

**CANADA
PROVINCE OF QUÉBEC
DISTRICT OF HULL**

MUNICIPALITY OF PONTIAC
MRC DES COLLINES-DE-L'OUTAOUAIS

STANDARDIZED BYLAW 18-RM-05

BYLAW 18-RM-05 TO AMEND THE BYLAW BEARING NUMBER 16-RM-05 – TO SET STANDARDS WITH RESPECT TO FIRE SAFETY

WHEREAS under section 62 of the Municipal Powers Act, the Municipality of Pontiac may adopt bylaws in terms of safety;

WHEREAS under chapter 1 of the Fire Safety Act, the Municipality has obligations imposed or powers granted for the purpose of protecting people and property against fires of any kind, with the exception of forest resources which are protected under the Forest Act (L.R.Q.,chapter F-4.1);

WHEREAS it is in the interest of the Municipality of Pontiac's citizen that the Municipal Council adopt such a bylaw and take advantage of these provisions;

WHEREAS the Municipality of Pontiac has adopted, during a special meeting held on May 17, 2016, the resolution number 16-05-2773 in order to adopt the bylaw bearing the number 16-RM-05 - to set standards with respect to fire safety;

WHEREAS the *Société de protection des forêts contre le feu* (SOPFEU), is the reference organization concerning the official identification of flammability risks indicated on the signage and other communication tools in order to inform the population of dangerous situations in terms of fire risks;

WHEREAS it is necessary to modify the sections 10.4 and 10.9, in particular, since the SOPFEU has added a level in the risk scale and that the ban on burning comes into force as soon as the risk is «high» whereas previously the ban came into force when the risk was «extreme»;

WHEREAS a notice of motion was given at the regular meeting of its Municipal Council held on April 10, 2018, to the effect that a bylaw would be submitted for adoption;

It is

Moved by: Thomas Howard
Seconded by: Susan McKay

THEREFORE, it is ordered and decreed by the Municipal Council of Pontiac and the said Council orders and rules as follows, namely:

SECTION 1 – PREAMBLE

The above-noted preamble is an integral part of the present bylaw.

SECTION 2 - DEFINITIONS

2.1 Heating and cooking appliances

Heating and cooking appliances include any oven, stove, furnace, any electrical appliance or system, steam boiler, hot water boiler, forced air furnace with or without heating ducts, a solid, liquid or gas-fired stove or fireplace.

2.2 Propane room unit

A propane room unit is an appliance of less than 120 000 BTU approved by Canadian standards, intended for outdoor use.

2.3 Smoke alarm

A smoke alarm is a device equipped with a visual or acoustic warning signal designed to initiate an alarm as soon as smoke is detected.

2.4 Carbon monoxide alarm

A carbon monoxide alarm is a device equipped with a visual or acoustic warning signal designed to initiate an alarm as soon as carbon monoxide is detected.

2.5 (Propane and natural) gas alarm

A (propane and natural) gas alarm is a gas warning device equipped with a visual or acoustic warning signal designed to initiate an alarm as soon as propane or natural gas is detected inside a room or a suite in which the device is installed.

2.6 Chimney

A chimney refers to a construction, usually vertical, including one or several flues to evacuate combustible gases outdoors, which may consist of various materials, such as:

- a) Masonry or concrete chimney: Brick, stone, concrete or masonry blocks chimneys, built on site.
- b) Prefabricated chimney: Chimney consisting entirely of factory-made material, designed to be assembled on site without any cutting involved.

2.7 Cord of firewood

A cord of firewood is defined by the following dimensions: 4 ft. (1.2 m) X 8 ft. (2.4 m) X 16 in (40 cm).

2.8 National Fire Code (NFC)

The National Fire Code of Canada 2010 and its amendments.

2.9 Connecting ducts

One or several connecting ducts refers to flue pipes, meant for venting combustible gas, installed between the heating device and the evacuation duct or the chimney.

2.10 Smoke detector

A smoke detector is a device designed to send a signal to the alarm system or panel (connected to a central monitoring station) when the concentration of combustible products in the air exceeds a predetermined level.

2.11 Automatic sprinkler

An automatic sprinkler is a device designed and installed to work under certain determined conditions as a result of a fire.

2.12 Public place

The words « public place » refers to any public property, traffic lane, public land and municipal parks.

2.13 Clearance space

The words « clearance space » refers to the space around a device or equipment that must be free of any construction, obstacle or combustible material.

