

SCHEDULE A: FIRE RESCUE SERVICE:

INTERFACE CONSTRUCTION AND MAINTENANCE REGULATIONS

The Resort Municipality of Whistler experiences “High” and “Extreme” fire danger ratings, as defined by BC Wildfire Service. This creates a situation where construction in the wildland urban interface can be a potential source of ignition resulting in a wildfire.

The interface areas in the Resort Municipality of Whistler are those areas where development and maintenance activities are taking place in areas next to or among forested areas. To determine if your construction site is subject to these regulations, contact fire@whistler.ca to arrange for a site inspection.

The Whistler Fire Rescue Service referred to the Wildfire Regulations (B.C. Reg. 38/2005) as a guideline in developing these regulations. They have been modified from their Industrial application to reflect the urban construction environment.

Goal of the regulations:

The goal of these regulations is to ensure that sources of ignition are eliminated and/or mitigation measures are put in place to reduce the risk of wildfires during Fire Danger Ratings High and Extreme.

The following regulations shall apply to construction and other sites, such as a property undergoing tree service work, unless a site specific exemption has been granted.

Restrictions During High Fire Danger Rating

When the fire danger rating is High, all high risk construction activity as defined in the Fire and Life Safety Bylaw 2201, 2018 being carried on within 10 metres of the forest (the “interface area”) shall cease at 1300 hours each day.

Examples of high risk construction activity include:

- a. Blasting
- b. Excavating
- c. Drilling
- d. Grinding
- e. Hot works

A fire watch shall be maintained for a minimum of two hours after construction ceases.

Despite the above, the following activities may continue after 1300 hours during a High fire danger rating:

- a. Work inside a structure
- b. Use of electrically powered equipment as authorized by a permit issued by the Fire Rescue Service
- c. Work with hand tools
- d. Heavy-duty equipment or small engines may continue to work in areas around a site where they are not within 10 metres of the forest.

High risk construction activities in the interface area may resume to a regular schedule when the fire danger rating is moderate or low.

Restrictions During Extreme Fire Danger Rating

When the fire danger rating is Extreme, all high risk construction activity as defined in the Fire

and Life Safety Bylaw 2201, 2018 in the interface area shall cease.

Examples of high risk construction activity include:

- a. Blasting
- b. Excavating
- c. Drilling
- d. Grinding
- e. Hot works

A fire watch shall be maintained for a minimum of two hours after construction ceases.

Despite the above, the following activities may continue during an Extreme fire danger rating:

- a) Work inside a structure
- b) Use of electrically powered equipment under a permit issued by the Fire Rescue Service
- c) Work with hand tools
- d) Heavy-duty equipment or small engines may continue to work in areas around a site where they are not within 10 metres of the forest

When the fire danger rating falls from Extreme to High, high risk construction activities in the interface area may resume to the restrictions during high fire danger rating.

All construction restrictions shall be lifted when the fire danger rating is moderate or low.

Exemptions

A person may apply for an Exemption to the above stated restrictions by submitting an application in a form acceptable to the Fire Chief and pay the fee set out in Schedule "B" to the Fire and Life Safety Bylaw 2201, 2018.

In response to an application, the Fire Rescue Service may grant an exemption to the above stated construction restrictions on the condition that the person take mitigating measures prescribed by a member of the Fire Rescue Service after a site specific inspection.

Mitigating measures may include any or all of the following:

- a) Reduction of fuel
- b) Changing moisture content of fuel
- c) Provision of firefighting equipment
- d) Designated smoking area
- e) Other measures as determined necessary

An Exemption may be rescinded for failure to comply with the prescription for mitigating measures or for other reasons as determined by the Fire Chief or designate.

Note: The ability to apply water to increase fuel moisture content may be impacted by sprinkler restrictions and will be monitored. This may result in an Exemption being rescinded. Construction sites using municipal fire hydrants will be required to obtain a Hydrant Usage Permit.

To apply for an Exemption to the Construction Restrictions contact fire@whistler.ca or call 604-935-8260 to arrange for a site inspection.

