

ADMINISTRATIVE COMPILATION

STANDARDIZED BYLAW NUMBER 21-RM-05

TO SET STANDARDS FOR FIRE SAFETY IN THE

MUNICIPALITY OF PONTIAC

Adopted by the Municipal Council on June 8, 2021
Entry into force on June 16, 2021

Name and/or number of bylaw, policy, resolution	Date of approval by Council	Date of coming into force	Status
Bylaw 18-RM-05	May 8, 2018	May 13, 2018	Amended
Bylaw 01-04	May 11, 2004	June 25, 2004	Repealed

PREFACE

The reader is hereby advised that any errors or omissions that may be identified in the text below do not affect the enforceability of the regulations and amendments referred to therein, as sanctioned in their original version.

**STANDARDIZED BYLAW 21-RM-05 TO SET STANDARDS FOR
FIRE SAFETY IN THE MUNICIPALITY OF PONTIAC**

REGULAR meeting of the Council of the Municipality of Pontiac, held on June 8, 2021, by videoconference, at which meeting were present:

The Mayor, Mrs. Joanne Labadie

The Council Members:

Leslie-Anne Barber
Susan McKay
Nancy Draper-Maxsom
Thomas Howard
Scott McDonald
Isabelle Patry

All Council members and being a quorum.

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

WHEREAS under Chapter 1 of the Fire Safety Act, the Municipality has obligations imposed or powers granted for the protection of persons and property against fires of any kind, except for forest resources protected under the Forest Act (R.S.Q., chapter F-4.1);

WHEREAS all the municipalities of the MRC des Collines-de-L’Outaouais have adopted or will adopt the same bylaw in order to standardize its application on the territory of the MRC;

WHEREAS a notice of motion was given at the regular meeting of the Municipal Council held on May 11, 2021, to the effect that this bylaw would be submitted for approval;

WHEREAS a draft by-law was tabled at the public meeting of May 11, 2021;

THEREFORE, it is moved by Councillor Thomas Howard and seconded by Councillor Scott McDonald.

AND RESOLVED THAT IT IS RULED AND DECREED BY THE COUNCIL OF THE MUNICIPALITY OF PONTIAC THAT THIS PRESENT BYLAW RULES AND DECREES THE FOLLOWING:

SECTION 1 – PREAMBLE

The preamble to this bylaw forms part of this bylaw.

SECTION 2 – PURPOSE

The purpose of this bylaw is to enact, legislate and better regulate the rules and provisions for the protection of persons and property against fires of any kind and for environmental aspects.

SECTION 3 – DEFINITIONS

Unless otherwise stated, either expressly or as a result of the context of the provision, the following expressions, terms and words shall have the meaning and application in these regulations ascribed to them in this section:

3.1 Propane room heater :	Refers to an appliance of less than 120,000 BTU certified to Canadian standards, designed for outdoor use.
3.2 Heating and cooking appliances:	Means any oven, furnace, furnace, electric appliance or system, steam boiler, hot water boiler, ducted or unducted hot air furnace, stove and fireplace fuelled by solid, liquid or gaseous fuel.
3.3 Smoke alarm:	Designates a device with a built-in audible or visual signal, designed to sound the alarm as soon as smoke is detected.
3.4 Gaz detector (propane and natural):	Means a gas alarm with an audible signal designed to sound the alarm upon detection of propane or natural gas in a room or suite in which it is installed.
3.5 Carbon monoxide alarm:	Refers to a device with a built-in audible or visual signal, designed to give the alarm upon detection of carbon monoxide.
3.6 Chimney:	Refers to a generally vertical construction containing one or more flues for venting flue gases to the outside which may be of various constructions such as:
a) Masonry or concrete chimney:	a chimney made of brick, stone, concrete or masonry blocks built on site.
b) Prefabricated Chimney:	A chimney composed entirely of factory-made components designed to be assembled in the field without shaping.
3.7 Prevention Code (NFC):	Means the National Fire Code of Canada 2015 and its amendments.
3.8 Connecting pipe:	Refers to the piping, used for the evacuation of combustion gases, between the heating appliance and the flue or chimney.
3.9 Firewood cord:	Refers to a cord of firewood with the following dimensions: 4' (1.2 m) X 8' (2.4 m) X 16" (40 cm).
3.10 Smoke Detector:	Means a device designed to transmit a signal to the alarm system or panel (whether or not connected to a control panel) when the concentration of combustion products in the air exceeds a predetermined level.
3.11 Public Place - Public property:	Means any property, roadway, public land, park, ditch, road, street, entrance, bank, riverfront, recreational facilities or spaces, parking area, bridge or any other place or building and infrastructure of the municipal or public domain, located within the limits of the Municipality, any strip of land of the Municipality up to the land of any adjacent private property, including the approaches and entrances of all properties of the Municipality, as well as any other public property belonging to the Government of Quebec and its agencies, and likely to be frequented by the general public.
3.12 Clearance Space:	Refers to the space surrounding an appliance or equipment that must be free of all construction, obstructions or combustible materials.

