

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3151

A Bylaw to amend Bylaw No 2783, cited as the
"Fire Protection and Control Bylaw, 2011, No. 2783"

The Council of the Corporation of the Township of Esquimalt, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the "Fire Protection and Control Bylaw, 2011, No. 2783, Amendment Bylaw, 2025, No. 3151".
2. That Bylaw No. 3151 cited as the "Fire Protection and Control Bylaw, 2011, No. 2783" be amended as follows:

(1) By adding under the Definitions section to "dangerous goods" subsection (1) "and other similar substances" after petroleum gas.

(2) By adding the following definitions:

"Evacuation Order" means the mandatory directive to leave an area immediately due to an imminent threat to life or injury. The order can be given for both tactical and/or preventative reasons.

"Fire Inspector" means an individual designated by a local authority to provide fire inspections under the Fire Safety Act.

"Fire Investigator" means an individual designated by a local authority to provide fire investigations under the Fire Safety Act.

"Fire Safety Act" means the provincial legislation, effective August 1, 2024, which outlines fire safety by streamlining inspections, evacuation orders, and enforcement, while supporting local governments and updating the BC Fire Code.

"Local Authority" means the Council of a municipality, which for this bylaw is the Township of Esquimalt.

"Monitoring Authority" means the Council of a municipality, which for this bylaw is the Township of Esquimalt.

"private dwelling" means the following:

- (a) a structure that is occupied as a private residence;
- (b) if only part of a structure is occupied as a private residence, that part of the structure;
- (c) any other structure located on the parcel of land on which a private residence is located, except for a structure:
 - i. to which the public is ordinarily invited or permitted access, or
 - ii. that is used for commercial, industrial or institutional purposes.

- “public dwelling” means the following:
- (a) a building other than a private dwelling including daycares and short-term rentals;
 - (b) a structure:
 - i. to which the public is ordinarily invited or permitted access, or
 - ii. that is used for commercial, industrial or institutional purposes;
 - (c) a facility, including a storage yard or tank farm.
- (3) By adding to the definition of Officer the words “Deputy Chief” immediately before “Assistant Fire Chief” and “Captain” immediately before “or Lieutenant”.
- (4) By deleting the definition “premises” and replacing with:
“premises” means any of the following:
- (a) a private dwelling;
 - (b) a public building;
 - (c) the parcel of land on which a private dwelling or public building is located;
 - (d) a motor vehicle within the meaning of the Motor Vehicle Act, railway vehicle, aircraft, vessel or other means of transportation.
- (5) By deleting section 10 and replacing with:
The Local Authority is responsible for all fire protection and prevention matters including the enforcement of this Bylaw.
- (6) By deleting “: and” in section 11 (3).
- (7) By deleting section 11 (4).
- (8) By deleting section 13 and replacing with:
The Monitoring Authority will utilize a risk-based compliance monitoring system for public buildings and operate a pro-active fire inspection model in compliance with the Fire Safety Act.
- (9) By deleting heading “Delegation of Inspection Duty to Fire Chief” and replace with:
Designation of Inspection and Investigation Duty to Fire Chief and Officers
- (10) By deleting section 14 and replace with:
Council hereby designates the Fire Chief as responsible for establishing and maintaining a regular system of inspections and timely fire investigations in the Municipality in accordance with the *Fire Safety Act*. These duties may be delegated, at the Fire Chief’s discretion, to any qualified Deputy Chief, Assistant Chief, Captain, or Lieutenant.
- (11) By adding the words “and rescue” immediately after “fire fighting” to section 18 (1).
- (12) By adding the word “tactical” immediately before “evacuation” to section 26 (2).
- (13) By adding the word “preventative” immediately prior to “Fire Chief” to section 26 (3)

- (14) By deleting "*Fire Services Act*" and replacing with "*Fire Safety Act*" in section 47.
- (15) By deleting the words "not exceeding Two Thousand Dollars" in section 54.
- (16) By editing section 38 (2) to add subsection "(x) fireworks."; remove from the end of subsection (viii) ";or"; remove the period from subsection (ix) and replace with ";or".
- (17) By deleting existing Schedule "A" and replacing with the new Schedule "A" – "Fire Protection and Control Bylaw, 2011, No. 2783, Amendment Bylaw, 2025, No. 3151", as attached hereto.

READ a first time by the Municipal Council on the 13th day of January, 2025.

AMENDED AND READ a second time by the Municipal Council on the 13th day of January, 2025.

READ a third time by the Municipal Council on the 13th day of January, 2025.

ADOPTED by the Municipal Council on the day of 2025.

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER

Schedule "A"

FIRE PROTECTION AND CONTROL BYLAW, 2011, NO. 3151**FEES**

(1)	Permit for installation, alteration or removal of oil burner, oil burning equipment or oil tank, including inspection fees	\$100.00
(2)	Any required re-inspection of permit issued under clause (1)	\$75.00
(3)	Written report requested for oil burner, oil burning equipment or oil tank inspections	\$150.00
(4)	Review of a new fire safety plan	\$250.00
(5)	Review of an existing or amended fire safety plan	\$150.00
(6)	Review of plans for building and development permit	\$350.00
(7)	Inspections requested for the purposes of purchase, sale, financing or refinancing of any building or property	\$225.00
(8)	Written report requested for the purposes of purchase, sale, financing or refinancing of any building or property	\$150.00
(9)	Request for research/creation of document	\$100.00/hour
(10)	Fire Investigation – for each fire investigator, in excess of initial 2-person hours	\$100.00/hour
(11)	Permit for fire on the foreshore	\$20.00
(12)	Regularly Scheduled Fire Inspection charge)	\$0.00 (no

PENALTIES

(13)	Each reinspection due to failed regularly scheduled inspection	\$150.00
(14)	Failure to comply with provisions in Bylaw \$2000/day	Up to
(15)	Failure to comply with an Evacuation Order	
	• Individual	Up to \$25,000
	• Corporation	Up to \$50,000