



TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, JANUARY 21, 2013
7:00 p.m.

CALL TO ORDER

Page

1. AGENDA APPROVAL

2. MINUTES

- 2.1. Minutes of the Regular Meeting of Council held January 7, 2013 1-4

3. PUBLIC HEARING

None

4. DELEGATIONS

- 4.1. Jean Crowder, M.P., Nanaimo-Cowichan
Update and Discussion

- 4.2. Rob Waters, Ladysmith Chamber of Commerce
2013 Visitor and Business Services Agreement with Town of Ladysmith

5-7

Staff Recommendation

That Council approve the Agreement between the Town of Ladysmith and
Ladysmith Chamber of Commerce for Visitor and Business Services in 2013.

5. PROCLAMATIONS

None

6. DEVELOPMENT APPLICATIONS

- 6.1. Development Variance Permit – 517 High Street (Lots 7, 8 and 9, Block 124,
District Lot 56, Oyster District, Plan 703A) 8-23

- 6.2. Official Community Plan Amendment and Rezoning Application 1201 and 1251
Christie Road (Lot 7 and Lot 8, DL 147, Oyster District, Plan VIP85271) 24-27

7. BYLAWS (OCP/ZONING)

None

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8. STAFF/ADVISORY COMMITTEE REPORTS	
8.1. Fire Regulations Bylaw 1815	28-44
8.2. Purchase of a Customized Flat Deck and Tool Box	45-48
9. CORRESPONDENCE	
9.1. Doug Bell, Ladysmith Maritime Society Request for permission to use Unit B of the Machine Shop on a temporary basis for construction of docks for the Ladysmith Maritime Society Community Marina	49
<u>Staff Recommendation</u> That Council authorize the Ladysmith Maritime Society to use Unit B of the Machine Shop on Oyster Bay Drive for the construction of additional visitor docks for the Ladysmith Maritime Society Community Marina, at no charge, until June 30, 2013.	
10. BYLAWS	
10.1. Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2013, No. 1814 May be read a first, second and third time. The purpose of Bylaw 1814 is to authorize the Town to transfer fund from the Cemetery Care Fund for the purpose of cemetery operations.	50
10.2. Town of Ladysmith Fire Prevention Bylaw 2013, No. 1815 May be read a first, second and third time. Bylaw 1815 is the subject of a staff report under Agenda Item 8.1. The purpose of Bylaw 1815 is to repeal Burning Regulation Bylaw 2001, No. 1380 and to establish a new, updated bylaw to regulate burning and fire prevention in Ladysmith.	51-65
11. NEW BUSINESS	
11.1. Picture of Ladysmith Light Up published in Bellmore (N.Y.) Life Newspaper	66
12. UNFINISHED BUSINESS	
13. QUESTION PERIOD	
<ul style="list-style-type: none"> • A maximum of 15 minutes is allotted for questions. • Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business. • Individuals must state their name and address for identification purposes • Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine • Questions must be brief and to the point 	

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- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed
 - No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council

14. EXECUTIVE SESSION

In accordance with Section 90(1) of the *Community Charter*, this section of the meeting will be held *In Camera* to consider the following items:

90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality

90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality

90(1)(g) litigation or potential litigation affecting the municipality

90(1)(m) a matter that, under another enactment, is such that the public may be excluded from the meeting

15. RISE AND REPORT

ADJOURNMENT



**TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, JANUARY 7, 2013 - 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT

Mayor Rob Hutchins

Councillor Bill Drysdale

Councillor Glenda Patterson

Councillor Steve Arnett

Councillor Gord Horth

Councillor Jillian Dashwood

Councillor Duck Paterson

STAFF PRESENT

Ruth Malli

Erin Anderson

Sandy Bowden

John Manson

Felicity Adams

Joanna Winter

CALL TO ORDER

Mayor Hutchins called the meeting to order at 6:15 p.m.

CLOSED SESSION

CS 2013-1

It was moved, seconded and carried that this meeting retire into Closed Session at 6:15 p.m.

Mayor Hutchins called the Regular Meeting of Council to order at 7:00 p.m.

AGENDA APPROVAL

CS 2013-2

It was moved, seconded and carried that the agenda for the Regular Council Meeting be adopted as circulated.

MINUTES

CS 2013-3

It was moved, seconded and carried that the Minutes of the Regular Council Meeting of December 17, 2012 be adopted as circulated.

DELEGATIONS

Lawrence Jonson, Marilyn Mattson, B.C. Government Retired Employees Association

Update on Progress Toward Elimination of Medical Services Plan Premiums for B.C. Seniors

L. Jonson and Marilyn Mattson made a brief presentation to Council regarding progress of an initiative by the B.C. Government Retired Employees Association seeking elimination of Medical Services Plan premiums for B.C. Seniors. They thanked Council

for its past support of this initiative and requested ongoing advocacy on this matter. Council members thanked the B.C. Government Retired Employees Association for their efforts and wished them continued success.

Dr. Paul Hasselback, Medical Health Officer, Vancouver Island Health Authority

Health at the Local Level – Report and Update to Council

Dr. P. Hasselback made a presentation to Council on the latest Local Health Area Profile for the Ladysmith area and responded to questions. Dr. Hasselback pointed out that there appears to be a disconnect between the fact that Ladysmith is a vibrant, active, socially conscious community and the life expectancy statistics, adding that further investigation will be necessary. Council thanked Dr. Hasselback for his informative presentation.

PROCLAMATIONS

Mayor Hutchins proclaimed the month of February 2013 as “Heart Month” in the Town of Ladysmith.

DEVELOPMENT PERMITS AND DEVELOPMENT VARIANCE PERMITS

CS 2013-4

Official Community Plan Amendment and Rezoning Application – Kolk (Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue)

It was moved, seconded and carried that staff be directed to prepare bylaws to amend the Official Community Plan and the Zoning bylaw to permit a five unit townhouse development on the property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (430 Second Avenue) pursuant to:

- A density bonus provision such that the units are built to a high energy efficiency standard;
- A contribution to the community amenity fund
- A commitment to the Michael Ker building designs; and
- Road frontage and boulevard improvements.

CS 2013-5

Proposed Rezoning of Town-owned Land – 1201 and 1251 Christie Road (Lot 7 and Lot 8, DL147, Oyster District, Plan VIP85271

It was moved, seconded and carried that staff be directed to initiate an Official Community Plan and Zoning Bylaw amendment for 1201 and 1251 Christie Road (Lot 7 and Lot 8, DL 147, Oyster District, Plan VIP85271) to permit light industrial land use, including the preparation of site, building and landscape design concepts or guidelines to manage the interface with the adjacent residential development and provide for an appropriate entry to the Town.

**COUNCIL
REPORTS**

COMMITTEE

Mayor Hutchins

Mayor Hutchins and Warren Jones, Chief Administrator of the Cowichan Valley Regional District, made a brief presentation summarizing the activities and accomplishments of the Regional District in 2012.

CS 2013-6

Councillor Horth – Government Services Committee Recommendations

It was moved, seconded and carried that consideration of the proposed Bar Watch program in Ladysmith and the related Good Neighbours Agreement as presented to Council on November 26, 2012 be referred to staff and that staff be directed to review this matter with the Royal Canadian Mounted Police to determine if other jurisdictions such as Cowichan Valley Regional District Areas G and H and Regional District of Nanaimo Area A should be included in the agreement.

**STAFF / ADVISORY
COMMITTEE REPORTS**

CS 2013-7

Celebrate Canada Day Funding Application Request

It was moved, seconded and carried that staff be directed to submit an application for federal funding through Canadian Heritage for funding up to \$5,000 for the organization of events associated with the celebration of Canada Day 2013.

CORRESPONDENCE

Councillor Arnett declared a conflict of interest with the following item and excused himself from the meeting.

CS 2013-8

Doug Bell, Ladysmith Maritime Society

Sewage Pump-out System at Ladysmith Maritime Society Community Marina

It was moved, seconded and carried that the Town of Ladysmith fund the costs of installing the marine sewage pump-out station at the Ladysmith Maritime Society Community Marina through the Gas Tax Fund, and that an amendment to the Gas Tax Agreement be requested to permit funding of the sewage pump-out system, and that the Financial Plan be amended accordingly.

Councillor Arnett returned to the meeting.

CS 2013-9

**J.E. Barry, Cowichan Valley Regional District
Community Safety Advisory Commission**

It was moved, seconded and carried that Councillor Jill Dashwood be appointed to represent the Town of Ladysmith on the Community Safety Advisory Commission of the Cowichan Valley Regional District for 2013 and 2014.

QUESTION PERIOD

Michael Furlot, Ladysmith Chamber of Commerce, provided Council with a brief update on Chamber of Commerce activities, and presented Council members with "What Am I FOR" buttons promoting the Chamber's attitude of positivity.

EXECUTIVE SESSION

CS 2013-10

It was moved, seconded and carried that the Regular Session of Council be adjourned at 8:22 p.m. and that the Closed Session be reconvened.

RISE AND REPORT

The Closed Session of Council arose with report on the following item at 8:37 p.m.

- Staff were directed to proceed with the issuance of a public notice for the disposition of Town-owned lands located at 1201 and 1251 Christie Road, in accordance with Section 26 of the Community Charter.

ADJOURNMENT

CS 2013-11

It was moved, seconded and carried that this meeting of Council be adjourned at 8:38 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)

THIS AGREEMENT made the day of , 2013

BETWEEN: TOWN OF LADYSMITH
Box 220, 410 Esplanade, Ladysmith, British Columbia, V9G 1A2
(hereinafter called the "Town")

AND: LADYSMITH CHAMBER OF COMMERCE
Box 598 Ladysmith, British Columbia, V9G 1A4
(hereinafter called the "Chamber")

In consideration of the mutual promises hereinafter appearing, the parties hereto covenant and agree each with the other as follows:

1. The Chamber shall during all business hours, including weekends as appropriate, from January 1, 2013 to December 31, 2013 (the "Term") operate and maintain a Visitor Information Centre at 411B First Avenue, Ladysmith, B.C. or such other location as the Town may decide, and provide therein visitor information on Ladysmith including without limitation:
 - a) Responding to drop-in, telephone and website inquiries as well as mailing out information as appropriate;
 - b) Maintaining an adequate supply of current, relevant information and publications for visitor information;
 - c) Ensuring that a community calendar of events is kept current on the Chamber's website, is easily linked to other community websites and is available for use by all groups in the community;
 - d) Reporting to the Town Council on a semi-annual basis, and from time to time as required by Town Council and staff;
 - e) Maintaining and cleaning the visitor information office, including a public washroom, to a standard reasonably required by the Town;
2. The Chamber shall, during the term of the contract, operate and maintain information and support services for local businesses including without limitation:
 - a) Hosting speakers at monthly meetings that will support small business capacity building in Ladysmith;
 - b) Working towards (start process in 2013) providing a Business Centre to support new businesses in Ladysmith and providing the Town with an outline of the services to be provided;
 - c) Working collaboratively with the Town and the Ladysmith Downtown Business Association to support existing and new businesses in Ladysmith;
 - d) Liaising with the Town during filming to manage communications with the local business community;
 - e) Assisting, as and when requested, with the collection of business licences in

Ladysmith and;

f) Co-ordinating workshops to support local business in Ladysmith.

3. In consideration for the Chamber supplying the aforementioned services, the Town shall pay to the Chamber an annual sum of \$35,000.00 (plus applicable taxes) paid in equal quarterly installments on the first business day following: January 1, April 1, July 1, October 1, 2013.
4. The Town agrees to pay \$700 (plus applicable taxes) towards the monthly lease payments for the premises occupied by the Visitor Information Centre. The lease for the premises shall be in the name of the Chamber of Commerce (the lessee) and the Town (the lessor).
5. The Town may terminate this Agreement if the Chamber is in breach of any obligations herein and does not remedy such breach within 15 days written notice by the Town to the Chamber in respect of such breach.
6. Provided neither party is in breach of any of the terms or conditions of this agreement, this agreement may be extended at the end of its term for a further period of one year on terms acceptable to both parties.
7. Time is of the essence with this Agreement. This Agreement constitutes the entire agreement between the parties hereto in respect of the Visitor Information Centre and the services described herein. This Agreement may not be amended by the parties hereto other than by written agreement mutually agreed to by both parties. **IN WITNESS WHEREOF** each of the parties hereto has executed this Agreement under the hands of their proper officers duly authorized in that behalf.

LADYSMITH AND DISTRICT)
CHAMBER OF COMMERCE)

_____)
Authorized Signatory)

_____)
Authorized Signatory)

THE TOWN OF LADYSMITH)
seal was affixed in the presence of:)

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Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: January 15, 2013
File No: 3090-12-05

Re: Development Variance Permit Application – 517 High Street (Todd Hancock)
Lots 7, 8 and 9, Block 124, District Lot 56, Oyster District, Plan 703A

RECOMMENDATION(S):

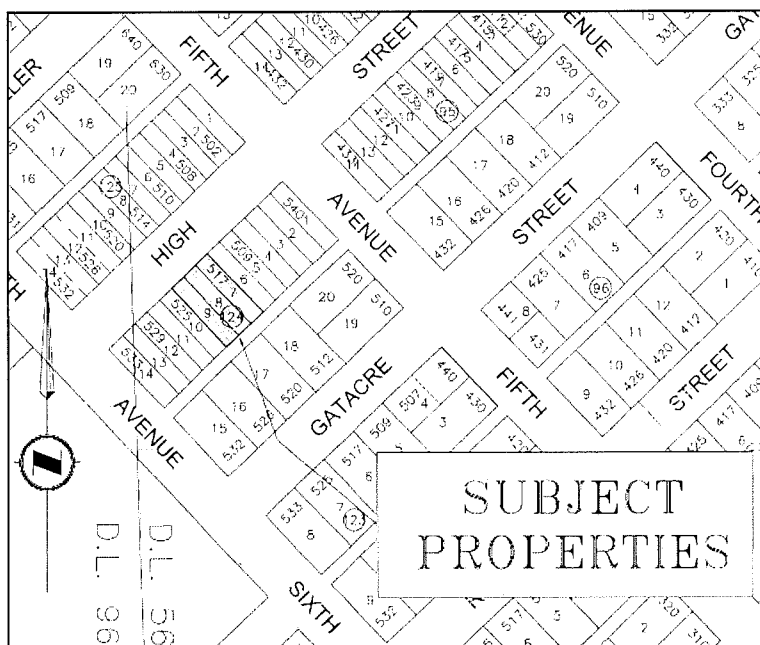
That Council consider approving Development Variance Permit application 3090-12-05 for Lots 7, 8 and 9, Block 124, District Lot 56, Oyster District, Plan 703A (517 High Street) to permit the siting of the single family residential dwellings on the lots.