3.13 Ambient Fire - Open fire:	Means an open fire that is lit for recreational or entertainment purposes.
3.14 Fireworks:	Refers to fireworks that are permitted for sale to the general public under Natural Resources Canada's explosive regulations.
3.15 Outdoor fireplace:	Means an appliance or structure used to burn solid fuel and provided with a spark (10 mm - 1 cm) and ignited for recreational or entertainment purposes.
3.16 Automatic sprinkler:	Means an appliance constructed and installed so that it will operate under certain specified conditions resulting from the action of a fire.
3.17 Grill:	Refers to a high temperature outdoor cooking appliance.
3.18 Housing:	Means, but is not limited to, a dwelling, apartment, camp, cottage, condominium, shelter, garage or suite used or intended to be used as a dwelling for one or more persons and which includes facilities for sleeping or facilities for preparing and consuming meals.
3.19 Master Chimney Sweep:	Refers to any person, natural or legal, who wishes to sweep chimneys within the limits of the Municipality must be qualified according to the standards in force or accredited by the <i>Association des Professionnels du Chauffage (APC)</i> .
3.20 EPA Standard:	Refers to the U.S. Agency responsible for setting environmental standards for the United States.
3.21 Burning Permits:	Means an authorization given to make a fire in connection with the cleaning or clearing of any land or for the control of pests of a non-commercial nature.
3.22 Permits for the Use of Fireworks:	Means an authorization form issued by the Fire Department, or any duly authorized person, for the purpose of permitting, for a specified period of time, the use of pyrotechnics and fireworks. This authorization contains all the conditions that the applicant must respect.
3.23 Person:	Refers to any natural or legal person.
3.24 Firefighter:	Designates the firefighters employed by the Municipality whose services are required.
3.25 Indicator post:	Designates a stake with a sign at the end to indicate the location of fire hydrants, dry hydrants or water outlets.
3.26 Representative:	Means any employee of the Municipality designated by the Director of the Fire Department.
3.27 High risk:	Refers to buildings with a floor area greater than 600 m ² (6,458 square feet), buildings 4 to 6 stories high, locations where occupants are normally able to evacuate, locations without significant quantities of hazardous materials. Building types are identified as commercial establishments, business establishments, buildings with 9 or more dwelling units, rooming houses (10 or more rooms), motels, Group F, Division 2 industrial establishments (workshops, repair garages, printing shops, gas stations, etc.), and agricultural buildings.

- 3.28 Low risk:** Refers to very small, widely spaced, 1 or 2 units, 1 or 2 story, detached residential buildings. Building types are identified by sheds, garages, single-family detached residences of 1 or 2 dwelling units, cottages, mobile homes, and rooming houses of less than 5 bedrooms.
- 3.29 Medium risk:** Refers to a building of no more than 3 storeys and a footprint of no more than 600 m² (6,458 square feet). Building types are identified as 2 or 3 storey attached single-family residences, apartment buildings, and 8 dwellings or less, rooming houses (5 to 9 bedrooms), Group F, Division 3 industrial establishments (workshops, warehouses, sales rooms, etc.)
- 3.30 Very high risk:** Refers to buildings over 6 stories or with a high risk of conflagration, locations where occupants cannot evacuate on their own, locations involving difficult evacuation due to large numbers of occupants, locations where hazardous materials are likely to be found, and locations where the impact of a fire is likely to affect community functioning. Building types are identified as business establishments, attached buildings in older neighbourhoods, hospitals, nursing homes, assisted living facilities, detention facilities, shopping centres with more than 45 stores, hotels, schools, day care centres, and churches, Group F, Division 1 industrial establishments (hazardous materials warehouses, paint plants, chemical plants, feed mills, etc.), and water treatment plants and port facilities.
- 3.31 Room:** A room or space in a building that is open to the public and serves as a gathering place for all types of activities.
- 3.32 Fire Safety Service :** Designates the Municipality's Fire Safety Department.
- 3.33 SOPFEU** Refers to the Forest Fire Protection Society.
- 3.34 Use** Means the principal purpose for which a building or portion thereof and its accessory buildings are or may be used or occupied as defined by the 2010 NFC and its amendments.

SECTION 4 - GENERAL INFORMATION

4.1 Fire prevention

Whenever the Director of the Fire Department or his representant discovers conditions or materials in a building or on property that constitute a fire hazard or risk, he or she may issue an order to remove such materials or remedy such conditions.

