ADMINISTRATIVE CODIFICATION

BY-LAW RCM-41-2012

CONCERNING FIRE SAFETY

Notice of motion	September 19, 2011
Adoption	February 20, 2012
Amended by RCM-41.1-2017	November 20, 2017

Municipal Council meeting held at City Hall, 60 Martin Avenue, Dorval, Québec, on February 20, 2012 Mayor Edgar Rouleau presiding.

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CONSIDERING section 62 of the Municipal Powers (R.S.Q., chapter C-47.1);

CONSIDERING the risk coverage plan adopted by the urban agglomeration council on December 18, 2008 (CG08 0657), namely program 2 titled "Réglementation municipale";

The Municipal Council decrees and ordains the following:

SECTION 1 – Interpretation and application:

1.1 In this by-law, the following words mean:

"Authority having jurisdiction": the director of the Service de sécurité incendie de Montréal or any employee authorized to act on his behalf;

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

"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:

Any other word or expression defined in the Code carries, for the purposes of this by-law, the same meaning as in the Code.

Subject to the amendments under this by-law and those listed in schedulethe 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."
- **1.3** 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:
 - **1.3.1** the municipal standard applicable according to the year of construction or alteration, for exempted buildings, or
 - **1.3.2** 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.
- 1.4 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 city territory on the date determined by city council resolution. Public notice must be given of the adoption of such resolution according to the governing law.
- 1.5 The application of this by-law does not release any person from the obligation to abide by any other applicable law or by-law.
- 1.6 The authority having jurisdiction is authorized to apply this by-law, issue a statement of offence under the Quebec Code of Penal Procedure and institute proceedings on behalf of the city.
- **1.7** Prior approval by the authority having jurisdiction is mandatory for the purposes of :

- 1.7.1 carrying out activities which may pose a hazard not foreseen in the design of a building or facility, as mentioned in Sentence 2.1.2.2.1) of Division B of the Code;
- **1.7.2** using alternative solutions as provided in Paragraph 1.2.1.1.1)b) of Division A of the Code.

The authority having jurisdiction grants permission where it is shown that the necessary safety measures are provided against risks to public safety and the built heritage. It may include any conditions necessary to achieve the level of performance required in Paragraph 1.2.1.1.1) b) of Division A of the Code. The authorization is conditional on compliance with those conditions.

The authorization obtained under this Article does not release any person from the obligation to abide by any other applicable law or by-law.

1.8 The City of Dorval may determine the buildings or structures across the territory where means of access are to be established to ensure their safe evacuation as well as to provide emergency vehicles with free access to the buildings in the event of a disaster. The design of the driveways must comply with the provisions of the current National Building Code of Canada. They must at all times be kept clear of any obstruction, including vehicles of any kind, and must be marked by signs supplied and installed by the City of Dorval. The means of access required under the provisions of this bylaw are indicated in Schedule 3 hereto.

SECTION 2 – Penal provisions

2.1 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.

Any person who contravenes this by-law is guilty of an offence and is liable:

- **2.1.1** in the case of an individual:
 - a) for a first offence, to a fine of \$500 to \$1,000;
 - b) for a subsequent offence, to a fine of \$1,000 to \$2,000;
- **2.1.2** in the case of a corporation:
 - a) for a first offence, to a fine of \$1,000 to \$2,000;
 - b) for a subsequent offence, to a fine of \$2,000 to \$4,000.

SECTION 3 – Final provision

The present by-law repeals and replaces by-law 1470-99.

SECTION 4 - Coming into force

4.1 The present by-law comes into force in accordance with the law.

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

- **4.1.1** sections 361 to 365 of the Code, those provisions will only take effect as of March 18, 2018;
- **4.1.2** sections 369.1 and 369.2 of the Code, those provisions will only take effect as of December 2, 2020.

