

BY-LAW NO. 2007-070

THE CORPORATION OF THE CITY OF OWEN SOUND

A BY-LAW TO PROVIDE FOR THE DESIGNATION OF PRIVATE ROADWAYS AS FIRE ROUTES AND TO PROHIBIT THE PARKING OR LEAVING OF VEHICLES ON PRIVATE ROADWAYS DESIGNATED AS FIRE ROUTES AND TO REPEAL BY-LAW NO. 1987-14, BY-LAW NO. 1987-56 AND BY-LAW NO. 1992-016

WHEREAS City Council deems it desirable to designate fire routes in the City of Owen Sound;

THEREFORE BE IT RESOLVED THAT the Municipal Council of The Corporation of the City of Owen Sound hereby enacts as follows:

1. DEFINITIONS

In this By-law:

- 1.1 **“AUTHORIZED SIGNS”** means any sign conforming to Schedule “C” of this By-law and placed or erected on a fire route or designated fire route as defined herein under the authority of this By-law.
- 1.2 **“AUTHORIZED EMERGENCY VEHICLES”** means Fire and Emergency Services Department vehicles, Police vehicles, ambulances, and any other vehicle that may be required for control of any emergency at properties designated with Fire Routes.
- 1.3 **“BUILDING”** means any existing or proposed building which is of such height, area, or location or other quality that the Ontario Building Code, O. Reg. 350/06 (or any amendment thereof), or the Ontario Fire Code, O. Reg. 388/97 (or any amendment thereof), requires it to be provided with one or more access routes for Fire and Emergency Services Department vehicles and personnel.
- 1.4 **“DESIGNATED FIRE ROUTE”** means a fire route located on any of the lands set out in the City’s Repertories hereto upon which are erected authorized signs.
- 1.5 **“ENFORCING OFFICER”**
- 1.5.1 Means a Police Officer who is a member of the Police Services of the City of Owen Sound, and
- 1.5.2 A Municipal By-law Enforcement Officer shall mean anyone appointed for the City of Owen Sound, and
- 1.5.3 A Special By-law Enforcement Officer appointed to enforce the provisions of the City of Owen Sound By-laws.
- 1.6 **“CHIEF FIRE OFFICIAL”** means the Chief of the Fire and Emergency Services Department of the Corporation of the City of Owen Sound or his/her authorized subordinates or assistants.
- 1.7 **“FIRE ROUTE”** means a private roadway or part thereof and without limiting the generality of the foregoing a private roadway may include any private road, driveway, lane, ramp or other means of vehicular access or egress to or from a building and may include part of a parking lot.

- 1.8 **“PARK OR PARKING”** means the standing of a vehicle, whether occupied or not except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- 1.9 **“VEHICLE”** includes a motor vehicle, farm tractor, road building machine, and any other vehicle drawn, propelled or driven by any kind of power, including muscular power.
2. **FIRE ROUTES**
- 2.1 The owner of any lands within the City of Owen Sound shall; for every building (as defined herein) hereafter erected on the lands, provides the access routes for Fire and Emergency Services Department vehicles and personnel required by the Ontario Building Code, O. Reg. 350/06 (or any amendment thereto) or the Ontario Fire Code, O. Reg. 388/97 (or any amendment thereto).
- 2.2 Where fire routes are provided pursuant to Section 2.1:
- 2.2.1 The owner of the lands shall erect authorized signs upon such routes in locations approved by the Chief Building Official and/or Chief Fire Official;
- 2.2.2 The owner shall maintain the same in accordance with Section 3 hereof.
- 2.3 The owner of any lands set out in the City’s Repertories hereof upon which any building has been erected for which no designated fire route has been provided shall provide the same upon existing private roadways by erecting authorized signs upon such roadways in locations approved by the Chief Building Official and/or Chief Fire Official.
- 2.4.1 The owner of any lands upon which any building (as defined herein) or other structure has been erected may apply at any time to the Council of the City of Owen Sound for a by-law to include the lands within the City’s Repertories.
- 2.4.2 The application shall be in accordance with the provisions of Section 2.7 hereof and shall be in the form as set out on Schedule “B” hereto.
- 2.5 No lands shall be included within the City’s Repertories hereto pursuant to Section 2.1 without the affirmative recommendation in writing of the Chief Building Official and/or Chief Fire Official.
- 2.6 Where lands are included in the City’s Repertories hereto pursuant to Section 2.4, the owner shall provide a designated fire route upon existing private roadways by erecting authorized signs upon such roadways in locations approved by the Chief Building Official and/or Chief Fire Official.
- 2.7 Any person required to provide a designated fire route under this By-law shall file in duplicate with the Chief Building Official and/or Chief Fire Official, site plans which shall:
- 2.7.1 Show the location of every building or structure on the site;
- 2.7.2 Show the location of all pedestrian walks, parking areas, parking aisles and driveways on the site;

- 2.7.3 Show the location of all water hydrants;
- 2.7.4 Show the proposed location of the Fire Route or Fire Routes;
- 2.7.5 Be in compliance with the specifications set forth on Schedule "A" hereto.
- 2.8 Every fire route upon lands set out in the City's Repertories shall be constructed and maintained in accordance with the plans filed with and approved by the Chief Building Official and/or Chief Fire Official.

