

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 114-86

A BY-LAW WITH RESPECT TO FIRE ROUTES

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law:-

- (a) "building" or "structure" means a building or structure which has received or requires a building permit other than buildings designed or used solely for residential use containing less than four dwelling units.
- (b) "designated fire route" means a fire route so designated by by-law of the Corporation.
- (c) "Fire Chief" means the Chief of the Fire Department of the Corporation.
- (d) "fire route" means any private road, lane, ramp or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot on property designated on Schedule "A" hereto.
- (e) "park" or "parking" when prohibited means the standing of a vehicle, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- (f) "sign, authorized" means any sign or roadway, curb or sidewalk marking or other device placed or erected on a fire route under the authority of this by-law or the Ontario Fire Code for the purpose of regulating, warning or guiding parking or traffic.
- (g) "trailer" means a vehicle that is at any time drawn upon a highway by a vehicle or any device or apparatus not designed to transport persons or property temporarily drawn, propelled or moved upon the highway and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the vehicle by which it is drawn.

- (h) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the car of an electric or steam railway running only upon rails.
- (i) "zoning requirements" means the requirements set out in City of North Bay By-law No. 28-80 as amended.

PART II

- 2. This by-law shall apply to all buildings or structures presently erected or proposed to be erected in the City of North Bay.
- 3. No person shall erect a sign indicating a fire route other than in accordance with the provisions of this by-law or the Ontario Fire Code, Ontario Regulation 730/81, as amended.

EXISTING BUILDING OR STRUCTURE

- 4. (1) The owner of any building or structure may apply for a designation under Schedule "B" of a fire route, by filing an application together with a plan in two (2) copies of the fire route with the City Clerk.
- (2) The Plan to be filed pursuant to subsection (1) hereof shall show,
 - (a) the location of every building and structure on the site;
 - (b) the location of all pedestrian walks, parking areas, parking aisles and driveways on the site;
 - (c) the location of all fire hydrants; and
 - (d) the proposed location of the fire route.
- (3) The proposed location of the fire route shall not be effective until Schedule "B" has been amended to designate the legal description of the lands upon which the fire route is designated.

GENERAL

5. (1) The City Engineer shall examine the proposed fire route to ensure that any roadways meet an adequate standard.
- (2) Where an owner of land is in receipt of an approved plan of the fire route from the Fire Chief, the owner shall ensure that the fire route is maintained in accordance with the plans approved and the specifications set forth in Schedule "A" annexed hereto.
- (3) The owner shall file with the Fire Chief, a certificate that the fire route has been constructed in accordance with the provisions of this by-law and shall also file six (6) copies of an as-built plan of the fire route.
- (4) Upon the receipt of the certificate and the as-built plans, in accordance with the by-law, the Fire Chief shall:
 - (a) submit the same to the City Engineer for his approval, and
 - (b) upon such approval, the Fire Chief shall approve the fire route by affixing his signature to the as-built plan of the fire route, and
 - (c) notify the Clerk and the Chief of Police of the approval referred to in Clause (b) hereof.
- (5) The plans of the designated fire route shall be
 - (a) on file in the office of
 - (i) the Clerk;
 - (ii) the Fire Chief;
 - (iii) the City Engineer; and
 - (b) made available by the Clerk for viewing by the public upon request.

SIGNS

6. (1) Upon the designation of the fire route on Schedule "B", the Owner of the lands shall erect or cause to be erected, inspected and maintained such signs, markings or barricades as specified by the City Engineer and as are required to give effect to this by-law.

6. (2) The designated fire route signs shall:
 - (a) be not less than 30 centimetres (12 inches) in width
 - (b) bear the symbol and show the wording and numbers as indicated in Schedule "C" annexed hereto;
 - (c) be placed,
 - (i) on intervals of not less than 15 metres (49.2 feet) and not more than 45 metres (147.5) along the designated fire route,
 - (ii) one at each limit of the fire route, and
 - (iii) at all curves existing in the designated fire route having a change in direction of greater than 45 degrees and at all locations where the continuity of the fire route is interrupted by intersections, such as driveways;
 - (d) be erected not less than 2.2 metres (7 feet) from the bottom of the sign to the pavement with a permitted variation of 1.9 metres (6 feet) to 3 metres (10 feet).
7. (1) No person shall, without authority from the Fire Chief, erect, alter, move, remove or deface or in any manner interfere with any sign, marking or barricades placed, erected or maintained under the authority of this by-law.
 - (2) Every owner shall notify the Fire Chief when any sign, marking or barricade has been interfered with or requires maintenance.
 - (3) Whether or not the owner fails to notify the City Engineer as provided in subsection (2) hereof, the Corporation may but has no duty to maintain a sign, marking or barricade,
8. The owner shall maintain the fire route
 - (a) in good repair;
 - (b) clear of snow and ice,
 - (c) free of blockage by any means, and
 - (d) with the required signs.

