



BY-LAW NO. 2014-0014

**A By-law to Designate and Regulate Fire Routes
(Delegation of Authority to the Chief Fire Official)**

WHEREAS Council deems it necessary to provide for the designation of private roads as fire routes, to provide fire and other emergency vehicles with access to private property in the event of fire or emergency, and for the designation of fire officials to issue orders to property owners and others to provide fire routes;

AND WHEREAS Section 7.1 of the Fire Protection and Prevention Act, 1997 S.O.1997, Chapter 4, authorizes Council to pass By-laws for designating private roads as fire routes along which no parking of vehicles shall be permitted and providing for the removal and impounding of any vehicle parked or left along any of the fire routes at the expense of the vehicle owner;

AND WHEREAS on March 17, 2014, Council for the Town of Halton Hills adopted Report No. FIRE-2014-0002, dated February 25, 2014, in which certain recommendations were made relating to Designation and Regulation of Fire Routes - Delegation of Authority to Chief Fire Official.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

PART I DEFINITIONS:

1. In this By-law:

Authorized Emergency Vehicle means fire Vehicles and equipment, police Vehicles, and ambulances operated by or under the authority of the Ambulance Act, R.S.O. 1990, Chapter A.14, while either responding to an emergency call or being used to transport a patient or injured person in an emergency situation.

Authorized Sign means a sign in respect of which the size, shape, color, material and mounting position/location have been approved by the Chief Fire Official, and which displays the words "Fire Route" or "Fire Access Route" and the following symbols and information:

- a) the symbol for "No Stopping" specified under The Highway Traffic Act; or,
- b) the symbol "No Parking" specified under The Highway Traffic Act; and,
- c) words to the effect that Vehicles parked or stopped in the designated fire route will be tagged and towed away.

Building Code means the regulations made under Section 34 of the Building Code Act 1992, S.O. Chapter 23, as amended.

Chief Fire Official means the Director of the Halton Hills Fire Protection and Prevention Services, or his designate.

Fire Code means the fire code established under Part IV of the Fire Protection and Prevention Act, S.O. 1997, Chapter 4, as amended, and being Ontario Regulation 388/97, as amended.

Fire Route means any private road, lane, ramp, or other means of vehicular access to or from a building or structure, and it may include part of a parking lot designated under this Bylaw.

Municipal Property includes property of the Town, and property of a local board of the Town.

Officer means a Municipal Law Enforcement Officer appointed by Council and authorized to enforce the provisions of this By-law, and includes a Police Officer of the Halton Regional Police Service or any other person authorized to enforce this By-law.

Park or Parking when prohibited, means the standing of a Vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Police Officer means a person appointed or employed as a police officer of the Halton Regional Police Service under the authority of the Police Services Act R.S.O. 1990 Chapter P.15 as amended.

Property Owner means the registered owner of the property, or a tenant or other person legally entitled to possession of the premises.

Private Road means any privately owned road, lane, ramp or other means of vehicular access to or egress from a building or structure and may include part of a parking lot.

Stop or Stopping when prohibited, means the halting of a Vehicle, even momentarily, whether occupied or not.

Town means the Corporation of the Town of Halton Hills.

Vehicle includes a motor Vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power.

PART II ENFORCEMENT:

2. The following persons are deemed to be appointed to enforce this By-law:
 - a) Persons employed or appointed as a Municipal Law Enforcement Officer for the Town;
 - b) Police Officers; and,
 - c) the Chief Fire Official.

PART III EXCEPTION FOR EMERGENCY AND MUNICIPAL VEHICLES:

3. This By-law does not:
 - a) prohibit the use or occupation of a Fire Route by an Authorized Emergency Vehicle, or by a Vehicle owned or operated on behalf of the Town while by-law enforcement services are being carried out by the driver or occupant of the Vehicle;
 - b) require the owner of the property, or the driver or occupant of the Vehicle, in such circumstances, to take any steps to remove the Vehicle.

