City of Merritt

"City of Merritt Fire Rescue Department Establishment and Operations Bylaw 2390, 2025"

Consolidated For Convenience – August 31, 2026

Bylaw 2390	December 16, 2025

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CITY OF MERRITT

BYLAW 2389

A BYLAW TO ESTABLISH FIRE SAFETY AND REGULATE THE FIRE RESCUE DEPARTMENT

The Municipal Council for the City of Merritt in open meeting assembled, enacts as follows:

PART 1 - ADMINISTRATION

Citation

1. This Bylaw may be cited as the "City of Merritt Fire Rescue Department Establishment and Operations Bylaw No. 2389, 2025".

Repeal

2. "City of Merritt Fire Rescue Department Establishment Bylaw No. 1904, 2005", and all amendments thereto, is hereby repealed.

3. "City of Merritt Fire and Safety Regulations Bylaw No. 2272, 2019", and all amendments thereto, is hereby repealed.

Fire Department Established

4. The Merritt Fire Rescue Department is established and hereby continued for the purposes of providing fire prevention and suppression services, including but not limited to rescue, disaster planning, and medical first responder services located within the boundaries of the City of Merritt.

Interpretations and General Provisions

5. If any section of this Bylaw is found invalid by a court of competent jurisdiction, that section shall be severed, and shall not affect the validity of the remainder of the Bylaw.

6. The provisions of this Bylaw apply to all Buildings, structures, properties, mobile vendors and conditions within the City and, for certainty, apply to both existing Buildings and Buildings under construction or demolition.

Adoption and Application of the Fire Safety Act and British Columbia Fire Code

7. The *Fire Safety Act* and British Columbia Fire Code, as amended or replaced from time to time, are adopted and made part of this Bylaw, such that every provision of the *Fire Safety Act* and the British Columbia Fire Code shall be considered a provision of this Bylaw.

8. Any person who contravenes, violates or fails to comply with a provision of the *Fire Safety Act*, the British Columbia Fire Code, or this Bylaw commits an offence under this Bylaw.

Definitions

9. Unless otherwise defined as follows, or the context otherwise requires, all the words and phrases in this Bylaw shall be construed in accordance with the meaning assigned to them in the *Fire Safety Act*, the British Columbia Building Code, and the British Columbia Fire Code, and the singular shall include the plural, and masculine includes the feminine gender.

For the purpose of this bylaw, the following definitions will apply:

"Amplification System" means the in-building radio communications support system designed to enhance two-way radio signal coverage and ensure reliable communication between firefighters and their command structure inside a Building.

"Apparatus" means any vehicle provided with machinery, devices, Equipment, or materials for fire protection, as well as vehicles used to transport firefighters or supplies.

"Building" means any structure used or intended to be used to support or shelter any use or occupancy as defined by the British Columbia Fire Code.

"Building Official" means a person or persons appointed by the City of Merritt to carry out the role of the Authority Having Jurisdiction under the British Columbia Building Code, and to perform duties of the Building Inspector.

"Bylaw Officer" means the person appointed to that position, and any person authorized to act on their behalf, responsible for enforcing the bylaws of the City of Merritt.

"City" means the City of Merritt.

"Community Event" means a special occasion event to which the public is invited.

"Consumer Fireworks" means an outdoor, low hazard, recreational firework that is classed as a subdivision 1 of Division 2 of Class 7 Fireworks under the *Explosives Act* and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, and volcanoes but does not include Christmas crackers, sparklers, and caps for toy guns.

"Council" means the elected officials of the City of Merritt.

"Designate" means a person appointed by the Fire Chief to act in the place of the Fire Chief, with all the powers and responsibilities of the Fire Chief.

"Director" means the person appointed as the head of public works and engineering services as such from time to time by the City and any person delegated to assist them in carrying out their duties under this Bylaw.

"Equipment" means any tools, contrivances, devices, or materials used by the Merritt Fire Rescue Department.

"Explosives Act" means *Explosives Act*, R.S.C., 1985, c. E-17 as amended from time to time.

"Fees and Charges Bylaw" means the City of Merritt Fees and Charges Bylaw 2386, 2024, as amended from time to time.

"Fire Chief" means the Member appointed by a resolution of council as head of Merritt Fire Rescue Department, and any Officer, Member, or Inspector authorized by the Fire Chief to act on behalf of the Fire Chief.

"Fire Inspector" means an individual designated under the authority of Section 8 of the *Fire Safety Act*.

"Fire Investigator" means an individual designated under the authority of Section 23 of the *Fire Safety Act*.

"Fire Protection" means all aspects of fire safety including but not limited to fire prevention, fire inspection, firefighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development, and advising.

"Fire Protection Service Technician" means an individual is certified by the Applied Science Technologists and Technicians of BC, the Canadian Fire Alarm Association, or a recognized certification agency.

"Fire Safety Act" means the *Fire Safety Act, S.B.C. 2016, c.19*, as amended from time to time or replaced.

"Fire Watch" means a fire warning and inspection process within a Building that includes the following:

(a) posting of written notices at all entrances and exits on each floor stating that a Fire Watch is in effect and its expected duration;
(b) an hourly physical inspection of all public areas and Building service rooms equipped with a fire alarm detection device;
(c) notation in an entry book at least every hour of the conditions in the Building by the person(s) performing the Fire Watch;
(d) some provision on site for the person(s) performing the Fire Watch for the making of 911 emergency call(s); and,
(e) posting of instructions in the Building as to the alerting of all occupants of the Building of alternate actions to be taken in case of an emergency.

"Forest" means land in which coniferous trees have a spacing of less than 3 meters between the crowns/branches, the branches extend to closer than 2.5 meters of the ground, or where low bush-type ground cover is general over the area.

"High Rise Building" means buildings 75 feet or greater in height measured from the lowest level of fire department vehicle access to the floor of the highest occupiable story.

"Incident" means a fire or a situation where a fire or explosion is imminent and includes assistance response circumstances described in Sections 23 - 39 of this bylaw.

"Member" means any member of the Merritt Fire Rescue Department and includes an Officer, firefighter, and a probationary member.

"Notice of Responsibility" A document served by the Fire Chief, or their Designate, to ensure that after an Incident or alarm, the property owner, occupant, or their agent is fully aware of their responsibilities and acknowledges this in writing.

"Officer" means the Fire Chief and any person duly appointed by the Fire Chief as an Officer of the Merritt Fire Rescue Department.