2.14 Camp fire

A camp fire is an open fire or in a fireplace for recreational or entertainment purposes.

2.15 Consumer fireworks

Fireworks regulated by the Explosives Safety and Security Branch of Natural Resources Canada which allows selling to the general public.

2.16 Fireplace

A fireplace is a device used to burn solid fuels of which at least one of the vertical walls has a large opening or that may be opened for refuelling and viewing the flames.

2.17 Housing

The word « housing » refers to, without restriction, a housing unit, an apartment, a camp, a cottage, a condominium, a shelter, a garage or a suite used for or intended to be used as a place of residence for one or several individuals and which include sleeping facilities or equipment to prepare and eat meals.

2.18 Master chimney sweeper

Any individual or corporation, doing chimney sweeping within the Municipality's boundaries must be qualified according to the ACNOR B-601 standards or certified by the Heating Business Association (HBA).

2.19 Burning permit

A burning permit is an authorization to make a fire related to cleaning and deforestation of any land or for the control of parasitic insects of a non-commercial nature.

2.20 Permit for using pyrotechnical items and fireworks

A permit for using pyrotechnical items and fireworks is an authorization form issued by the Fire Department, or any individual duly authorized to allow the use of pyrotechnical items and fireworks for a specific period. This authorization lists all the conditions that the applicant must meet.

2.21 Person

Natural or legal person.

2.22 Firefighter

Refers to the firefighters of the Municipality whose services are required.

2.23 Signpost

Refers to a stake equipped with a sign to indicate the location of the fire hydrants, dry hydrants or water intakes.

2.24 Representative

Any municipal employee designated by the Director of the Fire Department.

2.25 Low risks

« Low risks » refers to very small buildings, widely spaced, residential buildings of 1 or 2 detached housing units, on 1 or 2 storeys. The types of buildings are identified as warehouses, garages, detached single family homes of 1 or 2 housing units, cottages, mobile homes and rooming houses accommodating fewer than five people.

2.26 Medium risks

« Medium risks » refers to buildings of a maximum of 3 storeys and a surface area of 600 m² at the most. The types of buildings are identified as single-family houses of 2 or 3 storeys, buildings of 8 housing units or less, rooming houses (5 to 9 rooms), Group F, division 3 industrial facilities (workshops, warehouses, show rooms, etc.).

2.27 High risks

« High risks » refers to buildings where the surface area is greater than 600 m², buildings of 4 to 6 storeys, places where the occupants are normally able to evacuate, places without significant amounts of hazardous materials. The types of buildings are identified as commercial buildings, buildings of 9 housing units or more, rooming houses (10 rooms or more), motels, Group F, division 2 industrial facilities (workshops, repair garages, printing plants, service stations, etc.), and agricultural buildings.

2.28 Very high risks

« Very high risks » refers to buildings of more than 6 storeys or poses a high risk of conflagration, places where the occupants cannot evacuate by themselves, places where an evacuation is difficult because of the high number of occupants, places where hazardous materials may be found and places where the impact of a fire is likely to affect the functioning of the community. The types of buildings are identified as business establishments, adjoining buildings in old neighbourhoods, hospitals, shelters, supervised

residences, detention facilities, commercial centres of more than 45 stores, hotels, schools, daycare centres and churches, Group F, division 1 industrial facilities (hazardous materials warehouses, paint factories, chemical plants, flour mills, etc.) water treatment plants and port installations.

2.29 Hall

Room or premises located in a building which is open to the public and used as a gathering place for all kinds of activities.

2.30 Fire Department

« Fire Department (FD) » or « services », used in the present bylaw refers to the Municipality's Fire Department.

2.31 Use

A use refers to the way a building or part of a building and its accessory buildings are used or may be used or occupied as defined by the 2010 NFC and its amendments.

SECTION 3 – GENERALITIES

3.1 Fire prevention

Each time that the Director of the FD or his representative discovers conditions or materials that constitute a danger or a fire hazard in a building or on a property, he may give the order to remove the said material or to remedy the situation.

Failure to comply with these orders constitutes a violation of the present bylaw.

3.2 Enforcement of the bylaw

Peace officers of the MRC des Collines-de-l'Outaouais are authorized to enforce the present bylaw and to initiate criminal proceedings against any offenders with respect to any provision of the present bylaw. The Council authorizes the peace officers to issue violation notices to this end.

The Municipality authorizes the Director General and Secretary-Treasurer as well as any other designated individual to enforce the present bylaw and to initiate criminal proceedings against any offenders with respect to any provision of the present bylaw and consequently, authorizes these individuals to issue violation notices to this end.

