



Life and Safety Bylaw Amendments

Property Standards Compliance Team

Proposal

- ▶ To consider amendments to the Life and Safety Bylaw to allow for updates in the maintenance and standards for vacant premises and damaged buildings.

Development Process

Staff Initiated

Bylaw Amendment

Staff Review & Circulation

N/A

Public Notification Received

July 11, 2022

Initial Consideration

Public Hearing
Second & Third Readings

Final Reading

Council Approvals

Background

- ▶ Current Life and Safety Bylaw Adopted in 2013
 - ▶ Provide the municipality with the fundamental powers to regulate municipal services, firecrackers, fireworks, explosives and to the health, safety or protection of persons or property
 - ▶ Authorizes the Municipal Fire Chief and designated staff to exercise these powers accordingly for the prevention of fires
 - ▶ Based of off BC Fire Code (BCFC)

Background

- ▶ The PSCT has been dealing with an increasing number of cases involving vacant or occupied homes damaged by fire or not secured appropriately to prevent unauthorized entry.
- ▶ Often these properties are subject to multiple break ins over an extended period utilizing a large amount of resources per property.
- ▶ The PSCT is currently tracking four properties that the recommended bylaw changes could help address.
- ▶ **Between 2019 to 2022, these four properties have combined for a total 287 attendances from the Fire Department, RCMP and Bylaw.**

Life and Safety Bylaw

- ▶ BC Fire Code requires that vacant properties be secure appropriately and that is reflected in the City's current bylaw.
- ▶ The existing Fire and Life Safety Bylaw states that the Fire Chief, or designate, may order the owner to secure the building or other part of the vacant premises against unauthorized entry.
- ▶ It also provides that the City may have the building secured if the owner has not dealt with it accordingly. However, it does not provide detailed prescriptions on how the work is to be completed or requirements for repeat incidences.

Proposed Amendments

- ▶ The four steps of increasing enforcement based on number of breaches is summarized as follows:

Initial vacancy - All buildings identified as being vacant must be secured to prohibit unauthorized entry:

- a. Building must be secured within 24 hours of being notified;
 - b. In the event the property owner cannot be contacted or does not secure the building as directed, the Fire Chief or designate shall have a contractor secure the property and the cost of the work carried out will be the responsibility of the property owner;
 - c. All opening must be secured by plywood under the specified construction methods; and
 - d. No trespassing sign posted on each side of the building.
- ▶ **First Breach** - A security company must be contracted to visit the site twice per night:
 - a. Twice between 8:00 pm – 10:00 pm and 3:00 am - 5:00 am;
 - b. Any breach of the property must be reported to the City of Kelowna Bylaw or RCMP immediately
 - ▶ **Second Breach** – Property must have construction fencing installed:
 - ▶ 1.8 m tall and bolted together.
 - ▶ **Third Breach** – A contracted security company must remain on the site continuously.

Staff Recommendation

- ▶ Staff are recommending the proposed bylaw amendments be supported
 - ▶ Existing enforcements steps have proven to not be effective on certain properties of concern
 - ▶ Adds a graduated enforcement levels to properly secure a building by an owner
 - ▶ Provides opportunity to significantly reduce the number of times that the Fire Department, RCMP and Bylaws would need to attend trouble properties



Conclusion of Staff Remarks