PROVINCE OF QUÉBEC
TOWN OF HAMPSTEAD

BY-LAW NO. 793-1

BY-LAW NO. 793-1 MODIFYING BY-LAW NO. 793 CONCERNING FIRE SAFETY

WHEREAS Sections 6 and 62 of the Municipal Powers Act (CQLR, chapter C-47.1);

WHEREAS the Fire Safety Cover Plan adopted by the Urban Agglomeration Council on December 18, 2008 (CG08 0657), namely program 2 titled "*Règlementation municipale*" (Part 3, Section 7);

At its meeting of September 12, 2017, City Council enacts:

CHAPTER I
INTERPRETATION AND APPLICATION

1. Article 1 of the By-law No.793 concerning fire safety is amended by:

(1) adding, after the interpretation of "Code", the following interpretation:

""exempted building": building exempted from the application of the Code in accordance with articles 340 and 341 of section II of the Code;";

(2) replacing the interpretation of "Code" by the following:

""Code": *Chapter VIII – Building,* of the *Quebec Safety Code* (CQLR, chapter B-1.1, r. 3), as well as its amendments up to the date of adoption of this By-law, including appendixes and documents referred to therein, and including the *National Fire Code of Canada 2010 (amended)(NRCC 53303)* (hereinafter called the "NFC") (as amended by article 370 of the Code which adopts it by reference) as well as its amendments up to the date of adoption of this By-law, its appendixes and documents referred to therein.";

(3) deleting the words "care or detention occupancy (group B)" and their interpretation.

2. Article 2 of the By-law is replaced by the following:

"**2.** Subject to the amendments under this By-law and those listed in schedule 1, the Code in schedule 2 to this By-law constitutes an integral part of this By-law, except for sections II, III, VI, VII, VIII, IX and articles 353 to 358 of section IV of the Code.

Despite the preceding paragraph, articles 361 to 365 of section IV of the Code do not apply to an exempted building.

Facilities, installations and new and existing buildings, as well as building construction, demolition and renovation sites, and the surroundings of such facilities, installations, buildings and sites, must conform to the requirements under this By-law.

For the purposes of this By-law, the first paragraph of article 370 of section V of the Code integrated in this By-law is amended to read as follows:

"370. The fire protection standards are those established by the National Fire Code of Canada 2010 (NRCC 53303) and the *Code national de prévention des incendies* -

Canada 2010 (CNRC 53303F), hereinafter referred to as the NFC, published by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada, and apply to *facilities, installations and new and existing buildings, as well as building construction, demolition and renovation sites, and the surroundings of such facilities, installations, buildings and sites*, with amendments, where applicable, as indicated in Appendix 1 or integrated to the Code published by the National Research Council of Canada, as well as by all subsequent amendments that may be published by that organization.".

For the purposes of this By-law, article 1.1.1.1. of part 1 of division A of the NFC, integrated in this By-law, is amended to read as follows:

"(1) The NFC applies to facilities, installations, and new and existing buildings, and to building construction, demolition and renovation sites, as well as to the surroundings of such facilities, installations, buildings and construction sites."".

3. Article 3 of the By-law is replaced by the following:

"**3.** For the purposes of this By-law, a reference to a standard or requirement in effect at the time of construction or alteration of a building constitutes a reference to:

(1) the municipal standard applicable according to the year of construction or alteration, for exempted buildings, or

(2) the standard applicable according to the year of construction or alteration of the building as indicated in the second and third clauses of article 344 of the Code, for all other buildings.".

4. Article 4 of the By-law is replaced by the following:

"**4.** The amendments made to the Code, including those to the NFC, after the coming into force of this By-law, become part of the Code without a By-law having to be adopted in order to enact the application of each amendment. Such an amendment comes into force on Town territory on the date determined by Town Council resolution. Public notice must be given of the adoption of such resolution according to the governing law.".

5. Schedule 1 to the By-law is replaced by the document in schedule A to this By-law.

6. The By-law is amended by adding, after schedule 1, schedule 2 titled "Quebec Safety Code, Chapter VIII – Building, and National Fire Code of Canada 2010 (amended)", in schedule B to this By-law.

7. Article 8 of the By-law is amended by adding, before the words "Any person", the following paragraph:

"Unless otherwise provided for in this By-law, the owner of an immovable or their authorized agent is responsible for ensuring conformity to this By-law. Furthermore, the occupant or their authorized agent is also responsible for ensuring conformity to the provisions of this By-law.".

8. This By-law comes into force in accordance with the law.

However, to the extent that provisions of this By-law incorporate by reference:

(1) Sections 361 to 365 of the Code, those provisions will only take effect as of March 18, 2018;

(2) Sections 369.1 and 369.2 of the Code, those provisions will only take effect as of December 2, 2020.