3.3 Duties of the service

The FD performs the following duties:

- a) Raises awareness amongst citizens regarding fire hazards and teaches what to do and what not to do in order to reduce the number of fires and the loss of life and property;
- b) Enforces the bylaws regarding Fire Safety enacted by the Municipal Council under the powers vested upon them by the Municipal Code and any safety bylaws pursuant to the delegation of powers that could be conferred to them by the Municipal Council;
- c) Establishes the intervention plans with respect to firefighting for the buildings where low or medium risks are important and the sectors where there is great risk of conflagration;
- d) Upon request of the Urban Planning and the Sustainable Development Department and the Environment, transmits the requirements following the plan revision, the construction permit requests, renovation and business permits, in relation with the Fire Department regulations mentioned in the present bylaw;
- e) Intervenes in any emergency for which:
 - It is authorized to intervene
 - It has the required equipment
- f) Completes all reports pertaining to general offences

3.4 National Fire Code (NFC)

All provisions of the NFC, 2010 version, its amendments and appendices are an integral part herewith as if it were cited in its entirety and are applicable to low and medium risks.

3.5 Visit and inspection of premises

- a) Any individual in charge of enforcing the present bylaw has the authority to visit any residential, industrial, commercial, institutional building and public or accessory building to make the verification or fire prevention inspection, during the day, from Sunday to Saturday, between 8 a.m. and 8 p.m.
- b) In emergency cases, the visit or inspection of property and buildings could be done on any given day, at any time of day or night.
- c) Any individual refusing or making a visit or an inspection difficult is violating the present bylaw.

3.6 Room capacity

The Director of the FD or his representative has jurisdiction on the capacity of a hall. He can control its conformity, that is, he may proceed to its evacuation or prohibit its access if:

- a) The number of people allowed inside determined by its use and occupancy is higher than that authorized or;
- b) Fire safety standards are not met and cannot be rectified prior to the occupancy of this hall.
- c) The number of occupants of any occupied building must be compliant with the standards established by the NFC and the present bylaw. The owner of the hall must provide a sign displaying the maximum number of people legally admissible. This sign must be permanently posted in a visible location near the main entrance of the hall's floor area. The number of people occupying the premises must not exceed the maximum displayed.
- d) Failure to comply with the present section constitutes a violation of the present bylaw.
- e) Any owner of a hall must post a sign inside his premises, with the information required at section 3.6 of this bylaw. The information required by section 3.6 must appear on the sign and the print must be 50 millimetres high and a minimum of 20 millimetres wide. These inscriptions must correspond to the number of people allowed inside the hall.

For this, the owner of the hall must address his request to the Director of the FD or his representative in order to determine the capacity of people that can stay inside the said hall. Once the number is known, the owner must prepare a sign according to section 3.6 c) and post it inside the said hall.

- f) Commits a violation, the owner who does not comply with section 3.6 of the present bylaw.

To have a sign and not post it, in accordance with section 3.6, is a violation in itself.

To have a sign installed, but with the print that does not correspond to section 3.6. e), is a separate violation.

3.7 People's conduct

Constitutes a violation, any individual who hinders or renders the enforcement of the present bylaw more difficult, or deliberately makes an unfounded fire call.

An unfounded fire call refers to a call made where, once at the scene, the individuals enforcing the present bylaw, have no reason to intervene.

3.8 Security perimeter

It is prohibited to cross or to be inside a security perimeter established with appropriate signage (cautionary tape, gate, etc.), by any individual enforcing the bylaw, unless being expressly authorized to do so.

3.9 Acquired rights

No acquired rights pertaining to a property or a construction can prevent the enforcement of a provision of the present bylaw, with respect to fire safety.

3.10 Use of water

During a fire, the Director of the FD or his representative may proceed with a pumping operation from a neighbouring static source that is, a pool, pond, lagoon or tank of any kind. It is understood that the Municipality will have to see to putting everything back to

its original state after having completed.