"Open Burning" means burning piled Permitted Burning Materials at ground level with natural airflow, but not a Small Confined Fire.

"Order" means an official order, direction, action or decision made by the Fire Chief or the Designate.

"Permit" means a Permit issued by the Fire Chief or any Member pursuant to this bylaw.

"Permitted Burning Materials" means dry seasoned firewood, wood fuel pellets, and charcoal briquettes only.

"Prohibited Burning Materials" means waste material including domestic, commercial, demolition, renovation, or construction waste material and those materials listed in the *Open Burning Smoke Control Regulation*, BC Reg 152/2019, including but not limited to:

> wooden pallets; dimensional lumber: including pressure treated lumber; waste lumber ends; tires; plastics; drywall; demolition waste; paint; tar paper; railway ties; treated posts; leaves, grass and grass cuttings; manure; rubber; asphalt and asphalt products; fuel and lubrication containers; and biomedical waste.

"Ritual" means a singular rite or event, usually religious, such as a funeral or wake.

"Sky Lantern" means any kind of small balloon with an opening to allow a fire to be inserted, which causes the lantern to rise, but does not mean a hot air balloon equipped with a basket capable of transporting people.

"Small Confined Fire" means an open-air fire which is lit, fueled, or used for the purpose of cooking food and/ or to provide heat and light associated with camping or recreation.

"Small Confined Fire Permit" means a permit issued in accordance with Section 124 (a).

"Tiki Torch" means a stick of wood where one end is intended to be lit on fire to provide light, heat, or illumination above the height of a human knee, and the other end is intended to be held, or inserted into the ground.

"Ventilation Index or Venting Index" means the index published by the BC Ministry of the Environment & Climate Change to determine whether or not Open Burning is permitted in particular zones.

"Waste Management Act" means *Waste Management Act RSBC 1996, Chapter 482* as amended from time to time or replaced.

Agreements and Mutual Aid

10. The Council for the City of Merritt may enter into agreements and mutual aid for the furnishing of Fire Protection by, for, or on behalf of the owners or occupiers of property situated within or out of the municipality, with any person, firm or corporation, or municipality, or improvement district or other properly constituted authority, and for the paying or collecting, as the case may be, of such charges therefor as may be agreed upon.

Part 2 – FIRE DEPARTMENT OPERATIONS

Fire Chief

11. The Fire Chief may designate Members to act on behalf of the Fire Chief as required.

12. Reporting to the Chief Administrative Officer, the Fire Chief is accountable for overseeing the provision of services for the protection of lives and property of the citizens of the City of Merritt from fire hazards, and for the operation of the Merritt Fire Rescue Department, including, but not limited to training and fire prevention.

13. The Fire Chief shall establish rules, regulations, policies, operational guidelines, and committees necessary for the proper organization and administration of the Merritt Fire Rescue Department.

14. The Fire Chief or Designate may be required to report to Council on the operations of the Merritt Fire Rescue Department or on any other matter as designated by Council and make budgetary submissions for Council's approval.

Authority of the Fire Chief

15. The Fire Chief is authorized to direct and control all Fire Protection and assistance response activities, and such other activities as the Council directs, including but not limited to:

    (a) first response medical emergencies;
    (b) rescue operations;
    (c) mutual aid to fire services, including British Columbia Wildfire Service;
    (d) response to hazardous material incidents; and,
    (e) public services.

16. For the purpose of conducting a fire investigation or determining whether a fire occurred, the Fire Chief, their Designate or a Fire Investigator may, without a warrant, at any time enter and inspect:

    (a) land or premises where they reasonably believe that a fire has occurred; and,

(b) if necessary, land or premises adjoining or near where they reasonably believe a fire has occurred.

17. No person shall impede, hinder or obstruct the Fire Chief or a designated Fire Investigator from entering at any time to examine a Building, premises, motor vehicle or vessel where a fire has occurred or premises adjoining or near the fire for the purpose of investigation.

18. The Fire Chief or a designated Fire Inspector are authorized to enter onto property and inspect premises, with or without Apparatus and Equipment, for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from fire.

19. The authority under Section 18 of this bylaw must not be used to enter a private dwelling without notice to the occupier, except under the authority of a warrant.

20. The Fire Chief may close areas where they believe hazardous conditions of the forest cover or the occurrence or spread of fire in any Forest endanger life or property in any area within the City.

21. The length of any closure is at the discretion of the Fire Chief.

22. No persons may enter or be in the closed area for any purpose without specific authorization of the Fire Chief.

23. No operations of any class specified in the Order may be carried on within the closed area.

24. The Fire Chief may erect fences, gates, barriers, post signs or other measures at their discretion to prevent persons from entering closed areas and forested areas.

Authority at an Incident

25. The Fire Chief or Designate may order the evacuation of a Building or area and may call upon the police to assist in the evacuation where they believe there is an imminent or serious danger caused by an incident arising from a fire, fire hazard, toxic chemical spill or risk of explosion.

26. The Fire Chief or their Designate shall have control, direction, and management of all Merritt Fire Rescue Department Apparatus, Equipment, or personnel assigned to an Incident. Where an officer in command is in charge, they shall continue to act in that capacity until relieved by a senior officer or the Incident ceases to require the attendance of the Merritt Fire Rescue Department.

27. The Fire Chief, or Designate at an Incident is empowered to:

(a) cause a building, structure or thing to be pulled down, demolished, or otherwise removed if deemed necessary to prevent the spread of fire to other Buildings, structures, or things;
(b) to enter premises or property where the Incident occurred and to cause any Member, Apparatus or Equipment to enter, to combat, control or deal with an Incident; and
(c) pass through, or over Buildings or property adjacent to an Incident and to cause Members, Apparatus or Equipment to enter or pass through or over Buildings or property, to gain access to the Incident or protect any person or property.

28. The Fire Chief, or Designate at an Incident, may at their discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits.

29. No person shall enter the boundaries or limits of an area prescribed in accordance with Section 28 of this bylaw unless they have been authorized to enter by the Fire Chief or Designate.

30. The Fire Chief, or Designate at an Incident, may request police to enforce restrictions on persons entering within the boundaries or limits outlined in Section 28 of this bylaw.

31. The Fire Chief, or Designate may obtain assistance from police as deemed necessary to discharge the duties and responsibilities assigned to the Fire Chief under this bylaw.