3. MAINTENANCE OF FIRE ROUTE

Maintenance shall include clearing the fire route of snow and ice or other obstruction which would impede the passage over and along the fire route by fire department vehicles or personnel.

4. NOTICE

- 4.1 Before passing a by-law to include any lands within the City's Repertories, the Council of the Corporation of the City of Owen Sound shall cause notice of the proposed by-law to be sent by prepaid mail to every owner as shown on the last revised assessment rolls on whose lands the fire route is proposed.
- 4.2 The Council of the Corporation of the City of Owen Sound or a Committee of Council shall hear in person or by his counsel, solicitor or agent, any person who claims that his lands or premises will be prejudicially affected by the by-law and who applies to be heard within 30 days of the notice being sent.
- 4.3 Any person desiring to waive the right to be heard by council may do so by delivering a waiver in writing to the Chief Building Official and/or Chief Fire Official after which the person's lands may be included within the City's Repertories without further notice.

5. SIGNS

- 5.1 Fire route signage shall be installed and maintained in accordance with the requirements of Schedule "C" hereto.
- 5.2 No person shall erect a sign indicating a Fire Route other than in accordance with the provisions of this by-law.
- 5.3 No person shall without authority from the Chief Building Official and/or Chief Fire Official erect, alter, move, remove or deface or in any manner interfere with any sign placed, erected or maintained under the authority of this by-law.

6. PROHIBITION OF PARKING

- 6.1 No person shall park a vehicle in a Fire Route except as outlined in subsection 6.2 hereof.
- 6.2 Subsection 6.1 hereof shall not apply to Authorized Emergency Vehicles parked in a fire route in response to an emergency.

7. PENALTIES

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- 7.1 Any person who contravenes any of the provisions of this By-law is guilty of an offence and is liable to a fine under the provincial offences Act of not more than \$2,000.00 exclusive of costs.
- 7.2 In addition to the penalties provided in this By-law, an Enforcing Officer, upon finding a vehicle parked in contravention of the provisions of this by-law, may cause the vehicle to be moved or taken to and placed or stored in a suitable place, and all costs and charges upon the vehicle, which may be enforced in the manner provided by the Mechanics Lien Act.
- 7.3 The driver of a vehicle, not being the owner, is liable to any penalty provided in this By-law, and the owner of the vehicle is also liable to such a penalty unless at the time the offence was committed the vehicle was in the possession of a person other than the owner or his chauffeur without the owner's consent.
8. SHORT TITLE
- 8.1 This By-law may be cited as "The City of Owen Sound Fire Route By-law".
9. By-law Nos. 1987-14, 1987-56 and 1992-016 are hereby repealed.
10. This By-law shall come into full force and effect upon the final passing thereof.

FINALLY PASSED AND ENACTED this 23rd day of April, 2007.

Mayor

Clerk

SCHEDULE 'A' TO BY-LAW 2007-070

FIRE ROUTE SPECIFICATIONS

All fire access routes to be provided for any building where a fire access route is required shall be designed and constructed in accordance with the requirements of the 2006 Ontario Building Code, O. Reg. 350/06 (or any amendment thereof). It is appropriate that both the Building Department and Fire and Emergency Services Department be consulted prior to the design and construction of a fire access route.

DESIGN AND CONSTRUCTION

- (1) A portion of a roadway or yard provided as a required access route for fire department use shall,
 - (a) be located so that the principal entrance and every access opening are located not less than 3 m and not more than 15 m from the closest portion of the access route required for fire department use, measured horizontally from the face of the building,
 - (b) be connected with a public thoroughfare,
 - (c) have turnaround facilities for any dead-end portion of the access route more than 90 m long,
 - (d) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,
 - (e) have a centerline radius not less than 12 m,
 - (f) have an overhead clearance not less than 5 m,
 - (g) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m, and
 - (h) be designed to support the expected loads imposed by fire fighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions.

- (2) Access routes shall be provided to a building so that,
 - (a) for a building with a fire department connection, a fire department pumper vehicle can be located adjacent to the hydrant(s),
 - (b) for a building not provided with a fire department connection, a fire department pumper vehicle can be located so that the length of the access from a hydrant to the vehicle plus the unobstructed path of travel for the fire fighter from the vehicle to the building is not more than 90 m, and
 - (c) the unobstructed path of travel for the fire fighter from the vehicle to the building is not more than 45 m.

- (3) The unobstructed path of travel for the fire fighter required by paragraph (2) of Schedule "A" from the vehicle to the building shall be measured from the vehicle to the fire department connection provided for the building, except that if no fire department connection is provided, the path of travel shall be measured to the principal entrance of the building.