Failure to comply with such orders shall constitute a violation of these rules.

4.2 Application of the regulation

The peace officers of the MRC des Collines-de-l'Outaouais are authorized to enforce this bylaw and to undertake penal proceedings against any offender of any provision of this bylaw. The Council authorizes these persons to issue the necessary statements of offence for this purpose.

The Municipality authorizes the Director General and Secretary-treasurer as well as any other person designated by her to apply the present bylaw and to undertake penal proceedings against any offender to any of the provisions of the present bylaw and consequently authorizes these persons to issue the useful statements of offence for this purpose.

4.3 Service function

In addition to the Fire Department mission statement adopted by bylaw 01-17, the Fire Department also performs the following functions:

- a) Educates the public on the dangers of fire and teaches them the do's and don'ts to reduce the number of fires and loss of life and property.
- b) Ensure the enforcement of any Fire Safety bylaw enacted by the Municipal Council pursuant to the powers conferred upon it by the Quebec Municipal Code and any safety bylaw which may be assigned to it by Municipal Council.
- c) Establish firefighting response plans for buildings where low and medium hazards are significant and neighbourhoods where conflagration hazards are high.
- d) Transmits, upon request from the Planning and Sustainable Development and Environment Departments, the requirements following the revision of plans, applications for construction permits, renovations and business permits, in relation to the fire safety regulations set out in this bylaw.
- e) Intervenes in all emergency for which:
 - He is authorized to intervene
 - He has the required equipment
- f) Completes all general violation reports.

4.4 National Fire Code (NFC)

All provisions of the NFC, 2010 version, its amendments and appendices are included as if they were recited here at length.

4.5 Site Visit and Inspection

- a) Any person charged with the enforcement of this bylaw shall have the right to enter any residential, industrial, commercial, institutional, and public building or accessory building for the purpose of conducting a fire prevention audit or inspection during the daytime hours of 8:00 a.m. to 8:00 p.m. from Sunday to Saturday.
- b) In the event of an emergency, visits and inspections of the grounds and buildings may be made daily, at any time of the day or night.
- c) Any person who refuses or makes difficult a visit or inspection is in violation of this bylaw.

4.6 Hall capacity

The Director of the Fire Service or his representative has jurisdiction over the capacity of a hall. He may control the compliance of the hall, i.e., he may evacuate it or prohibit access to it if:

- a) The number of persons permitted inside is calculated according to its purpose and is greater than that permitted or;
- b) Fire safety standards are not met and cannot be corrected prior to occupancy.
- c) The number of occupants in any given building in occupancy mode shall be in accordance with the standards established by the NFC and this bylaw. The owner of the hall shall provide a sign indicating the maximum number of persons that may be legally admitted. Such sign shall be permanently posted in a conspicuous place near the main entrances to the floor area of the hall. The number of persons admitted to an area shall not exceed the maximum number posted.
- d) Failure to comply is an offence under this bylaw.
- e) Every hall owner shall post a sign inside the hall containing the information required by section 4.6 of this bylaw. The information required by section 3.6 must appear on the sign and the characters must be 50 millimetres (2 inches) high and a minimum of 20 millimetres (¾ inch) wide. Such markings shall correspond to the number of persons permitted inside said room.

To do so, the hall owner shall apply to the Director of the Fire Service or his or her designate to determine the capacity of persons who may remain in the hall. Once this capacity is obtained, the hall owner shall make a sign in accordance with Section 4.6 c) and post it inside the hall.

It is a violation to have a sign without posting it in accordance with Section 4.6.

Having the sign installed, but the typeface does not comply with section 4.6 (e) is a separate offence.

4.7 Conduct of persons

It shall be an offence for any person to obstruct or make more difficult the enforcement of this bylaw or to willfully make an unfounded fire call.

An unfounded fire call means a call where the persons enforcing this bylaw do not perform any fire response action once on the scene.

4.8 Security perimeter

No person shall cross or be within a security perimeter established by appropriate signage (tape, barrier, etc.) by any person enforcing the bylaw unless specifically authorized to do so.

4.9 Acquired rights

No vested right in any land or structure shall prevent the application of any provision of this bylaw relating to fire safety.

4.10 Use of water

In the event of a fire, the Director of the Fire Department or his representative may proceed with a pumping operation from a nearby static source, such as a pool, pond, basin or reservoir of any kind. It is understood that the Municipality shall ensure that the area is restored to its original condition after completion of the operation.