32. No person shall obstruct, impede, or hinder a Member or other person assisting or acting under the direction of the Fire Chief or their Designate.

33. No person shall damage, destroy, obstruct, impede, or hinder the operation of any Merritt Fire Rescue Department Apparatus or Equipment.

34. No person shall interfere with or impede the work of the Merritt Fire Rescue Department responding to an Incident. Any person who fails to comply with the orders or instructions of the officer engaged in command, or about to be engaged in responding to an Incident, may be forcibly removed from the scene by a police officer or Member.

35. No person at any Incident shall drive a vehicle over any Equipment or be within 9 meters of the Merritt Fire Rescue Department's hose that is in use or filled with water, without permission of the Fire Chief or Designate.

36. No person shall obstruct or otherwise interfere with access roads, streets, or other approaches to any Incident, fire hydrant, cistern, or body of water designated for firefighting purposes.

37. The Fire Chief or Designate at an Incident, may request persons who are not Members to assist in whatever manner is considered necessary to deal with the Incident, including removing furniture, goods, and merchandise from any Building on fire or in danger thereof and in guarding and securing the same or in demolishing a Building or structure at or near the fire or other Incident.

38. The Fire Chief or Designate at an Incident is empowered to commandeer privately owned equipment that is considered necessary to deal with an Incident. Remuneration rates shall be set out that reflect industry standards.

39. The limits of jurisdiction of the Fire Chief, and the Members, will extend to the area and boundaries of the City and Fire Protection agreement areas as determined by Council, and no part of the fire Apparatus shall be used beyond the limits of the municipality without:

    (a) The express authorization of a written contract or agreement providing for the supply of services outside the municipal boundaries; or,
    (b) The approval of Council, or at the discretion of the combination of the Fire Chief and Mayor, Acting Mayor, or Chief Administrative Officer.

Part 3 – FIRE PREVENTION

Fire Prevention

40. The Fire Chief and Designates, are authorized to exercise the powers and enforce the provisions of this bylaw, the *Fire Safety Act* and the regulations made thereunder including the British Columbia Fire Code.

Inspections

41. The regular fire prevention inspection of occupancies and Buildings as required by the *Fire Safety Act*, shall be carried out by or on behalf of the City.

42. The system of fire prevention inspections may be revised as necessary.

43. A fire prevention inspection made by or on behalf of the City shall in no way relieve the owner of the Building or premises from full responsibility for the safety of the Building or premises. Such an inspection does not imply or warrant that the Building or premises complies with all other City or Provincial regulations governing Fire Protection or that its features are free from defects.

44. The Fire Chief or a designated Fire Inspector may at all reasonable hours enter into and upon any premises, subject to the provisions under Section 16 of the *Community Charter*, for the purpose of inspecting or testing:

    (a) buildings as required by the *Fire Safety Act*;
    (b) whether accessible and adequate water supply is available for fire suppression purposes; and
    (c) whether the requirements of this Bylaw are being carried out.

45. No person may obstruct, hinder or prevent any authorized person from entering into or upon any land or Building as authorized in this Bylaw.

46. The owner or occupier of any real property shall, upon request of a person authorized in this Bylaw, provide such assistance that is required in carrying out an inspection.

47. The Fire Chief or a designated Fire Inspector may at all reasonable hours enter into and upon any land zoned R1 to R7 for the purpose of inspecting property pursuant to request for a Small Confined Fire Permit.

48. If the Small Confined Fire Permit inspection determines corrections need to be made, notice of the required corrections shall be provided to the applicant, and the Small Confined Fire Permit shall not be issued. At any subsequent time, the applicant may request a re-inspection. If the corrections have not been made, or if additional defects are detected, the Small Confined Fire Permit application shall be refused, and a Small Confined Fire Permit may not be issued before a new application, including application fee, is filed.

Fire Hazards

49. No person, being an owner or occupier of any premises shall:
    (a) maintain the premises in such a state of disrepair that a fire starting in the premises might spread rapidly to endanger life or other property;
    (b) use or occupy the premises in such a manner that would increase the danger of fire or the danger of fire to life or property;
    (c) keep combustible or explosive material on the premises, except as permitted by this Bylaw or other enactment; or
    (d) allow a fire hazard to exist on the premises.

50. No person or persons shall allow accumulations of empty boxes, barrels, rubbish, trash, wastepaper excelsior, or any light combustible materials, in any alley or on any sidewalk or premises, except where stored in a room or receptacle of fire resistive construction fitted with fire doors, or in metal containers equipped with tight fitting lids.

51. All commercial or communal garbage containers larger than 90 Liter (20 Gallon) capacity shall be stored in a location which is no less than 3 Meters (10 feet) from any combustible construction or material or unprotected building openings. Where the foregoing clearances cannot be met, a non-combustible container with non-combustible self closing lids and no hold-open devices may be used, provided that the container is placed in a location that is approved by the Fire Chief and which is no less than 1 meter (3 feet) from any combustible construction or material or unprotected building openings.

Remediation of Fire Hazard

52. Where the Fire Chief or designated Fire Inspector determines that one or more conditions as indicated in Section 49 exist, the Fire Chief or Fire Inspector may issue to an owner or occupier of a premises a Merritt Fire Rescue Department Order in written form, requiring the owner or occupier of the premises to do one or more of the following:

    (a) repair the Building or Structure on the premises;
    (b) remove or destroy the Building or Structure on the premises;
    (c) alter the use or Occupancy of the premises;
    (d) remove combustibles or explosive material from the premises or remedy a flammable condition at the premises;
    (e) remove or take any precautions required against the fire hazard present at the premises.

53. Any Order made under this Bylaw shall be served by delivering it in person to the owner or occupier to whom it is directed, or by sending the Order by registered mail to the last known address of the owner or occupier to whom it is directed.

54. The Fire Chief or a designated Fire Inspector may specify a date by which the owner or occupier of the Premises must comply with the Merritt Fire Rescue Department Order.

55. Should the owner or occupier fail to comply with the terms of a Merritt Fire Rescue Department Order within 7 days, or an alternative set date set by the Fire Chief or his Designate, the City may carry out the work directed in the Order and the costs of doing so will be billed to the owner or occupier of the Premises. Any charges remaining unpaid on December 31st in any year shall be added to the property's tax roll and collected as municipal taxes.

