



Committee Agenda

**Committee Meeting of Council
June 6, 2011
at 6:00 p.m.**

MEETINGS

**FOR THE WEEK OF
JUNE 6TH, 2011**

Monday, June 6, 2011

5:00 p.m.

Special Closed Meeting of Council
Council will adjourn in-camera for
training and educational purposes
5th Floor Boardroom

6:00 p.m.

Committee Meeting of Council
Council Chambers, 2nd Floor

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

PUBLIC MEETING

**HELD UNDER THE
MUNICIPAL ACT**

COMMUNITY SERVICES COMMITTEE

Monday, June 6, 2011

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Chairperson: Councillor Lawlor
Vice-Chair: Councillor Mendicino
Member: Councillor Vaillancourt
Ex-Officio: Mayor McDonald

- CS-2001-35 Rezoning applications by Consolidated Homes Ltd. – Golf Club Road (D14/2001/CHLTD/GOLFCLUB).
- CS-2003-37 Condominium application by Rick Miller on behalf of New Era Homes Ltd. - McKeown Avenue (D07/2003/NEHL/ MCKEOWN).
- CS-2004-29 Rezoning and Plan of Subdivision applications by Rick Miller on behalf of Grand Sierra Investments Ltd. - Sage Road (D12/D14/2003/GSIL/ SAGERD).
- CS-2010-21 Official Plan Amendment, Rezoning & Plan of Subdivision applications by Goodridge Planning Solutions on behalf of Jack & Helen Norman - Four Mile Lake Road (D09/D14/ D12/2010/NORMN/FOURMILE).
- CS-2010-24 Report from S. McArthur dated September 14, 2010 re Municipal Heritage Committee - Annual Award Proposal (R01/2010/ NBMHC/GENERAL).
- **CS-2011-02 Report from M.B. Burke dated January 6, 2011 re Fire Safety Plan Lock Boxes By-Law (C00/2011/BYLAW/LOCKBOX).**
- CS-2011-04 Motion moved by Councillor Mayne on January 24, 2011 re Designated Off-Leash Dog Area (R00/2011/PARKS/DOGPARK).
- CS-2011-08 Report from M.B. Burke / B. Hillier dated February 28, 2011 re Rental Housing Licensing By-Law (C00/2011/BYLAW/ RENTHOUS).
- CS-2011-13 Rezoning application by Miller & Urso Surveying Inc. on behalf of the Nipissing-Parry Sound Catholic District School Board - 1140 Front Street (D14/2011/NECOC/FRONT).

**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: CORP 2011-07

Date: January 6, 2011

Originator: MICHAEL B. BURKE

Subject: FIRE SAFETY PLAN LOCK BOXES BY-LAW

RECOMMENDATION

That Council pass a by-law to regulate the contents and location of Fire Safety Plans and lock boxes for occupancies regulated by Part IV of the Fire Code and that the effective date of the By-Law be July 1st, 2011.

BACKGROUND

The Ontario Fire Code assigns the authority to make rules regarding Fire Safety Plans within a municipality to the local Fire Chief. Accordingly, Grant Love, Fire Chief for North Bay, has requested the proposed by-law attached in Schedule 1 for the following buildings:

1. assembly occupancies,
2. residential occupancies where the occupant load exceeds 10,
3. business and personal services where the occupant load exceeds 300,
4. mercantile occupancies with an occupant load exceeding 300,
5. high hazard industrial occupancies where the occupant load exceeds 25,
6. medium hazard industrial occupancies where the occupant load exceeds 100, and
7. low hazard industrial occupancies where the occupant load exceeds 300.

The Ontario Fire Code requires Fire Safety Plans to be kept in locations approved by the Fire Chief. The Plans are for use by fire crews in emergency situations. Currently, many

buildings that are required to have Fire Safety Plans use the lock boxes, but there is a lack of consistency regarding the contents and locations of the boxes.

Standardization of the type and location of the Fire Safety Plan Lock Boxes will assist the use of the plans by fire crews in an emergency. While the Fire Code is not specific as to how the approval of locations should be undertaken, many municipalities in Ontario have enacted by-laws similar to the one proposed here.

The Fire Chief has determined that the proposed by-law is the most effective tool for regulating the use of Fire Safety Plan Lock Boxes, thereby assisting fire crews in emergencies.

OPTIONS ANALYSIS

Option #1: That Council pass the proposed by-law

Option #2: That Council does not pass the proposed bylaw.

