MRC BY-LAW 202-2014
PROVIDING FOR FIRE PREVENTION ON THE TERRITORY
OF MRC PONTIAC

WHEREAS the entry into force on 10th of October 2011 of the safety cover plan for the Pontiac MRC under the Fire Safety Act (RSQ, C. S-3.4);

WHEREAS the actions proposed in the cover plan are the upgrade and standardization of regulatory measures with regards to fire safety;

WHEREAS that according to Article 16 of the Fire Safety Act, municipalities are required to adopt regulations on fire safety;

WHEREAS the municipalities of the Pontiac MRC have adopted resolutions to delegate their authority to the Pontiac MRC for the adoption of regulations regarding smoke detectors;

WHEREAS a notice of motion of this bylaw was previously given at the regular meeting of August 26th, 2014;

WHEREAS as required by the law, the members of the board of Mayors of the Pontiac MRC received a copy of the draft regulation and declare that they have read it or waive the reading;

WHEREAS the municipalities must enforce this bylaw in their territory;

CONSEQUENTLY it is proposed by Mr. Terry Murdock and unanimously resolved:

That the bylaw number 202-2014 abrogates all previous By-Laws providing for fire prevention on the territory of MRC Pontiac and to be adopted and that it is ruled and stated a bylaw as follows:

Article 1- Preamble The preamble is an integral part of the bylaw.

Article 2- Interpretation

**Competent authority:** The director, a firefighter, a fire prevention technician, a municipal inspector or any other competent authority designated by the Council.

**Director (chief):** the director of a fire safety service of a municipality.

**Building:** any structure used or intended to be used to shelter or receive persons, animals or things.

**Smoke alarm:** detection device with built-in signal, designed to sound a local alarm on detection of smoke in the room or area in which it is installed.

**Smoke detector:** Detection device designed to automatically transmit an electrical signal that triggers a general alarm to a zone or the building via an alarm system

**Fire Alarm system:** System that allows the transmission of an alarm to a fire alarm company.

**Unit:** Suite serving or designated to serve one or more person and that is generally equipped with washroom and cooking installations and places to eat and sleep.
**Decrepit:** State of deterioration of a product by time.

**Low risk building:**
- Small buildings
- Residential buildings, 1 or 2 units, 1 or 2 storey, detached

**Medium risk building:**
- Building with a maximum ground surface of 600m² (6458ft²)

**High risk building:**
- with a ground surface over 600 m² (6458ft²)
- 4 to 6 storeys
- Locations where occupants are usually capable of evacuating
- Locations with no significant amount of hazardous substances

**Very high risk building:**
- Premise of more than 6 stories or with a high risk of conflagration
- Premises where occupants cannot easily evacuate unassisted
- Premises involving difficult evacuation given the high number of occupants
- Premises where hazardous substances are likely present
- Premises where the impact of a fire is likely to affect community operations.

**Article 3 – Smoke alarm and smoke detectors**

3.1-The owner of an existing building must immediately provide it with at least one battery or electrically operated smoke alarm or smoke detector on each floor of a home including the basement but excluding non heated attics.

3.2-All smoke alarms which the installation is required by this regulation must be approved by the «Canadian Standards Association (CSA) » or «Underwriter’s Laboratories of Canada (ULC) ».

3.3-The smoke alarm or detector must be installed according to the manufacturer’s instructions and at one of the following locations:
- On the ceiling, more than 10 cm (4 inches) from the wall and a minimum distance of 45 cm (18 inches) from an air duct or an air vent;
- On a wall, provided that the top of the smoke alarm or detector is not less than 10 cm (4 inches) or more than 30 cm (12 inches) from the ceiling.

In the case of a cathedral ceiling, the smoke alarms can be installed;
- At a minimum of 10cm (4 inches) and a maximum of 90 cm (36 inches) from the top of the ceiling.

3.4-Smoke alarms or detectors in a dwelling must be installed between each sleeping area and the rest of the dwelling. However, when the sleeping areas are accessible by hallways, smoke alarms or detectors must be installed in the hallways.