PART IV DESIGNATION AND ESTABLISHMENT OF FIRE ROUTES:

4. (1) Town Council delegates the authority to the Chief Fire Official to designate Fire Routes on Private Roads, or on Municipal Property, where fire access is required under the Building Code, Fire Code or where otherwise, in the opinion and experience of the Chief Fire Official, the route is necessary for access to a building or a structure on the property in the event of a fire or other emergency.
 - (2) A Fire Route designated under Section 4(1) shall be in accordance with the Building Code or Fire Code as may be applicable or otherwise shall be a minimum of 3.66 metres (12 feet) in width, with sufficient and reasonable clearance for turning of fire Vehicles, and for their entry to and exit from the property.
 - (3) Notwithstanding Section 4(2), the Chief Fire Official may designate a route with a width less than 3.66 metres (12 feet), if in the opinion of the Chief Fire Official a lesser width is sufficient.
 - (4) Once the Chief Fire Official has designated a Fire Route for a particular property, an order requiring the provision of the Fire Route shall be sent to the Property Owner by regular mail or personal service.
 - (5) Upon the order under Section 4(4) being sent, the Fire Route shall be deemed a designated Fire Route.
 - (6) The order under Section 4(4) may describe the location of the Fire Route or provide a diagram with measurements indicating the location of the Fire Route, and shall specify a time period within which the Property Owner shall post Authorized Signs.
 - (7) A copy of the order in Section 4(4) shall be forwarded to the Supervisor of Law Enforcement for the Town.
 - (8) The scheduled of designated fire routes shall be maintained by the fire department and a copy forwarded to the Supervisor of Law Enforcement.
5. The Property Owner to whom an order has been issued shall comply with the order within the timeframe specified and, in particular, shall provide the required Fire Route and place the specified Authorized Signs within the said timeframe.

PART V DESIGNATED FIRE ROUTES:

6. (1) Subject to Section 6(2), where a route for fire access has been approved under a former By-law of the Town and the access and authorized signs are maintained for use, such approved route and signs for fire access are deemed to be a Fire Route, and Authorized Signs, respectively, under this By-law.
- (2) Where the Chief Fire Official deems it necessary to provide fire access to the property or to clarify any issue or dispute over the extent or existence of the previous access route including signage or location, the Chief Fire Official may designate a new Fire Route in place of the existing access route in Section 6(1) by following the process provided in this By-law.
- (3) A Fire Route under Section 6(1) shall be maintained by the Property Owner in accordance with this By-law and, in particular, shall be signed with legible Authorized Signs and shall be maintained free of obstructions, all at the expense of the Property Owner.

PART VI MAINTENANCE AND REPAIR:

7. No person shall erect and maintain unauthorized signs which appear to be, or which may be confused for Authorized Signs indicating a Fire Route at any location not designated by Town Council.

8. (1) No person shall move or remove, or permit to be moved or removed, a required Authorized Sign without the approval of the Chief Fire Official;
- (2) No person shall change the content of, injure or obstruct, or permit the changing of the content of, injury to or the obstruction of, any required Authorized Sign.
9. A Fire Route shall be established and maintained by the property owner fully free of obstruction, with legible Authorized Signs in full view of traffic within the route, all at the expense of the Property Owner.
10. No person shall obstruct a Fire Route or cause or permit a Fire Route to be obstructed.

PART VII PARKING AND STOPPING:

11. No person shall Park a Vehicle on a Fire Route where Authorized Signs have been erected and maintained which prohibit Parking.
12. No person shall Stop a Vehicle on a Fire Route where Authorized Signs have been erected and maintained which prohibit Stopping.

PART VIII PENALTIES:

13. An Officer, upon discovery of a Vehicle Parked or Stopped in contravention of this By-law, may in addition to issuing a parking infraction notice to the owner or driver and cause the Vehicle to be removed and impounded at the expense of the Vehicle owner.
14. All costs and charges for removal and impounding of a Vehicle under Section 13 of this By-law, if any, are a lien upon the Vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, c.R25, as amended.
15. (1) Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalty as may be provided for under the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended;
- (2) The owner of the Vehicle that is Parked, Stopped or left standing in contravention of this By-law is guilty of an offence and upon conviction is liable to such penalty as is provided for under Section 15(1) for the offence, unless, at the time of the offence, the Vehicle was in the possession of some person other than the Vehicle owner without the owner's consent.

PART IX

16. By-law 2005-0130 and 2010-0083 of the Town of Halton Hills is hereby repealed.
17. This By-law shall come into force and take full effect on March 17, 2014.

BY-LAW read and passed by the Council for the Town of Halton Hills this 17th day of March, 2014.

MAYOR – Rick Bonnette

TOWN CLERK – Suzanne Jones