SECTION 5 - FIRE PREVENTION

5.1 Particular situations or risks constituting a fire hazard

Upon notification by the Director of Fire Department or his representative, any person shall immediately remedy any condition, situation or hazard that constitutes a fire hazard or risk either by use, indoor or outdoor storage, lack of maintenance or simply by materials. The specific situations or hazards constituting a fire hazard are as follows:

- a) The storage of dangerous or illegal quantities of combustible, explosive or otherwise hazardous materials.
- b) Hazardous conditions constituted by the defective or improper installation of equipment used in the handling or use of combustible, explosive or otherwise hazardous materials.
- c) The accumulation of garbage, paper wastes, boxes, grass, dry branches or other flammable materials.
- d) Accumulation of dust or debris in air conditioning or ventilation systems, or grease in ventilation ducts in kitchens and other areas.
- e) Obstruction of emergency exits, stairways, corridors, doors, or windows, which may impede the response of the ISS or the evacuation of the occupants.
- f) Unsafe conditions created by a building or other structure because of lack of repair or inadequate emergency exits or other exits, automatic sprinklers or other fire alarm or protection equipment, or because of the age or dilapidated condition of the building or for any other cause.
- g) The accumulation of any materials in roof spaces, stairwells or common areas is prohibited.
- h) Any decorative material that does not represent fire resistance shall not be placed on the exterior of a commercial building within 5 metres (15 feet) of any exit from the building.

- i) Electrical installations shall be completed and maintained by a qualified electrician.
- j) Electrical panels shall be kept one (1) metre (3 feet) clear of all materials.
- k) Propane tanks: No person shall store or keep tanks of liquid propane gas more than 0.9 litres (1 pound) within a dwelling unit.
- l) Use of portable generators: This type of energy should only be used in temporary situations. Units should be located outside of buildings and a minimum of 4.5 metres (15 feet) from any opening (door, window, air intake...). The generator must be shut down before refuelling. The user must respect the manufacturer's recommendations.
- m) Failure to comply with this section is an offence under this bylaw.

5.2 Vacant or disused building, dwelling or premises

The owner of any unoccupied building shall always ensure that the premises are free from debris or flammable substances and shall be free from any hazard that may cause harm to others. In addition, all openings shall be properly closed and locked or barricaded to prevent entry by unauthorized persons.

SECTION 6 - HEATING SYSTEM

6.1 Heating appliances

The use of such appliances must be done with the fuels recommended by the manufacturer and in no case serve as an incinerator.

6.2 Approved chimney

Only CSA, Warnock Hershey or ULC approved chimneys are permitted to vent hot gases outside a building. No connecting flu can be used as a chimney.

6.3 Ethanol fireplace

Only ULC/ORD-C627.1-2008 approved ethanol fireplaces are recognized for use in the Municipality as decorative items for occasional use. These appliances may not be used as a primary heating source.

SECTION 7 - CHIMNEY SWEEPING AND STORAGE

7.1 Area of application

This section applies to any masonry or prefabricated metal chimney in a residential building up to four (4) stories high. Excluded are chimneys in taller buildings and industrial buildings with metal chimneys where the owner is responsible for the maintenance of the chimney according to the manufacturer.

7.2 Unused chimneys

Unused but still existing chimneys must be sealed at the base and end with non-combustible material.

7.3 Chimney and flue maintenance

Under the responsibility of the owner, each chimney installation and vent on all heating appliances shall be inspected at intervals not exceeding twelve (12) months or whenever an appliance is connected or a chimney fire occurs, in order to keep them free of any hazardous accumulation or combustible deposits. In addition, each flue and the base of the chimney must be inspected at intervals of not more than twelve (12) months. Soot and other debris shall be removed after sweeping and placed in a metal container with a lid provided for that purpose and placed on a non-combustible surface.

7.4 Ashes and chimney sweeping

Ashes and chimney sweeping shall be stored outside on a non-combustible surface at least one (1) metre (3 ft.) from any building in a metal container with a lid provided for that purpose and shall not be disposed of in the waste material.

7.5 Chimney cover

- a) Every chimney or vent installation, regardless of type, shall be capped at the end of the chimney or vent to prevent entry by weather and animals.
- b) Notwithstanding the above in Section 7.5(a), does not apply to terra cotta ducts.)

7.6 Firewood Storage

- a) The storage of solid fuel, such as firewood, whether indoors or outdoors, shall at no time obstruct an escape route, passageway, door or stairway.
- b) The storage of wood within any dwelling shall not exceed three (3) cords, which shall be stacked (corded) in a secure manner.
- c) Notwithstanding Section 7.6(a), a maximum of one (1) cord of wood may be stored outside on a balcony to provide refuge space for occupants of multi-unit buildings.

SECTION 8 - SMOKE DETECTOR

8.1 Obligation

Smoke detectors must be installed in every building where people sleep.

