prevention Officer may offer notice of the order to the owner,

(1)(a) By registered mail to his last known address, or

(b) By publication in a newspaper having general circulation in the municipality, carry out and order provided that the expenditure involved is not more than five hundred dollars and, with the approval of the Council, any order involving an expenditure of more than five hundred dollars.

7. No person shall store gasoline, oil, liquified petroleum gases or other petroleum products except in facilities meeting the standards contained in the latest edition of the National Fire Code.

8. The establishment of self-service facilities for the dispensing of flammable liquids shall be in accordance with the requirements of the Fire Prevention Act and Subsection 4.5.8, Part 4, of the National Fire Code of Canada, latest edition.

9.(a) The Fire Chief, Chief Administrative Officer, the Liaison Councillor for Public Safety or any two members of the Council may, in order to prevent the spread of fire, issue an order for the pulling down, demolition or removal of any building or structure.

(b) Before a building or structure is pulled down an evaluation will be provided by a qualified appraiser, compensation and payment will be made as determined by the appraisal of the qualified appraiser.

(c) When a building or structure is pulled down, demolished, removed or destroyed under Subsection (a), the Municipality shall pay the owner of that building or structure reasonable compensation therefore as determined by the appraisal of the qualified appraiser.

10. Upon request of the Fire Chief or Deputy Fire Chief, every person present at a fire shall assist any firefighter in the performance of his duties at the fire and shall obey all orders and directions given to him by the Fire Chief or Deputy Fire Chief in connection with the fire.

11. No person shall place merchandise so as to obstruct the entrance into any premises by firefighters through any window, door, stairway or passageway.

12. Any person violating any of the preceding sections of this By-Law shall be guilty of any offence and liable to a penalty of not less than \$50.00 nor more than \$200.00 and in default of payment to imprisonment for a period of not less than 4 days nor more than one month.

13. By-Law No. 122, A By-Law Respecting The Prevention of Fires is hereby repealed.

Read a first time this 13th day of May, 1996.

Read a second time this 10th day of June, 1996.

Read a third time and done and passed Council this 10th day of June, 1996.

CLERK

MAYOR