PURPOSE:

The purpose of this staff report is to obtain Council direction regarding a development variance permit for the development of three single family residential lots.

INTRODUCTION/BACKGROUND:

The applicant, Todd Hancock, is proposing variances for three proposed homes on three lots on High Street (see subject property map). The existing three lots are each 278m² (3000ft²) in size. Currently a dwelling straddles two of the lots. It is proposed that the existing dwelling be demolished and three new homes be constructed. To achieve the three new homes on the three narrow lots, variances are proposed.



At its meeting held December 17, 2012, Council directed staff to proceed with statutory notice for development variance permit application 3090-12-05.

SCOPE OF WORK:

The current stage of this application is to seek Council's decision on the proposed Development Variance Permit.

The subject properties are zoned Urban Residential Zone (R-2). The properties are narrow in shape 7.6m x 36.5m (25ft x 120ft). Thus, to achieve one dwelling and one accessory building on each of the three lots (as shown in the DP schedules) the following variances are proposed:

- To vary the side yard setback for the dwellings from 3m to 1.5m. (The R-2 Zone permits one side yard setback to be 1.5 metres and the other to be 3.0 metres. This variance would permit both setbacks to be 1.5 metres.)
- To vary one side yard setback for the accessory buildings from 1.5m to 1m.
- To vary the minimum finished floor area for the dwellings from 83m² to 71m².
- To vary the minimum horizontal building dimension for the dwellings from 6.5m to 4.5m.

The other regulations in the R-2 Zone have been met. The applicant notes that the proposed building height is 7 metres (the permitted height is 9 metres).

The applicant's stated rationale is to build new homes at an affordable price point and address the directions from Visioning for density, family neighbourhoods, small lots and quality built homes.

Table 1: Summary of Development Variance Permit Application 3090-12-05

	Permitted	Proposed	Requested Variance
<i>10.2(3)(b) House - side yard setback</i>	3 metres	1.5 metres	1.5 metres
<i>10.2(3.2)(b) Accessory building – one side yard setback</i>	1.5 metres	1 metre	0.5 metre
<i>10.2(4) House - minimum finished floor area</i>	83m ²	71m ²	12m ²
<i>10.2(5) House – minimum horizontal building dimension</i>	6.5 metres	4.5 metres	2 metres

ALTERNATIVES:

To not support DVP application 3090-12-05.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

The *Local Government Act* enables Council to vary zoning regulations, except use and density regulations through the issuance of a development variance permit. This is a discretionary decision of Council. Public notification is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Town of Ladysmith notice regarding Development Variance Permit application 3090-12-05 was sent to neighbouring properties on January 4, 2012. At the time of writing this report, four neighbours had inquired about the proposal, three letters of support were received, and feedback was received from two neighbours who expressed concern regarding:

- Loss of privacy, views and light resulting from the close proximity of the proposed dwellings.
- Fire safety issues due to reduced space between each building.
- Setting a precedent for higher density development.

Written submissions and letters of support are attached to this report.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Variance Permit application 3090-12-05 was referred to the Building Inspector, Infrastructure Services Department and Fire Chief and they have no objections to the proposed variance. Like all development, the proposal would need to meet the British Columbia Building Code for fire separation.

RESOURCE IMPLICATIONS:

Processing Development Variance Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The subject development variance permit proposal is consistent with the Visioning Report in the following ways:

- The proposal increases density in an existing residential neighbourhood.
- The three proposed dwellings front onto the street with a front porch to allow interaction between people in the building and on the street.
- Parking areas are located to the rear of the homes.
- The development is within close proximity to downtown, schools, the recreation centre, a transit stop and parks.
- Local employment is created as it is proposed that a local developer build the three homes.
- The proposed builder is experienced with constructing highly energy efficient homes and he plans to integrate many Energuide requirements into the three proposed dwellings.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design are strategic Council directions.

SUMMARY:

It is recommended that Council approve Development Variance Permit application 3090-12-05.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

DVP Form 12-05

Written Submissions on DVP Application 12-05

TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT – 3090-12-05
DATE: JANUARY 21, 2013

TO: TLH Development Inc., Inc. No. BC0748600

ADDRESS: P.O. Box 2344
LADYSMITH, B.C. V9G 1B8

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Town of Ladysmith described below and any and all buildings, structures and other development thereon:

Lot 7, Block 124, District Lot 56, Oyster District, Plan 703A – PID #008-705-551
Lot 8, Block 124, District Lot 56, Oyster District, Plan 703A – PID #008-705-569
Lot 9, Block 124, District Lot 56, Oyster District, Plan 703A – PID #008-705-607
(517 High Street)

3. Section 5.11 “Yards” in the General Regulation section of the “Town of Ladysmith Zoning Bylaw 1995, No. 1160”, as amended, is varied for the subject property as follows:

From:

Section 5.11 (1) Except as otherwise provided in each particular zone, the following features may project into a required setback or yard:

- (a) Steps;
- (b) Eaves and gutters, cornices, sills, belt courses, bay windows, chimneys, heating or ventilating equipment or other similar features provided that such projections do not exceed 1.0 metre nor 50 percent of the width in the case of a side yard of less than 1.5 metres wide;
- (c) Open porches and canopies (not including carports) sun shades, unenclosed stair wells, or balconies provided that such projections do not exceed 1.5 metres in the case of a front or side yard or 2.0 metres in the case of a rear yard;
- (d) Covered or underground parking areas which are in or beneath any part of a principal building, or those parking areas which are within an accessory building which has become part of a principal building by reason of its attachment thereto;

and no other features may project into a required front, side or rear yard.

To:

Section 5.11 (1) Except as otherwise provided in each particular zone, the following features may project into a required setback or yard:

- (a) Steps;
- (b) Eaves and gutters, sills, and stairwells, provided that such projections do not exceed 0.5 metres wide.
- (c) Open porches and canopies (not including carports) sun shades, or balconies provided that such projections do not exceed 1.5 metres into a front yard;

and no other features may project into a required front, side or rear yard.

4. Section 10.2 "Conditions of Use" in the Urban Residential (R-2) Zone of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is varied for the subject property as follows:

From:

Section 10.2 (3) "No building or structures located on a parcel within this Zone shall be closer than: (b) 3.0 metres to one side lot line and a minimum of 1.5 metres to the other side lot line."

To:

Section 10.2 (3) "No building or structures located on a parcel within this Zone shall be closer than: (b) a minimum of 1.5 metres to either side lot line."

AND

From:

Section 10.2 (3.2) "Despite 10.2 (3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than: (b) 1.5 metres to either side lot line."

To:

Section 10.2 (3.2) "Despite 10.2 (3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than: (b) 1.5 metres to one side lot line and 1.0 metre to the other side lot line."

AND

From:

Section 10.2 (4) "The minimum finished floor area for a single family dwelling shall be 83.0 square metres and the maximum finished floor area of a single family residential dwelling shall be the lesser of 33.0 percent of the parcel area or 240.0 square metres."

To:

Section 10.2 (4) "The minimum finished floor area for a single family dwelling shall be 71.0 square metres and the maximum finished floor area of a single family residential dwelling shall be the lesser of 33.0 percent of the parcel area or 240.0 square metres."

AND

From:

Section 10.2 (5) "The minimum horizontal building dimension of the principal building shall be 6.5 metres."

To:

Section 10.2 (5) "The minimum horizontal building dimension of the principal building shall be 4.5 metres."

5. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.

6. The following plans and specifications are attached:

- a) Schedule A – Streetscape Concept Plan
- b) Schedule B – Site Plan

7. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION passed by Municipal Council on the _____ day of _____ 2013.

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with TLH Development Inc., Inc. No. BC0748600 other than those contained in this permit.

Signed

Witness

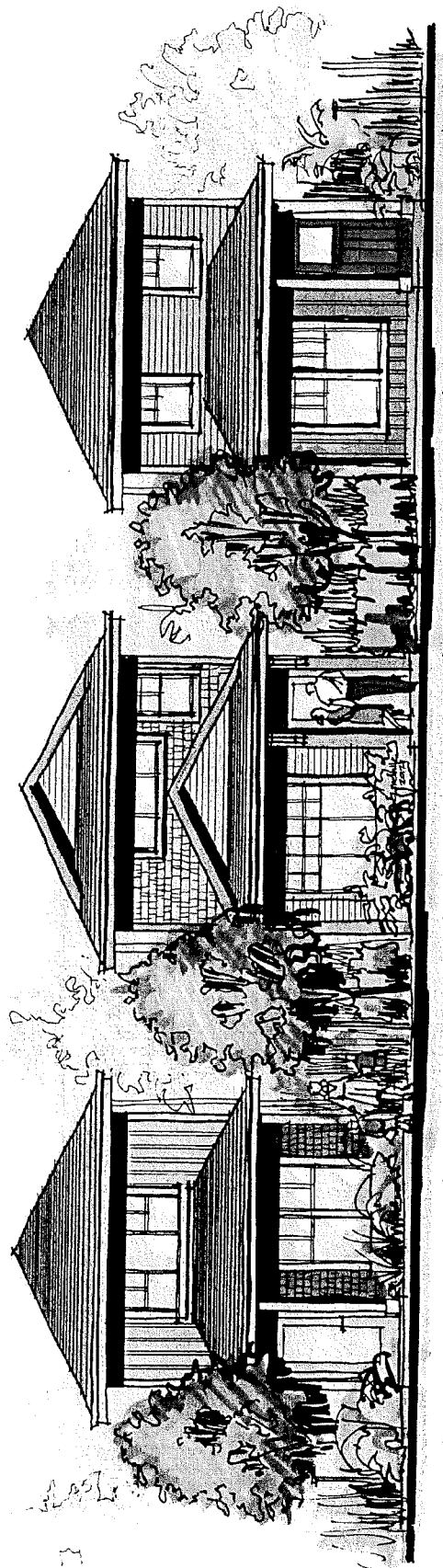
Title

Occupation

Date

Date

Schedule A - Streetscape Concept Plan
 DVP 3090-12-05 - TLH Development Inc.
 (517 High Street)

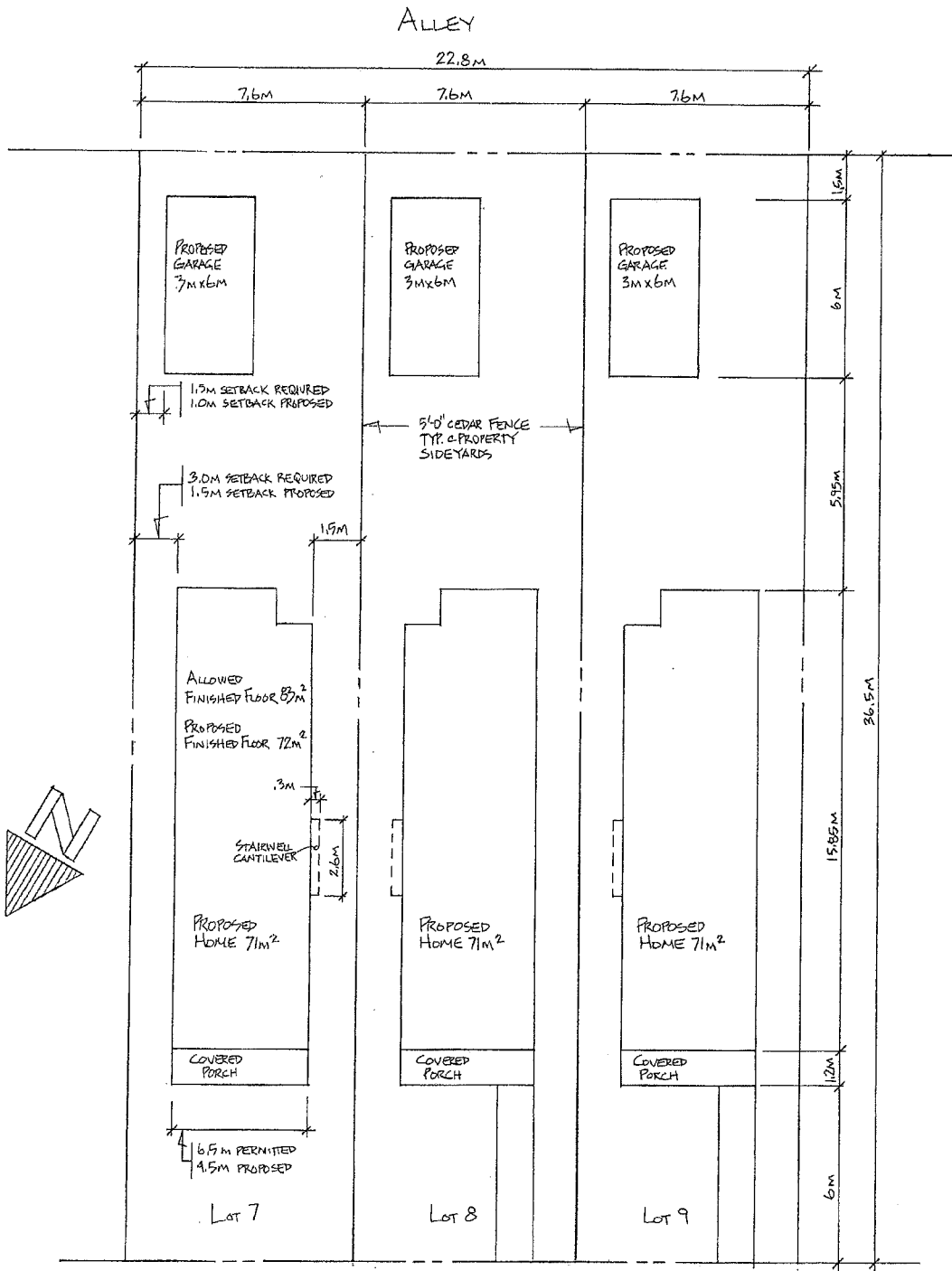


streetscape - high street
 scale: 1/4"=1'-0"

Proposed Residences
 517 High Street
 Ladysmith B.C.



