



TOWN OF WINDSOR BYLAW # 18 PREVENTION OF FIRE BYLAW

18.01 No person being in any building or structure on which or in which notices have been posted by order of a fire marshal to forbid smoking therein shall therein light any lamp, match, cigar, cigarette, pipe or cigarette or other lighter.

Section 1

Section 18.02 of the Prevention of Fire Bylaw is hereby repealed. (03/05/97).

Section 2

The following is enacted to replace Section 18.02 of the Prevention of Fire Bylaw:

- 18.02**
- (a) No person shall within the Town make, light, start or burn or cause to be made lighted, started or burned any fire without first having obtained a burning permit from the Fire Chief of the Windsor Fire Department or his designate.
 - (b) The Fire Chief of the Windsor Fire Department or his designate is authorized to receive and process applications for a burning permit and to issue burning permits pursuant to the provisions of this Bylaw.
 - (c) The Fire Chief of the Windsor Fire Department or his designate may refuse to issue a burning permit that would in his sole discretion be a hazard to health or safety. For the purpose of determining whether issuing a burning permit would be a hazard to health or safety, the Fire Chief or his designate may take into consideration the following factors:
 - (i) The number of permits which are or are likely to be issued on a particular day.
 - (ii) The availability of fire fighting personnel and equipment.
 - (iii) The wind velocity.
 - (iv) The general weather conditions prevalent.
 - (v) The evidence of the applicant for a burning permit of satisfactory precautions for controlling the burning.
 - (d) A burning permit shall only be issued to an applicant who is:
 - (i) Of the legal age of nineteen years.

- (ii) The owner of the property on which the burning is to take place or is the occupant of the property and has the written authorization of the owner.
 - (iii) Agrees to comply with the terms and conditions of the burning permit.
- (e) A burning permit may specify the following terms and conditions:
- (i) The date, time and place that the burning shall occur.
 - (ii) The number of persons which shall be present to control the spread of the fire.
 - (iii) The fire fighting equipment such as brooms, rakes, water back tanks, garden hoses, and adequate water supply or any other suitable implements for fighting fires.
 - (iv) Such other terms and conditions as the Fire Chief or his designate may determine.
- (f) A burning permit shall not be issued by the Fire Chief or his designate for the following:
- (i) If the burning is to occur within 150 metres or 500 feet of an adjoining property owners building.
 - (ii) If the burning is to occur in a residential zone.
 - (iii) If the burning is to be largely composed of grass or leaves.
- (g) No burning permit shall be issued for the burning of any petroleum or petroleum based products such as plastics, rubber, tires, foam, asphalt roofing products or any other class B materials.
- (h) The applicant for a burning permit shall submit with his application a fee of \$25.00 which if the permit for burning is refused shall be refunded to him without interest.
- (i) The Fire Chief of the Windsor Fire Department or his designate may cancel a burning permit at any time if in his sole discretion he deems that there would be a hazard to health or safety for all or any of the reasons specified by paragraph 3 herein or any other reason.
- (j) Nothing in this Bylaw shall apply to burning of wood or wood products in a brick or metal barbecue for recreational or social purposes including but not restricted to food preparation.
- (k) Nothing in this Bylaw shall apply to the Windsor Fire Department while engaged in training sessions or other related activities if authorized by the Fire Chief or his designate. **(03/05/97)**.

18.03

No person shall place nor continue to use if now placed in any buildings owned or occupied by him any combustion burning stove, furnace or appliance without having a space of at least eighteen (18) inches between such stove or furnace and any woodwork unless the woodwork is properly protected by a screen of good bright tin plate or other proper fire-retardant material with an air space of at

least one inch between the tin plate or other proper fire-retardant material and the woodwork, and in no case shall any person place or continue in use any such stove or furnace pipe unless there shall be a space of at least twelve inches between such stove or furnace pipe and the woodwork unless the woodwork is properly protected by a screen or good bright tin plate or other proper material with an air space of at least one inch between the tin plate or other proper material and the woodwork and in no case shall any person place or continue to use, in any building he may own or occupy, and stove or furnace pipe unless there shall be a space of at least twelve (12) inches between such pipe and the woodwork unless the woodwork is well and sufficiently protected by suitable and proper appliances from taking fire from the heat of the pipe.