8.2 Location

- a) Smoke detectors shall be installed between each sleeping area and the remainder of the dwelling unit, except that where sleeping areas are served by corridors, smoke detectors shall be installed in the corridors.
- b) Smoke detectors shall be mounted on or near the ceiling in accordance with the installation instructions provided by the appliance manufacturer in accordance with CAN/ULC S531-M and shall not be painted or obstructed.

8.3 Number

At least one smoke detector shall be installed on each floor (including the basement) except for attics and unheated crawl spaces.

8.4 Electrical alarm

- a) In new buildings constructed after the coming into force of this bylaw and in burned-out buildings undergoing interior renovations estimated to cost more than thirty percent (30%) of the assessed value of the building, smoke detectors shall be permanently connected to an electrical circuit and there shall be no disconnecting device between the overcurrent protection device and the smoke detector. Where a building is not supplied with electrical power, smoke detectors shall be battery operated.
- b) Where more than one smoke detector is required, the smoke detectors shall be interconnected in such a manner that an audible signal is emitted whenever one of the detectors is activated.

8.5 Replacement

Smoke detectors must be replaced no later than ten (10) years from the date of manufacture or as recommended by the manufacturer.

8.6 Battery Maintenance

- a) The building owner shall install and take the necessary steps to ensure the proper operation of the smoke detectors required by this bylaw, including repair and replacement, where necessary. The owner shall place a new battery in each smoke detector so powered when leasing the dwelling unit or room to any new tenant. The landlord shall provide instructions for the maintenance of smoke detectors and such instructions shall be posted in a readily accessible location for reference by tenants.
- b) Every tenant occupying a dwelling unit or room shall take steps to ensure the proper operation of smoke detectors located within the dwelling unit or room occupied by the tenant and required by this bylaw, including changing the battery as necessary or permanently connecting the battery to the electrical circuit. If the smoke detector is defective, he or she shall notify the owner without delay.

SECTION 9 - CARBON MONOXIDE DETECTOR

9.1 Obligation

A carbon monoxide detector approved by the "Underwriters Laboratories of Canada" (UL or ULC) must be installed:

- a) Where a garage is integrated or incorporated into a residence or dwelling.
- b) Where an appliance burning either solid fuel or liquid or gaseous fuel is permanently or temporarily installed within any building.

9.2 Location

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

9.3 Battery Replacement

Every tenant occupying a residence, dwelling unit or garage shall take steps to ensure the proper functioning of carbon monoxide detectors located within the residence or dwelling unit occupied by him or her and required by this bylaw, including permanently connecting the detector to the electrical circuit or changing the battery, as necessary. If the carbon monoxide detector is defective, he or she shall notify the owner without delay.

9.4 Replacement

Carbon monoxide detectors should be replaced seven (7) years after the date of manufacture or as recommended by the manufacturer.

SECTION 10 - PORTABLE FIRE EXTINGUISHER

10.1 Obligation

A working fire extinguisher with a minimum capacity of 2.2 kg (5 lbs.) type ABC shall be installed and maintained according to the manufacturer's recommendations in each low and medium risk building.

Where a building is a multi-unit dwelling, a portable fire extinguisher is required in each unit, which must be provided and maintained by the owner.

10.2 Use of a low and medium risk building for the care of children or elderly persons.

In the case of a daycare service for children or the elderly, portable fire extinguishers must be installed in accordance with the National Fire Code, NFPA-10 and must comply in all respects with the guides applicable in Quebec for these types of residences.

SECTION 11 - OUTDOOR FIRES

11.1 Fires

Ambient (open air) fires are permitted when the conditions set out in Appendix "A" are met.

11.2 Open-air fire conditions - Appendix A

- a) An open-air fire is permitted in accordance with the criteria set out in Appendix "A" for each municipality with respect to information regarding the duration of burning permits.
- b) Appendix "A" may be repealed and replaced individually by resolution of the Town Council of each municipality as required.
- c) Be surrounded by non-combustible materials (bricks, rocks, stones...).
 - i. Be located ten (10) metres (33 feet) from property lines.
 - ii. Be located ten (10) metres (33 ft.) from any building or fuel storage tank.
 - iii. Have a clearance of two (2) metres (6 feet) from all combustible materials.
 - iv. Not exceed a maximum height of one (1) metre (3 ft) and a maximum diameter of one (1) metre (3 ft).
 - v. The fire must be under the continuous supervision of a person who has the ability to intervene until the fire is completely extinguished.

- vi. A means of rapid extinguishing shall be available within ten (10) metres (33 feet) of the fire.