3.5-When a floor area exceeds 130 square meters (1399 square feet), a smoke alarm or detector must be installed for each additional unit of 130 square meters (1399 square feet) or part of a unit.

3.6-A smoke alarm or detector cannot be installed where the ambient conditions including but not limited to the humidity, the heat, the cold is located outside of the limits specified by the manufacturer.

3.7-No one can paint or alter whatsoever a smoke alarm and/or a smoke detector.

3.8-In a building constructed under a construction permit issued after October 10th, 2011 or in buildings subject to renovations where the estimated cost (for the renovation permit issuance) exceed 30% of the building evaluation or in building that are subject to an occupancy change,
- Smoke alarms must be permanently connected to an electrical circuit bearing the seal of approval of certification of the Canadian Standards Association (CSA), there shall be no disconnection device between the surge protection device and the smoke alarm. When a building is not supplied with electricity, smoke alarms may be powered by a battery.
When more than one smoke alarms are connected to an electrical circuit, the smoke alarms must be interconnected between each other in order to trigger them all automatically when one of them is triggered.

3.9 The tenant of any dwelling or any bedroom must take steps to ensure the smooth operation of the smoke alarm or detectors located inside the dwelling or the room the tenant occupies and insist that the battery be changed annually as required by this bylaw. The tenant must also notify the owner immediately if the smoke alarm or detector is defective.

3.10 In a building with more than one unit with a common access at ground level, the owner must install a smoke alarm or a smoke detector in each stairwell and one in the middle of each corridor. If the corridor has over 20 meters (66 feet) in length, one alarm for each additional section of corridor 20 meters (66 feet) in length.

3.11 The owner must replace, as recommended by the manufacturer, smoke alarms or detectors and immediately replace defective ones. In addition, the owner must provide tenants with instructions on how to care for the smoke alarms or detectors and must put a new battery in all smoke alarms that are installed in the buildings before the tenant takes possession of its housing or building. The owner must also make sure that the smoke alarms be replaced every ten years following the manufactured date on the device.

3.12 The owner of an existing hotel or motel must immediately equip it with a smoke alarm or smoke detector following the requirements in effect when the building was constructed or modified and following the requirements of this bylaw.

Article 4 – Senior and supervised homes
The Chapitre Bâtiment Code de Sécurité (CBCS) is adopted in totality and also includes senior homes that are not part of the certification process and the emergency plan and procedures according to the guide pratique sur la prévention des incendies et l'évacuation des résidences pour personnes âgées.

4.1 In a private senior home or in a senior home with rooms other than single family ones, not equipped with a fire alarm system where 10 people or more can sleep, a smoke alarm must be installed;
   - In every bedrooms
   - In every hallways
   - In every room used as common area or activity room

The smoke alarms must be permanently electrically connected between each other in order that when one smoke alarm is triggered they are all triggered.

4.2 In a private senior home or in a senior home with rooms other than single family ones equipped with a fire alarm system where 10 people or more can sleep, a smoke alarm must be installed in every sleeping room in addition to the smoke detectors. The smoke alarms must be permanently connected to an electrical panel.

4.3 In the case of a residence with units, each unit must be equipped with at least one smoke alarm. It must be installed in the hallway that connects the bedrooms, or, if there is no hallway, between the bedrooms and the rest of the unit. In the case of a 2 story residence, a smoke alarm is required on each floor. The smoke alarms must be permanently connected to an electrical panel and must be interconnected between each other so when one smoke alarm is triggered in the unit they are all triggered. If there are more than 10 residents that sleep in the residence and that this residence is not equipped with a fire alarm system, you have to installed smokes alarms in every hallways, commons and activity rooms.

4.4 The evacuation stairways, the mean of evacuations and the common hallways must be equipped with an emergency lighting system that can be functional for at least 30 minutes in case of outage of the primary electricity source.

4.5 Exit door in the basement
In a private senior home, an exit door going directly outside from the basement must be installed if one or more seniors sleep in the basement.
4.6-Except if a room is equipped with sprinklers, each bedroom must have at least an outside window or an outside door that opens from the inside without a key, tools or special knowledge.