SECTION 4 – FIRE PREVENTION

4.1 Particular situations or risks constituting a fire hazard

Following the Director of the FD or his representative's recommendations, any individual must remedy without delay to any particular condition, situation or risks constituting a danger or a fire hazard either by using, storing inside or outside, lack of maintenance or simply with materials. Situations or specific risks constituting a fire hazard are the following:

- a) Storage of dangerous or illegal amounts of combustible or explosive materials, or hazardous in other ways.
- b) Hazardous conditions caused by the faulty or non-regulatory installation of material used for handling or use of combustible or explosive material or hazardous in other ways.
- c) Accumulation of garbage, old papers, boxes, grass, dry branches or any other flammable material.
- d) Accumulation of dust, or waste in the air-conditioning or ventilation systems, or grease in the kitchen ventilation ducts and other locations.
- e) Obstruction in emergency exits, stairs, hallways, doors or windows that can interfere with the intervention of the FD's response time or the evacuation of the occupants.
- f) Hazardous conditions created by a building or any other construction, as a result of a lack of repair or an insufficient number of emergency exits or other exits, of automatic sprinklers or other alarm or fire protection equipment, or because of the building's age or dilapidated condition or for any other reason.
- g) Accumulation of any material in the attics, staircases or common areas is forbidden.
- h) No decorating material, that is not fire-resistant, can be placed outside of a commercial building, within 5 metres (15 feet) of any exits of the said building.
- i) Electrical installation must be completed and maintained by an electrician.
- j) Electrical panels must be cleared within one (1) metre of any material.
- k) Propane tank: it is prohibited to store or stock liquid propane tanks of more than 0.9 litre (1 lb) inside a housing unit.
- l) Usage of portable generators: this type of energy must only be used in temporary situations. The devices must be placed outside of buildings and located at a minimum of 4.5 m (15 ft.) of any opening (door, window, air intake...). The generator must be turned off before refuelling it. The user must comply with the manufacturer's recommendations.
- m) Failure to comply with the present section constitutes a violation to the present bylaw.

4.2 Building, housing unit or vacant or abandoned unit

The owner of any unoccupied building must at all times, ensure that all facilities are free of debris or flammable substances and must be exempt of any hazard that could cause injury to others. Furthermore, all openings must be properly closed and locked or barricaded to prevent unauthorized entry.

SECTION 5 – HEATING SYSTEMS

5.1 Heating devices

The use of such devices must be made with the combustible material recommended by the manufacturer and never, under any circumstances, used as an incinerator.

5.2 Approved chimney

Only CSA Warnock Hershey or ULC approved chimneys are authorized to evacuate hot gases to the exterior of a building. No other connection duct can be used as a chimney.

5.3 Ethanol fireplace

Only ULC/ORD-C627.1-2008 approved ethanol fireplaces are recognized on the Municipality's territory as decorative for occasional use. These devices cannot be used as main heating devices.

SECTION 6 – CHIMNEY CLEANING AND STORAGE

6.1 Field of application

This section is applicable to all masonry or prefabricated metal chimney, for a residential building of up to four (4) storeys. Are excluded: chimneys taller or industrial buildings equipped with metal chimneys and for which the owner must take care of the maintenance terms himself, according to the manufacturer.

6.2 Unused chimneys

Unused chimneys, still in place, must be closed at the base and at the top with a non-combustible material.

6.3 Maintenance of chimneys and ducts

Under the owner's responsibility, each chimney and vent installation onto any heating device must be inspected at an interval of at least twelve (12) months or, each time a device is connected or, if there is a chimney fire and this, to keep them free of any dangerous accumulation or combustible fuel deposit. Furthermore, each connecting duct as well as the chimney base must be inspected at least every twelve (12) months. Soot and other debris must be removed after sweeping and put in a metal container, with a lid, designed for this purpose, and placed on a non-combustible surface.

6.4 Ashes and sweeping debris

The ashes and soot residues must be stored outdoors, on a non-combustible surface and at least one (1) metre away from any building, and this, in a metal container, with a lid, designed for this purpose and must not be disposed of in the household garbage or recyclable.

6.5 Chimney cap

- a) Any chimney or vent installation, whatever the type, must have a cap at the top of the chimney or vent in order to prevent the elements and animals from entering.
- b) Notwithstanding the foregoing section 6.5 a), is not applicable to terracotta ducts.

6.6 Storage of firewood

- a) Storage of solid combustible substances, such as firewood, be it indoor or outdoor, must not block an evacuation route, a passageway, a door or a stairway at any time.
- b) Storage of wood inside any housing unit cannot exceed three (3) cords, which must be piled in a safe way.
- c) Notwithstanding section 6.6 a), one (1) cord of wood, maximum, can be stored outside on a balcony, and this, in order to allow a refuge space for the occupants of multi-unit dwellings.

6.7 Chimney sweep

Any natural or legal person, offering a chimney sweeping service in the Municipality's boundaries must be a qualified master chimney sweep.