9. Notwithstanding the provisions of Section 10 hereof, when the owner provides a fire route for the sole purpose of a fire route, the fire route may be obstructed for the control of entry of vehicles in one of the following methods:
 - (a) break-away spot-welded posts;
 - (b) a chain between posts connected with a padlock;
 - (c) drive through flexible barriers; or
 - (d) portable barriers
10. No person shall park a vehicle in an area designated by an authorized sign as a designated fire route.
11. Tickets may be issued by a Peace Officer alleging commission of an offence provided in Section 10 hereof.
12.
 - (1) The owner shall pay the Corporation for any services provided under subsection (3) of section 7 hereof.
 - (2) All accounts rendered by the Corporation for services as referred to in subsection (1) hereof shall be paid within thirty (30) days of the day of billing.
 - (3) If payment is not made by the owner in accordance with the provisions of subsection (2) hereof, the Corporation may recover the expenses incurred by action, or the same may be recovered in like manner as municipal taxes.
13.
 - (1) Subject to subsections (2), (3) and (4) hereof, any person who contravenes any of the provisions of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than Three Hundred Dollars (\$300.00) exclusive of costs.
 - (2) Any person who contravenes the provisions of section 10 hereof is, upon conviction, liable to a fine of not less than Ten (\$10.00) Dollars and not more than Three Hundred (\$300.00) Dollars, exclusive of costs.
 - (3) Where by this by-law, a specific fine or penalty is provided and such fine or penalty is not paid out of Court, then upon a conviction, any such fine or penalty may be increased to a fine of not more than Three Hundred (\$300.00) Dollars exclusive of costs.

13. (4) Notwithstanding all other provisions of this by-law in respect to penalties, for violations of the provisions of Section 10 of this by-law, any person may, upon presentation of a ticket at the office listed on the ticket issued alleging commission of any offence provided in the said section, pay out of Court within fourteen (14) days (exclusive of Sundays), Saturdays and Public Holidays) from the date of issue of the said ticket, the specific penalty of Ten (\$10.00) Dollars for such offence at the office listed on the ticket and upon such payment, no further proceedings shall be taken under this by-law in respect of the said offence alleged in the ticket. The receipt for payment signed by the person assigned to the duty of receiving payments shall be evidence of payment of the penalty provided for the violation.
14. The driver of a vehicle, not being the owner, is liable to any penalty provided in the 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.
15. In addition to any other penalties provided by this by-law, upon discovery of any vehicle parked or left unattended which is obstructing traffic and in contravention of the provisions of this by-law, a Peace Officer or a full-time firefighter may cause such vehicle to be moved to and stored in another location and all costs and charges of removal and storage thereof are a lien upon the vehicle.
16. Where any person has been convicted of an offence under this by-law, any Court of competent jurisdiction may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

READ A FIRST TIME IN OPEN COUNCIL THE 9TH DAY OF JUNE , 1986

READ A SECOND TIME IN OPEN COUNCIL THE 23rd DAY OF June , 1986

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 23rd
DAY OF June , 1986.


MAYOR


CITY CLERK

SCHEDULE "A"

FIRE ROUTE SPECIFICATIONS

CONSTRUCTION AND DESIGN

1. All fire routes shall be paved with asphalt or concrete.
2. A fire route shall have a vertical clearance throughout its width and length of not less than 4.65 metres (15 feet 3 inches) and such clearance shall be maintained at all times.
3. Where the building or structure is three (3) or more storeys in height, the nearest edge of a fire route shall be located:
 - (a) not less than 3 metres (10 feet) from a building,
and
 - (b) not more than 12 metres (40 feet) from a building.
4. A fire route shall be not less than 3.66 metres (12 feet) in width on the portion of the fire route that is parallel to the face or faces of the building or structure which it serves and on curved portions, the radius of the centre line of such curve shall be not less than 15 metres (50 feet).