56. If a Merritt Fire Rescue Department Order is issued under Section 52 of this bylaw, the owner or occupier of the Premises may appeal to the Fire Chief in writing within 7 days after receipt of the Order and the Fire Chief will promptly investigate the appeal and, in writing, either affirm, modify or revoke the Merritt Fire Rescue Department Order issued under Section 52 of this bylaw.

Securing of Vacant and Fire Damaged Buildings, Structures and Properties

57. In a manner approved by the Fire Chief, the owner or occupier of any vacant or fire damaged Building shall ensure that the premises are guarded or that all entries and openings are securely closed and fastened to prevent the entry of unauthorized persons, which shall include, but not be limited to one or more of the following:

    (a) boarding up the Building or structure;
    (b) fencing; or,
    (c) supplying twenty-four-hour security services by a licensed security company.

58. It is the owner's responsibility to ensure that the premise, Building or structure remains securely closed and fastened at all times.

59. No property owner shall be liable to charges or penalties under Section 57 of this bylaw if they can demonstrate to the Fire Chief that the only reason these measures have not been arranged is that the police, a regulatory body, or the property's insurer, have instructed that the site should not be disturbed during their investigation.

60. Should the property owner fail to secure the property as required by Section 57 of this bylaw, the Fire Chief may arrange to have the required work performed at the property owner's expense. Any outstanding charges not paid by December 31 of the year they are incurred shall be added to the property's tax roll and collected as municipal taxes.

PART 4 – FIRE AND LIFE SAFETY EQUIPMENT AND STANDARDS

Smoke Alarms

61. The owner and occupier of every premise with a residential occupancy must ensure that smoke alarms are maintained, tested, repaired and replaced in accordance with the requirements of the manufacturer.

62. Smoke alarms shall be provided in accordance with the British Columbia Building Code and British Columbia Fire Code and amendments thereto.

Fire Drills

63. The owner or occupier of a hotel, hospital, community care facility or other Building with sleeping accommodation and used for the care of persons, must adopt, and have employees in the Building practice a fire drill system in accordance with the British Columbia Fire Code.

64. The owner or occupier of a school, childcare facility, children's home or other institution for children's education or care, shall adopt and have all persons in the premises practice a fire drill system in accordance with the British Columbia Fire Code.

Portable Fire Extinguishers

65. Portable extinguishers shall be installed in all Buildings, except dwelling units.

66. Portable fire extinguishers shall be inspected, tested and maintained in conformance with NFPA 10 – "Portable Fire Extinguishers."

Signage at Pull Stations

67. Every Building equipped with a fire alarm system, which is not required to be continuously monitored by an approved monitoring agency, shall display a permanently mounted sign at each manual fire alarm pull station reading:

"Local Alarm Only – In Case of Fire Call 911"

The dimensions of each sign shall be not less than 50mm by 100mm (2 inches x 4 inches) on permanent red and white or white and red plastic lamacoid or equivalent material approved by the Fire Chief.

Commercial Cooking Equipment

68. Every owner, occupier or purveyor of a commercial cooking facility must ensure that the cooking equipment is inspected and maintained in accordance with the requirements of the British Columbia Fire Code and, without limiting the generality of the foregoing, must ensure that:

(a) all filters, grease removal devices, ducts and other appurtenances of commercial cooking equipment are inspected at least once a week to prevent grease and other combustible residues;
(b) all commercial cooking equipment exhaust systems are serviced and cleaned in accordance with the Fire Code by a qualified technician; and
(c) the instructions for manually operating the fire protection systems are posted conspicuously in the kitchen.

Damage to Closures and Fire Separations

69. Where fire separations or closures are damaged so as to affect their integrity, they shall be repaired or replaced so that the integrity of the separation or closure is maintained.

Fire Alarm Systems

70. Every owner or occupier of any premises where a fire alarm system monitored by an outside agency is installed, must ensure that at least one contact person is available twenty-four hours a day to attend when notified by the monitoring agency to enter and secure the premises.

71. Every owner or occupier of any premises with a fire alarm system not monitored by an outside agency must maintain and provide to the Merritt Fire Rescue Department a current list containing the names, address and telephone numbers of three contact persons, at least one of whom is available twenty-four hours a day to attend, enter and secure the premises, and must notify the Merritt Fire Rescue Department promptly of any changes in the names, telephone number, or addresses of contact persons.

72. Every contact person designated under Sections 70 or 71 of this bylaw must have full access to the premises for which they have responsibility and must be able to take control of and secure the premises from the Merritt Fire Rescue Department on completion of an assistance response or other Incident.

73. Every owner or occupier of any premises at which a Fire Alarm System has been installed shall notify the Merritt Fire Rescue Department immediately of any false alarm incident.

74. Where a contact person fails to respond to a fire alarm and attend the premises and there is no indication an owner, occupier, or property representative is responding, the Merritt Fire Rescue Department may use whatever means are necessary to gain entry to the premises to investigate the fire alarm without payment to the owner or occupier of any compensation whatsoever for damage caused to the premises by such forced entry or while the Merritt Fire Rescue Department is on scene.

75. Where a contact person fails to respond to a fire alarm and attend the premises within 45 minutes the owner or occupier of the premises shall be liable to reimburse the City, at the rates specified in the Fees and Charges Bylaw, for the cost to the City of all time during which the Fire Rescue Department Apparatus and Members were required to remain on standby at the premises, commencing after the 45 minute time period specified in this section, until such a time as a contact person or owner or occupier arrives at, provide access to, or secure the premises. Any outstanding charges not paid by December 31 of the year they are incurred shall be added to the property's tax roll and collected as municipal taxes.

Maintenance and Testing

76. Every owner or occupier of a premise for which a system of fire protection equipment is installed or required under the British Columbia Building Code or British Columbia Fire Code must:

    (a) inspect, test, record, maintain, and repair the system in accordance with the standards and requirements of the British Columbia Building Code and British Columbia Fire Code;
    (b) where a Fire Protection Service Technician has inspected or tested fire protection equipment pursuant to this bylaw, the Fire Protection Service Technician shall label the equipment, and the owner or occupant shall maintain records in a manner acceptable to the authority having jurisdiction; and,
    (c) promptly notify the Merritt Fire Rescue Department:
        i. if the system or any part of it has been taken out of service, becomes inoperable, or has otherwise stopped functioning properly; and,
        ii. when the service is restored, is fully operable and functioning properly.