4.7-The window mentioned above must have an opening of at least 0.35m² without any dimension to be less than to 380mm.

4.8-Every supervised residence where 10 residents or more but less than 30 can sleep must:
- Be equipped with a single or dual alarm fire alarm system.
- The fire alarm system must be monitored by a company even for a single signal fire alarm system.
- Photoelectric smoke detectors must be installed in each room. When triggered, these detectors must transmit an audible and visible signal that allows the personal affected to these rooms to see where the alarm is coming from.

4.9-In a supervised residence where 9 residences or less can sleep and that is not equipped with a fire alarm system;
- A smoke alarm must be installed in every bedroom, in the hallways and common areas.
- The smoke alarms must be photoelectric.
- The smoke alarms must be monitored.
- The smoke alarms must be interconnected and linked to visual alarms allowing the staff to see where the alarm is coming from.

This applies to private senior homes and supervised residences

4.10-You must install a carbon monoxide alarm in a private senior home or a supervised residence if it is equipped with a combustion appliance.

4.11-An evacuation plan must be established by the owner or representative and must include the minimal requirements;
- A main evacuation path.
- A secondary evacuation path.
- The location of the portable fire extinguishers and pull stations.
- The gathering area.
- Include the evacuation procedures.
- The different cardinal points (North, South, East, West).
- The 911 number in red.

4.12-The gathering area must be clearly identified outside and must be accessible at all time.

4.13-The evacuation plans and evacuation procedures must be displayed on each floor of the residence at strategic locations and be accessible to the public.

4.14-The evacuation procedures must be communicated to the residents no matter the type of residence.

4.15- Emergency plan and procedures must be done by the owner or representative and be based on « le guide pratique sur la prévention des incendies et l’évacuation des résidences pour personnes âgées »

4.16-The emergency plan and procedure must be updated as soon as a change is brought to the residence.

4.17-The emergency plan and procedures and the evacuation plan must be approved by the fire prevention technician of the Pontiac MRC.

4.18-At least one annual evacuation exercise must be performed by the fire prevention technician.

4.19-If during a fire drill the time frame for the evacuation is not met; other means shall be considered in order to meet the requirements such as the addition of equipments for the evacuation or the hiring of additional employees.
Article 5 – Change of occupancy

5.1 If a building changes its original occupancy for a new one; the new occupancy must follow the codes in effect for the new occupancy.

Article 6 – Fire risk control

The chapter applies to the storage, handling and use of flammable and combustible liquids in a building or outside.

6.1 Except if there is a mean to control the risk of fire or explosion, it is forbidden to use a dispositive or to conduct operation or activities that produce flames, sparks or heat.

6.2 The flammable or combustible liquids must be stored in their original containers or a container made for the liquids it contains. The containers must remain closed at all time when they are not used. It is forbidden to over fill a container above its safety level.

6.3 The way chosen to store flammable or combustible liquids must ensure the physical and chemical stability of the product that are being stored.

6.4 Housekeeping and exploitation methods must be established to avoid flammable or combustible liquids, gas or any other material to spread or enter in areas where they can constitute a risk of fire or explosion.

6.5 The electrical equipments must be in accordance with Chapter V of the construction code if it is installed where gas, vapor, dust or fiber is found in sufficient quantities to create a risk of fire or explosion.

Article 7 – Fire alarm system, fire suppression system or detection systems

7.1 The fire alarm system, including the emergency communication system, must always be in good working order.

7.2 Fire alarm systems must be tested and inspected following CAN/ULC-S536 standard, “Inspection et mise à l’essai des réseaux avertisseurs incendie”.

7.3 The fire alarm system and their components must be verified in order to make sure of their operation is in accordance with CAN/ULC-S537 standards.

7.4 When an alarm system is equipped with a bell or any other signal designed to give an alert outside the protected premises, the said system shall be designed in such a way as to not produce any sound signal consecutively for a period of more than twenty (20) minutes.