APPROVED	MAYOR
APPROVED	CITY CLERK

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	AMENDMENTS
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
	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 appurtenances shall be cleaned at frequent intervals to prevent su from becoming heavily contaminated with grease or other residue Appendix A). (4) No solvents or flammable products may be used for the clear exhaust systems. (5) As part of the fire safety plan, instructions for manually operat 	
exhaust systems.	
(5) As part of the fire safety plan, instructions for manually operat	ning of
fire protection systems shall be posted prominently in the kitchens.	ng the
(6) Certified cooking equipment shall be installed and maintai conformance with its certification.	ned in
(7) Uncertified cooking equipment shall be installed and maintained not to create a fire hazard.	l so as
(8) The requirements in Sentences (2) to (7) also apply to food intended exclusively for street food when they are equippe 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 sentence	es:
(3) The posted sign required under sentence (1) shall be made us placard supplied by the authority having jurisdiction.	ng the
(4) The maximum permitted occupant load shall not excee established by the authority having jurisdiction so as to compromising public safety where the layout of a site creat potentially hazardous condition;	avoid
(5) Any person who allows, invites, permits or tolerates more occin a space than the maximum permissible occupant load, is guilty offence.	
(6) In the case of an incompatibility between this article and 2.7.1.3., the more restrictive maximum permissible occupan 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 safe conforming to this Section shall be prepared and shall include:	y plan
(a) the emergency procedures to be used in case of	of fire,
including: (i) sounding the fire alarm (see Appendix A); (ii) notifying the fire department;	
(i) sounding the fire alarm (see Appendix A); (ii) notifying the fire department; (iii) instructing occupants on procedures to be followed the fire alarm sounds; (iv) evacuating occupants, including special provision persons requiring assistance (see Appendix A); (v) confining, controlling and extinguishing the fire; (b) the appointment and preparation of designated superstaff to carry out fire safety duties; (c) the training of supervisory staff and other occupants in responsibilities for fire safety; (d) documents, including diagrams, showing the type, loand 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 proof of the safety of occupants.	ns for rvisory n their ocation
(i) sounding the fire alarm (see Appendix A); (ii) notifying the fire department; (iii) instructing occupants on procedures to be followed the fire alarm sounds; (iv) evacuating occupants, including special provision persons requiring assistance (see Appendix A); (v) confining, controlling and extinguishing the fire; (b) the appointment and preparation of designated superstaff to carry out fire safety duties; (c) the training of supervisory staff and other occupants in responsibilities for fire safety; (d) documents, including diagrams, showing the type, lead 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 principal states.	ns for rvisory n their ocation ; ovided and in apacity

	 (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 Code.	Article 2.9.3.7. is replaced by the following article:
	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

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	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 of the Code	Subsection 6.4.1. is amended by adding, after article 6.4.1.1., the 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 subclauses (ii) and (iii) should include at least the following elements:		
	 building dimensions in millimetres; 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; 		

mechanics floors; fire alarm annunciator panel; location of emergency generator and fuel tank; location of hazardous materials. Appendix A is amended by adding, after note A-2.8.2.1. (2)(c), A-2.8.2.2. (1) Appendix A of Division B of the Code 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. Appendix A is amended by adding, after note A-2.8.2.2. (1), A-2.8.2.7. (1) Appendix A of Division B of the Code 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: En cas d'incendie. In case of fire. 1. Pull the manual fire Actionnez l'avertisseur manuel alarm station. d'incendie Quittez l'édifice par 2. Leave the building 2. les escaliers. using stairways. Une fois à l'extérieur, 3. Once outside, move éloignez-vous du away from bâtiment. building. Alertez le Service 4. Call the Fire des incendies. Department. For emergency, call 9-1-1 Pour urgence, faites le 9-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 Appendix A is amended by adding, after note A-5.6.1.2. (1), the following B of the Code 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

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

separations as well as fire walls and operational sprinklers.

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 2

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

Note: This schedule is available for on-site consultation at the city's archives.

SCHEDULE 3

Identification of means of access required under article 1.8 of this or a previous bylaw

SITE	ADDRESS
Dorval Gardens Shopping Center	300 to 384 Dorval Avenue
Hilton Hotel	12505 Côte de Liesse
Bell Canada building	200 Bouchard Boulevard
Dorval Circle Shopping Center	900 to 960 Herron
Foyer Dorval	225 de la Présentation
Sarto-Desnoyers Community Center	1335 Lakeshore
Condominiums	845 to 859 Lakeshore
Jean XXIII High School	1301 Dawson Avenue
Dorval Gardens Shopping Center	300 to 384 Dorval Avenue
Apartment building	770 Lakeshore
Les galeries des Sources Shopping Center	3051 to 3291 Sources Boulevard
Dorval Arena	1450 Dawson
Apartment buildings	160, 170 and 180 Dorval Avenue