77. Every owner or occupier who is required under the Fire Code to perform or cause to be performed an inspection or test of fire protection equipment must ensure that:

    (a) the inspection or test is performed by a Fire Protection Service Technician;
    (b) a copy of the inspection and/or test form completed by the Fire Protection Service Technician is delivered to the Merritt Fire Rescue Department; and
    (c) all deficiencies are completed by the date provided and delivered to the Merritt Fire Rescue Department.

78. Every Fire Protection Service Technician who carries out inspections, testing, maintenance or repair of fire protection equipment must use an inspection and testing form that is acceptable to the Fire Chief and be certified for that specific fire protection equipment.

79. No person shall perform any work or testing on fire protection equipment or life safety systems that triggers an alarm directly transmitted to an alarm monitoring company without first notifying the company. Any alarm resulting in a Merritt Fire Rescue Department response due to such work or testing shall be considered a false alarm and subject to the fees specified in the Fees and Charges Bylaw. Any outstanding charges not paid by December 31 of the year they are incurred shall be added to the property's tax roll and collected as municipal taxes.

80. The owner or occupier shall correct any deficiencies identified in the fire alarm or sprinkler system when the Merritt Fire Rescue Department attends a premise where a fire alarm or sprinkler system has been activated without proper cause.

81. Every owner of a premises must ensure that all fire protection equipment required under the British Columbia Building Code or Fire Code shall be inspected, tested and maintained in accordance with good engineering practices and the applicable standards, requirements and guidelines of the British Columbia Building Code, the British Columbia Fire Code, this Bylaw and all other applicable enactments, all as amended or replaced from time to time, and any equivalents or alternative solutions required or accepted under those enactments.

82. A Notice of Responsibility may be used to document and officially notify a Building's owners occupiers, or their agent(s) of what is expected of them by the Merritt Fire Rescue Department regarding the restoration of the Building's fire protection systems and the owner's, occupier's, or agent's Fire Watch duties.

    The Notice of Responsibility may be used in the following circumstances:

    (a) when a Building's fire protection system(s) have been compromised;
    (b) when a Building's fire protection system will not restore to normal working operation; and
    (c) when a Fire Watch is required.

83. The absence of a Notice of Responsibility does not relieve a property owner, occupant, or their agent of liability or responsibility under the *Fire Safety Act*, British Columbia Fire Code, or this or any other applicable Bylaw.

Hydrants and Water Supply

84. The design and installation of any new water system or hydrant must be supervised by a professional engineer, and the plans for any new water system must be approved by the Fire Chief and Director before any work may commence.

85. All industrial operations shall install a sufficient number of fire hydrants, and water supply with sufficient pressure and quantity to meet the probable fire suppression needs of the site, as determined by the Fire Chief.

86. All water supply systems on private property shall conform to City specifications and must meet flow and pressure requirements sufficient for the purpose of fighting fire, as determined by the Fire Chief and Director.

87. Any Building under construction must have water supplies installed as soon as practical and the Building's owner, or their representative or agent, must notify the Merritt Fire Rescue Department of this installation for inspection purposes.

88. Fire hydrants may only be used by the Merritt Fire Rescue Department. No other use of hydrants is permitted, except for inspection and repairs as authorized in this bylaw, or otherwise approved by the Fire Chief or Director.

89. During construction, servicing or repairs, the owner of a Private Hydrant and contractors for such owners shall ensure that all fire hydrant conditions affecting fire safety such as fire hydrants temporarily out of service, low water volumes or pressures are made known to the Merritt Fire Rescue Department.

90. The owner or occupier of any property with a fire hydrant must cover that hydrant with burlap or black polyethylene plastic sheeting at any time the fire hydrant is out of service for repair, or not yet placed in service.

91. Anyone installing a fire hydrant must paint it in accordance with the paint schedule set out by City policy.

92. The owner or occupier of a private hydrant shall follow the inspection and maintenance requirements for each hydrant in conformance with current NFPA 25 Standards.

93. If an owner or occupier of the premises fails to inform the Merritt Fire Rescue Department of the annual inspection required or fails to make any repairs required, the Fire Chief or Director will arrange for the inspection or repairs to be made, at the owner or occupier's expense. Any outstanding charges not paid by December 31st of the year they are incurred will be added to the property's tax roll and collected as municipal taxes.

94. The owner or occupier of the premises must maintain the space around the fire hydrant with stable ground cover and a clear unobstructed area for a radius of at least 1 meter and maintain ground cover and clearance around the hydrant so as to provide a clear view of the fire hydrant from the street when being approached from either direction.

In-building Radio Communications

95. The design and construction of all new multi-residential, assembly, commercial, industrial, or institutional Buildings must ensure reliable two-way radio communication for emergency responders. This includes effective communication within the Building and with command vehicles outside. If testing determines that communication coverage is insufficient, an in-building communication system must be installed. This system shall include an Amplification System capable of providing adequate radio communication coverage. The system must meet standards approved by the Fire Chief prior to occupancy being granted by Building Officials.

96. No person shall erect, construct, alter the use of, or renovate any Building or structure, or any part thereof, in a manner that diminishes the radio coverage available to the Merritt Fire Rescue Department personnel.

97. The Fire Chief may require the Building owner of an existing multi-residential, assembly, commercial, industrial, or institutional occupancy to install or modify an in-building communications system to ensure adequate emergency radio communication reliability within the Building, meeting the operational needs of the Merritt Fire Rescue Department.

98. Any installed in-building communications system must undergo a field test conducted by the Merritt Fire Rescue Department to ensure it meets the Merritt Fire Rescue Department's operational requirements.

99. At least annually, the Building owner shall test all active components of the Amplification System, including but not limited to all amplifiers, power supplies and back-up batteries, and shall keep a record of such tests as part of the Fire Safety Plan for inspection by the Fire Chief or other Designated Inspector.

Access and Keys

100. Every owner or occupier of:
   (a) a premises requiring a fire alarm system or automatic fire sprinkler system under the British Columbia Building Code;
   (b) all apartment Buildings, whether rental or strata owned;
   (c) all strata titled developments; and
   (d) all Buildings for which the British Columbia Fire Code requires a Fire Safety Plan;

   must ensure that any keys required to obtain access to the areas and equipment listed in section 101 are readily accessible, clearly identifiable, and in an approved Merritt Fire Rescue Department lock box in a location acceptable to the Fire Chief or Designate.