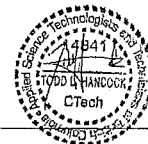
Schedule B - Site Plan
DVP 3090-12-05 - TLH Development Inc.
(517 High Street)



SITE PLAN
HIGH STREET

LEGAL DESCRIPTION:
LOT 7, 8, 9 BLOCK 124 DLS6
OYSTER DISTRICT PLAN 705A

SITE COVERAGE: HOUSE 71m²
GARAGE 18m²
SITE 277.4m²
COVERAGE 31% ALLOWED 33%



To the Attention of Mayor and Council:

Re: File DVP 3090-12-05

Application for a variance to Town Of Ladysmith Zoning Bylaw 1995, No. 1160

Property at 517 High Street, Ladysmith, BC

Dear Mayor and Council members;

I am the owner of 509 High Street, the property beside 517 High Street where the change to Bylaw is requested.

I am vehemently opposed to the Bylaw change and the development of 517 High St. as proposed by Todd Hancock in his petition to council.

I inherited this property from my parents on my Mother's passing in 2011. It was my parents home for over 35 years. Due to my parents' illness and decreased capacity in their later years the property fell into disrepair.

For two years I have been working on the interior and slowly on the exterior, making repairs, exposing the hardwood floors and other cosmetic changes. I am comfortable there. I planned in spring and summer of this year to redo the floors, plant a large garden and put up a new fence. The delapidated one that divides our two properties was originally put up by Bert Work the twice-removed owner of 517. This was to make it more enjoyable for myself while at the same time increasing the value of the home and property and its' look on the street.

Now, all that has changed. I am faced with a three-house development that will destroy all the work I have done and the expense I have put in, as well as take away most of my light, my view on that side and my privacy.

If this is passed, it will totally destroy my enjoyment of my property. It would be jarring to see three maximum height skinny houses squished in amongst all the small ones that people have lived in or rented out quite happily for years with space around them for their kids to play or seniors to garden.

I would have a neighbour on one side a few feet from all my windows, with a looming height, a long wall, and no view at all, as well as diminished light in the garden. Noise will become a crucial factor. And what happens to the value of my property or conversely of possible new owners as what would be my incentive to make my planned changes with this in place?

In addition, the configuration of the proposed development poses a serious safety risk due to small lanes that you cannot turn a car around in or pass (in case of emergency) and the proposed tight proximity of the other buildings on both sides and between, which means a fire could jump over the buildings in a few seconds.

Trying to shoe-horn three houses into a property that for years has had one home with space around it sets a disturbing precedent. The developer's plan to decrease the variances on all sides by almost half what is currently allowed on a single home and pushing height to the absolute maximums shows no consideration for neighbours or the sense of the street and who lives there.

1.

It is certainly not lost on me that the property on my other side will no doubt come for sale in coming years and this is probably in the long-term plan of the developer .

Finally it cannot be disregarded that while this application is only for this one property at present, obviously a precedent would be set which could have these in-fills popping up every where there are two or more of the lots on single home properties in Ladysmith.

Then owners as well as their tenants are forced into a situation about their home they never imagined on such a small quiet street. One might also wonder if prospective buyers for these in-fills would want to live crushed together on a street like this, especially with their neighbours opposed to the development. Not to mention the possible loss of rental properties for young families starting out if this continues each time a property on the street is sold.

I believe that by paying taxes in a town you should have a say in what makes you want to live there. If a bylaw that has potential to affect many other properties in the town in future can be randomly changed without general public consultation or referendum at the whim of Council, then something seems seriously amiss.

This has a rushed feeling to it. Several months ago I looked at the property to see if I could buy it as a studio. The realtor handling the sale told me the building was of no value but that he had information that Council was positive towards putting in-fills in that area to upgrade it. He said that they would likely push a request to do so through. So the fact that the closing for submission is on January 21st, 2013, and there is a council meeting to vote on it that same evening seems hasty, especially as only owners in the immediate street have been notified while the future implications for the whole town are huge.

I do not understand how a bylaw in effect for years can be changed with only three weeks notice for owners and tenants to respond? Six months would seem a more appropriate amount of time. It feels like it is being pushed through before anyone notices.

I would respectfully ask Council and the developer to not go ahead with this proposal as described but rather to wait and consider other possibilities for this property. I am obviously not opposed to a house on the lot, possibly even two. But the proposal as it stands has me and others on the street deeply concerned.

I will be in attendance at the council meeting on the January 21, 2013

Yours Sincerely,



Bara(beth) Fallows
509 High Street,
Ladysmith BC,
V9G 1A8
250-618-1726



TLH
DEVELOPMENTS INC.

January 14, 2013

Town of Ladysmith
410 Esplanade
Ladysmith, BC
V9G 1A2

Dear Sir/Madam:

**RE: NOTICE OF DEVELOPMENT VARIANCE PERMIT
DVP 12-05 (517 HIGH STREET)**

I would like to address the letter of opposition submitted by Bara Fallows of 509 High Street to my Development Variance Permit for 517 High Street.

- The homes are not being built to a maximum height. I am allowed a 9 m height and will be less than 7 m tall.
- The homes will be about the same length of her home at 509 and about 1.5 m taller. The homes would be 1.5 m from her property which I am already allowed.
- I do not understand what she means about noise being a crucial factor and personally feel that property values would only increase.
- I do not understand how it poses a serious safety risk due to small lane. The property is accessible from both sides. The close proximity of other buildings is not a fire hazard and is standard practice in the building industry and other subdivisions in Town.

Box 2344, Ladysmith, BC V9G 1B8 (250) 816-3472 (250) 924-3472 fax



TLH
DEVELOPMENTS INC.

- I am not trying to shoe-horn in three homes. These are legally titled lots. I am only asking to have one side yard relaxed, not all and once again will be approximately 2 m lower in height than allowed and will not even be maximizing site coverage.
- As for prospective buyers, I already have interest from several people who like the idea of small lot close proximity to schools and downtown. I am not trying to eliminate the rental pool rather build affordable housing for young families.
- As for her feelings of this being pushed through council. This is false. All I am asking for is some minor amendments to setbacks and building size to build on three legally titled lots not a rezoning.

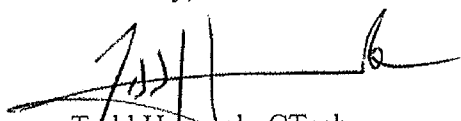
I have been canvassing the homes that have all had the notice sent out and have yet to meet up with Bara Fallow. I have talked to eleven of the eighteen neighbors with nobody having any major concerns. All the owners are just happy to see that this property will be getting cleaned up and have three new home owners, not renters, on the street.

Attached please find a few letters from the neighbors.

Finally, as a local Builder, I am not trying to go into the neighborhood and destroy it but enhance it. These amendments clearly fall into the Town's Vision Statement as far as density, family neighborhoods, small lots and quality built homes.

Thank you for your time. If you have any questions of myself, please feel free to contact me directly on my cell at anytime.

Sincerely,



Todd Hancock, CTech.
TLH DEVELOPMENTS INC.

January 13, 2013

ATTENTION: MAYOR AND COUNCIL

Dear Sirs/Madams:

RE: APPLICATION FOR VARIANCE RE: 517 HIGH STREET

I, we Harmony Halasz the property owners at
532 High Street in Ladysmith are in favour and have no
objections to the application for a variance to the Town of Ladysmith's zoning bylaw
1995, No. 1160 submitted by Todd Hancock for the property at 517 High Street.

Thank you.

Harmony Halasz Owner

Owner

January 13, 2013

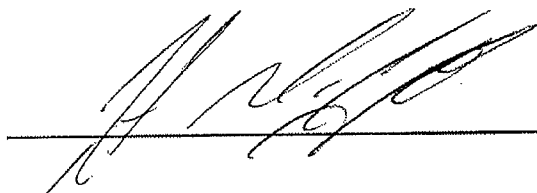
ATTENTION: MAYOR AND COUNCIL

Dear Sirs/Madams:

RE: APPLICATION FOR VARIANCE RE: 517 HIGH STREET

I, we Robert McIntyre the property owners at
508 High St in Ladysmith are in favour and have no
objections to the application for a variance to the Town of Ladysmith's zoning bylaw
1995, No. 1160 submitted by Todd Hancock for the property at 517 High Street.

Thank you.

 _____ Owner

_____ Owner

January 13, 2013

ATTENTION: MAYOR AND COUNCIL

Dear Sirs/Madams:

RE: APPLICATION FOR VARIANCE RE: 517 HIGH STREET

I, we Maryloue Lam Ltd. the property owners at
533 High St in Ladysmith are in favour and have no
objections to the application for a variance to the Town of Ladysmith's zoning bylaw
1995, No. 1160 submitted by Todd Hancock for the property at 517 High Street.

Thank you.

Ina Lampton Owner

Owner



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: January 16, 2013
File No: 3360-13-01

Re: OFFICIAL COMMUNITY PLAN (OCP) AMENDMENT & REZONING APPLICATION
1201 and 1251 Christie Rd. (Lot 7 & Lot 8, DL 147, Oyster District, Plan VIP85271)

RECOMMENDATION(S):

1. That Council has considered s.879 of the Local Government Act (consultation during OCP development) and determines that for Official Community Plan (OCP) amendment application 3360-13-01 (1201 and 1251 Christie Road) the following consultation is to be undertaken:
 - Staff referral to the Advisory Planning Commission for review and comment;
 - Referral to the Stz'uminus First Nation;
 - Referral to the Ministry of Transportation; and
 - Schedule a neighbourhood information meeting.
2. That Council direct staff to prepare a bylaw to amend the Official Community Plan and a bylaw to amend the Zoning Bylaw to permit light industrial use on the properties legally described as Lot 7 and Lot 8, DL 147, Oyster District, Plan VIP85271 (1201 and 1251 Christie Road).
3. That Council directs staff to draft a land-use agreement (covenant) to guide the design of development at 1201 and 1251 Christie Road.

PURPOSE:

The purpose of this staff report is to seek direction regarding consultation for the proposed OCP amendment and rezoning application for 1201 and 1251 Christie Road; and to seek direction regarding the preparation of bylaws and a land-use agreement to guide design of development.

INTRODUCTION/BACKGROUND:

At the January 7, 2013 meeting Council directed staff to:

“initiate an Official Community Plan and Zoning Bylaw amendment for 1201 and 1251 Christie Road to permit light industrial land use, including the preparation of site, building and landscape design concepts or guidelines to manage the interface with the adjacent

residential development and provide for an appropriate entry to the Town.”

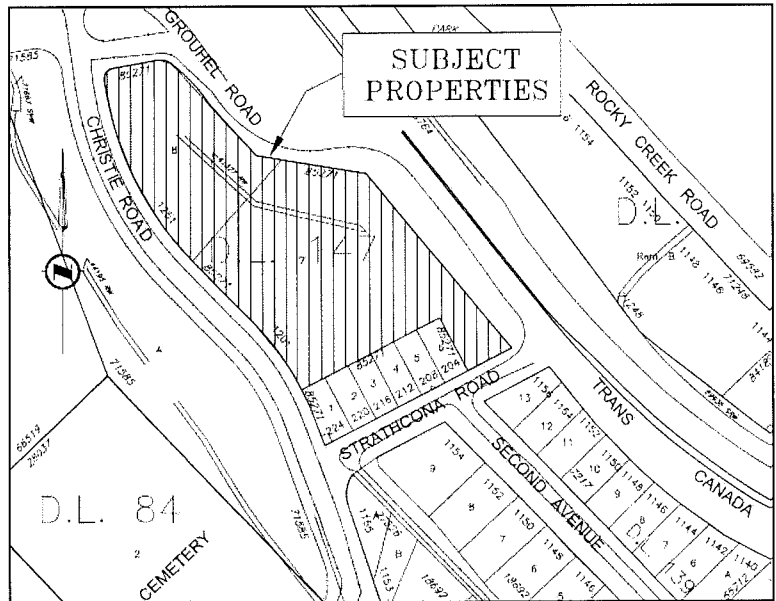
The subject properties are currently vacant with varied topography. They are located at the community’s northern gateway and within proximity to the Rocky Creek Industrial Park, the Home Hardware, Oyster Bay Quay and walking distance to downtown commercial services. Residential development is located to the south on Strathcona Road and adjacent neighbourhood streets.

SCOPE OF WORK:

The current stage of this application is to seek direction from Council regarding OCP consultation; and to prepare a bylaw to amend the OCP and a bylaw to amend the Zoning Bylaw.

OCP Consultation:

Highway access to the site is from the Island Highway via Grouhel Road. Staff will discuss this access with the Ministry of Transportation. It is expected that potential heavy truck traffic related to light industrial land use would be directed to exit the area via Grouhel Road for south-bound vehicles and Grouhel Road via Ludlow Road and Rocky Creek Road for north-bound vehicles. The Town’s heavy truck route includes Christie Road and Grouhel Road. The regulation of truck traffic is provided through the Streets and Traffic Bylaw 1998, No. 1309. Traffic studies may be required. The application will also be referred to the Advisory Planning Commission and Stz’uminus First Nation.