11.3 Outdoor fireplace

In the case of fires in an outdoor fireplace, the layout must be done as follows and comply with the following conditions:

- a) Must have a maximum base of 70 cm X 70 cm (26" X 26").
- b) Be less than 1.5 metres (5 feet) in height.
- c) Be equipped with a screen.
- d) Be equipped with a spark arrestor (10 mm) (1 cm).
- e) Be located six (6) metres (20 feet) from property lines.
- f) Be located six (6) metres (20 feet) from any building and fuel tanks of any building.
- g) Have a clearance of two (2) metres (6 feet) from all combustible materials.
- h) Resting on a non-combustible base.
- i) The fire shall be under the continuous supervision of a person who has the ability to intervene until the fire is completely extinguished.
- j) A means of rapid extinguishing shall be available within six (6) metres (20 feet) of the fire.

11.4 This section applies to the fires set out in sections 11.1 to 11.3 inclusive. No fire shall be permitted when winds exceed twenty (20) km/hr or when the flammability rating is "extreme" according to the Société de protection des forêts contre le feu (SOPFEU). No open fires are permitted when the flammability index reaches a rating of "very high" according to SOPFEU. The responsibility for verifying the presence of such conditions rests with the person responsible for the fire, SOPFEU is considered, for the purposes of this bylaw, to be the reference organization and can be contacted at 1 800 567-1206 or www.sopfeu.qc.ca.

11.5 The burning of grass, leaves, hay, grass straw, waste materials, construction waste, petroleum-based products and any other items deemed to be polluting is prohibited.

11.6 Campground Fires

- a) Notwithstanding Sections 11.1 to 11.3 inclusive, campground owners shall submit their own fire regulations to the Fire Department for approval. Such bylaw shall set out the hours of operation, locations, clearances, size and type of facilities approved and the provision of extinguishing media. Sections 11.3 and 11.4 shall apply to campground fires.
- b) The approved bylaw shall be posted in the common public areas of the campground and a copy shall be provided to campers.

11.7 Conditions for Issuance of Burning Permit

The conditions for the issuance of a burning permit are established on the authorization form issued by the Fire Department or any duly authorized person. This authorization contains, among others, all the following conditions that the applicant must respect:

For fires up to 2 metres in diameter

- a) Be located fifteen (15) metres (50 ft.) from property lines.
- b) Be located fifteen (15) metres (50 ft.) from any building or fuel tanks.
- c) Have a clearance of ten (10) metres (33 feet) from all combustible materials
- d) The fire shall be under the continuous supervision of a person who has the ability to intervene until the fire is completely extinguished.
- e) A means of rapid extinguishing shall be available within ten (10) metres (33 feet) of the fire.

For lights over 2 metres (6 ft.) and less than four (4) metres (12 ft.) in diameter

- a) Be located thirty (30) metres (100 feet) from property lines.
- b) Be located thirty (30) metres (100 feet) from any building or fuel tank.
- c) Have a clearance of fifteen (15) metres (50 feet) from all combustible materials.
- d) The fire shall be under the continuous supervision of a person who has the ability to intervene until the fire is completely extinguished.
- e) A means of rapid extinguishing shall be available within ten (10) metres (33 feet) of the fire.
- f) A means of rapid extinguishing shall be available within ten (10) metres (33 feet) of the fire.

The authorized period for fires requiring a burning permit and the maximum authorized period are set out in Appendix "B", which may be repealed and replaced individually by resolution of the Municipal Council of each municipality as required.

In addition to the conditions set out in the authorization form, the applicant for a burning permit agrees to comply with the conditions set out in Section 11 of this bylaw.

11.8 Road traffic

No one will be allowed to make a fire that impedes traffic.

11.9 Prohibited

No open-air fires with or without a permit are permitted when the flammability rating is "high" according to SOPFEU or when winds exceed 20 km/hr. Permits already issued are automatically suspended for the duration of the ban.

Only fires in a facility equipped with a spark arrestor are permitted when the flammability rating is "high or very high".

No fire at any facility should be lit when the flammability rating is "extreme" according to SOPFEU or when prohibited by government authorities (provincial or federal).

11.10 Limitation of liability

The granting of a permit to set a fire does not relieve the person who has obtained the permit of his or her ordinary responsibilities in the event that any expense or damage results from the fire so set.

11.11 Issuance of Permits

Permits are issued by the Municipality.

11.12 Respect for the neighbourhood and the environment

It is an offence to have any odour, smoke or other matter perceptible outside the property where a fire is, or was present, even if the fire is, or was made in accordance with this bylaw.