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Pierre Tapp
M^{e} Pierre Tapp OMA, Town Clerk

SCHEDULE A (article 5)
SCHEDULE 1
AMENDMENTS TO THE QUEBEC SAFETY CODE, CHAPTER VIII – BUILDING, AND NATIONAL FIRE CODE OF CANADA 2010 (AMENDED)

SCHEDULE B (article 6)
SCHEDULE 2
QUEBEC SAFETY CODE, CHAPTER VIII – BUILDING, AND NATIONAL FIRE CODE OF CANADA 2010 (AMENDED), PUBLISHED BY THE NATIONAL RESEARCH COUNCIL CANADA

SCHEDULE A (article 5)

"SCHEDULE 1

Amendments to the Quebec Safety Code, Chapter VIII – Building, and National Fire Code of Canada 2010 (amended)

For the purposes of this By-law, division B of the NFC, which is amended and adopted by reference, is amended in accordance with the following table:

CODE ARTICLES	AMENDMENTS
Division B, Part 2	
2.1.3.3. of Division B of the Code	Article 2.1.3.3. does not apply.
2.4.3.1. of Division B of the Code	Article 2.4.3.1. does not apply.
2.4.3.3. of Division B of the Code	Article 2.4.3.3. is replaced by the following article: **2.4.3.3. Candles and devices having open flames** Candles and devices having open flames shall be securely supported in noncombustible holders and shall be located or protected so as to prevent accidental contact of the flame with combustible materials."
2.4.5.1. of Division B of the Code	Article 2.4.5.1. does not apply.
2.4.10.1. of Division B of the Code	Article 2.4.10.1 is replaced by the following article: **2.4.10.1. Ethyl alcohol fuel burning appliance** (1) Any ethyl alcohol fuel burning appliance that can contain more than 250 ml must: (a) conform to ULC/ORD-C627.1 standard "Unvented Ethyl Alcohol Fuel Burning Decorative Appliances"; (b) bear the certification tag; (c) be installed and used: (i) in accordance with the manufacturer's recommendations; (ii) in such a manner that the flames of the appliance do not accidentally come in contact with combustible

	materials. (2) Except in dwelling units, a portable extinguisher having a minimum rating of 5B must be located near every ethyl alcohol fuel burning decorative appliance.
2.4.12.2. of Division B of the Code	Article 2.4.12.2. is amended by adding, after sentence (1), the following sentence: (2) When a wood- or charcoal-fuelled portable cooking device is used, it shall be set on a noncombustible material.
Section 2.4 of Division B of the Code	Section 2.4 of the Code is amended by adding, after article 2.4.13.2., the following article: **2.4.14. Heat-generating appliances** During public gatherings, heat-generating appliances such as portable cooking appliances, and others, shall be installed and used in such a way as to avoid risks of injury.
2.5.1.4. of Division B of the Code	Article 2.5.1.4. does not apply.
2.6.1.9. of Division B of the Code	Article 2.6.1.9 is replaced by the following article: **2.6.1.9. Cooking equipment** (1) Except for suites in a residential building, exhaust and fire protection systems shall be planned and installed in conformance with NFPA 96 “Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations”. (2) Except as required in Sentences (3) to (5), the use, inspection and maintenance of cooking equipment exhaust and fire protection systems shall be in conformance with NFPA 96 “Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations”. (3) Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned at frequent intervals to prevent surfaces from becoming heavily contaminated with grease or other residues (see Appendix A). (4) No solvents or flammable products may be used for the cleaning of exhaust systems. (5) As part of the fire safety plan, instructions for manually operating the fire protection systems shall be posted prominently in

	the kitchens. (6) Certified cooking equipment shall be installed and maintained in conformance with its certification. (7) Uncertified cooking equipment shall be installed and maintained so as not to create a fire hazard. (8) The requirements in Sentences (2) to (7) also apply to food trucks intended exclusively for street food when they are equipped with installations referred to in this article.
2.7.1.4. of Division B of the Code	Sentence (3) of article 2.7.1.4. is replaced by the following sentences: (3) The posted sign required under sentence (1) shall be made using the placard supplied by the authority having jurisdiction. (4) The maximum permitted occupant load shall not exceed that established by the authority having jurisdiction so as to avoid compromising public safety where the layout of a site creates a potentially hazardous condition; (5) Any person who allows, invites, permits or tolerates more occupants in a space than the maximum permissible occupant load, is guilty of an offence. (6) In the case of an incompatibility between this article and Article 2.7.1.3., the more restrictive maximum permissible occupant load applies.
2.7.3. of Division B of the Code	The title of subsection 2.7.3. is replaced by the following: **2.7.3. Lighting, emergency lighting and exit signs**
2.8.2.1. of Division B of the Code	Article 2.8.2.1. is replaced by the following article: **2.8.2.1. Measures** (1) In buildings or areas described in Article 2.8.1.1., a fire safety plan conforming to this Section shall be prepared and shall include: (a) the emergency procedures to be used in case of fire, including: (i) sounding the fire alarm (see Appendix A); (ii) notifying the fire department; (iii)instructing occupants on procedures to be followed when the fire alarm sounds;