Ludlow Road and Rocky Creek Road for north-bound vehicles. The Town’s heavy truck route includes Christie Road and Grouhel Road. The regulation of truck traffic is provided through the Streets and Traffic Bylaw 1998, No. 1309. Traffic studies may be required. The application will also be referred to the Advisory Planning Commission and Stz’uminus First Nation.

Proposed Amendments to the Official Community Plan:

It is proposed that the Official Community Plan be amended to designate the subject properties from ‘Multi-Family Residential’ to ‘Industrial’, and to apply Development Permit Area 5 – Industrial (DPA 5). The ‘Industrial’ designation:

- is applied to industrial park areas and the industrial waterfront area;
- is intended to accommodate industrial development and employment centres;
- provides for a range of industrial and light industrial uses, and limited commercial uses to support industrial parks;
- development within industrial designation is subject to the guidelines of Development Permit Area 5 – Industrial (DPA 5).

Proposed Amendment to the Zoning Bylaw:

It is proposed that the zoning of the subject properties be changed to 'Light Industrial' (I-1). While the property would be designated in the OCP as 'Industrial' the I-1 zone permits less intensive industrial land uses. In addition to the height and setback requirements of the I-1 zone and the DPA 5 guidelines, it is proposed that a land-use agreement (covenant) be registered on the title of the properties to further guide the design of the building and site.

Table 1: Summary of OCP Amendment and Rezoning

	<i>Current</i>	<i>Proposed</i>
<i>OCP – Land Use Designation</i>	Multi-Family Residential	Industrial
<i>OCP – DPA</i>	Development Permit Area 4 - Multi-Family Residential (DPA 4)	Development Permit Area 5 - Industrial (DPA 5)
<i>Zoning Bylaw</i>	Medium Density Residential Zone (R-3-A)	Light Industrial Zone (I-1)

ALTERNATIVES:

That Council not proceed with OCP amendment and rezoning application 3360-13-01.

FINANCIAL IMPLICATIONS:

If a traffic study is required it would be undertaken by a consultant.

LEGAL IMPLICATIONS:

There are four charges registered on the titles of the property in favour of the Town.

- (1) Site Design Guidelines and Greenspace Covenant (Lot 7 & Lot 8)
- (2) Statutory Right of Way (SROW) for the Welcome to Ladysmith sign (Lot 7)
- (3) SROW for sewer line (Lot 7)
- (4) SROW to install and maintain sanitary works (Lot 7 & Lot 8)

It is proposed that the existing 'Site Design Guidelines and Greenspace Covenant' for multi-family residential development be removed from the titles of the subject properties and that new light industrial design guidelines be established and registered on the titles. The covenant terms will be prepared by the Town's solicitor. The matter will be part of the public hearing process and would be discussed at the neighbourhood meeting.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A public hearing would be required. A neighbourhood meeting would also be scheduled prior to the public hearing.

In addition to holding a public hearing on the proposed bylaws, Council must:

1. Consider whether consultation on the OCP amendment should be early and on-going, and
2. Specifically consider whether consultation is required with:
 - (i) the boards of the CVRD and the RDN
 - (ii) the council of a municipality adjacent to Ladysmith
 - (iii) First Nations
 - (iv) the school district, great boards or improvement district boards, and
 - (v) the provincial or federal government and their agencies.

It is recommended to refer the application to the Stz'uminus First Nation, the Ministry of Transportation, and to the Advisory Planning Commission.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposal has been referred to the Infrastructure Services Department. Frontage requirements would be addressed in the design covenant.

RESOURCE IMPLICATIONS:

Processing rezoning applications is a core function of the Development Services Department. Processing this application is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Strategy #1 of the Vision Report is to encourage "complete community land use" to support self-reliance. In the Visioning context, self-reliance means promoting a diversity of land uses to enhance the self-reliance of the community.

Strategy #8 promotes a local, diverse economy which requires as one of its elements "maintaining a strong local industrial and commercial land base".

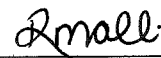
ALIGNMENT WITH STRATEGIC PRIORITIES:

Council strategic directions are: a) effective land use planning and community design; and b) dynamic economic development.

SUMMARY:

It is recommended that Council provide direction regarding OCP consultation; that staff be directed to prepare bylaws to amend the OCP and Zoning Bylaw; and that a land-use agreement (covenant) be drafted.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

"None".





Town of Ladysmith

STAFF REPORT

To: Council
From: Ruth Malli, City Manager
Date: January 16, 2013
File No: 3900-20 (No. 1815)

Re: FIRE REGULATIONS BYLAW No. 1815

RECOMMENDATION(S):

That Council consider giving first three readings to Burning Regulations Bylaw 2013, No. 1815.

PURPOSE:

The purpose of this report is to provide background information to a bylaw on tonight's agenda. The purpose of Burning Regulations Bylaw 2013, No. 1815 is to update the bylaw respecting the prevention of fires and the protection of areas and property. This bylaw repeals Burning Regulations Bylaw 2001, No. 1380.

INTRODUCTION/BACKGROUND:

Under the Community Charter (SBC 2003, c 26), Council may, subject to the Fire Services Act (RSBC 1996, c 144), establish fire regulations for the protection of persons and property.

The existing fire regulation bylaw, Burning Regulations Bylaw No. 1380 was adopted in 2001. It covered all of the typical considerations respecting the prevention of fires and the protection of areas and property at the time. The Town regularly reviews and updates its' bylaws.

SCOPE OF WORK:

The work is completed.

ALTERNATIVES:

Council can choose to consider this bylaw or not.

FINANCIAL IMPLICATIONS:

Minimal

LEGAL IMPLICATIONS:

The bylaw has been reviewed by our lawyers and is recommended.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

This bylaw guides for the prevention of fires and protection of persons and property and would be expected to receive citizen support.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Other departments have reviewed the bylaw, including the Fire Chief and are fully supportive of the changes.

RESOURCE IMPLICATIONS:

Minimal

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

Strategic Direction F: A Safe and Healthy Community

SUMMARY:

The purpose of this report is to provide background information to a bylaw on tonight's agenda. The purpose of Burning Regulations Bylaw 2013, No.1815 is to update the bylaw respecting the prevention of fires and the protection of areas and property. This bylaw repeals Burning Regulations Bylaw 2001, No. 1380.

ATTACHMENTS:

Burning Regulations Bylaw 2013, No. 1815

TOWN OF LADYSMITH

BYLAW NO. 1815

A Bylaw respecting the prevention of fires
and the protection of persons and property.

WHEREAS pursuant to the *Community Charter*, SBC 2003, c. 26, the Council may, subject to the *Fire Services Act*, RSBC 1996, c. 144, and regulations made thereunder, by bylaw establish fire regulations for the protection of persons and property;

NOW THEREFORE the Council of the Town of Ladysmith, in open meeting assembled, enacts as follows:

1.0 APPLICATION

- 1.1 Burning Regulation Bylaw 1380, being cited as “Burning Regulation Bylaw 2001, No. 1380”, is repealed.
- 1.2 This bylaw may be cited as “Fire Prevention Bylaw 2012, No. 1815”.

2.0 DEFINITIONS AND INTERPRETATION

- 2.1 In this Bylaw, unless the context otherwise requires:

“*BC Building Code*” - means the *British Columbia Building Code 2012*, adopted by BC Reg. 264/2012, as amended or re-enacted from time to time.

“*BC Fire Code*” - means the *British Columbia Fire Code 2012*, adopted by BC Reg. 263/2012, as amended or re-enacted from time to time.

“Campfire” - means a contained outdoor fire not exceeding 0.5 meters in diameter and 0.5 meters in height using fuel of seasoned wood, charcoal briquettes, propane or natural gas, being used for the purpose of cooking, providing heat or providing light.

“Class 1 Fire” - means an outdoor fire which permits special occasion and ceremonial fires only.

“Class 2 Fire” - means an outdoor fire which occurs in garden waste consisting of non-toxic garden materials stored on a parcel not exceeding one hectare in area, and includes grass clippings, leaves and branches pruned from trees and shrubs.

“Class 3 Fire” - means an outdoor fire which occurs in waste resulting from the demolition or construction of a building or structure where the volume of waste is limited to 0.5 cubic meters in volume.

“*Community Charter*” - means the *Community Charter*, SBC 2003, c. 26, as amended from time to time, and regulations made thereunder.

“Council” - means the Council of The Town of Ladysmith.

“Dwelling unit” - means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons usually containing cooking, eating, living, sleeping and sanitary facilities.

“*Environmental Management Act*” - means the *Environmental Management Act*, SBC 2003, c. 53, as amended from time to time, and regulations made thereunder.

“False alarm” - means an alarm activated for a purpose other than where an emergency exists that necessitates a response by the Fire Department.

“*Farm Practices Protection (Right to Farm) Act*” - means the *Farm Practices Protection (Right to Farm) Act*, RSBC 1996, c. 131, as amended from time to time, and regulations made thereunder.

“Fire Chief” - means the person appointed by Council as head of the Fire Department, and includes a person:

- (1) designated by Council to act in the place of the Fire Chief;
- (2) who, for the purposes of a local assistant under the *Fire Services Act*, is authorized in writing by the Fire Chief to exercise the powers of a local assistant;
- (3) appointed by Council as the Deputy Fire Chief; or
- (4) for the purposes of exercising the powers of the Fire Chief under section 66 of the *Community Charter*, who is acting under the authority of the Fire Chief.

“Fire Department” - means the Ladysmith Fire/Rescue Service.

“*Fire Services Act*” - means the *Fire Services Act*, RSBC 1996, c. 144, as amended from time to time, and regulations made thereunder.

“Garden refuse fire” - means an outdoor fire in which garden refuse is deliberately burned for the purpose of disposal.

“Hazard” or “hazardous” - means any condition or thing that the Fire Chief considers is a fire hazard or that may increase the risk of the start, spread or danger of fire.

“Inspector” - means a bylaw enforcement officer, peace officer or designated member of the Fire Department, the Fire Chief, or a person acting under the authority of the Fire Chief.

“*Local Government Act*” - means the *Local Government Act*, RSBC 1996, c. 323, as amended from time to time, and regulations made thereunder.

“Member” - means a paid or volunteer member of the Fire Department, and includes the Fire Chief and an inspector.

“Nuisance” - means:

- (1) the act of creating or maintaining a fire that does not comply with the requirements of this Bylaw, which causes a response by the Fire Department; or
- (2) any act or operation which interrupts the ability of the Fire Department to carry out its duties without encumbrance.

“Occupant” or “Occupier” - means the resident owner, lessee, licensee or tenant of any building to which any provisions of this Bylaw apply.

“*Offence Act*” - means the *Offence Act*, RSBC 1996, c. 358, as amended from time to time, and regulations made thereunder.

“Officer” - means the Fire Chief, a captain of the Fire Department or their designates duly appointed from time to time to lawfully act in that capacity.

“Outdoor fire” - means a fire that burns outdoors in the open air that is not enclosed in a fireplace, furnace or other such device, but does not include the striking of a match.

“Outdoor fireplace” - means a secured container, which is commercially manufactured, certified by the Canadian Standards or a similar entity, and designed with a chamber to hold an outdoor fire, used for heat, light, or cooking purposes.

“Owner” - means the registered owner of an estate in fee simple or his/her agent authorized in writing, ownership in a corporation and a company and includes the tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, corporate and public agency ownership, the holder or occupier of land held in the manner described in the *Local Government Act*, or an authorized agent of the owner acting on their behalf.

“Prohibited burning materials” - means material as defined in Schedule “A”.

“Smoke” - means the gases, particulate matter and all other products of combustion emitted into the atmosphere when a substance or material is burned.

“Smoke alarm” - means a combined smoke detector and audible alarm device designed to sound an alarm within the dwelling unit, suite or room in which it is located upon the detection of smoke within that room.

“Suite” - means a single room or series of rooms of complementary use, operated under a single tenancy, and includes individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories.

“Town” - means the Town of Ladysmith.

“Wood Burning Appliance” - means a solid fuel burning device including, without limitation, a stove and fireplace insert.

2.2 In this Bylaw, unless the context otherwise requires, any term defined in the *Community Charter* or the *Fire Services Act* shall have the same meaning in this Bylaw.

3.0 FIRE DEPARTMENT AND CHIEF

3.1 The Fire Chief is hereby authorized to exercise the following powers:

- (a) enter on any property in the event of an emergency or danger to a person or property;
- (b) enter on any property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire;
- (c) take measures to prevent and suppress fires, including the demolition of buildings and other structures to prevent the spreading of fire;
- (d) require an owner or occupier of real property to undertake any actions directed by the Fire Chief for the purpose of removing or reducing anything or condition that the Fire Chief considers is hazardous; and
- (e) exercise some or all of the powers of the fire commissioner under sections 21, 22 and 25 of the *Fire Services Act*, including the following:
 - (i) If an emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to be apprehensive of imminent and serious danger to life or property, or of a panic, the Fire Chief may immediately take the steps they think advisable to remove the hazard or risk;
 - (ii) For the purposes of subsection (i), the Fire Chief may evacuate a building or area, and may call on the police authorities who have jurisdiction to provide assistance;

- (iii) If the Fire Chief believes that conditions exist in or near a hotel or public building, that, in the event of a fire, might seriously endanger life or property, the Fire Chief may immediately take the action they believe advisable to remedy the conditions to eliminate the danger and may evacuate and close the hotel or public building;
- (iv) For the purposes of subsection (iii), the Fire Chief may call on the assistance of peace officers and fire prevention authorities.