SECTION 12 - OUTDOOR BARBEQUE (BBQ), GRILL (COOKING APPLIANCES)

12.1 Distance from property lines and clearance from BBQs, grills, and cooking appliances

- a) For BBQs: a clearance of one (1) metre (3 ft.) from property lines and all combustible materials and three (3) metres (10 ft.) from any fuel tank, except for the tank that feeds the BBQ.
- b) For grills and other cooking facilities, a clearance of three (3) metres (10 ft.) from property lines and from any fuel tank, except the tank supplying the grill(s), and a clearance of two (2) metres (6 ft.) from all combustible materials must be provided.

SECTION 13 – FIREWORKS

13.1 Fireworks at gatherings

- a) A fireworks display is permitted at a public gathering or event by ensuring the presence of a recognized fireworks supervisor who is authorized to enforce safety measures and by obtaining a permit to that effect.
- b) The presence of a representative of the Fire Safety Department at such events may be required on a case-by-case basis at the discretion of the Fire Safety Department.

13.2 Family Type Fireworks

For family-type fireworks, a permit and a sheet outlining safety measures must be issued by the Fire Department for each event.

13.3 Issuance of Permits

Fireworks permits are issued by the Fire Department. The conditions for the issuance of a fireworks permit are set out on the authorization form provided for this purpose. This authorization contains, among others, all of the conditions that the applicant must respect.

13.4 Prohibited

It is forbidden to light pyrotechnics, firecrackers or flying Chinese lanterns on the territory of the Municipality without having first obtained a permit from the Fire Department to this effect.

SECTION 14 - ACCESS TO BUILDINGS

14.1 Access to buildings by the Department

The entrances, rights of way and private roads must be maintained and cleared of all obstructions and allow the free movement of Fire Department vehicles at all times.

14.2 Snow Removal from Exits

- a) Access to all building exits shall be kept clear of snow and obstructions to ensure the safe evacuation of occupants and access to the Fire Department.
- b) Exits to the rear yard and other sides of buildings shall be provided with a corridor of a minimum of sixty (60) centimetres (24 inches) of access to the main entrance of the residence.

SECTION 15 - USE, ACCESS AND MAINTENANCE OF HYDRANTS AND WATER INTAKES

15.1 Access

Fire hydrants, dry hydrants, hydrants and pump stations shall not be obstructed.

No person shall enclose or conceal a fire hydrant, hydrant, hydrant or pumping station with a fence, wall, shrubbery or otherwise. No vegetation, flowers, shrubs, bushes or trees shall obstruct a fire hydrant, hydrant, water intake or pumping station unless such vegetation meets the two (2) metres (6 ft.) clearance requirements.

15.2 Signs

No person shall place any signs on a fire hydrant, hydrant, water intake or pumping station or within the two (2) metres (6') clearance therefrom.

15.3 Residual materials - Anchoring – Decoration

No person shall deposit any waste material or debris near a fire hydrant, hydrant, water intake or pumping station or in their clearance area. No person shall attach or anchor anything to a hydrant or decorate a hydrant or intake in any manner.

15.4 Protection

No person shall install any protective structure around a fire hydrant, dry hydrant, water intake or pumping station without the prior approval of the Fire Chief or his authorized representative.

15.5 Obstruction

Tree branches in the vicinity of a fire hydrant, hydrant, water hydrant or pumping station shall be cut back to a minimum height of two (2) metres (6 feet) above ground level no person shall deposit snow or ice on a fire hydrant, hydrant, water intake or pumping station or in the clearance area thereof. No person shall alter the contour of any property in such a manner as to interfere with the visibility, access or use of a hydrant.

15.6 Installation

No person shall install or erect anything that interferes with the visibility of, access to or use of a fire hydrant, hydrant, water intake or pumping station or install a non-functional or decorative fire hydrant on land adjacent to a highway.

15.7 Use

The employees of the Fire Department and the Public Works Department of the Municipality are the only persons authorized to use the fire hydrants, dry hydrants, water intakes or pumping stations. Any other person who is required to use the fire hydrants, dry hydrants, water intakes or pumping stations must first obtain authorization from one of the Directors of the aforementioned departments or their authorized representatives.

15.8 Responsibility

Any person, excluding employees of the Fire Department and Public Works Department of the Municipality, who has been authorized to use a fire hydrant, dry hydrant, water intake or pumping station shall be liable for any damage caused thereto and shall pay the cost of repairs, if any.

15.9 Private system

Private fire hydrants, for the use of the fire department, located on private property shall be maintained in good working order and be always visible and accessible. Private hydrants located in shelters shall be clearly marked and readily accessible at all times.

15.10 Signpost

No person shall remove or change the location of any hydrant, hydrant, intake or pump station signpost.

15.11 Paint

No person shall paint, in any manner whatsoever, fire hydrants, dry hydrants, water intakes or pumping stations, signposts and signs.