RECOMMENDED OPTION

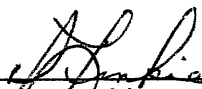
That Council pass the proposed by-law to regulate the content and location of Fire Safety Plan Lock Boxes. This will assist fire crews in using the plans during an emergency.



MICHAEL B. BURKE
City Solicitor



GRANT LOVE
Fire Chief



I concur in this report and recommendation.

DAVID G. LINKIE
Chief Administrative Officer

Personnel designated for continuance: Mike Burke

Attachments: Schedule 1 – Proposed By-Law

MBB/lc

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THE CORPORATION OF THE CITY OF NORTH BAY
BY-LAW NO. 2011-

**BEING A BY-LAW TO REGULATE FIRE
SAFETY PLAN LOCK BOXES**

WHEREAS clause 7.1 (1)(a) of the Fire Protection and Prevention Act, 1997 permits the council of a municipality to pass by-laws regulating fire prevention, including the prevention of the spreading of fires;

AND WHEREAS the Fire Code established under Part IV of the Act sets out requirements for the preparation, approval and implementation of Fire Safety Plans;

AND WHEREAS, under the Fire Code, Fire Safety Plans are to be kept in a location approved by the Chief Fire Official;

AND WHEREAS Subsection 7.1(4) of the Fire Protection and Prevention Act, 1997 provides that a municipality may appoint an officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted in accordance with this section 7.1 are being complied with;

AND WHEREAS subsection 6(3) of the Fire Protection and Prevention Act, 1997 provides that a fire chief is the person who is ultimately responsible to the council of a municipality that appointed him or her for the delivery of fire protection services;

AND WHEREAS Council passed Resolution No. 2011- _____ authorizing the Fire Safety Plan Lock Boxes by-law;

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

1. In this By-law:

- 1.1 "*Act*" means the Fire Protection and Prevention Act, 1997, S.O.C.4 as amended from time to time, or any successor thereof;
- 1.2 "*Approved*" means approved by the Chief Fire Official in writing, and "*Approval*" has a corresponding meaning;
- 1.3 "*Chief Fire Official*" means the Chief of North Bay Fire & Emergency Services, or his or her designate;
- 1.4 "*Existing Fire Safety Plan Box*" means a fire safety plan box in use prior to the enactment of this By-law;
- 1.5 "*Fire Code*" means O. Reg. 213/07 made under the Act, as amended from time to time, or any successor thereof;
- 1.6 "*North Bay Fire & Emergency Services*" means the fire department of the City of North Bay, established under Part II, subsection 5 (0.1) of the Act, as amended from time to time, or any successor thereof;

- 1.7 "*Fire Safety Plan*" means an emergency plan, including drawings, as described in Section 2.8 of Division B of the Fire Code, as amended from time to time, or any successor thereof, and approved by the Chief Fire Official;
 - 1.8 "*Fire Safety Plan Lock Box*" means a white metal weather proof box identified with reflective and visible wording, as shown on Schedule "A" to this By-law;
 - 1.9 "*Hazardous Material*" has the same meaning as in the Occupational Health Act;
 - 1.10 "*Key Lock Box*" means a SUPRA MAX key lock box, as shown on Schedule "A" to this By-law;
 - 1.11 "*MSDS Sheet*" means an unexpired material safety data sheet containing the information as prescribed under the Occupational Health and Safety Act;
 - 1.12 "*Occupational Health and Safety Act*" means the Occupational Health and safety Act, R.S.O. 1990, C. 0.1, and the regulations thereto, as amended from time to time, or any successor thereof;
 - 1.13 "*Officer*" means the *Chief Fire Official*", any person employed by the City as a fire prevention officer in North Bay Fire & Emergency Services, any person designated as an assistant to the Fire Marshal, and any other person appointed by City by-law from time to time for the purpose of enforcing this By-law; and
 - 1.14 "*Owner*" includes the registered owner, tenant, lessee or manager of the premises.
2. This By-law applies to those premises for which a Fire Safety Plan is required under the Fire Code, as specified in Schedule "B" to this By-law.
 3. The Chief Fire Official shall be responsible for the administration of this by law.
 4. 4.1 Any Officer may enter upon lands and into structures, identified in Schedule B hereto at any reasonable time for the purposes of inspecting to determine whether this By-law is being complied with, and may for that purpose:
 - (a) access the Fire Safety Plan Lock Box or Approved Fire Safety Plan Box and inspect the box and its contents;
 - (b) require the production for inspection of documents or things relevant to the inspection;
 - (c) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (d) require information from any person concerning a matter related to the inspection; and
 - (e) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
 - 4.2 In addition to and without limiting any other provision of this By-law, every Owner shall, upon request, provide an Officer with access to the

Fire Safety Plan Lock Box or Approved Fire Safety Plan Box, and its contents, without delay, for purposes of an inspection to determine whether this By-law is being complied with.