7.5 In a building where a sprinkler system is required, this system must be maintained and tested according with NFPA-25 « Inspection, Testing and Maintenance of Water-Based Fire Protection Systems ».

7.6 In a building where a commercial kitchen sprinkler system is required, the use, the inspection and maintenance of the extraction and protection systems must be in accordance with NFPA 96 « Standard for ventilation control and fire protection of commercial cooking Operations ».

7.7 Portable fire extinguishers must be inspected, tested and maintained following NFPA-10 standards “Portable fire extinguisher”.

7.8 The owner of a public building must give, as requested and at its expense, to the fire security service or to the fire prevention technician, a detailed report attesting the good condition of the following points;

- Fire alarm system
- Automatic fire sprinkler
- Detection system
- Stand pipe system
- Special agent sprinkler system
- Commercial kitchen fire suppression system
7.9: The report requested must be dated of 12 months or less and be issued by a person or entity holding a valid license of entrepreneurship in the field of activities related to the system to be certified.

7.10: It is forbidden to store products at 450mm or less from the sprinkle head or any other type of detectors of a system.

7.11: No one can paint or damage whatsoever a detector or any other devices that are part of a alarm, detection or extinction system.

7.12: When a transformation, a construction, an addition or a change of occupancy of an existing building is required, the alarms and detection systems must also be modified so the building can meet the same level of safety. An update of these systems could be subject to a retroaction in order to meet the requirements of the code in effect.

7.13: The owner must install a detection system if its building is equipped with a system using a specific gas

**Interruption of a fire alarm, extinguishing or detection system**

7.14: In the case of a temporary or partial interruption of a fire alarm, extinguishing or detection system for any reason, including maintenance and inspections, replacement measures must be taken in order to make sure the occupants can be notified and the fire service can be called if a fire occurs during the interruption.

1) The owner or representative must, before doing the work on the system, inform the competent authority within 24h preceding the work to be done on the system.

2) The owner or representative must also inform the competent authority within 24h after the work is done on the system.

7.15: It is forbidden for anyone to operate a fire alarm, extinguishing or detection system without authorisation or legitimate need. Unauthorized operation of these systems is subject to penalties mentioned in this bylaw.

7.16: When the competent authority has reasons to believe the a fire alarm, extinguishing or detection system is defective, damaged or voluntarily put out of service when a potential risk is still present, it can require, from the owner or representative, a written request that the system needs to be inspected and if repairs are to be done on the system, they must be done and a certificate of good condition must be given to the competent authority within the time frame given.

**Article 8 – Electricity**

Are parts of the bylaw, the following articles of the building code chapter electricity. (Articles 9 to 21 and 24)

8.1: An electrical installation shall be used for the purposes of which it was designed and intended and it shall be kept in a safe and proper working condition.

8.2: Any electrical equipment used in an electrical installation or any equipment permanently connected to such installation shall be approved for the use for which it is intended.

8.3: An electrical installation shall be used and maintained in a manner that does not constitute a fire hazard.

8.4: Any required rectification shall be made to an electrical installation when hazardous operating conditions have developed due to, in particular, intensive use, wear and tear, obsolescence or modifications.

8.5: The marking which indicates the minimum ratings of electrical equipment shall be complied with. Where a component of the equipment must be replaced, the features of the new component shall be compatible with those indicated by the marking.
8.6 - A bare live part shall be protected against any accidental contact or be located in an inaccessible place or compartment.

8.7 - Service entrance equipment, panel boards and distribution equipment shall be readily accessible at all times.

8.8 - Electrical equipment vaults shall not be used for storage purposes.

8.9 - Electrical equipment vaults shall not be maintained at excessive temperatures.

8.10 - Electrical equipment vaults shall be inaccessible.

8.11 - Overcurrent devices shall be of a current rating appropriate for their use. They shall not show obvious signs of damage or overheating. Their connections shall neither be loose nor corroded.

8.12 - Overcurrent devices shall be of a type and current rating appropriate for the protected electrical installation and be replaced, if need be, by devices of the same current rating.