- 18.04**
- (a) No person shall place any stove on a wooden floor unless the floor under such stove is wholly covered with metal plates or pans projecting at least eighteen (18) inches in front of the door of such stove and at least six (6) inches beyond the sides and back thereof;
 - (b) No person shall place any stove on any floor unless there is a space of at least six (6) inches between the floor and the bottom of the stove;
 - (c) No person shall place any stove unless there is a space of at least forty-eight (48) inches between the door of the stove and a wall;
 - (d) No person shall place any stove unless there is a space of at least forty-eight (48) inches between the solid fuel storage and the furnace or wood stove.
- 18.05** No person shall pass any stove or furnace pipe nor allow any stove or furnace pipe to pass through any floor in any building owned or occupied by him in the Town of Windsor unless the opening through which it passes is furnished with a properly ventilated thimble of metal or stone or other non-combustible material from the upper surface of the floor to and under the ceiling below.
- 18.06** No person shall pass any stove or furnace pipe nor allow any stove or furnace pipe to pass or be carried through the roof or sides of any building owned or occupied by him in the Town nor through any door or window of any such building. All stove and furnace pipes must be properly secured and fitted and carried into an approved chimney which has been built or installed in accordance with Section 19.10 of these Bylaws.
- 18.07** No person shall pass any stove or furnace pipe nor allow any such pipe to pass through any wooden partition in any building owned or occupied by him in the Town unless there shall be left a clear space of six inches between the said pipe and any woodwork and unless the woodwork is properly protected by metal.
- 18.08** No person shall pass any stove or furnace pipe nor allow such pipe to pass through any lath or plaster partition in any building owned or occupied by him unless the opening through which it passes is provided with an asbestos or tile thimble or built in with at least six (6) inches of brick and mortar.
- 18.09** No occupant of any building in the Town shall allow any pipe hole in any chimney in such building to remain open but the same must, when not in use be closed

with a metal stopper of the thickness of the chimney wall and filled with cement and such stopper must not be covered with paper or other combustible material.

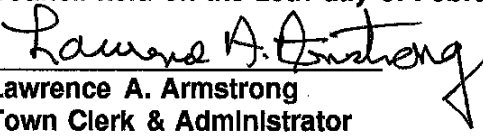
- 18.10** No floor joints shall be placed within two inches of the outer surface of any chimney hereafter constructed in the Town. The owner or builder of any building in which any floor joists shall be placed within two inches of the outer surface of any chimney shall be deemed guilty of a breach of law.
- 18.11** Every owner or occupant of any apartment building, dwelling house or other building in the said Town in which fire is used shall cause every chimney or flue thereof in use to be swept once in the course of every year, to wit, before the first day of September in each and every year.
- 18.12** All churches, public buildings, apartment buildings and office buildings and buildings used for public meetings and all public halls, places of amusement and buildings used as places of amusement or public resort shall hereafter be supplied with such fire escapes and such number of doors as shall furnish means for free and rapid egress in case of fire and no camp stool, chair, bench or seat of any description or any other obstruction shall be placed or used in any of the halls, aisles or passageways of any such building when being used for any assemblage of persons, and the doors of such building shall open outwardly and shall at all time during the meeting be and remain unlocked and unfastened so as to be easily opened. Every person in charge of or exercising control over and the lessee and owner of any such building or place shall see that this Bylaw is carried out and complied with and on non-compliance therewith shall be guilty of a breach of this Bylaw.
- 18.13** Any person or persons keeping or operating any workshop or other establishment in the Town wherein shavings, sawdust or other combustible refuse is made shall cause all such shavings, sawdust or other combustible refuse to be removed out of such shop or building at least twice each week.
- 18.14**
- (a) No person shall keep, store, or have fuel oil or other inflammable liquid on, under or near any stairway in any building;
 - (b) The Fire Chief, Deputy Fire Chief, Fire Inspector or any fire marshal may order the removal of any fuel oil or other inflammable liquid kept, stored or had contrary to Subsection (a) of this Bylaw, by giving to the occupant or person in charge of such building notice to remove the fuel oil or inflammable liquid therefrom within five (5) days of the service of the notice upon such person. Such notice shall be served personally or by prepaid registered mail, addressed to the occupant or person in charge of such building, at his last address known to the Chief Administrative Officer or at the address of the property where the fuel oil or other inflammable liquid is kept, stored, or had;
 - (c) Every day during which such violation continues after the service of the said notice be deemed to be a new and separate offence.
- 18.15** Any person convicted of any breach of Bylaws 18.01 to 18.14 inclusive shall be liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1000.00), and in default of

payment to imprisonment for a period of not less than ten (10) days nor more than ninety (90) days.

18.16

In the case of any conflict between this Bylaw and the Fire Prevention Act S.N.S. 1989 Chapter 171 then the provisions of the Fire Prevention Act shall prevail.

I certify that the foregoing is a true copy of the by-law passed by the Town of Windsor Town Council held on the 25th day of February 1997.


Lawrence A. Armstrong

Town Clerk & Administrator
Town of Windsor

- (1) First notice to Council Nov. 18, 1996
- (2) Date of first reading of by-law Nov. 26, 1996
- (3) Date of publication, seven day notice prior to second reading Feb. 12 & 19, 1997
- (4) Date of second reading of by-law Feb. 25/97
- (5) Date of third reading of by-law Feb. 25/97
- (6) Date of publication of final passage March 5, 1997