	(iv) evacuating occupants, including special provisions for persons requiring assistance (see Appendix A); (v) confining, controlling and extinguishing the fire; (b) the appointment and preparation of designated supervisory staff to carry out fire safety duties; (c) the training of supervisory staff and other occupants in their responsibilities for fire safety; (d) documents, including diagrams, showing the type, location and operation of all the building fire emergency systems; (e) the holding of fire drills; (f) the control of fire hazards in the building; (g) the inspection and maintenance of building facilities provided for the safety of occupants. (See Appendix A.) (2) In the buildings described in Subsection 3.2.6. of the NBC and in buildings having an area greater than 10,000 m² or having a capacity greater than 500 occupants per floor, the drawings required under Clause (1) (d) shall: (a) show a format of at most 279 mm in height by 432 mm in width; (b) include the date of creation and that of their update; (c) include: (i) the floor plan; (ii) the stock plan for the storeys; (iii) the plan for every storey that is not identical to the stock plan; (iv) the sectional plan of elevators with the identification of every sleeve, of the storeys serviced by the elevators, and of elevators destined for firefighter use; (v) the sectional plan for stairwells with the identification of each one, including access to the roof and the identification of doors to regain access to floor areas; (vi) the sectional plan of standpipes, including faucets, valves, as well as the indication of the pressure available on every floor. **(see amended Appendix A below)** (3) The fire safety plan must be reviewed at intervals of at most 12 months in order to ensure that it accounts for changes made to the use of the building and other characteristics. (4) The fire safety plan must be update as needed and following

	every fire drill.
2.8.2.2. of Division B of the Code	Article 2.8.2.2. is amended by adding, after clause (1), the following words: **(see amended Appendix A below)**
2.8.2.3. of Division B of the Code	Article 2.8.2.3. is amended by adding, after sentence (1), the following sentences: (2) Whenever more than 300 people are assembled in a building within the scope of Group A, Division 1 assembly occupancies, instructions to occupants on the means of egress shall be provided prior to the beginning of every event or activity. (3) In assembly occupancies operating with reduced lighting, the normal lighting of the means of egress shall be restored upon sounding of the fire alarm. (4) In assembly occupancies operating with sound levels likely to exceed 87 dBA, sources of sound amplification shall be interrupted when the fire alarm sounds.
2.8.2.7. of Division B of the Code	Sentence (1) of article 2.8.2.7. is replaced by the following sentence: **2.8.2.7. Signs** (1) At least one copy of the fire emergency procedures shall be prominently posted, for the occupants of each floor area, and shall be provided with a plan accounting for the actual geographic or physical orientation of the building and showing the location of exits, safety facilities and telephone numbers to reach the fire department. **(see amended Appendix A below)**
2.9.3.3. of Division B of the Code	Article 2.9.3.3. is replaced by the following article: **2.9.3.3. Tents occupied by the public** (1) Smoking, open flame devices and candles shall not be permitted in a tent or air-supported structure occupied by the public.
2.9.3.7. of Division B of the	Article 2.9.3.7. is replaced by the following article:

Code.	**2.9.3.7. Cooking equipment and heat-generating or lighting appliances** (1) The use of cooking equipment or a combustion appliance is prohibited in a tent or air-supported structure that is accessible to the public. (2) Cooking appliances with more than 2 baskets used to fry food that are used inside a tent or air-supported structure not open to the public shall be protected by a special fire suppression system in accordance with Article 2.1.3.5. (3) Cooking equipment and combustion devices used in a tent or air-supported structure not open to the public must be located at a distance of at least 600 mm from any combustible element. (4) Bulbs and projectors for any lighting apparatus for a tent or air-supported structure shall be placed at least 600 mm from any combustible substance. (5) Tents, awnings and temporary shelters containing a cooking appliance or any other particular hazard and used for public assemblies shall be set up at a distance of at least 3 m from one another and from any building.
2.9.3.8. of Division B of the Code	Article 2.9.3.8. is replaced by the following article: **2.9.3.8. Interior enclosures** (1) In a tent or air-supported structure, the enclosure used to divide the space shall not be installed less than 1 m from the ceiling. (See Appendix A)