SECTION 7 – SMOKE ALARM

7.1 Obligation

Smoke alarms must be installed in each building where one sleeps.

7.2 Location

- a) Smoke alarms must be installed between each area where one sleeps and the rest of the building, however, when there are hallways between sleeping areas, smoke alarms must be installed in the hallways.
- b) Smoke alarms must be installed on the ceiling or close to it, according to the installation instructions provided by the manufacturer of the device and the CAN/ULC S531-M standards and should not be painted or obstructed.

7.3 Quantity

At least one smoke alarm must be installed on each storey (including the basement) with

the exception of attics and unheated crawl spaces.

7.4 Electrical alarm

- a) In newer buildings built after the entry into effect of the present bylaw, and in a building undergoing interior renovations after being damaged by fire, for which the estimated renovation cost exceeds thirty percent (30 %) of the property assessment, the smoke alarms must be permanently connected to an electrical circuit and there must be no disconnect switch between the power surge device and the smoke alarm. When a building is not supplied with electrical power, the smoke alarms must be battery-powered.
- b) When several smoke alarms are required, they must be connected together in order to produce an audible signal as soon as one alarm is triggered.

7.5 Replacement

Smoke alarms must be replaced no more than ten (10) years after the manufacturing date or according to the manufacturer's recommendations.

7.6 Battery maintenance

- a) The building owner must install and take the necessary actions to ensure proper functioning of the smoke alarms required by the present bylaw, including the repair and the replacement when necessary. The owner must install a new battery in each smoke alarm when renting an apartment or a room to a new tenant. The owner must provide maintenance instructions for the smoke alarms; the instructions must be displayed in a location that is easily accessible for consultation by the tenants.
- b) A tenant occupying an apartment or a room must take the necessary measures to ensure the proper functioning of the smoke alarms located inside the apartment or the room in which he lives and required by the present bylaw, including changing the battery if needed or the permanent connection to the electrical circuit. If the smoke alarm is defective, he must notify the owner without delay.

SECTION 8 – CARBON MONOXIDE ALARM

8.1 Obligation

A carbon monoxide alarm approved by the « Underwriters Laboratories of Canada » (UL or ULC), must be installed :

- a) When a garage is attached to a residence or an apartment .
- b) When a solid, liquid or gas fuel device is permanently or temporary installed inside any building.

8.2 Location

The carbon monoxide alarm must be installed according to the manufacturer's standards.

8.3 Battery replacement

A tenant occupying an apartment or a room must take the necessary measures to ensure the proper functioning of the carbon monoxide alarm located inside the apartment or the room in which he lives and required by the present bylaw, including changing the battery if needed or the permanent connection to the electrical circuit. If the carbon monoxide alarm is defective, he must notify the owner without delay.

8.4 Replacement

The carbon monoxide alarm must be replaced seven (7) years after their manufacturing date or according to the manufacturer's recommendations.

SECTION 9 – PORTABLE EXTINGUISHER

9.1 Obligation

A functional extinguisher with a minimum capacity of 2.2 kg (5 lb) type ABC must be installed and maintained according to the manufacturer's recommendations, in every low

or medium risk building. When a building is a multi-housing unit, a portable extinguisher, provided and maintained by the owner, is required in each unit.

9.2 Use of a low and medium risk building for the care of children or the elderly

In the case where an establishment provides child care or elderly care services, portable extinguishers must be installed, according to the National Fire Code, to the NFPA-10 standards and must comply in all respects with the applicable guides in Quebec for these types of residences.

SECTION 10 – OUTDOOR FIRES

10.1 Fires

Open fires are allowed when the conditions provided in section 10.2 are met.

10.2 Conditions for open fires

a) An open fire is allowed :