- (4) Where a fire route is required pursuant to the provisions of this By-law, and it would be impractical or impossible to provide a fire route pursuant to these specifications, the Chief Building Official and/or Chief Fire Official shall have the full authority to permit suitable alternate construction and design of the fire route as in his/their sole discretion he/they deem appropriate.



SCHEDULE 'B' TO BY-LAW 2007-070

APPLICATION FOR DESIGNATION OF A FIRE ROUTE

I, the undersigned, owner of the property known as _____
which is located _____ request the designation of
the area which is labelled or otherwise shown on the attached plan of the above
noted property as a Fire Route.

I agree to abide by the provisions of the City of Owen Sound Fire Route By-law. I
also agree to perform sufficient maintenance and snow clearing to assure that
emergency vehicles have unimpeded access over this Fire Route.

I will encourage residents and visitors to the above noted property to avoid
parking in the Fire Route Zone.

Signature

Title

Date



**WAIVER – THE CITY OF OWEN SOUND
FIRE ROUTE BY-LAW 2007-070 (SECTION 4)**

TO THE CITY OF OWEN SOUND CHIEF BUILDING OFFICIAL AND/OR CHIEF
FIRE OFFICAL:

In accordance with provisions of The City of Owen Sound Fire Route By-law, I hereby acknowledge that I have been served Notice of the City of Owen Sound's intention to establish a Fire Route(s) on my lands, or part thereof. I hereby waive the right to be heard by Council and authorize the City to include my lands set out in the City's Repertories.

Authorized Signature

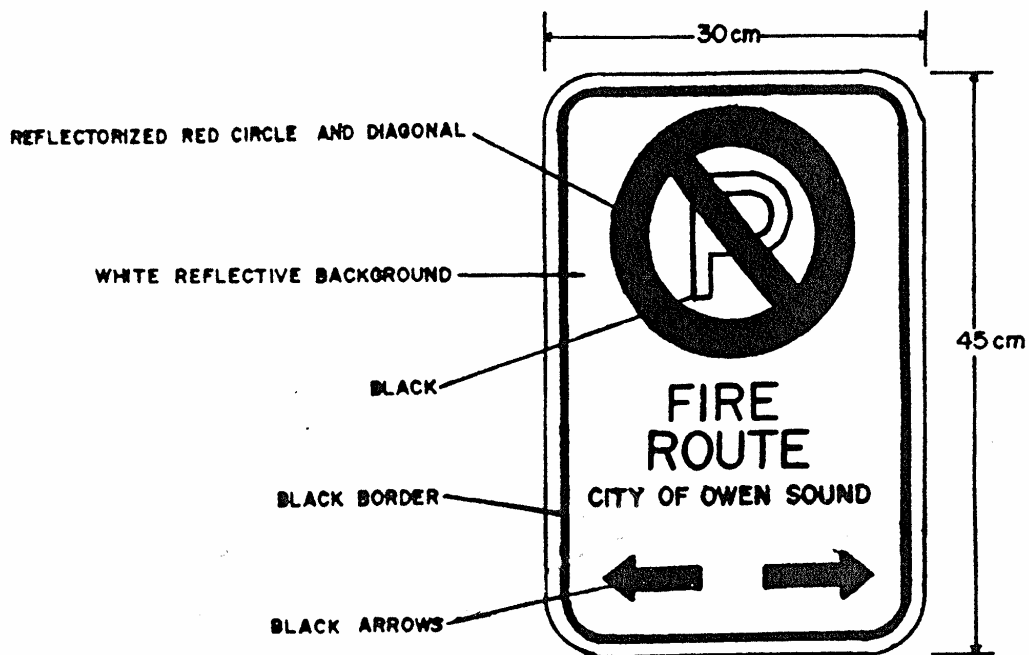
Date

SCHEDULE 'C' TO BY-LAW 2007-070

FIRE ROUTE SIGNING STANDARDS

All Fire Routes shall be identified by signing conforming to the following standards:

1. Erection and maintenance of signing shall be the responsibility of the owner of the property on which the Fire Route has been designated. All signs are to be maintained in good condition by the said owner.
2. All signing used to indicate Fire Routes located on private property shall be printed on a 30cm by 45cm sign blank and shall display a format as illustrated below, subject to paragraph 3 of Schedule "C".



3. A Fire Route Sign shall be placed at each limit of a fire route. These signs shall display single headed arrows pointing in the direction which is affected by the Fire Route. Throughout the zone, Fire Route Signs displaying double headed arrows shall be installed at intermediate points no further apart than 30 metres or less as may be required by the Chief Building Official and/or Chief Fire Official.
4. Signs shall be installed on a sign post anchored securely to the ground or a platform capable of holding the sign erect during all weather conditions, the maximum height of such sign to be no greater than 3.0 metres and the minimum height of such sign to be no less than 2.0 metres above the wearing surface of the adjacent road.
5. Each sign shall be erected on the boulevard so that no part of the sign is closer than 30 cm to the adjacent curb nor further than 3 metres from the curb. Where there are no curbs, no part of the sign shall be closer than 1 metre nor further than 3 metres from the edge of the adjacent pavement or travelled road.