



GITWINKSIHLKW VILLAGE GOVERNMENT

FIRE PREVENTION ACT

Gitwinksihlkw Village Government enacted this law on _____

Signed by _____

Chief Ron Nyce
Chief Councillor of the Gitwinksihlkw Village Government

FIRE PREVENTION ACT

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FIRE PREVENTION ACT

Interpretation

1. a. The British Columbia Fire Code Regulation is hereby adopted and in force within the Nisga'a Village. In the event of an inconsistency or conflict between this Act and the BC Fire Code, this Act is, to the extent of the inconsistency or conflict, of no force or effect.
- b. The British Columbia *Fire Services Act* is hereby adopted and in force within the Nisga'a Village. In the event of an inconsistency or conflict between this Act and the *Fire Services Act*, this Act is, to the extent of the inconsistency or conflict, of no force or effect.
- c. In this Act:

“BC Fire Code” means the British Columbia Fire Code Regulation, B.C. Reg. 175/2006, and any amendments thereto, replacements thereof or regulations made thereunder;

“Building Official” includes building inspectors employed, appointed or contracted by the Nisga'a Village in this capacity;

“cultural burning” means a fire lit, ignited or started to be in the open air to conduct a traditional custom for the sole purpose of burning personal possessions and effects belonging to a recently deceased member of the Nisga'a Village;

“domestic waste” includes food waste and household waste but not newspaper and cardboard;

“Fire Chief” means the person appointed as such by the Nisga'a Village Government;

“fire extinguisher” means a fully charged and operable fire extinguisher suitable for use on Class A or B or C fires, as defined by the Canadian Underwriter's Association;

“Fire Services Act” means the British Columbia *Fire Services Act*, RSBC 1996, c.144, and any amendments thereto, replacements thereof or regulations made thereunder;

“garden waste” includes leaves, foliage and crop stubble for domestic use;

“Gas Safety Regulation” means the British Columbia *Gas Safety Regulation* (Reg. 103/2004);

“hotel” includes apartment house, boarding house, lodging house, club and building where lodging is provided, other than a private dwelling house;

“industrial operation” includes logging, milling, land clearing, engineering, construction, use of explosives, tree planting, road construction or other industrial activity utilizing men, equipment or both;

“LAFC” means any local assistant to the Fire Chief;

“LPG” means Liquid Petroleum Gas;

“LNG” means Liquid Natural Gas;

“NFPA” means National Fire Protection Association;

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“Nisga’a Village” means the Nisga’a Village of Gitwinksihlkw;

“Nisga’a Village Government” means the governing council of the Nisga’a Village;

“Nisga’a Village Lands” means Nisga’a Lands that are designated as Nisga’a Village Lands of the Nisga’a Village by Nisga’a Lisims Government;

“Peace Officer” means any member of the Royal Canadian Mounted Police;

“premises” means every building including private buildings; and

“public building” includes warehouse, factory, store, mill, school, hospital, theatre, public hall, office building and any other building other than a private dwelling house.

Application of this Act

2. This Act applies to all lands within the jurisdiction of the Nisga’a Village.

Purpose of this Act

3. An Act for preventing fires and the spread of fires, the preservation of life, and for providing a regular system of inspecting buildings and contents on lands within the jurisdiction of the Nisga’a Village for the purpose of fire prevention.

Part 1 – Enforcement**Enforcement Authority**

4. The provisions of this Act shall be enforced by an official appointed by the Nisga’a Village Government, such official to be known as the Fire Chief. Any LAFC appointed to enforce any provisions contained in this Act shall act upon the authority delegated to him by the Fire Chief. The Fire Chief may authorize in writing any person or persons to exercise any or all of the powers of a LAFC under this Act.

No Interference of Firefighters

5. No person shall impede, hinder or interfere with any firefighter in the execution of his or her duties or any other person under the direction of any officer in command during an inspection or at a fire.

False Alarm Prohibited

6. No person shall willfully, by outcry, ringing bells, using a fire alarm, telephone, or in any other manner, make or circulate or cause to be made or circulated an alarm of fire, without reasonable cause.

FIRE PREVENTION ACT**Part 2 – Inspections****Regular System of Inspections**

7. Inspections for fire safety shall be done at least once every 24 months in every hotel and public building located within the jurisdiction of the Nisga'a Village.