8.13 - Electrical equipment shall comply with Chapter V of the Construction, if it is in the presence of flammable gases or vapours or airborne combustible dusts or fibres in sufficient quantity to constitute a fire or explosion hazard.

8.14 - An extension cord cannot be used or installed permanently.

8.15 - Emergency lights must be inspected on a regular basis to make sure of its good condition.

Article 9 – Competent authority

9.1 - The competent authority of a municipality is responsible of the application of this bylaw.

9.2 - This bylaw applies to every building located on the territory of the Pontiac MRC.

9.3 - The competent authority can visit at any time, between 09h00 and 19h00 and outside this time frame with an appointment or in case of emergency, any lot or any building to make sure that this bylaw is followed.

9.4 - Any owner, lessee of a lot or a building must allow the competent authority the right to enter on its lot or building in order to inspect the lot or building.

9.5 - The competent authority, on the presentation of an ID card, as the right to enter on any lot or building at any time in order to examine the inside or outside of any building (built or under construction) to inspect the construction and/or the occupation, the installations and their use in order to verify that the articles of this bylaws are followed. The competent authority can be accompanied with any qualified person.

9.6 - It is forbidden to impede the actions of any persons acting lawfully regarding this bylaw. No one whatsoever obstruct, oppose, attempt to oppose or delay any inspection as defined in this bylaw.

9.7 - If the competent authority has reasons to believe that hazards exist in the use, state/condition of a lot or building concerning the fire prevention or the safety of people, they can require that appropriate measures be taken right away in order to eliminate or to confine the hazard or to order the immediate evacuation of the people inside the building or lot and/or forbid the access as long as the hazard is present.

9.8 - Any competent authority is authorised to enter at any time in every building protected by an alarm system if no one is present in order to deactivate the signal if it has been lasting for more than 20 minutes.

9.9 - The municipality shall be authorized to claim from any user of an alarm system the expenses incurred in case of a defect or malfunction, namely the expenses incurred for purposes of entering a building, in accordance with section 9.8.
9.10-When there is a violation of one or more articles of this bylaw and when in the case where a correction time frame can be authorized, the competent authority can issue a written notice telling the owner to remedy to the deficiency.

9.11-The owner or lessee must let the competent authority know of the corrections that has been completed to the building within 10 business day.

9.12- Failure by the offender to comply with the correction notice and to report the corrective measures taken constitutes an infraction.

Article 10 – Infraction

10.1-The competent authority or any other person named by this person, can issue a statement of offence if it has the reasons to believe that an offence to this bylaw has been committed.

10.2-Whoever contravenes any provision of the bylaw commits an offense and is liable to a fine of one hundred dollars ($100) for persons and two hundred dollars ($200) for corporations, for a first offense and two hundred dollars ($200) for persons and four hundred dollars ($400) for corporations, for each subsequent offense within one year after the first offense, in each case the costs are extra.

10.3-It is an offense and renders the user liable to the fines provided for in article 10.5 if the system was activated due to a defect or malfunction for the buildings identified as high and very high risk.

10.4-Failing any evidence to the contrary, the activation of an alarm system shall be presumed to have been caused by a defect or malfunction, where there is no evidence or trace of the presence of a fire or the beginning of a fire on the protected premises upon arrival of the competent authority.

10.5-Whoever contravenes to article 10.3 commits an offence and is liable to a fine of one thousand dollars (1000$) for persons and two thousand dollars (2000$) for corporations.

10.6-Under the code of criminal procedure, any competent authority of the Pontiac MRC or from the municipality and the police officers from “la Sûreté du Québec” are authorised to issue written warnings of statements of offence on the name of the Pontiac MRC or the municipality for which the infraction has been committed. Notwithstanding court prosecution, the Pontiac MRC and/or the municipality can enforce any other type of prosecution necessary for this bylaw to be followed.

CARRIED

Notice of motion: August 26th, 2014
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SIGNED

Rémi Bertrand
Director General and Secretary Treasurer

Raymond Durocher
Préfet