Division B, Part 3	
3.1.1.3. of Division B of the Code	Article 3.1.1.3. is amended by adding, after sentence (1), the following sentences: (2) Consumer-use pyrotechnics displayed for sale or other purposes shall be kept: (a) in a display that is closed when not in use and that is not accessible to the public; (b) sheltered from sunshine and other sources of high heat, namely by avoiding glass pane displays. (3) Signs in conformance with article 2.4.2.2. shall show that smoking near the pyrotechnic display is prohibited.
3.2.2.3. of Division B of the Code	Sentence (4) of article 3.2.2.3. is replaced by the following sentence: (4) In sprinklered buildings, the clearance between the top of storage and ceiling sprinkler deflectors shall conform to the standard used to design the sprinkler system, while being no less than 450 mm.
3.2.7.8. of Division B of the Code	Sentence (1) of article 3.2.7.8. is replaced by the following sentence: (1) Floors in areas where dangerous goods are stored shall be: (a) constructed using impervious materials that do not absorb chemical products; (b) maintained as an impervious membrane.
Division B, Part 4	
4.3.7.2. of Division B of the Code	Article 4.3.7.2. is amended by adding, after sentence (4), the following sentence: (5) Where a secondary containment surrounds more than one storage tank, it must be provided with drainage channels or dikes in conformance with NFPA-30, "Flammable and Combustible Liquids Code" in order to avoid a liquid spill or leak endangering adjacent tanks.
Subsection 4.11.2. of Division B of the Code	Subsection 4.11.2 is amended by adding, after article 4.11.2.4., the following article: **4.11.2.5. Prohibited use** (1) A tank vehicle shall not be used as a storage tank.
Division B, Part 5	

5.1.1.3. of Division B of the Code	Sentence (1) of article 5.1.13. is replaced by the following sentence: (1) The handling and discharge of fireworks shall conform to RNcan 2010, "Display Fireworks Manual" and RNcan 2014, "Special Effect Pyrotechnics Manual (2014)" .
5.4.5.2. of Division B of the Code	Article 5.4.5.2. is amended by adding, after sentence (1), the following sentence: (2) Spray coating devices involving the use of flammable liquids shall not be used in basements.
Subsection 5.4.5. of Division B of the Code	Subsection 5.4.5. is amended by adding, after article 5.4.5.2., the following article: **5.4.5.3. Use** Spray coating devices whose ventilation system is not operational or is not in good condition shall not be used.
5.6.1.2. of Division B of the Code	Article 5.6.1.2. is amended by adding, after sentence (1), the following sentences: (2) On construction sites for wood-frame residential buildings of more than four storeys, the owner or his agent must, before commencing work, designate an architect or an engineer according to their area of expertise in order to: (a) develop a risk management and control program for the construction site in accordance with this section; (b) ensure the follow-up of the program and the construction site supervision in accordance with the established program. **(see amended Appendix A below)** (3) The risk management and control program must be available on site for consultation.
Division B, Part 6	
6.3.1.1. of Division B of the Code	Article 6.3.1.1. is amended by adding, after sentence (1), the following sentence: (2) The circuit breakers or fuses supplying power to the fire alarm system shall be clearly identified and their access shall be limited to authorized persons or shall otherwise be power-locked in power-supply mode.
Subsection 6.4.1. of Division B	Subsection 6.4.1. is amended by adding, after article 6.4.1.1., the

of the Code	following article: **6.4.1.2. Monitoring** (1) The supply valves of water-based fire protection systems shall be constantly monitored in conformance with NFPA 13 "Standard for the Installation of Sprinkler Systems".
APPENDIX A	**AMENDMENT**
Division B, Appendix A	
A-2.8.2.1. (2) (c) Appendix A of Division B of the Code	Appendix A is amended by adding, after note A-2.8.2.1.(1)(a)(iv), the following note: **A-2.8.2.1. (2)(c) Measures** The floor plan referred to in subclause (i) shall include at least the following elements: • building location and orientation, including distances from property boundaries; • the location of any other building on the parcel of land including distances related to property boundaries and those between buildings; • firefighters' access ways; • obstacles to firefighting, such as fences, hedges, pools, and underground constructions; • the location of fire-department connections and fire hydrants; • gas inlets and Hydro Québec transformer vault. The stock plans referred to in sub clauses (ii) and (iii) should include at least the following elements: • building dimensions in millimeters; • elevators; • stairwells, including the identification of those providing access to the roof; • location of main valves for household water and sprinkler water, floor valves and gas inlets; • interior enclosures, hallways and door direction; • exterior walls, exterior siding and windows, including identification of opening windows; • mechanical rooms, such as electrical and telecommunication rooms, laundry chutes, garbage chutes, dumbwaiters; • hose cabinets with their class, conforming to NFPA-14,