Exclusion of Dwellings

8. For the purposes of this Act, private dwelling house and single family dwellings are excluded from the Schedule of Inspections and will only be inspected on invitation by the owner/occupant.

Inspections of Oil-fired Heating Systems

9. A LAFC shall inspect all buildings where oil-fired heating systems are being installed, altered or repaired on lands within the jurisdiction of the Nisga'a Village.

LAFC Right of Entry

10. A LAFC shall have the right to enter any building in the performance of his or her duties at all reasonable times for the purpose of carrying out his or her duties.

Part 3 – Permits**Oil Burning Appliances and Fuel Tanks**

11. A permit shall be obtained from a LAFC by the owner or his duly authorized agent prior to the installation of any oil-fired appliances being installed in any building. For each permit the applicant shall pay to the Nisga'a Village a fee according to the Fees and Charges Act.

Bulk Plants and Refineries

12. No person shall install, operate or modify a refinery or bulk plant without first obtaining a permit issued by the Fire Chief.

Permit for Construction of Bulk Plants and Refineries

13. No permit shall be issued for new construction of bulk plants and refineries within the jurisdiction of the Nisga'a Village unless the approval of Nisga'a Village Government or its duly authorized agent has first been obtained.

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Permit required for Storage of Flammable Material

14. A permit shall be obtained from a LAFC for the storage of flammable and combustible liquids, the construction or renovation of refineries or bulk plants and the operation of service stations.

Permit required for Service Stations

15. No person shall operate a service station or install any storage tank or any pump or measuring device to be used for the purpose of retailing or storage of flammable or combustible liquids without first obtaining a permit issued by a LAFC. For each permit, the applicant shall pay to the Nisga'a Village a fee according to the Fees and Charges Act.

Farms and Isolated Construction Projects

16. (1) Storage of flammable or combustible liquid: No person shall store any flammable or combustible liquid in excess of Two Hundred and Thirty (230) litres on farms, construction sites, or on any private property without first obtaining written approval from the Nisga'a Village Government to ensure compliance with existing zoning regulation. A copy of the written approval shall form part of the applicant's written request to store flammable or combustible liquids.
- (2) Applications for a permit shall be made to the LAFC and accompanied by plans drawn to scale showing:
- (a) the location of the storage containers in relation to the lines of the adjoining property(ies), buildings and fencing;
 - (b) the size, capacity and use of the storage containers; and
 - (c) the standard to which the storage containers have been constructed.
- (3) Installation of facilities used for storage of flammable or combustible liquids shall not be commenced until such plans have been accepted in writing.
- (4) Conformation to Part 4 of BC Fire Code - The storage, handling and use of flammable or combustible liquids in containers shall conform to Part 4 of the BC Fire Code.

Part 4 – Compressed Gas Systems**Inspection of Gas Facilities**

17. All storage tanks, all gas-fired appliances and all gas dispensing devices shall be inspected and approved by the Provincial gas inspector.

Permit Required for Compressed Gas Systems

18. Notwithstanding zoning, no person shall install, operate, or modify a propane filling station, refill centre, filling plant and/or bulk storage tank without a permit issued by the Fire Chief for the Nisga'a Village.

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Fees for Compressed Gas Systems Permits

19. For each permit, the applicant shall pay to the Nisga'a Village a fee according to the Fees and Charges Act.

Installation Restrictions

20. (1) Installation of Liquefied Petroleum Gas (LPG) storage tank(s) will not be allowed in areas zoned as Residential or in areas zoned Commercial C1 and C3. Propane installations in Industrial Parks, Commercial and open areas will be allowed, provided that there is no undue risk to persons in buildings of public assembly, parks and playgrounds, or other places of public assembly.
- (2) Installation of LPG storage tank(s) with a total capacity greater than 2,000 gallons will not be allowed in any areas within the Nisga'a Village.
- (3) Installation of LPG storage tanks with a capacity of 2000 gallons or less shall be permitted in areas zoned Commercial C2 and Industrial M-1, provided the installation is done in conformance with both the *Gas Safety Regulation* and NFPA requirements.

Adequate Surface Protection

21. Adequate protection to all above ground LPG and LNG storage tanks shall be provided to the satisfaction of the LAFC.

Part 5 – Transportation of Combustible Liquids**Vehicles for the Transportation of Flammable and Combustible Liquids**

22. Tank vehicles shall not be left unattended by the vehicle operator for more than one hour anywhere within the jurisdiction of the Nisga'a Village except in an acceptable parking space under section 23.