3.2 The Fire Chief is authorized to take or order the following measures be taken in order to prevent spread of fire or to prevent damage to persons or property or loss of life:

- (a) the erection of barricades to prevent or impede access to the area where the hazardous material is being stored;
- (b) the posting of signs or tape to prohibit access;
- (c) the application of water or some other agent to the hazardous material to reduce the risk of fire;
- (d) the covering or burial of the hazardous material to reduce the risk of fire;
- (e) the removal or disposal, which may include a controlled burn, of the hazardous material;
- (f) the cessation of the use of machinery or equipment in the vicinity of the hazardous material; and
- (g) the demolition of any building or part of a building which, in his judgment, should be demolished to prevent the spreading of fire.

4.0 FIRE PREVENTION AND SAFETY

4.1 The following provisions shall apply to all owners, occupants and other persons, as applicable, in order to prevent spread of fire or to prevent damage to persons or property or loss of life:

- (a) The owner or occupant of any lands, premises, yards or buildings situated within the Town shall at all times keep the same in safe condition so as to guard against the starting and the spread of fire;
- (b) The occupier of real property must keep and maintain in good working order any fire protection related equipment and fire protection structural features required to be installed pursuant to the *BC Building Code* or required to be maintained by the *BC Fire Code* or other enactment;

- (c) No owner or occupant shall allow accumulations of empty boxes, barrels, rubbish, trash, waste paper excelsior or any light combustible materials, on any property, sidewalk or alley, except that such materials may be stored in a receptacle of fire resistant material fitted with fire doors, or in metal containers equipped with tight-fitting metal lids;
- (d) The owner, occupier or agent of any vacant building must at all times keep the building free of debris and flammable material, and keep all openings in such buildings securely fastened and closed so as to prevent the entry of unauthorized persons. After notice of a requirement to secure or repair has been delivered by the Town to the owner or occupier of a building unsecured for more than a 7 day period, or in a state of repair contrary to this Bylaw, a building will be considered a threat to public safety, and Town staff or others may enter onto the property to secure or repair as required in the notice. Any charges incurred by the Town in securing or repairing the building are the responsibility of the owner in accordance with section 17 of the *Community Charter* and may be collected in accordance with section 258 of the *Community Charter* as property taxes;
- (e) The owner of a fire damaged building will ensure that the building is either guarded or all openings secured to prevent unauthorized entry;
- (f) The occupier of any lands, premises, or facilities of buildings must at all times keep same in safe condition so as to guard against the starting or spreading of fire by complying with the requirements of Division B of the *BC Fire Code*. In particular, and without limiting the generality of the foregoing, an occupier must, where applicable:
 - (i) maintain the required vehicle access for the Fire Department;
 - (ii) maintain a means of egress;
 - (iii) provide and maintain an approved fire safety plan;
 - (iv) maintain fire hydrants in an approved manner;
 - (v) maintain the fire alarm;
 - (vi) maintain emergency lighting and exit lighting;
 - (vii) maintain commercial cooking equipment;
 - (viii) maintain portable fire extinguishers; and
 - (ix) maintain an automatic sprinkler and /or standpipe and hose system;

- (g) The owner of a building having a fire alarm system or a sprinkler system must maintain and provide a current list of accessible contact person(s) to the Fire Department. Contact person(s) must be available to attend all alarms within 1 hour from the time they are notified;
- (h) No person may smoke in areas where conditions may cause a fire or explosion and “No Smoking” signs shall be posted by the building owner or an authorized agent of the owner acting on their behalf; and
- (i) Every mobile caterer carrying on business within the Town and utilizing commercial cooking equipment that creates grease laden vapours in a confined compartment must maintain and operate exhaust and hood systems that comply with the *BC Fire Code*.

4.2 The following provisions shall apply to all wood burning appliances:

- (a) No owner or occupier of real property may cause or permit smoke from the burning of prohibited burning materials in a wood burning appliance; and
- (b) No person may install a wood burning appliance after the adoption of this Bylaw that does not comply with the emission standards established by the Canadian Standards Association or the United States Environmental Protection Agency, as outlined in the *Solid Fuel Burning Domestic Appliance Regulation*, BC Reg. 302/94 enacted under the *Environmental Management Act*.

4.3 The following provisions shall apply to all smoke alarms:

- (a) Every owner of a residential premise in the Town must ensure that smoke alarms are installed and maintained in every dwelling unit or suite and in each sleeping room not within a dwelling unit, except for institutional occupancies which are required by enactment to have a fire alarm system;
- (b) Every owner must test the smoke alarms in compliance with the manufacturer’s recommendation within the dwelling unit, suite or sleeping room to ensure that the smoke alarm is functioning correctly. If a smoke alarm is not functioning correctly, the occupant, if he or she is not the owner, must inform the owner immediately on becoming aware of the failure, and the owner forthwith repair or replace the smoke alarm;
- (c) A smoke alarm required under this Bylaw must conform to the Canadian standard set by Underwriters Laboratories Canada (CAN/ULC) – “S531 Standard for SMOKE ALARMS”, and be installed and maintained in conformance with “CAN/ULC - S553 Standard for the Installation of Smoke Alarms”;

- (d) Without limiting subsection 4.3(c), a smoke alarm required for a residential premise must be installed in accordance with the *BC Building Code* and the *BC Fire Code*;
- (e) Every owner or occupier must notify the Fire Department of any work on or malfunction of a fire alarm system, to avoid false alarms being received;
- (f) Every owner or occupier must replace faulty alarm components in an expeditious manner to prevent undue false alarms being transmitted to the Fire Department; and
- (g) If the owner or occupier fails to keep the fire alarm system in repair, or to notify the Fire Department of testing, maintenance or any condition that causes the Fire Department to be summoned unnecessarily, the owner or occupier as applicable is liable to a fine as per section 9.0 of this Bylaw.

5.0 FIRE SAFETY INSPECTION AND ORDERS

- 5.1 The Fire Chief, Inspector and any Officer of the Fire Department may at all reasonable hours and subject to the terms in the *Community Charter* enter into and upon any property or private dwelling units:
 - (a) for the purpose of testing or inspecting;
 - (b) for the purpose of testing or inspecting buildings, as required by the *Fire Services Act*;
 - (c) to determine if the Fire Department access and an adequate water supply are available for fire suppression purposes; or
 - (d) to determine if the requirements of this Bylaw are being carried out.
- 5.2 The following obligations shall apply to all persons:
 - (a) No person may obstruct, hinder or prevent any authorized Fire Department member from entering into or upon any property or private dwelling units.
 - (b) The owner or occupier of a building or property or any other person having knowledge of a building or property must, upon request, give to a member of the Fire Department who is carrying out an inspection on a building or property such assistance as he/she may require in carrying out the inspection.
- 5.3 If the Fire Chief finds that any provision of this Bylaw has been contravened or has not been complied with, or has been complied with improperly or only in part, or that conditions exist in or upon a building or property to which the Bylaw applies and which, in their opinion, constitutes a fire hazard or otherwise constitutes a hazard to life and/or

property, they may make such notice as to ensure full and proper compliance with this Bylaw, and in particular, but without limiting the generality of the foregoing, the Fire Chief may:

- (a) make to the owner, occupier or lessee of the building or property such recommendations as he deems necessary to correct the contravention or to ensure compliance with this Bylaw, or to remove the hazards referred to in the Bylaw; or
- (b) make such notice as he deems necessary with respect to any of the matters referred to in this Bylaw, provided that such notice made under this Bylaw shall be in writing and must be directed to the occupier, or where the occupier is not the owner, to the owner and the occupier of the building or property in respect of which the notice is made.

5.4 An Inspection Notice made under this Bylaw shall be served:

- (a) by delivering it or causing it to be delivered to the person to whom it is directed; or by
- (b) sending the notice by return registered or certified mail to the last known property owner at the owner's last known address; or
- (c) after 14 days of sending a notice by return registered or certified mail to the last known property owner at the owner's last known address, posting a copy in a conspicuous place on the building or property if the person to whom it is directed cannot be found, is not known or refuses to accept service of notice.

6.0 BURNING REGULATIONS

6.1 No person shall:

- (a) except as expressly permitted by this Bylaw, start or maintain any outdoor fire or permit any outdoor fire on property owned or occupied by that person;
- (b) burn any noxious, explosive, corrosive or toxic materials, pesticide or herbicide in an outdoor fire;
- (c) burn materials brought from another location in an outdoor fire;
- (d) light, ignite, start or allow or cause to be lighted, ignited or started, an outdoor fire without first obtaining a permit if required by this bylaw; or
- (e) start or maintain a fire without adequate supervision or the capability of extinguishing the fire.

- 6.2 The following types of outdoor fires may be started and maintained at any time without a permit and are excluded from the regulations of this Bylaw:
- (a) fires used or recommended by the Ministry of Forests to manage ecosystems for purposes of silviculture management, forest fuel management, fire hazard reduction, wildlife enhancement, domestic range improvement and the use of fire as a means of fire control;
 - (b) fires started by the Fire Department for training purposes or to prevent the commencement or spreading of fire;
 - (c) burning by a farm business on the lands of a farm operation, as defined in, and in compliance with, the terms of the *Farm Practices Protection (Right to Farm) Act*; and
 - (d) Campfires and outdoor fireplaces meeting the following criteria:
 - (i) Campfires and outdoor fireplaces situated not less than 5 meters from any combustibles including but not limited to buildings, sheds, shrubs, grassy fields, or property boundaries; and
 - (ii) Campfires contained and maintained in a manner that will prevent any fire from escaping or growing bigger than 0.5 meters in size.
- 6.2 No person shall start or maintain a Class 1 Fire unless it is for a civic event, function or festival approved by an Officer.
- 6.3 No person shall start or maintain a Class 2 or 3 Fire or a garden refuse fire.
- 6.4 A person who wishes to start an outdoor fire not excepted by section 6.1 shall obtain a permit and complete and sign an application in the form outlined in Schedule "B" attached to this Bylaw, subject to the following:
- (a) An Officer may issue a permit in the form attached to this Bylaw as Schedule "B" and, prior to issuing a permit, inspect the proposed site of the fire and direct that actions be taken to comply with the provisions of this Bylaw and specify in the permit the fire fighting equipment to be provided on the site of the fire or any other precautions;
 - (b) The dates on which a permitted outdoor fire may burn shall be stated on the permit;
 - (c) An Officer may refuse to issue a permit when the Officer considers that it is not safe for the proposed fire to be started or maintained and may, without limiting what the Officer may take into account, consider weather conditions, site

conditions and availability of Fire Department personnel to extinguish the proposed fire;

- (d) The permit holder shall inspect the fire site following the permit expiration date and within 4 hours of the cessation of the fire and ensure that the fire is extinguished;
- (e) Despite the issuance of a permit, no person may start a fire if wind and weather are such that to do so is likely to be hazardous or when banned under Provincial regulation;
- (f) Despite the issuance of a permit, every person must comply with the requirements set out in the *Open Burning Smoke Control Regulation*, BC Reg. 145/93, enacted under the *Environmental Management Act*. Such requirements include, but are not limited to, the required distance an outdoor fire must be from buildings, duration of smoke release, smoke free periods per year, weather conditions and smoke reduction measures; and
- (h) An Officer may take any action to ban, extinguish or require extinguishment of any burning under permit or the conditions of this section 6.4 that they consider hazardous or a nuisance.

8.0 PUBLIC DUTIES AND OBLIGATIONS

- 8.1 No person may impede, hinder or obstruct the extinguishment by the Fire Department of any fire. Every person who fails to comply with the orders or instructions of a member of the Fire Department engaged or about to be engaged in the extinguishment of a fire may be forcibly removed from the scene of such emergency or fire by an Officer, peace officer or Inspector.
- 8.2 No person may refuse to permit any member of the Fire Department to enter into or on any premises, for which an alarm of fire has been received, or in or upon any premises while the member has reasonable grounds to suspect that a fire exists.
- 8.3 No person shall drive a vehicle over any fire hose or other Fire Department equipment without the permission of the Fire Chief or persons designated to give permission.
- 8.4 No person may cause or contribute to the causation of a false alarm which requires the Fire Department to be summoned. Any person found so intentionally or negligently causing a false alarm is liable to a fine as per section 9.0 of this Bylaw.

9.0 ENFORCEMENT AND COST RECOVERY

- 9.1 If an owner or occupier is in default of a notice made under this Bylaw, the Fire Department or the Town, by its workers or others, may enter the property and effect such work as required in the notice, at the expense of the owner or occupier so defaulting, and

any charges so incurred and remaining unpaid on December 31 of that year shall be added to and form part of the taxes payable on the real property as taxes in arrears.

- 9.2 Every person who contravenes or violates any provision of the *BC Fire Code*, this Bylaw, or any permit or order issued pursuant to this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw or any permit or order issued pursuant to this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or any permit or order issued pursuant to this Bylaw, commits an offence and is subject to prosecution in accordance with the *Offence Act*.
- 9.3 Any of the Bylaw Enforcement Officer, Inspector or the Fire Chief are designated to enforce this Bylaw under section 264(1)(b) of the *Community Charter*.

10.0 GENERAL

- 10.1 If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phase.
- 10.2 If the singular or masculine or neuter is used in this Bylaw, the same must be construed as meaning the plural, the feminine or body corporate where the context so requires.
- 10.3 Schedules "A" and "B" form a part of and are enforceable in the same manner as this Bylaw.