TABLE SHOWING PARTICULARITIES FOR OPEN FIRES DEPENDING ON THE MUNICIPALITY

MUNICIPALITY	PERIOD AUTHORIZED FOR OPEN FIRES
Cantley	<ul style="list-style-type: none"> • Allowed during weekdays – From 6:00 p.m. to 1 : a.m. • Allowed during weekends and holidays– From 8:00a.m. to 1: a.m.
Chelsea	<ul style="list-style-type: none"> • No restriction between October 2 and March 31
L’Ange-Gardien	<ul style="list-style-type: none"> • Between April 1 and October 31 in fireplaces only – From 6:00 p.m. to 1:00 a.m. • Between November 1 and March 31, anytime with a permit
La Pêche	<ul style="list-style-type: none"> • Allowed during weekdays – From 6:00 p.m. to 1:00 a.m. • Allowed during weekends and holidays– From 8:00 a.m. to 1: a.m.
Notre-Dame-de-la-Salette	<ul style="list-style-type: none"> • Allowed during weekdays – From 6:00 p.m. to 1: 00 a.m. • Allowed during weekends and holidays– From 8:00 a.m. to 1: a.m.
Pontiac	<ul style="list-style-type: none"> • Allowed during weekdays – From 6:00 p.m. to 1: 00 a.m. • Allowed during weekends and holidays– From 8:00 a.m. to 1: a.m.
Val-des-Monts	<ul style="list-style-type: none"> • Allowed during weekdays – From 6:00 p.m. to 1: 00 a.m. • Allowed during weekends and holidays– From 8:00 a.m. to 1: a.m.

Must be surrounded with non-combustible material (brick, rocks, stones...).

- b) Must be located at ten (10) metres (33 ft.) from the property lines.
- c) Must be located at ten (10) metres (33 ft.) from any building or fuel tanks.
- d) Must have a clearance of two (2) metres from any combustible material.
- e) Must not exceed a diameter and height of one (1) metre (39 inches).
- f) The fire must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- g) A quick means of extinction must be accessible within a ten (10) metres (33 ft.) radius of the fire.

10.3 Fires in Outdoor fireplace

In the case where an outdoor fireplace is used, the installation must be done as follows and meet the following conditions :

- a) Must have a maximum base of 70 cm x 70 cm (26 in x26 in).
- b) Must be less than 1.5 metres (5 ft.) in height.
- c) Must be equipped with a wired grate.

- d) Must be equipped with a fire screen.
- e) Must be located at six (6) metres (20 ft.) from the property lines.
- f) Must be located at six (6) metres (20 ft.) from any building and fuel tanks.
- g) Must have a clearance of two (2) metres from any combustible material.
- h) Must be installed on a non-combustible base which extends one (1) metre (39 inches) from the device's perimeter.
- i) The fire must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- j) A quick means of extinction must be accessible within a ten (10) metres (33 ft.) radius of the fire.

10.4 The present section applies to fires provided in sections 10.1 to 10.3 inclusively. No fire is authorized when the winds are over fifteen (15) km/h or when the fire risk is "extreme" according to the SOPFEU. **No open fire is allowed when the fire risk is «very high», according with the SOPFEU.** The responsibility of verifying the presence of such conditions lies with the person in charge of a fire. SOPFEU is considered, for the purpose of the present bylaw, as being the reference organization and can be reached at 1-800-567-1206 or www.sopfeu.qc.ca.

10.5 It is prohibited to burn grass, leaves, hay or straw, trash, construction waste, petroleum-based products and any other item deemed to be pollutant.

10.6 Campground fires

- a) Notwithstanding sections 10.1 to 10.3 inclusively, campground owners must submit their own regulations for open fires to the FD for its approval. The said bylaw must address the schedule, location, clearance to follow, the size and the type of installation approved to make fires as well as means of extinction. Section 10.3 and 10.4 apply to open-air fires on campgrounds.
- b) The approved bylaw must be displayed in common public areas of the campground and a copy must be given to the campers.

10.7 Requirements for issuing a burning permit

The requirements for issuing a burning permit are established on the authorization form issued by the Fire Department or any other duly authorized individual. This authorization contains all the following requirements that the applicant must meet:

For fires of 2 metres or less in circumference

- a) Must be located at fifteen (15) metres (50 ft.) from the property lines.
- b) Must be located at fifteen (15) metres (50 ft.) from any buildings or fuel tanks.
- c) Must have a ten (10) metres (33 ft.) clearance from any combustible material.
- d) Must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- e) A quick means of extinction must be accessible within a ten (10) metres (33 ft.) radius of the fire.

For fires of more than 2 metres and less than four (4) metres in circumference

- a) Must be located at thirty (30) metres (100 ft.) from the property lines.
- b) Must be located at thirty (30) metres (100 ft.) from any building or fuel tanks.
- c) Must have a fifteen (15) metres (50 ft.) clearance from any combustible material.
- d) Must be under the constant supervision of an individual able to intervene until the fire has been completely extinguished.
- e) A quick extinction means must be accessible within a ten (10) metres (33 ft.) radius of the fire.