Acceptable Parking Spaces

23. An acceptable parking space shall be surrounded by a fence and shall:
- (a) be at least 1.8m high and include three (3) strands of barbed wire at the top spaced 100 mm apart.
 - (b) be of chain link construction that has an opening not greater than 50 x 50mm, and
 - (c) have posts of angle iron, pipe or equivalent spaced not more than 3m apart and set securely.

Requirement for Locked Gates

24. All gates shall be locked when the enclosure is not manned.

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Part 6 – Chimney and Solid Fuel Burning Appliances**Inspection of Appliances**

25. All newly constructed or newly installed chimneys and/or solid fuel burning appliances shall be inspected and approved for use by the Building Official.

Chimney Cleaning

26. The owner or occupier of a building or premise shall cause every chimney flue and chimney connector to be cleaned as often as may be necessary to keep the chimney and chimney connector free from the danger of fire.

Part 7 – Flammable Liquid Containers**Flammable Liquid Containers**

27. Flammable liquids shall not be dispensed into, stored in, nor transported in glass containers, or plastic containers, except where the containers have been investigated by and meet the requirements of a nationally recognized testing laboratory and are so marked.

Part 8 – Open Air Fires and Incinerators**Starting Open Air Fires and Incinerators**

28. No person shall light, ignite or start or permit to be or cause to be lighted, ignited or started a fire of any kind whatsoever in the open air without first having obtained a written burning permit to do so from the Nisga'a Village Fire Department. A burning permit may be required from Nisga'a Lands and Resources during forest fire season, or from the British Columbia Ministry of Environment.

Prohibited Burning

29. No person shall burn any rubbish, tires, oil, sata, asphalt shingles, battery boxes, plastic materials, domestic waste, garden waste or any similar materials that would, in the opinion of the Fire Chief or designate, produce or emit heavy sooty black smoke or obnoxious odours.

Fire Chief May Cancel Burning Permit

30. The Fire Chief or designate may withhold or cancel any permit issued where, in his or her opinion, the igniting of a fire in any area may create a hazard or nuisance to persons or property, and the Fire Chief or designate may extinguish any fire that is causing a nuisance to persons, or any fire started without a written burning permit to do so.

FIRE PREVENTION ACT**Requirement for Person Responsible**

31. A person to whom a burning permit has been issued under section 28 herein shall place and keep a competent person or persons at all times in charge of the fire while it is burning or smouldering and shall provide that person or persons with efficient appliances and equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous.

Requirement to Comply with Permit

32. A person to whom a burning permit has been so issued under section 28 herein shall comply with all requirements stated on the burning permit.

Permits in Commercial or Industrial Zones

33. Burning permits shall only be issued in Commercial or Industrial Zoned areas with the written permission of the Nisga'a Village Fire Department and the requirements of this section shall apply where applicable.

Permits in Residential Zones

34. Burning permits may be issued in areas Zoned Residential provided that the burning of any matter in such areas does not cause a nuisance and provided further that such burning privilege is not contrary or inconsistent with any other Village Law.

Permits Required Year-round

35. Except as hereinafter provided, burning permits to start any fire in the open air or in incinerators are required at all times of the year.

No Burning Periods

36. Except a fire lawfully maintained by special permit from the Fire Chief or designate, no person shall ignite or have burning any fire in the open air or in an authorized incinerator between **May 16th to August 31st**, and between **October 16th to March 31st**.

Burning in Authorized Incinerator Only

37. Except for the occasional lawful "open air" burning of waste materials resulting from land clearing, agriculture, logging, gardening, demolition or construction, no person shall burn any waste material other than in an authorized incinerator.

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Part 9 – Barbecues, Smokehouses and Cultural Burning

Barbecues and Smokehouses

- 38. The requirements of Part 8 herein shall not apply to small confined fires used for the purpose of cooking food in or upon grills or barbecues and to smokehouses used for the purpose of smoking fish and meat.

Cultural Burning

- 39. The requirements of Part 8 herein shall not apply to cultural burning, provided that all other laws of the Nisga'a Village or Nisga'a Nation are complied with.

Part 10 – Portable Incinerators

Portable Incinerators

- 40. A portable incinerator or other portable device or appliance for burning garbage, rubbish or other waste materials shall not be erected or used nor shall any enclosed fire, except that provided in section 38, be built, set or maintained outside the walls of a building without written permission from the LAFC.

