

The Corporation of the Municipality of West Grey
By-law Number 14 - 2014

Being a by-law to establish fire/emergency plan and fire detection and suppression system requirements for industrial wind turbine (IWT) proponents in the Municipality of West Grey;

Whereas Section 7.1 (1) of the Fire Protection and Prevention Act, 1997 provides that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires;

And whereas Section 8 of the Municipal Act 2001, S.O. 2001, as amended provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues;

And whereas it is deemed necessary and desirable that the Council of the Corporation of the Municipality of West Grey enact a by-law authorizing the Corporation to establish a Fire/Emergency Plan and Fire Detection and Suppression Systems for Industrial Wind Turbines within the Municipality Of West Grey to prevent the spread of fires;

Now therefore the Council of the Corporation of the Municipality of West Grey hereby enacts as follows:

1. Definitions;
 - a. "Fire detection and suppression system" means a combination of a heat and/or smoke detection system monitored by a central and/or remote station and an automatic fire extinguishing system which may include an automatic sprinkler system.
 - b. "Fire safety and emergency plan" shall mean a written plan outlining the provision of necessary services during an emergency and the procedures under and the manner in which employees of the owner of the Industrial Wind Turbine(s) and other persons will or should respond to the emergency and/or fire involving an Industrial Wind Turbine(s).
 - c. "Industrial Wind Turbine" shall mean a wind turbine (and any supporting structures), which wind turbine is authorized under an approval issued under Part V.0.1 of the *Environmental Protection Act*, R.S.O. 1990 as amended.
2. All owners or operators of an Industrial Wind Turbine shall submit a fire safety and emergency plan for the approval of the Chief Fire Official.
3. All owners or operators of an Industrial Wind Turbine shall submit plans for a fire detection and suppression system for approval by the Chief Fire Official".
4. No person shall maintain or operate an Industrial Wind Turbine unless:
 - a. the plans referenced in sections 2 and 3 have been approved by the Chief Fire Official; and
 - b. the fire detection and suppression system approved under section 3 has been installed and is operational.

5. The owner of an Industrial Wind Turbine shall be responsible for any and all costs incurred by the Municipality or its Chief Fire Official in the conduct of reviewing and approving the plans referenced in section 2 and 3. The owner shall be required to submit a deposit to secure payment of such expenses, which may include but is not limited to the cost of retaining consultants to provide advice and comment to the Chief Fire Official.

6. Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a fine as follows:
 - a. Upon a first conviction, a fine of not more than \$10,000.00; and
 - b. Upon a subsequent conviction, a fine of not more than \$25,000.00.

7. Whereupon a conviction referenced in section 6 is entered against a corporation the foregoing limits on applicable fines shall be \$50,000.00 and \$100,000.00 respectively.

Date By-law Effective:

This by-law shall come into full force and effect on the date of its passing.

Short Title:

This by-law may be cited as the "IWT Fire Safety, Detection and Suppression Requirement By-law".

Read a first and second time this 3rd day of February, 2014.

Read a third time and finally passed this 17th day of February, 2014.

(SIGNED)
Kevin Eccles, Mayor

(SIGNED)
Larry C. Adams, CAO/Deputy Clerk