



Enabling Statute: [Canada National Parks Act](#)

**National Parks of Canada Fire Protection Regulations (SOR/80-946)**

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Regulation current to June 5th, 2007

Attention: See coming into force provision and notes, where applicable.

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## National Parks of Canada Fire Protection Regulations

SOR/80-946

CANADA NATIONAL PARKS ACT

### National Parks of Canada Fire Protection Regulations

#### NATIONAL PARKS OF CANADA FIRE PROTECTION REGULATIONS

1. [Repealed, SOR/2003-302, s. 2]

#### INTERPRETATION

2. In these Regulations,

"Dominion Fire Commissioner" [Revoked, SOR/94-266, s. 1]

"employee" has the same meaning as in subsection 2(1) of the *Parks Canada Agency Act*; ( *employé* )

"fire prevention inspector" means in respect of a park, a person who is qualified to carry out fire prevention inspections and who is authorized by the superintendent of the park to enter that park for the purpose of carrying out fire prevention inspections in that park; ( *inspecteur de la prévention des incendies* )

"fireplace" includes a grill or stove or any cooking facility; ( *foyer* )

"Fire Warden" [Repealed, SOR/2003-302, s. 3]

"inspection" includes the inspection of an electrical or gas installation; ( *inspection* )

"land" [Repealed, SOR/2003-302, s. 3]

"maintain" means, in respect of a fire, to add fuel to, enjoy the use of, or allow the fire to burn. ( *entretenir* )

"park" [Revoked, SOR/94-266, s. 1]

"Superintendent" [Revoked, SOR/94-266, s. 1]

SOR/94-266, s. 1; SOR/2003-302, ss. 3, 9(F).

#### APPLICATION

**2.01** (1) These Regulations apply to parks and, subject to sections 40 and 41 of the *Canada National Parks Act*, park reserves as if they were parks.

(2) Sections 3 to 6 and 9 to 13 do not apply in the town of Banff or in the town of Jasper.

SOR/90-235; SOR/2003-302, s. 4.

2.1 Paragraphs 3(2)(a) and (c), subsection 3(3), section 4, subsections 5(1) and (2), paragraph 5(3)(f) and section 6 do not apply to a peace officer, enforcement officer, superintendent, park warden or employee when they are engaged in duties relating to fire prevention, fire-fighting or the use of fire for the purpose of managing the resources of a park.

SOR/84-638, s. 1; SOR/2003-302, s. 5.

## NON-STRUCTURAL FIRES

### PREVENTION OF FIRES

3. (1) If, for the prevention of fire or fire management in a park, the superintendent considers it necessary to close any area or highway in the park to public use or travel, or to prohibit smoking or the starting or maintaining of fires in any area of the park, the superintendent shall post a prominently displayed notice in the area, on the highway or in any other conspicuous location in the park, which notice states, as applicable, that

- (a) the area or highway is closed to public use or travel;
- (b) smoking in the area is prohibited; or
- (c) starting or maintaining fires in the area is prohibited.

(2) When a notice has been posted under subsection (1), no person shall, in contravention of the notice,

- (a) enter the area or highway referred to in the notice;
- (b) smoke in the area referred to in the notice; or
- (c) start or maintain a fire in the area referred to in the notice.

(3) Every person in an area or on a highway that is subsequently closed pursuant to subsection (1) shall leave that area or highway.

SOR/94-266, s. 3; SOR/2003-302, s. 6.

4. (1) No person shall start or maintain any fire in a park except

- (a) in a fireplace on private property;
- (b) in a fireplace provided by the superintendent;
- (c) in a portable stove, hibachi or barbecue; or
- (d) when in possession of a permit issued under subsection (3).

(2) No person shall start or attempt to start or maintain any fire referred to in subsection (1) unless such person uses only the type of fuel that the fireplace, portable stove, hibachi or barbecue is designed for.

(3) The superintendent may issue a permit to a person to start and maintain a fire in a park and such permit shall be subject to any terms and conditions stated thereon by the superintendent.

(4) Every person who starts and maintains a fire shall, when it is no longer required, extinguish it.

SOR/94-266, s. 3; SOR/2003-302, s. 9(F).

5. (1) Subject to subsection (2), no person shall be in possession of more than 250 litres of fuel or other

flammable liquid in a park unless

- (a) the fuel or liquid is stored in the tank of a vehicle and that tank is a component of the fuel system of the vehicle;
- (b) the fuel or liquid is stored in a tank that is a component of the heating system of the building; or
- (c) the fuel or liquid is being carried in a vehicle designed for the transportation of fuel or flammable liquid.

(2) The superintendent may issue a permit to a person for the possession of more than 250 litres of gasoline or other flammable liquid in a park and such permit shall be subject to any terms and conditions stated thereon by the superintendent.

(3) No person shall, in a park,

- (a) having started a fire referred to in subsection 4(1) or (3), allow that fire to spread beyond the confines of the fireplace, portable stove, hibachi or barbecue, as the case may be;
- (b) discard a lighted cigar, cigarette, match or any other burning substance;
- (c) discard any unused match or any article or substance that has a capability of starting a fire;
- (d) operate any machine or equipment unless the machine or equipment is provided with adequate and efficient appliances to prevent the escape of fire and sparks;
- (e) when removing or disposing of brush or any flammable material, allow such material to be accumulated, stored, handled, transported or disposed of in any manner other than in a manner as approved by the superintendent; or
- (f) leave any fire unattended except when reporting an uncontrollable fire.

SOR/94-266, s. 3; SOR/2003-302, s. 9(F).

**6.** Every person who observes an unattended fire in a park shall report it immediately to an employee.

SOR/2003-302, s. 7.

**7. and 8.** [Repealed, SOR/2003-302, s. 7]

## STRUCTURAL FIRES

### PREVENTION OF FIRES IN BUILDINGS OR OTHER STRUCTURES IN A PARK

**9.** The owner or occupant of a building, structure or place in a park shall permit a fire prevention inspector to enter the building, structure or place, as the case may be, at any reasonable time for the purpose of carrying out a fire prevention inspection.

SOR/94-266, s. 2; SOR/2003-302, s. 8.

**10.** A fire prevention inspector may order that any alterations, renovations or repairs that are necessary to prevent fire be made to any building, structure or place in a park that has been inspected pursuant to section 9.

SOR/94-266, s. 2.

**11.** A fire prevention inspector who makes an order pursuant to section 10 may

- (a) in the case of a building, structure or place to which the public has access, order that the building, structure or place be closed forthwith to public use and remain closed until the order has been complied with; or

(b) in the case of any other building, structure or place, order that the building, structure or place be closed to habitation and use thirty days after service of the order, in accordance with section 12, and remain closed until the order has been complied with.

SOR/94-266, s. 2.

**12.** A fire prevention inspector shall notify, in writing, the owner or occupant of a building, structure or place in a park of an order made pursuant to section 10 or 11 by

(a) registered mail; or

(b) personal service.

SOR/94-266, s. 2.

### COMPLIANCE WITH ORDER OF FIRE PREVENTION INSPECTOR

**13.** The owner or occupant of a building, structure or place in a park shall comply with an order made by a fire prevention inspector pursuant to section 10 or 11.

SOR/94-266, s. 2.

**14. to 16.** [Revoked, SOR/94-266, s. 2]