101. The owner or occupier of property listed in Section 100 shall keep keys for the following areas and equipment, with each key marked to identify the corresponding area or equipment:
   (a) all common floor areas, service rooms and roof areas;
   (b) all doors that are locked from the exit stairs to floor areas;
   (c) as required to recall elevators and to permit independent operation of each elevator;
   (d) all fire alarm control and annunciator panels and fire fighter telephone boxes;
   (e) all gates on access routes; and
   (f) other areas or equipment as may be determined by the Fire Chief or Designate for the purpose of responding to the fire alarm system or automatic sprinkler system.

Address Identification

102. All Buildings or structures situated on any lot or parcel of land within the municipal boundaries shall be properly identified with numbers facing the City Road, street, fire lane or other right of way or easement, which accesses the property, plainly visible, indicating their civic address as designated by the City.

103. All address numbers in the City shall be a minimum of 15cm high, with a 1cm stroke in contrasting colours to the base colour of the Building or structure.

104. Address numbers shall not be obstructed by shrubs, trees, beams, or any other material that would impair quick and easy identification.

105. The owner or occupier of a multi-residential complex shall post a site plan at the main driveway entry to the complex which shall be clearly visible upon entry to the complex and indicate the number of each unit and the location of access to each unit and any private fire hydrants within the complex.

Fire Department Connections

106. Fire Department Connections (FDC) for a Building's fire sprinkler or standpipe fire protection systems must be accessible, clearly visible and identified with signage acceptable to the Fire Chief.

107. The location of a FDC will be in an area acceptable to the Fire Chief.

Fire Lanes / Parking Restrictions

108. Roadways and lanes provided for Merritt Fire Rescue Department access shall be always maintained and ready for use by Merritt Fire Rescue Department vehicles. Signs reading "No Parking – Fire Lane" shall be posted and clearly visible on all roadways designated as fire lanes at a minimum of every ten metres along the fire lane.

109. Parking Restrictions on Access Routes shall be limited to the following:
    (a) on access routes 6.0 metres wide: no parking of any kind, and no-parking signs shall be posted on both sides of the access route;
    (b) on access routes 7.5 metres wide: parking will only be permitted on one side of the access route, and no-parking signs shall be posted on the alternate side of the access route;
    (c) on access routes 9.0 metres wide: parking shall be permitted on both sides of the access route.

110. No traffic calming devices, or speed bumps or humps are permitted on a fire access route.

Fire Protection Upgrades

111. The Fire Chief may require the owner of an existing multi-residential, assembly, commercial, industrial or institutional occupancy Building, to provide or make alterations to fire protection systems including, heat and smoke detection, fire alarms, fire extinguishers, exit signs, emergency

lighting, fire separations and means of exit, in order to provide adequate life safety to its occupants. These requirements will not exceed those established by building regulations in accordance with the current British Columbia Building Code or British Columbia Fire Code and may include equivalencies as determined by the Fire Chief.

Fire Watch

112. If the fire protection system(s) in an occupied multi-residential, institutional or assembly occupancy Building becomes unserviceable, the Building owner or authorized agent must institute a Fire Watch, as determined by the Fire Chief, until such time as the protection system is fully functional.

Fire Works

113. All manufacture, storage, transportation, and sale of Consumer Fireworks shall conform to the *Explosives Act*, and Explosives Regulations, 2013 and all amendments thereto.

114. Only Consumer Fireworks within category F.1 of the *Explosives Regulations*, SOR-2013-211, as amended from time to time, may be offered for sale within the City.

115. No Consumer Fireworks may be offered for sale or used except between the dates of October 16th and November 1st in each year. The sale or use of Fireworks outside these days may be permitted with the written authorization of the Fire Chief.

116. Under no circumstances may Consumer Fireworks be directly or indirectly sold, given, or furnished to a person under the age of 18 years.

117. No person under the age of 18 years may hold, possess, store, discharge, or otherwise use any fireworks.

118. Every person who possesses or discharges fireworks contrary to the provisions of this Bylaw commits an offence and when directed to do so, shall surrender all fireworks in their immediate possession to the Fire Chief or their Designate, or a police or Bylaw Officer who shall be authorized to search and seize and hold all such fireworks in the interest of public safety and as evidence of the commission of the offence.

119. Fireworks seized under this Bylaw may be disposed of without compensation.

High Rise Buildings

120. The owner of any High Rise Buildings, and for which an application for a building permit is submitted to the City shall ensure that:
    (a) fire stairwells are marked clearly, including roof access;
    (b) a key-vault lockbox, with type and installation approved by the Fire Chief, is located at the fire department entrance to the Building and contains keys to access the Building and all service rooms within the Building, each key being clearly marked and identified as such; and,

(c) there is a dedicated room at least 90 sq. ft in area and designated as the fire command center with access from an exterior wall that will contain all the Equipment as required by the British Columbia Building Code and British Columbia Fire Code.

121. Before applying for an occupancy permit for a High Rise Building, the applicant shall request the Merritt Fire Rescue Department to assess the Building's radio coverage and reception to ensure compliance with this Bylaw.

122. At the time of application for a building permit for a High Rise Building, the owner shall provide to the City, a copy of the Building's fire safety and response plan, in electronic format acceptable to the Merritt Fire Rescue Department, including an accurate explanation in point form of:

(a) inspections and operation of the firefighter's elevator;
(b) venting to aid firefighting;
(c) the Building's central alarm and control facility;
(d) the Building's video system;
(e) if applicable, the Building's voice communications system;
(f) the fire pump and information on the proposed location;

if any of the information required to be supplied pursuant to Sections 97, 101, 120 or 122 should change, or if any of the locations required to be identified pursuant to Sections 97, 120 or 122 should change, the owner shall notify the Fire Chief immediately of such change.

Intermodal Shipping Container Storage

123. Intermodal shipping container or storage containers used for anything other than storage must meet or exceed all relevant requirements of the BC Building Code and Canadian Electrical Code.

124. No person shall store flammable liquids, combustible liquids, fuel fired equipment, compressed gas cylinders or propane inside an intermodal shipping container unless the shipping container has been modified to the satisfaction of the Fire Chief to allow for the safe storage of these products.