5. Fire Safety Plan Lock Box

Every Owner of a premise to which this By-law applies shall install and maintain on the premise:

- 5.1 A Fire Safety Plan Lock Box, along with a Key Lock Box; or
- 5.2 A Fire Safety Plan Lock Box with a padlock which can be cut to gain access to the material within:

6. Exception for Approved Existing Fire Safety Plan Boxes

- 6.1 Notwithstanding section 5, the Owner may maintain an Approved Existing Fire Safety Plan Box.
- 6.2 Any Approval of an Existing Fire Safety Plan Box may contain conditions relating to the location and condition of the box, which may, if the Chief Fire Official determines appropriate, vary from the requirements of this By-law.
- 6.3 An Approval of an Existing Fire Safety Plan Box may be revoked by the Chief Fire Official by notice in writing to the Owner if, in his or her opinion, the Owner fails to comply with any of the conditions noted thereof.
- 6.4 If an Approval is revoked by the Chief Fire Official pursuant to subsection 6(3), the Owner will, as of the date of revocation, be required to comply with the requirements of section 5.
- 6.5 An Approval of an existing Fire Safety Plan Box shall not relieve the Owner from complying with any other provision of this By-law, except as may be specifically stated in any condition of the Approval.

7. Location

- 7.1 Every Owner shall ensure that the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box is:
 - (a) Surface mounted within three meters of the main entrance of the premises at a height between 1.5 meters to 1.8 meters above ground; and
 - (b) Securely mounted to an exterior wall of the premises, or in another area approved in writing by the Chief Fire Official.
- 7.2 Every Owner shall ensure that, where a Key Lock Box is provided as required by subsection 5 (1) of this By-law, such box:
 - (a) Is, at all times, designed to allow access using the standard key held by North Bay Fire & Emergency Services.
 - (b) Is located within 0.3 meters of the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box, or in another area approved in writing by the Chief Fire Official; and
 - © Contains a functioning key to the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box, along with functioning master to the remainder of the building.

8. **Contents**

- 81 Every Owner shall ensure that the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box at all times:
- (a) Contains a true copy of the Fire Safety Plan(s) for the premises;
 - (b) Contains a true copy of all MSDS sheets required from time to time by the Occupational Health and Safety Act to be obtained or prepared in respect of hazardous Materials, or information where they are located on the premises;
 - (c) Contains a true copy of all other information as may be required from time to time to be provided to the fire department pursuant to the Occupational health and Safety Act;
 - (d) Contains an open replacement padlock capable of locking the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box, if no Key Lock Box is provided; and
 - (e) Except as may be required by law from time to time, the Owner shall ensure that the Fire Safety Plan Lock Box or Approval Existing Fire Safety Plan Box contains only those documents required or permitted to be contained therein pursuant to this By-law.
- 82 An Owner may, with the consent of the Chief Fire Official, include in any Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box, any information which is not required by this By-law to be contained therein, but which is relevant for fire prevention or fire safety purposes, including, where the consent of the affected person(s) has been obtained, any personal information relating to persons requiring assistance during a fire.
- 8.3 Every Owner shall ensure that the Fire Safety Plan Lock Box is a minimum of 13 " H x 13 " W x 4 " D and is at all times of sufficient size to hold all the contents required by this By-law.
- 8.4 Where there is an approved Existing Fire Safety Plan Box, every Owner shall ensure that such box is of sufficient size to hold all of the contents required by this By-law from time to time, and if the box is not of sufficient size at any time, this it is replaced with a Fire Safety Plan Lock Box meeting the requirements of this By-law.