THIS IS SCHEDULE "B" TO BY-LAW NO.
THE CITY OF NORTH BAY

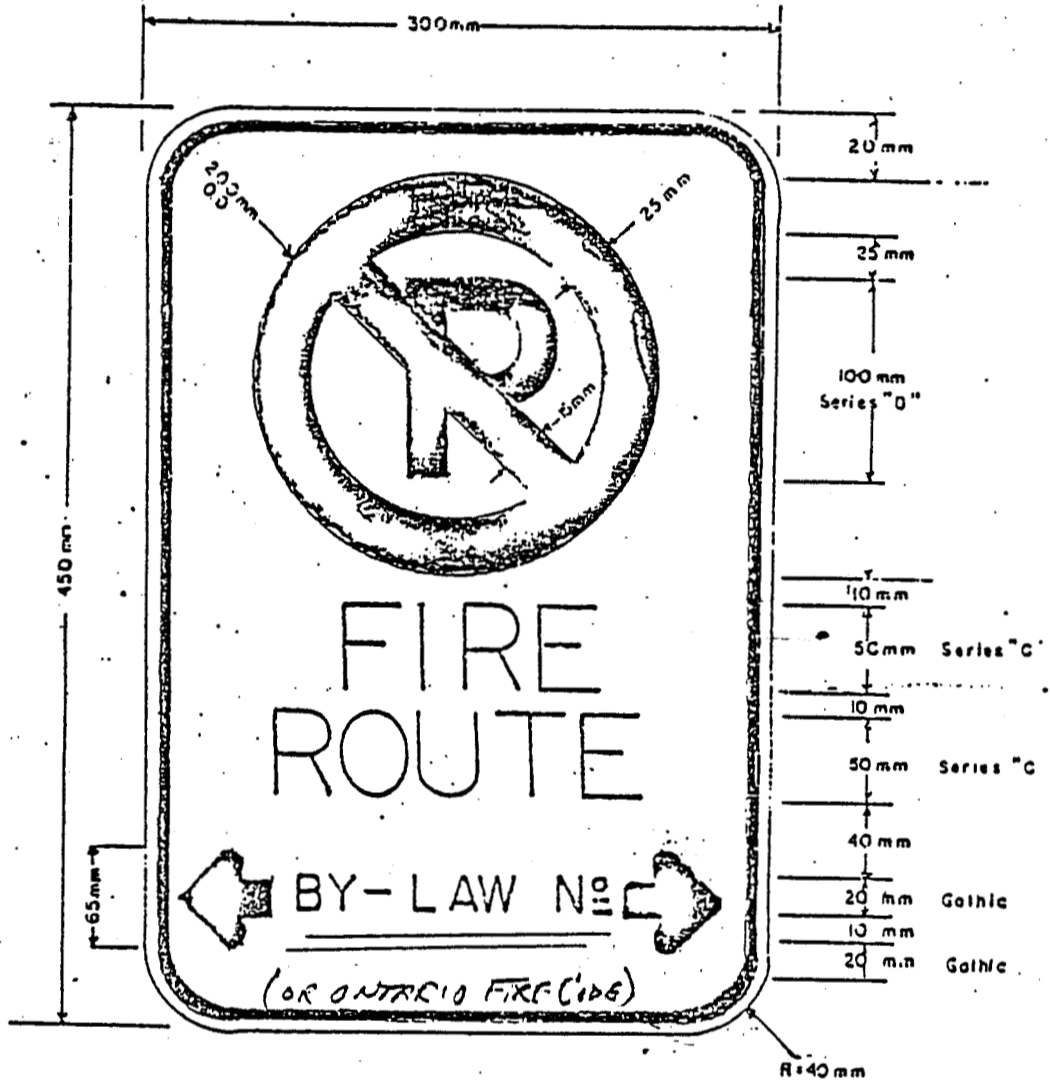
OF THE CORPORATION OF

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LEGAL DESCRIPTION OF PROPERTIES UPON WHICH A FIRE ROUTE HAS BEEN
APPROVED:

1.

SCHEDULE 'C'



RED CIRCLE AND DIAGONAL
 BLACK LETTERS ON WHITE-BACKGROUND REFLECTORIZED