Safeguards Required

- 41. An appliance or device referred to in section 40 shall be equipped with proper spark arresting attachments and such other safeguards, as shall be prescribed by the LAFC.

Part 11 – Forest Fire Prevention

Fire Fighting Equipment Required

- 42. Every person in charge of a work site, where work of an industrial operation is being carried out, shall keep at the work site, maintained in good working order and to be used for fire-fighting purposes only, fire-fighting equipment consisting of fire extinguishers, water barrels or tanks, (April 15th to October 15th, inclusive) round-nose shovels, axes and pulaski/mattock tools.

Tools Required

- 43. The number of tools and fire-fighting equipment that is to be kept at the work site shall be as follows:

<u>Persons Working at the Site</u>	<u>Axes</u>	<u>Round-nosed Shovels</u>	<u>Pulaski / Mattock</u>	<u>Fire Extinguishers</u>	<u>Hand Pump</u>
Less than three	One	One	One		One
More than three	One per	One per	One per		One per

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	person	Person	Person		Person
<u>Persons Operating</u>	<u>Axes</u>	<u>Round-nosed Shovels</u>	<u>Pulaski / Mattock</u>	Fire Extinguishers	<u>Hand Pump</u>
An engine		One per Person	One per Person	One per Engine	One per Person
A Powersaw				One per Person	

Additional Tools and Fire-fighting Equipment

44. Where, in the opinion of the Fire Chief, additional tools or fire-fighting equipment is required, that addition shall be in accordance with the applicable forest fire prevention and suppression regulations.

Part 12 – Smoking

No Smoking Signs Required

45. Where conditions are such as to make smoking a hazard the LAFC shall order the owner or occupier in writing to post approved "No Smoking" signs where smoking shall be prohibited, and shall designate specific safe locations in which smoking may be permitted. It is an offence where the owner/occupier fails to post signs.

Sign Removal Prohibited

46. It shall be unlawful for any person to remove any legally required "No Smoking" signs or to smoke in any place where such signs are posted.

Part 13 – Fire Alarm Systems

Owner Responsible

47. The owner of a fire alarm system shall be responsible for the proper use, maintenance and operation of such system, on or in real property. In order to ensure the prevention of false alarms, it is suggested that the fire alarm system be installed by a licensed fire alarm company, and regularly inspected and maintained by a certified fire alarm service technician.

False Alarms

48. For every third and subsequent occurrence of a false alarm in any calendar year to which the Nisga'a Village Fire Department responds a fee will be charged according to the Fees and Charges Act.

FIRE PREVENTION ACT**Fire Alarms in Dwelling Units**

49. This does not apply to fire alarm systems that are intended to alert only the occupants of the dwelling unit in which they were installed.

Part 14 – Fire Exit Doors**Fire Exit Doors**

50. Fire exit doors, designated as such for escape from any building fire, shall only be used for that purpose and shall be kept free of any type of obstruction while the building is occupied by the public.

Part 15 – Fireworks**Fireworks**

51. Fireworks shall include cannon-crackers, fireballs, firecrackers, mines, Roman candles, skyrockets, torpedoes, flares and such other explosives as may be designated as such by the Nisga'a Village Government.

Fireworks Usage Period

52. No person shall sell, give, fire, or set off fireworks, except between the 24th day of October and the first day of November, New Year's Eve and last weekend of February marking Hobiyyee in any year.

Fireworks in Public Places Prohibited

53. No person shall explode any fireworks on any highway, road, street, lane, bridge, or other public place unless specifically authorized to do so by the Fire Chief.

Underage Sales Prohibited

54. No fireworks may be sold to any person under 19 years of age.

Storage of Fireworks

55. The storage of fireworks and the display of fireworks for sale shall conform to the requirements of the Canada Explosives Act, R.S., 1985, c. E-17, as amended from time to time.

Written Permission Required

56. Notwithstanding the provisions of this Act, fireworks may be sold to and discharged by any person or organization conducting a public display if such public display is held with the written permission of the Nisga'a Village Government and the written permission of the Fire Chief, or the LAFC having jurisdiction in the Nisga'a Village.

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Part 16 – Fire Hazards**Removal of Fire Hazards**

57. Any owner or occupant of real property within the jurisdiction of the Nisga'a Village shall remove any matter or thing situated in or on any building or premises which he owns or occupies, which in the opinion of the Fire Chief, is a fire hazard or increases the danger of fire.