9. **Conditions and Access**

- 9.1 The Owner shall maintain the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box, as the case may be, in good repair at all times.
- 9.2 The Owner shall ensure that he or she at all times maintains and has access to a functioning key to the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box, to allow the information located within such box to be kept current.
- 9.3 The Owner shall ensure that:
- (a) All information in the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box is reviewed and updated at a minimum:

- (i) every twelve (12) months, or
- (ii) where reviews or updates are required pursuant to any statute or regulation, in accordance with the applicable statutory or regulatory requirements; and

(b) in addition to clause (a), the Fire Safety Plan Lock Box or Approved Existing Fire Safety Plan Box at all times contains the most up-to- date version of all documents

- 10. The Owner shall ensure that, when responding to a call for assistance or alarm, North Bay Fire & Emergency Services is at all times permitted access to the Fire Safety Plan Lock Box or approved Existing Fire Safety Plan Box, and for this purpose, North Bay Fire & Emergency Services may use any means available to obtain access to or open same.
- 11. The Owner shall ensure that the Fire Safety Plan Lock Box or approved Existing Fire Safety Plan Box is kept locked at all times except where the North Bay Fire & Emergency Services requires access pursuant to this Bylaw, or for the purposes of updating the contents of such box.

12. **Tampering**

- 12.1 No person shall tamper or interfere with a Fire Safety Plan Lock Box, a Key Lock Box or an Approved Existing Fire Safety Plan Box, including without limitation, any tampering or interference that results in access to the North Bay Fire & Emergency Services being denied, or that results in contents required under this By-law being removed, or the security of the box being compromised.
- 12.2 No person shall use the contents of a Fire Safety Plan Lock Box, a Key Lock Box or an Approved Existing Fire Safety Plan Box for any purpose other than fire prevention or fire safety.

13. **Other Legislation**

This By-law shall be in addition to, and shall not detract from, the requirements of any other statute, regulation or by-law in effect from time to time.

14. **Offence**

Every person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and on conviction is liable to the penalty under applicable law.

READ A FIRST TIME IN OPEN COUNCIL THIS DAY OF , 2011;

READ A SECOND TIME IN OPEN COUNCIL THIS DAY OF , 2011;

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS DAY OF , 2011.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

Schedule "A"

Fire Safety Plan Lock Box



Schedule "B"

For purposes of Section 2 of this By-Law, the premises to which the By-law applies are those containing any of the following occupancies, as defined in the Fire Code:

1. assembly occupancies,
2. residential occupancies where the occupant load exceeds 10,
3. business and personal services where the occupant load exceeds 300,
4. mercantile occupancies with an occupant load exceeding 300,
5. high hazard industrial occupancies where the occupant load exceeds 25,
6. medium hazard industrial occupancies where the occupant load exceeds 100, and
7. low hazard industrial occupancies where the occupant load exceeds 300.

ENGINEERING & WORKS COMMITTEE

Monday, June 6, 2011

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Chairperson: Councillor Vrebosch-Merry

Vice-Chair: Councillor Mayne

Member: Councillor Bain

Ex-Officio: Mayor McDonald

EW-2010-03

Report from A. Korell/J. Houston dated March 26, 2010 re Kate Pace Way west end bike route connection between Memorial Drive and Gormanville Road (R05/2010/KPWTR/WESTENDR).

GENERAL GOVERNMENT COMMITTEE

Monday, June 6, 2011

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Chairperson: Councillor Chirico
Vice-Chair: Councillor Koziol
Members: Councillors Anthony, Maroosis
Ex-Officio: Mayor McDonald

GG-2011-04 Motion from Councillor Anthony dated January 10, 2011 re Council remuneration (F16/2011/CNB/COUNCIL).

ITEMS REFERRED BY COUNCIL FOR A REPORT

<u>DATE</u>	<u>ITEM</u>
March 29, 2005	Backflow Prevention Program survey of all industrial, commercial and institutional buildings (due September 2005) .
July 11, 2005	Cost estimates for safety improvement to the intersection of Laurentian Avenue and Trout Lake Road.
April 28, 2008	Ways to assist the hospitals with making further appeals to the Province for financial assistance with the infrastructure cost increases.
September 21, 2009	Review, update and consolidation of Noise By-Law (due June 30, 2010) .
March 8, 2010	Comprehensive Long-Term Financial Plan (due April 30, 2010) .
May 3, 2010	Track the net financial benefits created through increased assessment as a result of the Airport Industrial Community Improvement Plan sites being developed.
June 28, 2010	On completion of Tender 2010-74 (Lakeshore Drive Outdoor Sports Complex Phase V - Completion of fields and associated appurtenances), a summary of the total cost of the project and funding sources.
December 30, 2010	Quarterly report on progress of WSIB appeal, error corrections and cost projections for 2011.
January 24, 2011	Comprehensive review of City owned Lake Nipissing accesses.