

THE TOWN OF DAUPHIN

BY-LAW NUMBER 4295

BEING A BY-LAW OF THE TOWN OF DAUPHIN FOR FIRE PREVENTION STANDARDS WITHIN THE TOWN OF DAUPHIN.

WHEREAS it is deemed expedient and advisable to pass a By-Law to provide generally for the protection of life and property from damages by fire and to regulate burning within the Town of Dauphin.

NOW THEREFORE THE COUNCIL OF THE TOWN OF DAUPHIN IN SESSION ASSEMBLED, ENACTS AS FOLLOWS:

1. For the purpose of reference to standards for the general protection of the public and prevention of fire, the requirements of the current edition of the Manitoba Fire Code and all amendments thereto shall apply.
 2. In addition to the requirements of the Manitoba Fire Code, any other requirement listed in this By-Law shall also apply.
 3.
 - (i) Authority Having Jurisdiction: means the Municipal Council and the duly appointed agents thereof.
 - (ii) Fire Chief: means the person appointed by Town Council, Chief of the Fire Department of the Town of Dauphin.
 - (iii) Inspector: means the Chief of the Fire Department or other officer or person designated as an Inspector by the Council of the Town of Dauphin.
 4.
 - (i) Burning is prohibited within the Town of Dauphin except where approval, in the form of an authorized BURNING PERMIT, has been obtained. All Burning Permits are issued subject to the conditions stated on the Permit.
 - (ii) Applications for Burning Permits shall be made at the Engineering Department of the Town of Dauphin. The Permit is not valid until endorsed by the Fire Chief or designated officer.
 - (iii) Burning Permits shall be issued for approved incinerators on an annual basis. Such Permits shall be terminated December 31st of the year of issuance. All incinerators shall be approved by the Fire Chief of the Town of Dauphin.
 - (iv) Burning of private barbecues without a Burning Permit is permitted, provided the appliance has been approved by C.S.A., U.L.C., C.G.A., or other equivalent testing agency.
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- (v) The cost of a Burning Permit shall be as per resolution of Council of the Town of Dauphin for annual (approved incinerators) as well as for temporary (special) Burning Permits.

5. As in accordance with the current Fires Protection Act of Manitoba an Inspector shall, for the purpose of carrying out an inspection, at reasonable times, have free access and right of entry to any building or any part of a building in the Town of Dauphin.
6. If an Inspector finds that any provision of the By-Law has been contravened or has not been complied with or has been complied with improperly or only in part or that conditions exist in or upon a building or property to which this By-Law applies which, in his opinion, constitute a fire hazard or otherwise constitute a hazard to life or property or both, he may issue an order to ensure full and proper compliance with this By-Law and, in particular, but without limiting the generality of the foregoing, he may:
 - (i) make to the owner, occupier, or lessee of the building or property such recommendations as he deems necessary to correct the contravention or to ensure compliance with the By-Law or to remove the hazards referred to in this By-Law;

.or.
 - (ii) make such orders as he deems necessary with respect to any of the matters referred to in this By-Law.
7. An Order made under this By-Law shall be in writing and shall be directed to the owner, occupier or lessee of the building or property in respect of which the order is made, or to both.
8. Any person against whom an Order has been issued under the By-Law may appeal, in writing, to Council through the Secretary-Treasurer of the Town of Dauphin within ten (10) days of the receipt of such Order and the decision of the Council thereon shall be final.
9. Whenever in any building or premises there exists any flammable, combustible, or explosive material or substance, or any dangerous or unnecessary accumulation of waste materials or litter of vegetation of a nature especially liable to fire, and those materials are situated, in the opinion of the Inspector, as to endanger life or property or to obstruct ingress or egress from the building in case of fire, or which may be liable to interfere with the operations of the Fire Department, or where any other condition exists which is considered by the Inspector to be a fire hazard, the occupant of the building or premises shall forthwith, on the order of the

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Inspector, have the flammable, combustible or explosive material or substance, or the accumulation of waste materials or litter removed, disposed or of otherwise dealt with in accordance with the order.
10. The owner of any vacant building in the Town of Dauphin 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 closed and fastened so as to prevent the entry of unauthorized persons.
11. By—Law No. 1876, No. 3597, No. 3187, and No. 4082 are hereby repealed.
12. This By-Law shall come into force and take effect on the day of the final passing thereof.

DONE AND PASSED THIS in Council assembled this
day of _____ 1992.

. Mayor
Secretary-Treasurer