Unoccupied Buildings

58. Any owner of any unoccupied building shall, at all times, ensure that the premises are free from debris and flammable substances and shall keep all openings in such a building securely fastened so as to prevent the entry of unauthorized persons.

Fire Damaged Buildings

59. The owner of any fire damaged building shall ensure that the premises are guarded or that all openings in the building are kept securely closed and fastened so as to prevent the entry of unauthorized persons.

Part 17 – Issuance of Burning Permits**Permit Form**

60. A written permit shall be in the form set out in the Schedule 'A' attached hereto, or to like effect, and shall not be valid after expiration thereof.

Permit may be Cancelled

61. The Fire Chief or his designate may withhold or cancel any permit issued where, in his opinion, the igniting of a fire in any area may create a hazard or nuisance to persons or property.

Permit Conditions and Restrictions

62. If at any time the Fire Chief or designate on account of the existence of hazardous conditions inclusive of meteorological or ambient air quality conditions deems it advisable, cancel or suspend for such time as it is necessary, any right to burn granted pursuant to this Act including all or any permits issued pursuant to this Act, or he may attach to any or all such permits such conditions and restrictions as he thinks proper.

Permits Subject to Conditions, Restrictions and Provisions

63. All permits issued pursuant to this Act shall be subject to such conditions, restrictions and provisions as the Fire Chief or designate may consider necessary and expedient to incorporate therein.

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Inspection Fees Chargeable

64. If the Fire Department is called to attend a Class "A", Class "C" or non-permitted burn that does not meet the conditions or requirements of this Act or the issued permit, an inspection fee will be charged according to Fees and Charges Act.

Part 18 – General**Nisga'a Village Not Liable**

65. This Act shall not be construed to hold the Nisga'a Village nor its authorized agent or agents responsible for any damage to persons or property by reason of:
- (a) Inspections authorized by this Act;
 - (b) The failure to carry out an inspection;
 - (c) A permit issued as herein provided;
 - (d) Exemptions from permit requirements as provided in Part 9; or
 - (e) The approval or disapproval of any equipment authorized herein.

Offence, Penalties and Enforcement

66. (1) Every person who contravenes any of the provisions of this Act, who suffers or permits any act to be done in violation of this Act, who suffers or permits any act to be done in violation of this Act, or who fails or neglects to do anything required to be done by this Act commits an offence and, for which a specific penalty has not otherwise been designated, shall be liable to a maximum fine of \$5,000.00 for each offence.
- (2) Each day that an offence continues shall constitute a separate offence.
- (3) This Act may be enforced:
- (a) under the *Nisga'a Offence Act*;
 - (b) by issuing a ticket for contravention in accordance with any Nisga'a Village Government ticketing law as may be adopted or amended from time to time; or
 - (c) by issuing a ticket under any applicable enactment by the Nisga'a Lisims Government authorizing the Nisga'a Village Government to issue tickets, fines or penalties in respect of a contravention of this Act.

Commencement

67. This Act comes into force on the date of adoption.

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Fire Prevention Act Read a first time the ____ day of _____, 2014.

Fire Prevention Act Read a second time the ____ day of _____, 2014.

Fire Prevention Act Read a third time the ____ day of _____, 2014.

Fire Prevention Act Adopted the ____ day of _____, 2014.

Chief Councillor

Chief Executive Officer

FIRE PREVENTION ACT

SCHEDULE A

Burning Permits

Nisga'a Village burning permits are to be issued as follows:

Class "A" Burning Permits

These permits are to be issued for burning of forest debris resulting from land clearing operations, logging, firewood cutting or any other operation that creates slash. The following will apply with regard to the issuing and recording of the permits:

- (1) A permit is required to be obtained prior to any burning of any materials at any time during the year.
- (2) The issuance of a permit is subject to approval from the director of Lands and Resources and any additional restrictions they may require.
- (3) Once fire season commences April 15 to October 15, the issuance of permits is subject to Lands & Resources approval and any additional restrictions they may require. Burning within the Nisga'a Village Lands boundaries will require a permit from and approval by the Director of Lands & Resources prior to obtaining a permit from the Nisga'a Village Fire Department.
- (4) The following shall be considered as minimum requirements at the burning site:
 - (a) One 45 gallon barrel of water and/or a garden hose connected to a water source,
 - (b) Two buckets,
 - (c) One axe,
 - (d) One shovel,
 - (e) One pulaski/mattock,
 - (f) Fireguards that are acceptable to the Fire Chief are prepared,
 - (g) For hand operations, piles are not to exceed 2 meters in height or 3 meters in diameter; wind rows or larger piles are to be broken down to the above noted dimensions.
 - (h) For major operations with a machine on stand-by during burning, the piles are not to exceed 4 meters in height or 6 meters in diameter; wind rows or larger piles are to be broken down to the above noted dimensions.
- (5) Burning periods on each pile shall be as short a duration as possible but not to exceed 48 hours; and if more than one pile is to be burnt, each additional pile shall not be ignited until the previous pile is completely burnt down.
 - (a) No burning of materials on statutory or declared holidays that occurs during the week.
 - (b) There shall be a sufficient number of competent personnel on site at all times a fire is burning or smouldering.

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- (6) Burning periods on each permit shall not exceed two weeks up to June and one week thereafter during the rest of the fire season unless otherwise restricted by the Director of Nisga'a Lands and Resources.
 - (7) The Nisga'a Village Fire Department shall be notified prior to the burning of any pile to approve the size of the piles to be burnt and the method of igniting piles to be burnt, and to ensure that the necessary fire fighting equipment and manpower is on site and available for immediate use.
 - (8) All permits shall be automatically cancelled on instruction from the Director of Nisga'a Lands and Resources.
 - (9) No burning is to be conducted when winds exceed 25 kilometers per hour, or on hot dry days, or after consultation with the Director of Nisga'a Lands and Resources that current weather conditions prohibit such burning.
 - (10) Only dry wood, paper, cardboard or diesel fuel oil can be used as fuel to start, assist or enhance the burning of any pile, or
 - (a) When available, an auxiliary forced air system shall be used to start fires in piles.
 - (11) Materials to be burnt must be dry/seasoned, stacked effectively, lightly packed and composed of small to medium sized pieces, and
 - (a) Large pieces such as wood stumps and large trees shall be cut into smaller pieces,
 - (b) Green or wet wood, damp leaves or other materials that create smoke are not acceptable,
 - (c) All soil shall be removed from all materials to be burnt prior to the piling of materials to be burnt.
 - (12) Each pile of material to be burnt shall be located at least 100 meters from any building or other combustible materials on surrounding properties, and at least 500 meters from schools in session, hospitals and facilities used for continuing care as defined under the Continuing Care Act.
 - (13) In addition, the Fire Chief or his designate may require that additional fire fighting equipment and manpower to be on site and available for immediate use such as but not limited to:
 - (a) Fire hose or hoses connected to a fire hydrant,
 - (b) Sufficient manpower to man the fire hoses, and
 - (c) Sufficient manpower to patrol the perimeters checking for fires started by airborne firebrands.
 - (14) In addition to the Fire Chief, the following personnel are authorized to sign and issue Class "A" burning permits:
 - (a) Deputy Fire Chief, and
 - (b) Lieutenant.
 - (15) A burning permit is valid only when both the Fire Chief or designate and the applicant have signed the burning permit.

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- (16) The original copy is for the permittee and the carbon copy is for the Fire Department files.
- (17) The Director of Lands and Resources is to be notified by telephone or by fax of any Class "A" burning permits issued.

Requirements for Forest Fire Prevention

Every person in charge of a work site, where work of an industrial operation is being carried out, shall keep at the work site, maintained in good working order and to be used for fire fighting purposes only, fire fighting equipment consisting of fire extinguishers, water barrels or tanks filled with water, round-nose shovels, axes and pulaski/mattock tools.

The number of tools and fire-fighting equipment that is to be kept at the work site shall be as follows:

<u>Persons Working at the Site</u>	<u>Axes</u>	<u>Round Nosed Shovels</u>	<u>Pulaski / Mattock</u>	<u>Fire Extinguishers</u>	<u>Hand Pump</u>
Less than three	one	one	one		one
More than three	one per person	one per person	one per person		one per person
<u>Persons Operating</u>	<u>Axes</u>	<u>Round Nosed Shovels</u>	<u>Pulaski / Mattock</u>	<u>Fire Extinguishers</u>	<u>Hand Pump</u>
Dozer, Loader, etc.		one per person	one per person	one per engine	one per person
Power saw				one per person	

Where, in the opinion of the Fire Chief or his designate, additional tools or fire fighting equipment is required, that addition shall be in accordance with the Nisga'a Fire Management Regulation and Nisga'a Forest Act.

