

# **VILLAGE OF MCADAM**

## **BY – LAW NO. 6**

### **A BY – LAW RESPECTING FIRE PREVENTION.**

PASSED AUG. 18, 1967  
BE IT ENACTED by the Mayor and  
Councilors of the Village of  
McAdam as follows:

Original signed by the Mayor H.S. Dixon

1. (1) The council shall appoint a person to be known as the “Fire Prevention Officer.”
  - (2) The Fire Chief may be appointed the Fire Prevention officer.
2. The Fire Prevention Officer and the Fire Chief, or any person duly authorized by either of them in writing, may enter into any building or premises at reasonable times for the purpose of inspection for fire prevention or to investigate the cause or origin of a fire.
3. The fire prevention Officer may enforce the provisions of the Fire Prevention Act, R.S.N.B. 1952 c. 86, as amended, and the regulations made under authority of the said Act.
4. The Fire Prevention Officer may from time to time enter any dwelling house, factory, store and other building within the Village and examine the manner in which any fireplace, chimney, furnace, stove, stovepipe, boiler or ash heap is constructed, placed or kept, and if he finds the same or any of them to be a cause of danger by tending to cause or to spread fire, he shall give written direction to the owner or occupier of such building to remove the cause of danger within a time to be specified by such direction.
5. (1) When the Fire Prevention Officer finds a building or other structure which, for want of proper repair or by reason of age and dilapidated condition or for any cause, is especially liable to fire, or which is so situated as to endanger persons or property therein or that exits from the building or buildings are inadequate or improper to use, or that there are in or upon any building or premises, combustible or explosive material or conditions dangerous to the safety of persons, buildings or premises, he may order the owner or occupant to:
  - (a) Remove or demolish such building or make such repairs or alterations as such officer deems necessary;
  - (b) Remove such combustible or explosive materials or remove or repair anything that may constitute a fire hazard;

- (c) Install safeguards by way of fire extinguishers, fire alarms and other devices and equipment and also such fire escapes and exit doors as such officer deems necessary to afford ample exit facilities in the event of fire or an alarm of fire.
  - (2) Where, in the opinion of the Fire Prevention Officer, any electrical installation, apparatus or equipment in or upon any building or premises is in a condition to be especially likely to cause fire and to be dangerous to the safety of persons or property, he may in writing order any person or organization supplying electrical installation, apparatus or equipment is remedied.
  - (3) Where any appliance, apparatus or place in or upon any building or premises is used or intended to be used for supplying fire or heat, and, in the option of the Fire Prevention Officer, the use of the appliance, apparatus or place for that purpose is likely to be dangerous to persons or property, he may order in writing that no fire be lighted or maintained in the appliance, apparatus or place until the dangerous conditions have been remedied.
6. (1) Where in any place of assembly, or in any building or premise used as a hotel or restaurant there is, in the option of the Fire Prevention Officer, a fire hazard dangerous to the safety of persons, he may order that public be not admitted to such place of assembly building or premises until the fire hazard has been remedied to his satisfaction.
- (2) Where in any place of assembly or in any building or premises used as a hotel or restaurant there is, in the opinion of the Fire Prevention Officer, danger to the safety of the public by reason of the inadequacy of exits or the presence of flammable material or any other reason, he may order that the number of persons to be permitted to be in or upon the place of assembly, building or premises at any one time shall not exceed a number to be stated in the order.
  - (3) When, in the opinion of the Fire Prevention Officer, the smoking of pipes, cigars or cigarettes in a place of assembly or in a building or structure containing a place of assembly constitutes a fire hazard dangerous to the safety of persons, he may order that smoking shall not be permitted in the place of assembly or in the building or structure containing it, or shall only be permitted in such rooms or portions of the place of assembly, building or structure as shall be designated in the order.
7. (1) No person shall set on fire any combustible matter outside any building without the permission of the council or the Fire Prevention Officer:
- (a) Unless such matter is burned in a properly contracted incinerator approved by the Fire Prevention Officer or a person duly authorized by him in writing; or unless
  - (b) The setting on fire of such matter complies with the provisions of the Forest Fires Act, R.S.N.B. 1952, c. 91 as amended, and regulations made there under with respect to the lighting of fires.
- (2) Without limiting the generality of subsection (1), no person shall light a grass fire without the permission of the Fire Chief or the Fire Prevention Officer or a person duly authorized by either of them in writing.

8. No person shall place ashes in any container unless to be made exclusively of masonry or metal.
9. The occupant of every industrial and commercial premises shall keep such premises free from rubbish and combustible containers and shall not permit ashes to accumulate therein over a period greater than one month.
10. The occupant of every commercial and industrial premises shall keep every elevator shaft which is not completely enclosed protected by a substantial railing and guard at each floor level and maintain trap doors of a type approved by the Fire Prevention Officer and shall keep such trap doors closed at all times except when the elevator is in operation.
11. No person shall place merchandise so as to obstruct entrance by firemen through any window, door, stairway or passageway in such premises.
12. (1) Where there is no occupier of the building or premises in respect of which an order is made and the owner is absent from the province or cannot be found within the Province, the Fire Prevention Officer, may himself, with the approval of the council carry out an order involving an expenditure of not ore than one hundred dollars (\$100.00) ; and, with the approval of the Attorney-General of the Province and the Council, any other order.  
(2) The Fire Prevention Officer shall certify the expenses actually and necessarily incurred in carrying out the order and deliver the certificate to the Village Treasure and the Treasurer shall pay the amount so certified to the Fire Prevention Officer from the ordinary revenue of the Village.
13. An order of the Fire Prevention Officer by authority of this by – law shall be made in the manner provided in Section 109 (2) of the Municipalities Act, Statutes of New Brunswick 1966, c. 20.
14. No person shall obstruct the Fire Prevention Officer in the exercise of his duties.
15. Every person who violates or fails to observe this by – law or an order made hereunder shall be liable on conviction to a penalty not exceeding fifty Dollars (\$50.00)

Original signed by the Village Clerk  
Marjorie O’Keefe

Approved by the Lieutenant Governor-Council  
October 4, 1967  
Order in council Number 67-913