READ A FIRST TIME on the day of , 2013

READ A SECOND TIME on the day of , 2013

READ A THIRD TIME on the day of , 2013

ADOPTED on the day of , 2013

Mayor
(R. Hutchins)

Director of Corporate Services
(S. Bowden)

SCHEDULE "A"
Attached to and forming
part of Bylaw No. 1815

Prohibited Burning Materials

The following shall constitute prohibited materials:

tires	treated lumber
plastics	railway ties
drywall	manure
demolition waste	rubber
domestic waste	asphalt products
paint	fuel and lubricant containers
hazardous waste	biomedical waste
tar paper	

SPECIAL BURNING PERMIT
Attached are Special Instructions and Conditions

PERMISSION IS HEREBY GRANTED TO:

of _____ Address _____ Phone _____

Land Clearing

Removal of a Fire Hazard

☐ Other: _____

Location of burn:

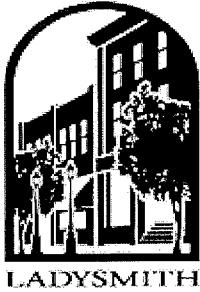
Special Instructions and conditions of burning - see reverse

Signature of Applicant

PER: _____
Fire Chief or designate

SPECIAL INSTRUCTIONS AND CONDITIONS

1. Only well dried and cured products are to be burned.
2. The ventilation index, as defined in the *Open Burning Smoke Control Regulation*, BC Reg. 145/93, enacted under the *Environmental Management Act*, as amended from time to time, must be “good” for the day the open burning is to be started, and, if applicable, “good” or “fair” for the second day the debris is anticipated to release smoke. In addition, open burning must not be initiated if the local air flow will cause the smoke to negatively impact on nearby population.
3. Burning will only take place on Monday to Friday of any week.
4. Burning will be permitted between _____, 20__ and _____, 20__.
5. Burning must meet the requirements specified in the *Open Burning Smoke Control Regulation*.
6. Special Burning Permits issued will be valid only for that one occasion.
7. Permits will be cancelled if, in the opinion of the Fire Chief, the burning is creating a hazardous condition, and the fire will be ordered extinguished.
8. All other requests to burn will be referred to the Fire Chief for chipping consideration.



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: John Manson, FEC, P.Eng.
Date: January 15, 2013
File No:

Re: PURCHASE OF A CUSTOMIZED FLAT DECK AND TOOLBOX

RECOMMENDATION(S):

That Council award a contract in the amount of \$15,151.71, to Express Custom Trailer Manufacturing to build a customized deck for the newly purchased Fuso Flatdeck Truck; and that the Purchasing Policy be waived to permit this purchase.

PURPOSE:

The purpose of this report is to provide background for a recommendation that Council award a contract to construct a customized toolbox for the newly purchased Fuso Flatdeck Truck.

INTRODUCTION/BACKGROUND:

The Town recently purchased a Fuso Flatdeck truck cab & chassis. The additional box is a necessary addition for the vehicle to be functional and operational. For budget purposes we originally approached Brady Iron Works, a local company, to supply a price on a customised deck, and they recommended that we consider using Express Custom Trailers, located in Coombs on Vancouver Island. The reason for the recommendation is they are considered to be an industry leader in their field and build hundreds of trucks & trailers customization projects each year. We currently have a flatdeck outfitted with an Express Custom deck and have no issues with the quality or performance of the product.

We obtained the enclosed quote of \$15,151.71 from Express Custom to undertake the customization work for the new Fuso Flatdeck, and are recommending that Council waive the tendering policy and consider awarding the work to Custom Express on a sole source basis.

SCOPE OF WORK:

To install a flatdeck /dump box on the Fuso cab & chassis.

ALTERNATIVES:

None

FINANCIAL IMPLICATIONS:

Council Motion #2012-326 authorized staff to purchase a Flat Deck Truck and Backhoe up to a value of \$150,000. The costs associated with the installation of the Flatdeck /dump box are covered in this Council resolution..

LEGAL IMPLICATIONS:

None.

RESOURCE IMPLICATIONS:

None.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

Quote from Express Custom Trailer Manufacturing



1 of 2

TF 800 688 6840
Ph 250 248 2218
Fax 250 248 2895
www.expresscustom.com

QUOTATION / WORK ORDER

<u>First Name</u>	<u>Last Name</u>	<u>Company</u>	<u>Business Phone</u>	<u>Mobile Phone</u>	<u>E-mail / FAX#:</u>
Greg	O	Township of Ladysmith	(250) 245-6444		gsmith@ladysmith.ca
W/O #:	C		PO#:		TENDER#:
White 2013 FUSU FG140 LCF Cab DRW Pick-up with 30in tires					
DECK LENGTH:	120.00		DECK WIDTH:	84.00	
FENDER WELL WIDTH:	44.00		FENDER DIAMETER:	38.00	
			INSTALLATION:	EXPRESS CUSTOM TO INSTALL	

PREMIUM ALUMINUM FLAT DECK		TIPPING		\$	10,942.50
<u>MATERIALS:</u>	100% Marine Grade Aluminum: 5052 H32 Mill Plate & 6061 T6 Extrusions				
<u>Welding:</u>	Esthetic TIG welding on all esthetic surfaces, MIG welding on framework.				
<u>Mounts:</u>	5/8in Grade 8 Fasteners in Box Mounts				
<u>Main Rails:</u>	Main Rails may vary in Height Based upon Axle Jounce and Fuel Filler Height				
<u>Sides Sills:</u>	5" Custom Channels				
<u>Cross Rails:</u>	3in Channel			16	
<u>Decking:</u>	1/4in Mill Plate		10inx1.5in Custom Extrusion		
<u>Deck Style:</u>	Flat Deck				
<u>Bumper:</u>	is formed 1/4in 5052	has a 5in Step	that is square across the back		
<u>H/A Rack:</u>	2"x2" x3/16" HSS	<u>Jail Bars:</u>	1 25"x1.25"x.100" HSS Jailbars		
<u>Bulkhead:</u>	1/8" Checker plate welded to Headache				
<u>Rack Style:</u>	SIMILAR TO CAB	<u>Height above</u>	2"	<u>Ear</u>	3"
<u>Mud Flaps:</u>	Express Custom flame		QTY.	2	
<u>Tail Lights:</u>	LED's: Four RED 6in oval S/T/T, with two White LED reverse Lights				
<u>Markers:</u>	LED'S: the Standard is: 3/4" PC 33 Series Marker Lights w/ Coloured Lenses				
<u>Reflectors:</u>	4"x1" Reflectors, fastened to corners to satisfy CMVSS requirements.				
<u>Wiring:</u>	CSA Approved, Sealed Wiring Harness, mechanically fastened to bumper skirt &				
<u>Light Boxes</u>	Aluminum Bolt-On Light Boxes				
MOUNT BODY ON CUSTOMER CHASSIS?	Y or N:	Y	\$490.00	CHOSEN	
PAINT TO VERY NEAR MATCH CHASSIS?		N	\$1,206.88		
OVAL TAIL LIGHT CONFIGURATION?	Y or N:	Y	NO CHARGE	CHOSEN	
CLEAR TAILLIGHT LENSES&CHROME TRIM	Y or N:	N	NO CHARGE		
UPGRADE TO ALUMINUM DECKING 1/4in?	Y or N:	Y	NO CHARGE	CHOSEN	
FRONT LOWER BOXES?	Y or N:	N	\$1,591.99		
REAR LOWER BOXES?	Y or N:	N	\$1,591.99		
STAKE POCKETS & RUB RAILS TO SIDES?	Y or N:	Y	\$340.00	CHOSEN	
HOOP STEPS UNDER RACK & I BOXES	Y or N:	Y	\$330.00	CHOSEN	
Reinforcements for Customer Supplied Liftmoore	Y or N:	N	\$310.00		

7-14 TONNE HR520 DUMP SUBFRAME COMPLETE WITH SCISSOR HOIST & PUMP

<u>SUBFRAME:</u>	Rugby Mfg. HR520 Scissor Subframe, Mounted to Customer chassis			
<u>Hoist:</u>	Rugby LR165 Scissor	<u>Cylinder:</u>	5" Bore, 16" Stroke, 2" Ram Rod	
<u>Lower Frame</u>	4" Formed Channel	Powder Coated Black		
<u>Lower Frame</u>	2"x4" Box Tube	Painted Black		
<u>Hinge:</u>	Cast Blocks & 1.25" Precision Pins, removable for maintenance			
<u>Pump:</u>	2-WAY 12V electric/hydraulic pump	<u>Pressure:</u>	3200PSI	
<u>Controls:</u>	Two Button remote	<u>Hoses:</u>	Double Braid	
<u>WARRANTY</u>	3 years on Subframe	<u>Subframe Weight:</u>	550 lbs	



2 of 2

TF 800 688 6840
Ph 250 248 2218
Fax 250 248 2895
www.expresscustom.com

CUSTOM ALUMINUM TOOL BOX/CABINET - FORMED 1/8" MILL PLATE		I BOX (TRANSVERSE BOX)	\$	2,674.21
Face Angle: (SQ=Square, #H=degrees):	SQ	STANDARD CABINET		
Cabinet overall Width (in.):	24	Opening Width (in.):	19.25	
Cabinet overall Height (in.):	40	Opening Height/Depth (in.):	34.25	
Cabinet overall Depth (in.):	96			
Construction:	SEE DRAWING	Installation:	N	
Door Type (S=Single, B=Barn/Double):	B	Door Position (T=Top, F=Front):	F	
Door Swing (F=forward, D=Down, U=Up):	F	Retainers:	Gas Shocks	2
Hinges:	S/S Surface Mount	Handles:	S/S Whaletail	2
Shelving (1/8" Mill Plate) Quantity:	1	Add T-Slots (Y or N):	N	
Vortex Drain on Floor (Y or N):	N			
BASKET STOARGE ON 1.5x1.5in Box Tube Frame Work, with 2x2 PIPE RACK				
SWIVEL - J-HOOKS	Quantity	12	\$264.00	CHOSEN
Details:	See Drawings			
LED Strip Lights with Door Switch:	N			

SIGN HOLDERS		\$	480.00
DETAILS	LIKE SAANICH	\$	

RECEIVABLE REAR RACK		\$	540.00
Description:	A Rear "Goal Post" Rack, to match front rack crossbars & Ears		
Materials:	2" x 2" x 3/16"		
Mount:	Stake Pockets/Vice Receivers		
Install:	2	2" Vice receiver	in each rear corner of deck

LIGHTS: 1x Code3 PSE SHL10CA LED Mini Light Bar		\$	515.00
PART#:	SHL10CA	MANUFACTURER:	Code3 PSE
LIGHT:	LED	LIGHT COLOUR:	Amber
TYPE:	Mini Light Bar	CURRENT DEMAND	2.5A
INSTALL:		MOUNTING:	Permanent
WIRING:	CSA TEW3 fused, shielded, Sealed & Mechanically	SWITCH:	OEM DASH

Dimension: **SIGNED CONSTRUCTION DRAWINGS WILL SUPERCEED DIMENSIONS ON THIS

NOTE:

- 1) Payment in the form of cash, debit, direct deposit, bank draft or money order for all orders over \$5000. A 25% non-refundable deposit is required prior to starting any job.
- 2) All our Products will be Brand labeled.
- 3) Additional work, such as the mounting or removal of Tools, equipment and accessories not found on this quote will be billed based on actual labour and materials used. This includes Pick-up Truck bed removal and fuel filler necks.
- 4) SALES TAXES EXEMPTIONS: Customers will be charged taxes according to the province in which their product(s) will be used/remains. Exemption forms must be completed at point of sale (eg. BC 12% AB 5%, SK 10%, MB 12%, YK 5%).

AUTHORIZATION SIGNATURE: **TOTAL BEFORE TAX:** \$ **15,151.71**

Quote - Truck{DE1084} - Greg{Township of Ladysmith}.xlsx:DECK QUOTE

04/01/2013 valid for 30 days



Ladysmith Maritime Society

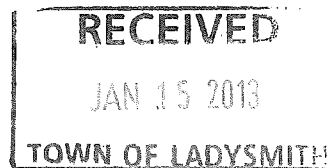
www.ladysmithmaritimesociety.ca

P.O. Box 1030, Ladysmith, B.C., V9G 1A7

Tel: 250-245-0109 Fax: 250-245-0108

January 15th, 2013

Mayor Hutchins and Council
Town of Ladysmith
410 Esplanade, P.O. Box 220
Ladysmith, B.C. V9G 1A2



Dear Mayor Hutchins and Council:

Re: Community Marina Visitor Dock Expansion Project


We have received some positive indications relative to the Community Marina CIIF (Community Infrastructure Improvement Fund) grant application. This is a \$280,000 project with Western Economic Diversification contributing 49% and LMS making up the balance. The economic benefits to Ladysmith from this project are significant and sustained, estimated at \$100-150K per year.

Project approval could come anytime in the next six weeks in contrast to an expected date of sometime in April. This decision date would mean that we could proceed with an early start for the construction work and complete the work prior to the tourist season. This phase of the Community Marina project relies very heavily on volunteers under the leadership and direction of experienced, journeyman builders.

We would request that the Town consider allowing use of the former kayak space in the Machine Shop building for the visitor dock expansion construction work on a temporary basis (best current estimate is 4-5 months). The new docks would be built in sections in the large open area in the kayak space and transported down to the water for launching.

There are three reasons for this request:

1. Unlike paid contractors, volunteers are much less willing to work in poor or wet weather wet conditions.
2. Security - 24/7 security would be required on an open construction site.
3. An early project start date would be outstanding news but would require us to gear up immediately and start volunteer training on a pilot project.

Sincerely,

D.H. Bell

TOWN OF LADYSMITH

BYLAW NO. 1814

A bylaw to appropriate monies from the Cemetery Care Trust Fund.

WHEREAS the sum of \$141,441.80 is on deposit in the Cemetery Care Trust Fund; and

WHEREAS it is deemed necessary to appropriate the sum of up to \$1,744.68 from the Cemetery Care Fund for the purpose of the Cemetery Operations; and

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. The sum of up to One thousand, seven hundred forty four dollars and sixty-eight cents (\$1,744.68) is hereby appropriated from the Cemetery Care Trust Fund and transferred to the General Revenue Fund to provide for the cemetery.

Citation

2. This bylaw may be cited as the "Cemetery Care Trust Fund Appropriation Bylaw 2013, No. 1814".

READ A FIRST TIME on the

READ A SECOND TIME on the

READ A THIRD TIME on the

ADOPTED on the

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1815

A Bylaw respecting the prevention of fires
and the protection of persons and property.