TABLE SHOWING PARTICULARITIES FOR ISSUING BURNING PERMITS DEPENDING ON THE MUNICIPALITY

MUNICIPALITY	PERIOD AUTHORIZED FOR FIRE REQUIRING A PERMIT	MAXIMUM DURATION
Cantley	November 1 to April 30	30 days
Chelsea	November 1 to April 30	2 days
L'Ange-Gardien	November 1 to March 31	30 days
La Pêche	November 1 to May 31	5 days
Notre-Dame-de-la-Salette	12 months a year	2 days
Pontiac	12 months a year	30 days
Val-des-Monts	12 months a year	30 days

In addition to the conditions provided in the authorization form, the applicant of a burning permit agrees to comply with the provisions listed in section 10.5 and 10.6 of the present bylaw.

10.8 Traffic

It is prohibited to make a fire that can affect traffic.

10.9 Provincial ban

No **burning** permit is granted and the **permits previously issued** are automatically suspended, when the flammability index is «**high**» according to the SOPFEU **or when the winds exceed fifteen (15) km/h;**

Only fires made in an installation equipped with a fire screen are authorized when the flammability index is «very high» and no fire can be lit when the flammability index is “extreme” according to SOPFEU or when open fires are banned by government authorities (provincial or federal).

10.10 Limitation of liability

Obtaining a permit to build a fire does not free the applicant from his usual responsibilities, in the case where disbursements or damages result from the fire having been lit.

10.11 Issuing permits

The permits are issued by the Municipality.

SECTION 11 – BARBECUE (BBQ), OUTDOOR GRILL (COOKING DEVICES)

11.1 Distance from the property lines and clearance of BBQ, grill and cooking devices

- a) For barbecues (BBQ) : a clearance of one (1) metre (3 ft.) from the property lines and any combustible material and three (3) metres (10 ft.) from any fuel tanks, with the exception of the barbecue fuel supply.
- b) For grills and other cooking device installations, a clearance of three (3) metres (10 ft.) from the property lines and from any fuel tank, with the exception of the grill(s) fuel supply, and there must be a clearance of two (2) metres (6 ft.) from any combustible material.

SECTION 12 – FIREWORKS

12.1 Prohibition

It is prohibited to light any pyrotechnic items or firecrackers on the Municipality’s territory without having first obtained a permit to that effect.

12.2 Fireworks during gatherings

- a) Fireworks are permitted during public gatherings or during an event, conditional to ensuring the presence of a recognized pyrotechnician, authorized to enforce the security measures and obtaining a permit to that effect.
- b) The presence of a Fire Department representative during these events could be required depending of the case, and this, at the discretion of the Fire Department.

12.3 Family type fireworks

For family-type fireworks, a permit as well as a descriptive sheet listing the security measures must be issued by the Municipality, and this, for each event.

12.4 Issuing permits

Fireworks permits are issued by the Municipality. The conditions for issuing a fireworks permit are established on the authorization form issued by the Fire Department, or any other duly authorized individual. This authorization contains all the following provisions which the applicant must comply with:

SECTION 13 – ACCESS TO BUILDINGS

13.1 The Fire Department's access to buildings

The entrances, right of ways as well as private roads must be maintained and clear of any obstacle to allow free access by the Fire Department in any season.

13.2 Snow removal from the exits

- a) Access to exits of any building must be free of snow and any obstruction in order to ensure the safe evacuation of occupants and the access to the Fire Department.
- b) The exits located in the backyard and the other sides of the buildings must have a hallway of a minimum of sixty (60) centimetres (24 inches) leading to the main entrance of the residence.

SECTION 14 - USE, ACCESS AND MAINTENANCE OF THE FIRE HYDRANTS AND WATER INTAKE

14.1 Access

The fire hydrants, dry hydrants, water intakes and pumping stations must not be obstructed.

It is strictly prohibited to surround or hide a fire hydrant, a dry hydrant, a water intake and a pumping station with a fence, a wall, shrubs or others. No vegetation, flowers, shrubs, bush or tree can obstruct a fire hydrant, a dry hydrant, a water intake and a pumping station unless the said vegetation meets the two (2) metres (6 ft.) clearance requirements.

14.2 Sign

It is prohibited to install a sign of any kind on a fire hydrant, a dry hydrant, a water intake and a pumping station or within the two (2) metres (6 ft.) clearance of the latter.

14.3 Garbage – Anchoring – Decorating

It is prohibited to leave garbage or debris close to a fire hydrant, a dry hydrant, a water intake and a pumping station or within the clearance space. It is prohibited to tie or to anchor anything to a dry hydrant or to decorate, in any way whatsoever a fire hydrant or a water intake.