Outdoor Fires

125. No Open Burning of any kind will be permitted during any period with the exception of the following:
(a) Small Confined Fires and the use of Outdoor Fireplaces are permitted when allowed in the Kamloops Fire Center, subject to the following restrictions:
I. Small Confined Fires and Outdoor Fireplaces are not permitted on City-owned property. Small Confined Fires and Outdoor Fireplaces are only allowed on private property zoned for residential uses R1 to R7, or a campground with a valid business licence;
II. no fire may be lit unless a Permit has been issued for the parcel of land on which the fire is to be lit;
III. any Small Confined Fire must be contained within a non-combustible base and edging; Only Permitted Material may be burned, and only in one pile no larger than 0.5 meters in height, 0.5 meters in width and 0.5 meters in length;

IV. any Small Confined Fire must be contained within a non-combustible base and edging; Only Permitted Material may be burned, and only in one pile no larger than 0.5 meters in height, 0.5 meters in width and 0.5 meters in length;
V. all fires must be continuously controlled and supervised by a competent person equipped with extinguishing equipment and materials, who must ensure that any sparks, ash or cinders are prevented from igniting other combustible material, and who must completely extinguish the fire before the person leaves the area.
VI. no fire may create a nuisance to neighbours or persons in the vicinity;
VII. all fires must be a minimum of 4 meters from buildings and property lines, and 3 meters from combustible material;
VIII. fires may only burn for a maximum of 4 hours per day, and between the hours of 6 am and midnight;
IX. Notwithstanding this section, the Fire Chief may declare all Fire Permits suspended without refund, if they deem it warranted by environmental conditions, for such a time as they deem fit.

126. A one-year Small Confined Fire Permit for a particular parcel of land may be issued at the discretion of the Merritt Fire Rescue Department upon the filing an application at City Hall in the approved form, the payment of a non-refundable fee, and a satisfactory inspection of the parcel of land by the Merritt Fire Rescue Department.

127. The inspection requirement of a Small Confined Fire Permit may be waived at the discretion of the Merritt Fire Rescue Department for renewals of existing Permits.

128. No Permit shall be issued for any properties deemed “Nuisance Properties” within the parameters of the City of Merritt Good Neighbour Bylaw 2287, 2024, as amended from time to time, and an existing Permit shall be cancelled without refund if a property is deemed a “Nuisance Property” while the Permit is in effect.

129. Any existing Permit shall be suspended without refund while any property is deemed “Unsightly” within the meaning of the Good Neighbour Bylaw.

130. A property owner may be subject to cost recovery for any fire that prompts a response by the Merritt Fire Rescue Department, its Officers, or Inspectors, regardless of whether the response is for an emergency, a nuisance service call or complaint, or due to the failure to provide proof of a valid permit. Any outstanding charges not paid by December 31 of the year they are incurred shall be added to the property’s tax roll and collected as municipal taxes.

131. Barbecues, outdoor burning appliances, portable campfire apparatuses, and similar devices may be used for food cooking purposes in the open air, provided the fuel used is natural gas, propane, or butane. These devices must be used safely and in accordance with the manufacturer’s recommendations. Any appliance or apparatus used under this provision must be certified and labeled in compliance with Canadian or U.S. standards.

132. Commercially manufactured portable wood-fired or wood-pellet smokers, offset smokers, barbecues, or pizza ovens may be used for cooking food in the open air, but only on private property zoned for residential use (R1 to R7). These devices must be used safely and in

accordance with the manufacturer's recommendations. Any appliance or apparatus used under this provision must be certified and labeled in compliance with Canadian or U.S. standards.

133. Upon approval of an application, Open Burning of Permitted Materials may be allowed under a special Permit for a singular Community Event or Ritual, subject to the same requirements as Small Confined Fires. If the purpose of the Permit is for a funeral or wake, the permitted duration of the Open Burning may be altered on approval by the Fire Chief.

134. Pile burning in the High Smoke Sensitivity Zone shall only be permitted under special Permit, upon the prior approval of the Fire Chief, in consultation with the Ministry of Environment and Climate Change Strategy and shall be supervised by the Fire Chief or their Designate.

135. Pile burning in the High Smoke Sensitivity Zone shall be subject to the following restrictions and regulations:

I. every reasonable alternative for reducing, reusing or recycling the pile material has been pursued to minimize the amount of materials to be burned;
II. alternative disposal methods such as chipping, mulching or composting in a green waste recycling facility must be investigated before burning;
III. only natural material originating from the location of the burn may be burned;
IV. Open Burning of a pile is only permitted on land of 1 hectare (2.2 acres) or greater;
V. vegetative debris must be smaller than 50 cm in diameter.
VI. tree stumps may not be burned in a pile;
VII. all vegetative debris to be burned must be seasoned or cured to effect a moisture content not greater than 30%, piled for at least 4 months, or originating from standing dead timber;
VIII. the Permit holder shall provide a written record of when the vegetation was piled to the Fire Chief;
IX. Permit holders shall call for the Venting Index prior to burning;
X. permission to burn is granted at the discretion of the Fire Chief and only on days when the Venting Index is 55 or greater, or "GOOD" per the City's Index;
XI. burn piles must be located at a distance of 500 meters from any residence or business and 1,000 meters from the property line of schools, hospitals or community care facilities or as designated by the Fire Chief;
XII. burn periods: maximum of 12 days in a calendar year and not more than 6 in a calendar month;
XIII. burning of spring cleanup materials and/or pruning debris, including garden refuse, shrubs, plants, leaves, grass and grass cuttings, is not permitted.
XIV. all burning shall be conducted and concluded in the period between 1 hour after sunrise and 4 pm or 2 hours before sunset of the same day, unless so noted on the Permit.
XV. piles shall have dimensions such that the largest horizontal extent of the pile is less than 2 times the vertical extent;
XVI. the Fire Chief may refuse to issue or may cancel a pile burning Permit, the use of which, in the Fire Chief's opinion would likely be hazardous or create a nuisance.
XVII. the Permit holder shall provide at least 24 hours advance notice to occupants and managers of residences, businesses, schools, hospitals and community care facilities within 1,000 meters of the burn piles before commencing a burn.