Every person shall, prior to carrying out the work of an industrial operation within the Nisga'a Village, notify the Fire Chief of their intent. If logging operations are intended to be carried out, a Logging Plan acceptable to the Director of Nisga'a Lands and Resources shall also be submitted with the Notice of Intent to the Fire Chief or designate.

If the Notice of Intent involves land clearing operations, logging, firewood cutting or any other operation that creates slash, every person in charge of the work site shall submit to the Fire Chief or designate a Slash Disposal Plan.

Every person in charge at a work site, where work on an industrial operation is being carried on, shall ensure that:

- (a) All leaning trees are felled, and that all branches are looped from all felled trees;
- (b) All looped branches and tree tops are piled or bunched in such a manner that they are clear of all reserved trees, to the satisfaction of the Fire Chief or designate;

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- (c) All debris, which includes the tops of felled trees, and all dead and down material be disposed of by burning, at a location specified in accordance with the Logging Plan, or in accordance with other methods of disposal that are acceptable to the Fire Chief or designate;
 - (d) Fireguards that are acceptable to the Fire Chief or designate are prepared;
 - (e) A Burning Permit has been obtained prior to the burning of any debris;
 - (f) Any industrial operation is not to be conducted during the period of hot, dry weather when the Forest Fire Rating is classified by the Fire Chief or designate, or by the Director of Nisga'a Lands and Resources as Extreme;
 - (g) No work is to be carried on where the Fire Chief or designate has restricted the hours of operation, due to weather conditions;
 - (h) Every person carrying out work of an industrial operation within the Nisga'a Village may be required by the Fire Chief or designate to give security to the Nisga'a Village, the return of which shall be conditional on the completion of the work as stated on the Slash Disposal Plan or on the Burning Permit. The amount of security will be at the discretion of the Fire Chief or designate, and shall be in the form of cash, certified cheque, bond guarantee by a licensed bonding company or a letter of credit from a bank.

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Class "A" Burning Permit

Permit Fee: \$50 (Cheques are to be made payable to the “Nisga’a Village of Gitwinksihlkw”)

Subject to the provisions of the Fire Prevention Act, and any amendments thereto, permission is hereby granted to:

Permit Holder: _____ Date: _____

Address: _____ Phone: _____

Property Owner (if different than applicant): _____

To light and maintain a fire at: _____

This permit is valid for consecutive days, commencing on _____, 20____, and is issued only on condition that the person to whom it is issued and whose signature appears hereunder as applicant, assumes all liability for any damage or injuries which may occur as a result of such fire.

A person to whom a Burning Permit has been issued shall comply with all the requirements stated on this permit, including:

1. **An on site inspection must be conducted and approved** by the Fire Chief, or designate, prior to any burning. On site inspection conducted on the ____ day of _____, 20____, by _____

2. **Forestry reference:** The Permit Holder shall obtain a Burning Reference Number from the Director of Lands and Resources for all Class “A” fires within the Nisga’a Village Lands boundaries prior to burning.

3. **Notify Fire Department prior to burning:** The Permit holder will notify the Nisga’a Village Fire Department prior to burning of any Class “A” fires.

Additional Requirements:

1. **Size of Burn Pile(s):** The Permit Holder shall ensure that piles of material to be burned do not exceed 4 meters in height and 6 meters in diameter.

2. **Location of Burn Pile(s):** The Permit Holder shall ensure that each pile to be burned is located at least 100 meters from any building, neighbouring residences and businesses, and at least 500 meters from schools in session, hospitals and facilities used for continuing care as defined under the Continuing Care Act.

3. **On Site Control:** The Permit Holder, or some competent person appointed by him/her, shall supervise and keep under control any burning, and ensure that any equipment necessary for fire control is available for immediate use.

4. **On Site Equipment:** The Permit Holder shall keep at the burn site fire fighting equipment consisting of fire extinguishers, water barrel or tanks full of water, round-nose shovels, axes and Pulaski/mattock

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tools and any other fire fighting equipment and manpower necessary to extinguish fires as may be required by the Fire Chief or designate:

5. Wildfire Interface: The Permit Holder shall take all necessary precautions to prevent fire from spreading out to adjacent forest and properties.