- (p) "Fire Safety Plan" means a fire safety plan for a Building required under the Fire Code or this Bylaw that includes, without limitation:
- (i) emergency procedures to be used in case of fire;
 - (ii) training and appointment of designated supervisory staff to carry out fire safety duties;
 - (iii) documents showing the type, location and operation of fire emergency systems;
 - (iv) the holding of fire drills;
 - (v) the control of Fire Hazards; and
 - (vi) inspection and maintenance of facilities for the safety of the Building's occupants;
- (q) "Fireworks" includes, but is not limited to: cannon crackers, fireballs, firecrackers, mines, Roman candles, sky rockets, squibs, torpedoes, and other explosive products or devices manufactured to intentionally produce an explosion, detonation or pyrotechnic effect, but does not include caps for toy products, Christmas crackers, or model rocket engines;
- (r) "Fireworks Permit" means a current and valid document issued by the Fire Chief or a Member authorizing a person to carry out the Fireworks-related activities described in the permit;
- (s) "High Hazard Fireworks" includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, gerbs, comets, croisettes, mines, bombardos, waterfalls, fountains, batteries, illumination, set pieces, pigeons, and firecrackers and fireworks classed as display fireworks under the federal *Explosives Regulation, 2013*;
- (t) "High Risk Construction Activity" means:
- (i) mechanical brushing;
 - (ii) disk trenching;
 - (iii) preparation or use of explosives;
 - (iv) using fire- or spark-producing tools, including cutting tools
 - (v) using or preparing fireworks or pyrotechnics;
 - (vi) grinding, including rail grinding;
 - (vii) mechanical land clearing;
 - (viii) clearing and maintaining rights of way, including grass mowing;
 - (ix) using battery powered or electric cutting tools; and
 - (x) any of the following activities carried out in a cutblock excluding a road, landing, roadside work area or log sort area in the cutblock:
 - (A) operating a power saw;

- (B) mechanical tree felling, woody debris piling or tree processing, including de-limbing;
 - (C) welding;
 - (D) portable wood chipping, milling, processing or manufacturing;
skidding logs or log forwarding unless it is improbable that the skidding or forwarding will result in the equipment contacting rock;
 - (E) yarding logs using cable systems;
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- (u) "Incident" means a fire, explosion, situation where a fire or explosion is imminent, or any other situation presenting a danger or possible danger to life, to property or to the environment to which the Fire Rescue Service has responded;
 - (v) "Incident Commander" means the Member assuming command at the scene of an Incident;
 - (w) "Member" means a person employed by the Municipality and holding a position within the Fire Rescue Service;
 - (x) "Movie Pyrotechnics" means any Fireworks used by a person or corporation for the purpose of commercial photography, video, film or television productions and includes special effect pyrotechnics under the federal Explosives Regulations, 2013;
 - (y) "Municipality" means the Resort Municipality of Whistler;
 - (z) "Occupier" includes any lessee, tenant and licensee of any Building or Premises;
 - (aa) "Owner" means a person who has ownership or control of real or personal property, and includes, without limitation:
 - (i) the registered owner of an estate in fee simple;
 - (ii) the registered holder of the last registered agreement for sale; and
 - (iii) the tenant for life under a registered life estate; and
 - (iv) in relation to common property and common facilities in a strata plan, the strata corporation;
 - (bb) "Premises" includes the whole or any part of a parcel of real property and any Buildings located on the property; and
 - (cc) "Vacant Premises" includes a Premises, Building or other structure in respect of which water or electricity service has been intentionally discontinued, other than for temporary maintenance, repair or upgrading, so that the condition of the Premises is not suitable for human habitation or other occupancy that is normally permitted.

Conflict

2. In the event of a conflict, discrepancy, variation or inconsistency between this Bylaw and the *Fire Services Act*, the Fire Code, or the British Columbia Building Code, the provisions of the *Fire Services Act*, the Fire Code or the Building Code, as the case may be, shall prevail over the provisions of this Bylaw to the extent of any conflict, discrepancy, variation or