136. The Fire Chief may grant the owner of a property zoned AR1 (Agricultural) permission for Open Burning, subject to the issuance of a Permit and prior approval by the Fire Chief, in consultation

with the Ministry of Environment and Climate Change Strategy. The Open Burning shall be conducted under the supervision of the Fire Chief or their Designate, and provided:

(a) the property owner shall carry out the Open Burning in accordance with the Ministry of Environment's *Open Burning Smoke Control Regulation*;
(b) the property owner shall carry out the Open Burning only when the City's Ventilation Index is predicted to be GOOD (55–100) over a 24-hour period;
(c) all such burning shall be conducted at the sole risk, liability and expense of the property owner.

137. If the Fire Chief believes a significant interface fire hazard exists on a private property and all other avenues for removal of the hazardous fuels have been exhausted, the Fire Chief may grant the property owner permission for Open Burning of such fuels subject to conditions specified by the Fire Chief through issuance of a Permit. The issuance of a Permit in no way relieves the owner of the exclusive responsibility for the Open Burning, and any such burning undertaken by the property owner shall be solely at the property owner's risk, liability and expense.

138. The City may recover a debt from the owner or occupier of any land, property, or Building owing to the incidental cost and expenses of any measures to achieve compliance with this Bylaw, if the Fire Chief is satisfied on reasonable and probable grounds that the provisions of this bylaw have not been complied with.

139. Every owner or occupier of property who starts or permits any outdoor fire to be started is responsible for such fire.

140. If a fire is prohibited under this Bylaw or other enactment, or a fire is not extinguished in accordance with the terms of any Permit issued for such fire, or if in the opinion of the Fire Chief a fire presents a hazard or becomes out of control, the Fire Chief may summon the Merritt Fire Rescue Department to extinguish or control the fire and the owner or occupier of the affected property shall pay the costs of the services provided by the Merritt Fire Rescue Department within 30 days of receipt of an invoice from the City. Any outstanding charges not paid by December 31 of the year they are incurred shall be added to the property's tax roll and collected as municipal taxes.

141. For clarity, but without limiting another section of this Bylaw, Sky Lanterns, Tiki Torches, Chimineas, Burning Barrels and other forms of human-created fire which are not explicitly Permitted in this Bylaw, are prohibited in all circumstances.

142. No person may burn Prohibited Burning Materials at any time.

143. Prescribed burning for the purpose of wildland fuel mitigation by the City, Merritt Fire Rescue Department, its Contractors or its Agents, is exempt from the conditions of this bylaw for lands under a fuel management prescription on the approval of Council.

144. Merritt Fire Rescue Department live-fire training exercises are permitted on the approval of Council.

Part 5 – ENFORCEMENT

Permit Form

145. Where a Permit is required for any activity under this Bylaw, the application for a Permit must be in the form prescribed by the Fire Chief for such permit.

Fees and Cost Recovery

146. Every person who obtains any of the following inspections by the Merritt Fire Rescue Department must pay the applicable fee prescribed in the Fees and Charges Bylaw:
   (a) a special request inspection of a building, structure, or site to determine compliance with this Bylaw or the British Columbia Fire Code; or,
   (b) re-inspection of premises after an Order has been issued under this Bylaw.

147. Any person seeking documentation for information on Incident details or on occupancies for outstanding Fire Code violations or infractions or other such related information shall pay a fee specified in the Fees and Charges Bylaw.

148. For every Incident where damage is estimated to be in excess of $5,000 and for which a Fire Investigation Report must be completed in accordance with the *Fire Safety Act*, the owner of the damaged structure shall pay a fee specified in the Fees and Charges Bylaw.

149. Every person who, wilfully or recklessly and without reasonable cause:
   (a) sets or otherwise causes a fire to which the Merritt Fire Rescue Department must respond; or,
   (b) causes any other loss that can be directly attributed to the use of Consumer Fireworks contrary to the requirements and restrictions of this bylaw,

   shall be liable to pay the actual cost and expenses incurred by the Merritt Fire Rescue Department in responding to and investigating the Incident as specified in the Fees and Charges Bylaw.

150. When an individual or entity damages an underground utility, necessitating a response from the Merritt Fire Rescue Department, and it is determined that any of the following occurred:

   i. the individual or entity responsible failed to contact the relevant utility company or “BC 1 Call” to obtain a line location;
   ii. the individual or entity responsible failed to locate and expose the utility by hand prior to mechanical excavation; or
   iii. the individual or entity responsible failed to follow safe work procedures,

   the City shall recover the actual costs and expenses associated with Merritt Fire Rescue Department’s response by invoicing the property owner of the location where the work was being completed. Any outstanding charges not paid by December 31 of the year they are incurred shall be added to the tax roll of the property for which the work was being completed and collected as municipal taxes, at rates specified in the Fees and Charges Bylaw.

Penalties

151. Any person who:

(a) contravenes a provision of this Bylaw;
(b) causes, consents to, allows or permits an act or thing to be done contrary to the provisions of this Bylaw;
(c) fails to comply with any provision of this bylaw;
(d) neglects or refrains from doing anything required by a provision of this bylaw; or,
(e) fails to comply with any Order, direction, or notice given under this bylaw,

commits an offence and is subject to the penalties imposed by this bylaw and the *Offence Act, RSBC 1996, Chapter 338,* as amended from time to time.

152. A person found guilty of an offence under this bylaw is subject to a fine of not less than $3,000 and not more than $50,000, for every instance that an offence occurs or each day that it occurs or continues, plus the cost of prosecution.

153. Ticketable offences under this bylaw and the fines for such tickets shall be those set out in the Municipal Ticket Information Bylaw No. 2044, as amended from time to time.

154. Each instance that a contravention of a provision of this bylaw occurs and each day that a contravention occurs or continues shall constitute a separate offence.

Charge-out Fees

155. Where this bylaw states that rates and fees shall be recoverable by the Merritt Fire Rescue Department, charges will be applied in accordance with the Fees and Charges Bylaw.
(a) Personnel costs shall be the cost to the City, with a minimum fee of two hours per Member attending at their assigned rate.
(b) Equipment and vehicles shall be charged at the most current rates in the *Memorandum of Agreement for Interagency Operational Procedures and Reimbursement Rates* as amended from time to time.
(c) Any outstanding expenses that remain unpaid as of December 31st in any given year shall be added to the property tax roll and collected in the same manner as municipal taxes.

READ A FIRST TIME this	9th day of December, 2025
READ A SECOND TIME this	9th day of December, 2025
READ A THIRD TIME this	9th day of December, 2025
ADOPTED this	16th day of December, 2025

_____	_____
Michael Goetz	Linda Brick
Mayor	Corporate Officer