6. Weather Conditions and Burning Bans: Approval from Lands and Resources may not be required within Nisga'a Village Lands limits, however, if burning conditions are dry and hot and have been for some time, the permit holder should check with both the Fire Department and Lands and Resources to ensure that no burning bans are in place. Do not burn during hot, dry, windy weather, or unless otherwise approved by the Fire Chief or designate.

7. Prohibited Materials: All burning must comply with the B.C. Waste Management Act and Nisga'a Forest Act. This includes no burning of tires, plastics, drywall, demolition waste, domestic waste, paint, hazardous waste, tar paper, treated lumber, railway ties, manure, rubber, asphalt, asphalt products, fuel and lubricant containers, or biomedical waste; nor any article which is likely to emit a black sooty smoke or obnoxious odours. Contravention may result in a fine from the B.C. Ministry of Environment.

8. No Burning on Statutory Holidays: Fires are not permitted on Victoria Day, Canada Day, B.C. Day, Labour Day or any other declared statutory holiday.

9. Nuisance to Neighbours: If the burn is deemed to be a nuisance to neighbours, you may be required to extinguish the fire and the permit will be cancelled.

Other requirements at Fire Chief's Discretion

The Fire Chief, or designate, may require any or all of the following; those items that have been checked are required for this Burning Permit:

- Approved to burn one smaller pile, to be fed by a feeder pile.
- A fire hose must be connected to an established water supply at all times during the burn.
- The Permit Holder must have a fan to accelerate burning and assist the pile in burning clear and hot.

Inspection Fees (Burning in Contravention)

Class "A", or Class "C" or non-permitted burn that does not meet the conditions or requirements of the Gitwinksihlkw Village Government Fire Prevention Act and amendments thereto or the issued permit.

Approved by: _____

Applicant: _____

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Class “C” Special Event Fire Burning Permit

Permit Fee: Nil **Date of Issue:** _____

Class “C” Permits are to be issued for special functions only such as backyard campfires and block parties that are located on private property in residential areas, or for bonfires or campfires related to specific public events. Requirements of Part 8 of the Gitwinksihlkw Village Government Fire Prevention Act do not apply to small confined fires used solely for the purpose of cooking food in or upon grilles, barbeques, or small fire pits.

Subject to the provisions of the Fire Prevention Act, and amendments thereto, permission is hereby granted to:

Permit Holder: _____

Contact Telephone: _____

Property Owner: _____
(if different from applicant)

Permission is hereby granted to the above-named Applicant to light and maintain a Special Event Cooking Fire or Bonfire

At: _____

On the _____ day of _____, 20 _____. This Burning Permit is only in effect for the dates stated; extensions must be approved by the Fire Department.

This permit is issued only on condition that the person to whom it is issued and whose signature appears hereunder as applicant assumes all liability for any damage or injuries which may occur as a result of such fire.

A person to whom a Burning Permit has been issued shall comply with all the requirements stated on this permit, including:

1. The Permit Holder shall ensure that only dry, well-seasoned wood is to be burned.
2. The Permit Holder shall ensure that no prohibited material, as set out in Schedule ‘A’ of the Environmental Management Act, Open Burning Smoke Control Regulations (OBSC), is placed in the fire. Namely: tires, plastics, drywall, demolition waste, domestic waste, paint, hazardous

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waste, tar paper, treated lumber, railway ties, manure, rubber, asphalt, asphalt products, fuel and lubricant containers, or biomedical waste. Nor is any article which is likely to emit a black sooty smoke; or obnoxious odours permitted.

3. The Permit Holder shall ensure that the fire is completely extinguished when the special event is finished.
4. The Permit Holder shall take all necessary precautions to prevent fire from spreading out to adjacent forest and properties.
5. The Permit Holder, or some competent person appointed by him/her, shall supervise and keep under control any burning, and ensure that any equipment necessary for fire control is available for immediate use.
6. Do not burn during hot, dry, windy weather, or unless otherwise approved by the Fire Chief or his designate.
7. If the burn is deemed to be a nuisance to neighbours, you may be required to extinguish the fire and the permit will be cancelled.

An inspection fee will be charged if the Fire Department is called to attend a Class "A", Class "C" or non-permitted burn that does not meet the conditions or requirements of the Fire Prevention Act and amendments thereto, or the issued permit.

Approved by: _____

Applicant: _____