WHEREAS pursuant to the *Community Charter*, SBC 2003, c. 26, the Council may, subject to the *Fire Services Act*, RSBC 1996, c. 144, and regulations made thereunder, by bylaw establish fire regulations for the protection of persons and property;

NOW THEREFORE the Council of the Town of Ladysmith, in open meeting assembled, enacts as follows:

1.0 APPLICATION

- 1.1 Burning Regulation Bylaw 1380, being cited as “Burning Regulation Bylaw 2001, No. 1380”, is repealed.
- 1.2 This bylaw may be cited as “Fire Prevention Bylaw 2012, No. 1815”.

2.0 DEFINITIONS AND INTERPRETATION

- 2.1 In this Bylaw, unless the context otherwise requires:

“*BC Building Code*” - means the *British Columbia Building Code 2012*, adopted by BC Reg. 264/2012, as amended or re-enacted from time to time.

“*BC Fire Code*” - means the *British Columbia Fire Code 2012*, adopted by BC Reg. 263/2012, as amended or re-enacted from time to time.

“Campfire” - means a contained outdoor fire not exceeding 0.5 meters in diameter and 0.5 meters in height using fuel of seasoned wood, charcoal briquettes, propane or natural gas, being used for the purpose of cooking, providing heat or providing light.

“Class 1 Fire” - means an outdoor fire which permits special occasion and ceremonial fires only.

“Class 2 Fire” - means an outdoor fire which occurs in garden waste consisting of non-toxic garden materials stored on a parcel not exceeding one hectare in area, and includes grass clippings, leaves and branches pruned from trees and shrubs.

“Class 3 Fire” - means an outdoor fire which occurs in waste resulting from the demolition or construction of a building or structure where the volume of waste is limited to 0.5 cubic meters in volume.

“*Community Charter*” - means the *Community Charter*, SBC 2003, c. 26, as amended from time to time, and regulations made thereunder.

“Council” - means the Council of The Town of Ladysmith.

“Dwelling unit” - means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons usually containing cooking, eating, living, sleeping and sanitary facilities.

“*Environmental Management Act*” - means the *Environmental Management Act*, SBC 2003, c. 53, as amended from time to time, and regulations made thereunder.

“False alarm” - means an alarm activated for a purpose other than where an emergency exists that necessitates a response by the Fire Department.

“*Farm Practices Protection (Right to Farm) Act*” - means the *Farm Practices Protection (Right to Farm) Act*, RSBC 1996, c. 131, as amended from time to time, and regulations made thereunder.

“Fire Chief” - means the person appointed by Council as head of the Fire Department, and includes a person:

- (1) designated by Council to act in the place of the Fire Chief;
- (2) who, for the purposes of a local assistant under the *Fire Services Act*, is authorized in writing by the Fire Chief to exercise the powers of a local assistant;
- (3) appointed by Council as the Deputy Fire Chief; or
- (4) for the purposes of exercising the powers of the Fire Chief under section 66 of the *Community Charter*, who is acting under the authority of the Fire Chief.

“Fire Department” - means the Ladysmith Fire/Rescue Service.

“*Fire Services Act*” - means the *Fire Services Act*, RSBC 1996, c. 144, as amended from time to time, and regulations made thereunder.

“Garden refuse fire” - means an outdoor fire in which garden refuse is deliberately burned for the purpose of disposal.

“Hazard” or “hazardous” - means any condition or thing that the Fire Chief considers is a fire hazard or that may increase the risk of the start, spread or danger of fire.

“Inspector” - means a bylaw enforcement officer, peace officer or designated member of the Fire Department, the Fire Chief, or a person acting under the authority of the Fire Chief.

“*Local Government Act*” - means the *Local Government Act*, RSBC 1996, c. 323, as amended from time to time, and regulations made thereunder.

“Member” - means a paid or volunteer member of the Fire Department, and includes the Fire Chief and an inspector.

“Nuisance” - means:

- (1) the act of creating or maintaining a fire that does not comply with the requirements of this Bylaw, which causes a response by the Fire Department; or
- (2) any act or operation which interrupts the ability of the Fire Department to carry out its duties without encumbrance.

“Occupant” or “Occupier” - means the resident owner, lessee, licensee or tenant of any building to which any provisions of this Bylaw apply.

“*Offence Act*” - means the *Offence Act*, RSBC 1996, c. 358, as amended from time to time, and regulations made thereunder.

“Officer” - means the Fire Chief, a captain of the Fire Department or their designates duly appointed from time to time to lawfully act in that capacity.

“Outdoor fire” - means a fire that burns outdoors in the open air that is not enclosed in a fireplace, furnace or other such device, but does not include the striking of a match.

“Outdoor fireplace” - means a secured container, which is commercially manufactured, certified by the Canadian Standards or a similar entity, and designed with a chamber to hold an outdoor fire, used for heat, light, or cooking purposes.

“Owner” - means the registered owner of an estate in fee simple or his/her agent authorized in writing, ownership in a corporation and a company and includes the tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, corporate and public agency ownership, the holder or occupier of land held in the manner described in the *Local Government Act*, or an authorized agent of the owner acting on their behalf.

“Prohibited burning materials” - means material as defined in Schedule “A”.

“Smoke” - means the gases, particulate matter and all other products of combustion emitted into the atmosphere when a substance or material is burned.

“Smoke alarm” - means a combined smoke detector and audible alarm device designed to sound an alarm within the dwelling unit, suite or room in which it is located upon the detection of smoke within that room.

“Suite” - means a single room or series of rooms of complementary use, operated under a single tenancy, and includes individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories.

“Town” - means the Town of Ladysmith.

“Wood Burning Appliance” - means a solid fuel burning device including, without limitation, a stove and fireplace insert.

2.2 In this Bylaw, unless the context otherwise requires, any term defined in the *Community Charter* or the *Fire Services Act* shall have the same meaning in this Bylaw.

3.0 FIRE DEPARTMENT AND CHIEF

3.1 The Fire Chief is hereby authorized to exercise the following powers:

- (a) enter on any property in the event of an emergency or danger to a person or property;
- (b) enter on any property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire;
- (c) take measures to prevent and suppress fires, including the demolition of buildings and other structures to prevent the spreading of fire;
- (d) require an owner or occupier of real property to undertake any actions directed by the Fire Chief for the purpose of removing or reducing anything or condition that the Fire Chief considers is hazardous; and
- (e) exercise some or all of the powers of the fire commissioner under sections 21, 22 and 25 of the *Fire Services Act*, including the following:
 - (i) If an emergency arising from a fire hazard or from a risk of explosion causes the Fire Chief to be apprehensive of imminent and serious danger to life or property, or of a panic, the Fire Chief may immediately take the steps they think advisable to remove the hazard or risk;
 - (ii) For the purposes of subsection (i), the Fire Chief may evacuate a building or area, and may call on the police authorities who have jurisdiction to provide assistance;

- (iii) If the Fire Chief believes that conditions exist in or near a hotel or public building, that, in the event of a fire, might seriously endanger life or property, the Fire Chief may immediately take the action they believe advisable to remedy the conditions to eliminate the danger and may evacuate and close the hotel or public building;
- (iv) For the purposes of subsection (iii), the Fire Chief may call on the assistance of peace officers and fire prevention authorities.

3.2 The Fire Chief is authorized to take or order the following measures be taken in order to prevent spread of fire or to prevent damage to persons or property or loss of life:

- (a) the erection of barricades to prevent or impede access to the area where the hazardous material is being stored;
- (b) the posting of signs or tape to prohibit access;
- (c) the application of water or some other agent to the hazardous material to reduce the risk of fire;
- (d) the covering or burial of the hazardous material to reduce the risk of fire;
- (e) the removal or disposal, which may include a controlled burn, of the hazardous material;
- (f) the cessation of the use of machinery or equipment in the vicinity of the hazardous material; and
- (g) the demolition of any building or part of a building which, in his judgment, should be demolished to prevent the spreading of fire.

4.0 FIRE PREVENTION AND SAFETY

4.1 The following provisions shall apply to all owners, occupants and other persons, as applicable, in order to prevent spread of fire or to prevent damage to persons or property or loss of life:

- (a) The owner or occupant of any lands, premises, yards or buildings situated within the Town shall at all times keep the same in safe condition so as to guard against the starting and the spread of fire;
- (b) The occupier of real property must keep and maintain in good working order any fire protection related equipment and fire protection structural features required to be installed pursuant to the *BC Building Code* or required to be maintained by the *BC Fire Code* or other enactment;

- (c) No owner or occupant shall allow accumulations of empty boxes, barrels, rubbish, trash, waste paper excelsior or any light combustible materials, on any property, sidewalk or alley, except that such materials may be stored in a receptacle of fire resistant material fitted with fire doors, or in metal containers equipped with tight-fitting metal lids;
- (d) The owner, occupier or agent of any vacant building must at all times keep the building free of debris and flammable material, and keep all openings in such buildings securely fastened and closed so as to prevent the entry of unauthorized persons. After notice of a requirement to secure or repair has been delivered by the Town to the owner or occupier of a building unsecured for more than a 7 day period, or in a state of repair contrary to this Bylaw, a building will be considered a threat to public safety, and Town staff or others may enter onto the property to secure or repair as required in the notice. Any charges incurred by the Town in securing or repairing the building are the responsibility of the owner in accordance with section 17 of the *Community Charter* and may be collected in accordance with section 258 of the *Community Charter* as property taxes;
- (e) The owner of a fire damaged building will ensure that the building is either guarded or all openings secured to prevent unauthorized entry;
- (f) The occupier of any lands, premises, or facilities of buildings must at all times keep same in safe condition so as to guard against the starting or spreading of fire by complying with the requirements of Division B of the *BC Fire Code*. In particular, and without limiting the generality of the foregoing, an occupier must, where applicable:
 - (i) maintain the required vehicle access for the Fire Department;
 - (ii) maintain a means of egress;
 - (iii) provide and maintain an approved fire safety plan;
 - (iv) maintain fire hydrants in an approved manner;
 - (v) maintain the fire alarm;
 - (vi) maintain emergency lighting and exit lighting;
 - (vii) maintain commercial cooking equipment;
 - (viii) maintain portable fire extinguishers; and
 - (ix) maintain an automatic sprinkler and /or standpipe and hose system;

- (g) The owner of a building having a fire alarm system or a sprinkler system must maintain and provide a current list of accessible contact person(s) to the Fire Department. Contact person(s) must be available to attend all alarms within 1 hour from the time they are notified;
- (h) No person may smoke in areas where conditions may cause a fire or explosion and “No Smoking” signs shall be posted by the building owner or an authorized agent of the owner acting on their behalf; and
- (i) Every mobile caterer carrying on business within the Town and utilizing commercial cooking equipment that creates grease laden vapours in a confined compartment must maintain and operate exhaust and hood systems that comply with the *BC Fire Code*.

4.2 The following provisions shall apply to all wood burning appliances:

- (a) No owner or occupier of real property may cause or permit smoke from the burning of prohibited burning materials in a wood burning appliance; and
- (b) No person may install a wood burning appliance after the adoption of this Bylaw that does not comply with the emission standards established by the Canadian Standards Association or the United States Environmental Protection Agency, as outlined in the *Solid Fuel Burning Domestic Appliance Regulation*, BC Reg. 302/94 enacted under the *Environmental Management Act*.

4.3 The following provisions shall apply to all smoke alarms:

- (a) Every owner of a residential premise in the Town must ensure that smoke alarms are installed and maintained in every dwelling unit or suite and in each sleeping room not within a dwelling unit, except for institutional occupancies which are required by enactment to have a fire alarm system;
- (b) Every owner must test the smoke alarms in compliance with the manufacturer’s recommendation within the dwelling unit, suite or sleeping room to ensure that the smoke alarm is functioning correctly. If a smoke alarm is not functioning correctly, the occupant, if he or she is not the owner, must inform the owner immediately on becoming aware of the failure, and the owner forthwith repair or replace the smoke alarm;
- (c) A smoke alarm required under this Bylaw must conform to the Canadian standard set by Underwriters Laboratories Canada (CAN/ULC) – “S531 Standard for SMOKE ALARMS”, and be installed and maintained in conformance with “CAN/ULC - S553 Standard for the Installation of Smoke Alarms”;

- (d) Without limiting subsection 4.3(c), a smoke alarm required for a residential premise must be installed in accordance with the *BC Building Code* and the *BC Fire Code*;
- (e) Every owner or occupier must notify the Fire Department of any work on or malfunction of a fire alarm system, to avoid false alarms being received;
- (f) Every owner or occupier must replace faulty alarm components in an expeditious manner to prevent undue false alarms being transmitted to the Fire Department; and
- (g) If the owner or occupier fails to keep the fire alarm system in repair, or to notify the Fire Department of testing, maintenance or any condition that causes the Fire Department to be summoned unnecessarily, the owner or occupier as applicable is liable to a fine as per section 9.0 of this Bylaw.

5.0 FIRE SAFETY INSPECTION AND ORDERS

5.1 The Fire Chief, Inspector and any Officer of the Fire Department may at all reasonable hours and subject to the terms in the *Community Charter* enter into and upon any property or private dwelling units:

- (a) for the purpose of testing or inspecting;
- (b) for the purpose of testing or inspecting buildings, as required by the *Fire Services Act*;
- (c) to determine if the Fire Department access and an adequate water supply are available for fire suppression purposes; or
- (d) to determine if the requirements of this Bylaw are being carried out.

5.2 The following obligations shall apply to all persons:

- (a) No person may obstruct, hinder or prevent any authorized Fire Department member from entering into or upon any property or private dwelling units.
- (b) The owner or occupier of a building or property or any other person having knowledge of a building or property must, upon request, give to a member of the Fire Department who is carrying out an inspection on a building or property such assistance as he/she may require in carrying out the inspection.