15.12 Identification

Only signposts and signs recognized by the Fire Department shall be used to identify the location of fire hydrants, dry hydrants, hydrants, or pump stations.

15.13 Damages

Any person who damages, breaks, or sabotages fire hydrants, dry hydrants, hydrants or pumping stations or signposts shall be responsible for the cost of repair or replacement.

SECTION 16 - PENALTY PROVISIONS

16.1 Offence

Any person who contravenes any of the provisions of this bylaw is guilty of an offence and is liable:

- a) To a fine of not less than three hundred fifty dollars (\$350.00) or five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00) for an individual.
- b) To a fine of not less than one thousand dollars (\$1,000) and not more than three thousand dollars (\$3,000) for a corporation.

16.2 Continuity of Offence

If an offence continues, it shall constitute a separate offence on a day-by-day basis and the offender shall be liable to the fine for each day on which the offence continues.

16.3 Fees for Compliance with this bylaw

Upon order of the court, any costs or expenses incurred by the Municipality as a result of a contravention of this bylaw by a defendant shall be refunded in full to the Municipality.

16.4 Default of payment

If the fine and costs are not paid, the Collector of Fines of the Municipal Court may exercise the powers provided for in the Code of Penal Procedures with respect to the enforcement of judgments and the collection of fines.

SECTION 17 – REPEAL

This bylaw repeals and replaces bylaws number:

- 01-04: concerning open fires
- 18-RM-05: To amend bylaw number 16-RM-05 - To enact fire safety standards

SECTION 18 - INTERPRETATION PROVISIONS

- 18.1** The masculine and singular genders are used in these rules without discrimination and include the feminine and plural genders to avoid excessive text.
- 18.2** In case of any discrepancy between the French and the English version, the French version will prevail.

18.3 PARTIAL INVALIDITY OF REGULATIONS

If any part or clause of this bylaw is declared invalid by a recognized court, the validity of all other parts or clauses shall not be affected. Municipal Council hereby declares that it adopts the bylaw in part, notwithstanding that any part or parts thereof may be declared by the Court to be void and of no effect.

SECTION 19 - COMING INTO FORCE

This bylaw shall come into force upon completion of the formalities prescribed by Law.

Adopted at Pontiac, this June 8, 2021

JOANNE LABADIE
Mayor

PIERRE SAID
Director General and Secretary-treasurer

Notice of motion :	May 11, 2021
Presentation of the draft bylaw :	May 11, 2021
Adoption of the bylaw :	June 8, 2021
Notice of promulgation/coming into force :	June 16, 2021
Transmission to MAMH:	June 16, 2021

APPENDIX A

MUNICIPALITY	AUTHORIZED PERIOD FOR OPEN FIRES
Cantley	<ul style="list-style-type: none">• Weekday permits – From 6:00 p.m. to 1:00 a.m.• Weekend permits and public holidays – From 8:00 a.m. to 1:00 a.m.
Chelsea	No restriction between October 2 nd and March 31 st
L’Ange-Gardien	<ul style="list-style-type: none">• Between April 1st and October 31st , fireplaces only – From 6:00 p.m. to 1:00 a.m. Between November 1 st and March 31 st , permit required at all times
La Pêche	<ul style="list-style-type: none">• Weekday permits – From 6:00 p.m. to 1:00 a.m.• Weekend permits and public holidays – From 8:00 a.m. to 1:00 a.m.
Notre-Dame-de-la-Salette	<ul style="list-style-type: none">• Weekday permits – From 6:00 p.m. to 1:00 a.m.• Weekend permit and public holidays – From 8:00 a.m. to 1:00 a.m.
Pontiac	<ul style="list-style-type: none">• Weekday permits – From 6:00 p.m. to 1:00a.m.• Weekend permits and public holidays – From 8:00 a.m. to 1:00 a.m.
Val-des-Monts	<ul style="list-style-type: none">• Weekday permits – From 6:00 p.m. to 1:00 a.m.• Weekend permits and public holidays – From 6:00 p.m. to 1:00 a.m.

APPENDIX B

**TABLE OF PARTICULARS FOR THE ISSUANCE OF
BURNING PERMITS BY MUNICIPALITY**

MUNICIPALITY	PERIOD ALLOWED FOR FIRES REQUIRING A PERMIT	MAXIMUM TIME
Cantley	November 1st to April 30	30 days
Chelsea	November 1st to April 30	2 days
L’Ange-Gardien	November 1st to March 31	30 days
La Pêche	November 1st to May 31	5 days
Notre-Dame-de-la-Salette	12 months per year	2 days
Pontiac	12 months per year	30 days
Val-des-Monts	12 months per year	7 days