<table>
<tr><td></td><td>hose connections and fire-department connections;
• emergency telephones for firefighter use;
• mechanics floors;
• fire alarm annunciator panel;
• location of emergency generator and fuel tank;
• location of hazardous materials.</td></tr>
<tr><td>A-2.8.2.2. (1) Appendix A of Division B of the Code</td><td>Appendix A is amended by adding, after note A-2.8.2.1. (2)(c), the following note:

A-2.8.2.2 (1) Double signal alarm system
When an alert signal is sounded, supervisory staff shall be able to quickly verify the origin, confirm the presence of a fire onset and operate the fire alarm system accordingly in order to apply the emergency procedures to be used in case of fire as described in Clause 2.8.2.1. (1)(a). In all cases, firefighters shall be called at the onset of the alert signal.</td></tr>
<tr><td>A-2.8.2.7. (1) Appendix A of Division B of the Code</td><td>Appendix A is amended by adding, after note A-2.8.2.2. (1), the following note:

A-2.8.2.7. (1) Safety equipment provided on the floor area of the building and which shall be shown on the posted plans namely include: manual fire alarm stations, portable extinguishers, hose cabinets, firefighters’ water intakes, emergency telephones, gas distribution control valves and other equipment available on the floor to be used in case of an emergency.

The posting of fire emergency procedures for occupants shall include at least the following instructions:

<table>
<tr><td>En cas d’incendie.

1. Actionnez l’avertisseur manuel d’incendie.

2. Quittez l’édifice par les escaliers.

3. Une fois à l’extérieur, éloignez-vous du</td><td>In case of fire.

1. Pull the manual fire alarm station.

2. Leave the building using stairways.

3. Once outside, move away from the building.</td></tr>
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</td></tr>
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	<table><tr><td>bâtiment. 4. Alertez le Service des incendies. Pour urgence, faites le 9-1-1</td><td> 4. Call the Fire Department. For emergency, call 9-1-1</td></tr></table> Where a guard or private security service is provided in a building, the internal telephone number for this service may be provided along with the 9-1-1 mention. Where a telephone system requires a specific procedure or number to make an external call, that number shall be posted along with 9-1-1.
A-5.6.1.2. (2) Appendix A of Division B of the Code	Appendix A is amended by adding, after note A-5.6.1.2. (1), the following note: "**A-5.6.1.2. (2)** The requirements concerning building safety and fire protection set out in the Code refer to requirements of entirely operational active and passive protection systems. Passive protection consists mainly of fire resistance concepts (compartments and structural capacity), while active protection consists of offering fire protection with the installation of an automatic fire detection or fire suppression system (such as sprinklers). However, during the construction of buildings, these active and passive protection measures are not necessarily in place or operational. Hence, a fire during the construction period may grow and spread much faster than in a building adequately compartmentalized with the use of separations as well as fire walls and operational sprinklers. As soon as the planning of the project begins, it is essential to consult fire protection services regarding By-laws that apply to the territory during the construction of such a building. Additional provisions, namely concerning the design of a fire safety plan, the number of portable fire extinguishers required on the construction site and the vehicle accesses, might be required. It is essential to consult fire protection services regarding By-laws that apply during the construction period. Additional provisions may be required. In addition to the provisions in section 5.6, it is mandatory of have a risk management and control program for the site, which will be implemented by a construction manager well informed of the requirements of the fire department and the insurers. Such a

	program should namely address, but need not be limited to, the following aspects: • Hot plates; • Prohibiting propane heating devices on construction sites, or their marking to ensure they don't represent a fire hazard; • Construction site safety (security guard, security patrols, surveillance cameras, etc.); • Hot work (welding, cutting, hot asphalt roofing, hot tar, etc.); • Safe storage of combustible materials and fuels; • Management of waste and refuse (daily pickup, no burning on site, etc.); • Installation and inspection of electrical work. Finally, the prefabrication of wall and floor assemblies should be preferred from the start of the project. The prefabrication of these elements considerably shortens construction time. Furthermore, when gypsum boards are installed in a factory, the likelihood of fire on the construction site is reduced."

SCHEDULE B (article 6)

"SCHEDULE 2

Quebec Safety Code, Chapter VIII – Building, and National Fire Code of Canada 2010 (amended), published by National Research Council Canada."