5.3 If the Fire Chief finds that any provision of this Bylaw has been contravened or has not been complied with, or has been complied with improperly or only in part, or that conditions exist in or upon a building or property to which the Bylaw applies and which, in their opinion, constitutes a fire hazard or otherwise constitutes a hazard to life and/or

property, they may make such notice as to ensure full and proper compliance with this Bylaw, and in particular, but without limiting the generality of the foregoing, the Fire Chief may:

- (a) make to the owner, occupier or lessee of the building or property such recommendations as he deems necessary to correct the contravention or to ensure compliance with this Bylaw, or to remove the hazards referred to in the Bylaw; or
- (b) make such notice as he deems necessary with respect to any of the matters referred to in this Bylaw, provided that such notice made under this Bylaw shall be in writing and must be directed to the occupier, or where the occupier is not the owner, to the owner and the occupier of the building or property in respect of which the notice is made.

5.4 An Inspection Notice made under this Bylaw shall be served:

- (a) by delivering it or causing it to be delivered to the person to whom it is directed; or by
- (b) sending the notice by return registered or certified mail to the last known property owner at the owner's last known address; or
- (c) after 14 days of sending a notice by return registered or certified mail to the last known property owner at the owner's last known address, posting a copy in a conspicuous place on the building or property if the person to whom it is directed cannot be found, is not known or refuses to accept service of notice.

6.0 BURNING REGULATIONS

6.1 No person shall:

- (a) except as expressly permitted by this Bylaw, start or maintain any outdoor fire or permit any outdoor fire on property owned or occupied by that person;
- (b) burn any noxious, explosive, corrosive or toxic materials, pesticide or herbicide in an outdoor fire;
- (c) burn materials brought from another location in an outdoor fire;
- (d) light, ignite, start or allow or cause to be lighted, ignited or started, an outdoor fire without first obtaining a permit if required by this bylaw; or
- (e) start or maintain a fire without adequate supervision or the capability of extinguishing the fire.

- 6.2 The following types of outdoor fires may be started and maintained at any time without a permit and are excluded from the regulations of this Bylaw:
- (a) fires used or recommended by the Ministry of Forests to manage ecosystems for purposes of silviculture management, forest fuel management, fire hazard reduction, wildlife enhancement, domestic range improvement and the use of fire as a means of fire control;
 - (b) fires started by the Fire Department for training purposes or to prevent the commencement or spreading of fire;
 - (c) burning by a farm business on the lands of a farm operation, as defined in, and in compliance with, the terms of the *Farm Practices Protection (Right to Farm) Act*; and
 - (d) Campfires and outdoor fireplaces meeting the following criteria:
 - (i) Campfires and outdoor fireplaces situated not less than 5 meters from any combustibles including but not limited to buildings, sheds, shrubs, grassy fields, or property boundaries; and
 - (ii) Campfires contained and maintained in a manner that will prevent any fire from escaping or growing bigger than 0.5 meters in size.
- 6.2 No person shall start or maintain a Class 1 Fire unless it is for a civic event, function or festival approved by an Officer.
- 6.3 No person shall start or maintain a Class 2 or 3 Fire or a garden refuse fire.
- 6.4 A person who wishes to start an outdoor fire not excepted by section 6.1 shall obtain a permit and complete and sign an application in the form outlined in Schedule "B" attached to this Bylaw, subject to the following:
- (a) An Officer may issue a permit in the form attached to this Bylaw as Schedule "B" and, prior to issuing a permit, inspect the proposed site of the fire and direct that actions be taken to comply with the provisions of this Bylaw and specify in the permit the fire fighting equipment to be provided on the site of the fire or any other precautions;
 - (b) The dates on which a permitted outdoor fire may burn shall be stated on the permit;
 - (c) An Officer may refuse to issue a permit when the Officer considers that it is not safe for the proposed fire to be started or maintained and may, without limiting what the Officer may take into account, consider weather conditions, site

conditions and availability of Fire Department personnel to extinguish the proposed fire;

- (d) The permit holder shall inspect the fire site following the permit expiration date and within 4 hours of the cessation of the fire and ensure that the fire is extinguished;
- (e) Despite the issuance of a permit, no person may start a fire if wind and weather are such that to do so is likely to be hazardous or when banned under Provincial regulation;
- (f) Despite the issuance of a permit, every person must comply with the requirements set out in the *Open Burning Smoke Control Regulation*, BC Reg. 145/93, enacted under the *Environmental Management Act*. Such requirements include, but are not limited to, the required distance an outdoor fire must be from buildings, duration of smoke release, smoke free periods per year, weather conditions and smoke reduction measures; and
- (h) An Officer may take any action to ban, extinguish or require extinguishment of any burning under permit or the conditions of this section 6.4 that they consider hazardous or a nuisance.

8.0 PUBLIC DUTIES AND OBLIGATIONS

- 8.1 No person may impede, hinder or obstruct the extinguishment by the Fire Department of any fire. Every person who fails to comply with the orders or instructions of a member of the Fire Department engaged or about to be engaged in the extinguishment of a fire may be forcibly removed from the scene of such emergency or fire by an Officer, peace officer or Inspector.
- 8.2 No person may refuse to permit any member of the Fire Department to enter into or on any premises, for which an alarm of fire has been received, or in or upon any premises while the member has reasonable grounds to suspect that a fire exists.
- 8.3 No person shall drive a vehicle over any fire hose or other Fire Department equipment without the permission of the Fire Chief or persons designated to give permission.
- 8.4 No person may cause or contribute to the causation of a false alarm which requires the Fire Department to be summoned. Any person found so intentionally or negligently causing a false alarm is liable to a fine as per section 9.0 of this Bylaw.

9.0 ENFORCEMENT AND COST RECOVERY

- 9.1 If an owner or occupier is in default of a notice made under this Bylaw, the Fire Department or the Town, by its workers or others, may enter the property and effect such work as required in the notice, at the expense of the owner or occupier so defaulting, and

any charges so incurred and remaining unpaid on December 31 of that year shall be added to and form part of the taxes payable on the real property as taxes in arrears.

- 9.2 Every person who contravenes or violates any provision of the *BC Fire Code*, this Bylaw, or any permit or order issued pursuant to this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw or any permit or order issued pursuant to this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or any permit or order issued pursuant to this Bylaw, commits an offence and is subject to prosecution in accordance with the *Offence Act*.
- 9.3 Any of the Bylaw Enforcement Officer, Inspector or the Fire Chief are designated to enforce this Bylaw under section 264(1)(b) of the *Community Charter*.

10.0 GENERAL

- 10.1 If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phase.
- 10.2 If the singular or masculine or neuter is used in this Bylaw, the same must be construed as meaning the plural, the feminine or body corporate where the context so requires.
- 10.3 Schedules "A" and "B" form a part of and are enforceable in the same manner as this Bylaw.

READ A FIRST TIME	on the	day of	, 2013
READ A SECOND TIME	on the	day of	, 2013
READ A THIRD TIME	on the	day of	, 2013
ADOPTED	on the	day of	, 2013

Mayor
(R. Hutchins)

Director of Corporate Services
(S. Bowden)

SCHEDULE "A"
Attached to and forming
part of Bylaw No. 1815

Prohibited Burning Materials

The following shall constitute prohibited materials:

tires	treated lumber
plastics	railway ties
drywall	manure
demolition waste	rubber
domestic waste	asphalt products
paint	fuel and lubricant containers
hazardous waste	biomedical waste
tar paper	

SCHEDULE "B"

Attached to and forming
part of Bylaw No. 1815

SPECIAL BURNING PERMIT

Attached are Special Instructions and Conditions


DATE: _____
 Year Month Day

PERMISSION IS HEREBY GRANTED TO:

Applicant: _____
Name

of _____ Address _____ Phone _____

Person in charge at the burn: _____
Name Phone

 Special Public Event

Land Clearing

Agricultural Pruning

Removal of a Fire Hazard

☐ Other: _____

Location of burn: _____

Special Instructions and conditions of burning - see reverse

Signature of Applicant

The Permit expires: _____
 Year Month Day

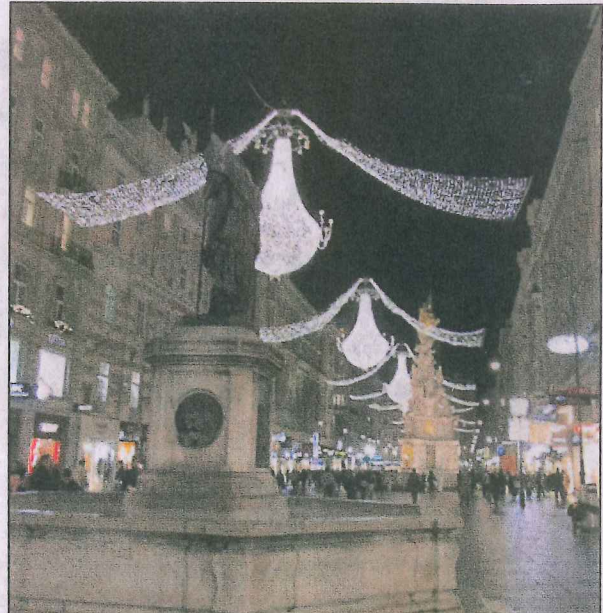
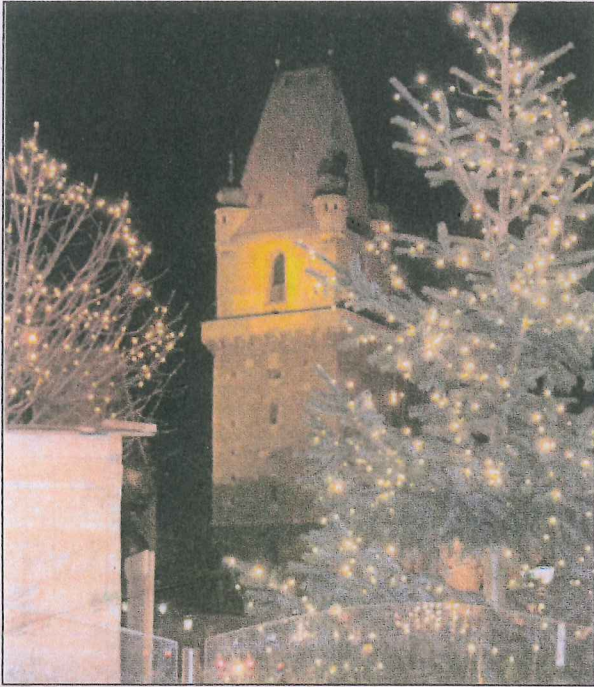
PER: _____
Fire Chief or designate

SPECIAL INSTRUCTIONS AND CONDITIONS

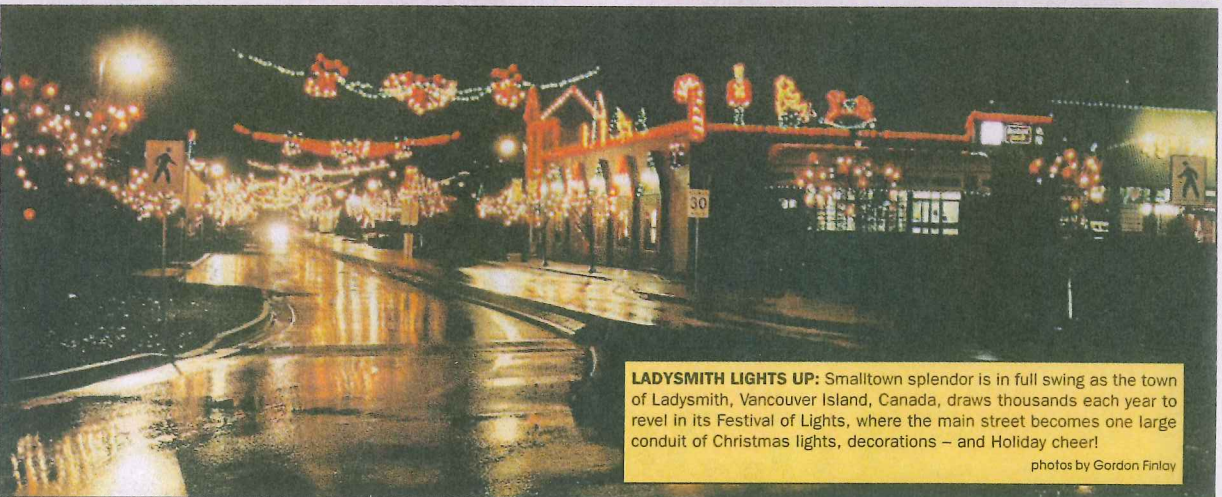
1. Only well dried and cured products are to be burned.
2. The ventilation index, as defined in the *Open Burning Smoke Control Regulation*, BC Reg. 145/93, enacted under the *Environmental Management Act*, as amended from time to time, must be “good” for the day the open burning is to be started, and, if applicable, “good” or “fair” for the second day the debris is anticipated to release smoke. In addition, open burning must not be initiated if the local air flow will cause the smoke to negatively impact on nearby population.
3. Burning will only take place on Monday to Friday of any week.
4. Burning will be permitted between _____, 20__ and _____, 20__.
5. Burning must meet the requirements specified in the *Open Burning Smoke Control Regulation*.
6. Special Burning Permits issued will be valid only for that one occasion.
7. Permits will be cancelled if, in the opinion of the Fire Chief, the burning is creating a hazardous condition, and the fire will be ordered extinguished.
8. All other requests to burn will be referred to the Fire Chief for chipping consideration.

Holiday celebrations from Europe to North America: Lighting up with the old and the new

Page 27 Wednesday, December 12, 2012 Bellmore Life



FROEHLICHE WEIHNACHTEN (MERRY CHRISTMAS): Vienna, Austria, is decked out for the holidays.
photos by Morgan Schaefer



LADYSMITH LIGHTS UP: Smalltown splendor is in full swing as the town of Ladysmith, Vancouver Island, Canada, draws thousands each year to revel in its Festival of Lights, where the main street becomes one large conduit of Christmas lights, decorations – and Holiday cheer!
photos by Gordon Finlay