14.4 Protection

It is prohibited to install any type of protective structure around a fire hydrant, a dry hydrant, a water intake and a pumping station without first obtaining the authorization of the Director of the Fire Department or his authorized representative.

14.5 Obstruction

Tree branches near a fire hydrant, a dry hydrant, a water intake and a pumping station must be cut at a minimum height of two (2) metres (6 ft.) from the ground. It is prohibited to deposit snow or ice on a fire hydrant, a dry hydrant, a water intake and a pumping station or within its clearance space. It is prohibited to modify the land profile in a way that could affect the visibility, the access or the use of a dry hydrant.

14.6 Installation

It is prohibited to install or to build anything that is likely to impair visibility, or the access to, or the use of a fire hydrant, a dry hydrant, a water intake and a pumping station or to install a non-functional or decorative fire hydrant on a property which is adjacent to a road.

14.7 Use

The Fire Department and Public Works employees of the Municipality are the only individuals authorized to use the fire hydrants, the dry hydrants, the water intakes and the pumping stations. Any other individual who must use the fire hydrants, the dry hydrants, the water intakes and the pumping stations must first obtain the authorization from one of

the directors mentioned above, or from one of their authorized representatives.

14.8 Responsibility

Any individual, with the exception of the Municipality's Fire Department and Public Works employees, having received the authorization to use a fire hydrant, a dry hydrant, a water intake and a pumping station is responsible for any damage to the latter and shall pay for the cost of the repairs, if needed.

14.9 Private system

Private dry hydrants, used by the Fire Department, located on a private property, must be maintained in good working condition and be visible and accessible at all times. Dry hydrants located in shelters must be clearly identified and easily accessible at all times.

14.10 Signpost

It is prohibited for anyone to remove or change the location of the signposts of a fire hydrant, a dry hydrant, a water intake and a pumping station.

14.11 Paint

It is prohibited for anyone to paint, in any way whatsoever, the fire hydrants, the dry hydrants, the water intakes and the pumping stations, the signposts and the signs.

14.12 Identification

Only the signposts and the signs recognized by the Municipality must be used to identify the location of fire hydrants, dry hydrants, water intakes and pumping stations.

14.13 Damages

Anyone who damages breaks or sabotages fire hydrants, dry hydrants, water intakes, pumping stations and signposts shall pay for the cost of the repairs or the replacement.

SECTION 15 – PENAL PROVISIONS

15.1 Offences

Anyone violating one of the provisions of the present bylaw is committing a violation and is liable to:

- a) A minimum fine of two hundred dollars (\$200) and a maximum fine of one thousand dollars (\$1 000) for a natural person.
- b) A minimum fine of one thousand dollars (\$1 000) and a maximum fine of three thousand dollars (\$3 000) for a legal person.

15.2 Continuity of the offence

If an offence continues, each day will constitute a separate offence and the offender is liable to a fine for each day the offence continues.

15.3 Fees related to the compliance with the present bylaw

By Court order, any fees or expenditures incurred by the Municipality as a result of a contravention to the present bylaw by a defendant are repayable in full to the Municipality.

15.4 Payment default

Failing payment of the fine and fees, the Municipal Court fine collector may exercise the powers under the Code of Criminal Procedure with respect to the means of enforcement and the collection of fines.

SECTION 16 – ABROGATION

The present bylaw abrogates all provisions included in the following bylaws, enacted with respect to Fire Safety under numbers 01-04 (open fire), 074-86 (alarm in case of a fire), which could be incompatible with the present bylaw.

SECTION 17 – INTERPRETATIVE PROVISIONS

17.1 The masculine gender and the singular are used in the present bylaw without discrimination and include the feminine gender and the plural in order to avoid a

laborious text.

- 17.2** In the case where a part or a clause of this bylaw would be declared invalid by a recognized court, the validity of all other parts or clauses could not be questioned. The Council hereby declares adopting the bylaw part by part, regardless of the fact that one or several of these parts could be declared null and void by the Court.

SECTION 18 – ENTRY INTO EFFECT

The present bylaw will come into effect after the accomplishment of formalities enacted by Law.

Carried

GIVEN IN PONTIAC (QUEBEC), this 8th day of two thousand and eighteen.

Benedikt Kuhn
Director General

Joanne Labadie
Mayor

Notice of motion: April 10, 2018
Adopted: May 8th, 2018
Resolution: 18-05-3426