

Repealed
By-law No. 1322/76 was repealed by By-law No. 150/2004 on October 27, 2004.
Therefore, this amending by-law is also deemed to be repealed.

THE CITY OF WINNIPEG

BY-LAW NO. 7596/2000

**A By-law of THE CITY OF WINNIPEG to
amend By-law No. 1322/76, being the
Winnipeg Fire Prevention By-law.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. By-law No. 1322/76, being The City of Winnipeg Fire Prevention By-law, is amended by adding thereto the following:

- 7.2(1) Any person who deems themselves aggrieved by the technical requirements of section 7, or the compliance dates set out in sections 7.1, may within thirty days of the passage of this by-law, seek an order of variance from the Winnipeg Building Commission.
- (2) Any person wishing to seek an order of variance from the Commission shall file an application with the Secretary of the Commission clearly stating their request and/or grounds for seeking the order, and the Secretary shall advise the person applying, of the day, time and place set for the meeting and/or hearing so that they or their representative may attend.
- (3) The Commission may issue an order to:
- (i) modify or vary any of the requirements set forth in section 7 where, in its discretion, it is satisfied that such modification or variation will substantially accomplish the object of the requirement.
 - (ii) extend the compliance dates set out in section 7.1.
- (4) An application under subsection (2) may relate to more than one building, provided that where a proposal is submitted by someone other than the owner, they shall indicate what authority has been granted to them by the owner for arranging to have the required work completed and they shall notify the Chief of the Emergency Response Service Department immediately of any change in that authority.

- (5) Where the Commission agrees to a proposal which shall extend the time for compliance beyond the dates set out in section 7.1, the owner of each building so affected shall submit an undertaking in a form satisfactory to the City Solicitor/Manager of Legal Services stating:
 - (i) that the necessary work will be carried out in accordance with the proposed work plan and in accordance with the proposed time schedule;
 - (ii) that the City will have the right to register a caveat against the property advising of this undertaking;
 - (iii) that they will indemnify the City against all claims which may result from the change in work schedule.
- (6) Where there is a change of ownership of any lands or buildings for which the Commission has approved an extension of time for completion of upgrading works, the Commission may cause an order to be issued requiring the new owner to submit a new application and proposal respecting the extension of time for completion of the work.
- (7) When the Commission has approved a proposal with respect to the scheduling of work for buildings considered as a group, and one or more of the buildings included under the proposal fails to meet the scheduled completion dates, the Commission may withdraw approval for part or all of such buildings.

2. By-law No. 1322/76 is further amended by deleting section 10 and substituting therefor the following:

"10. Any person claiming to be injuriously affected by a decision or order of the authority having jurisdiction authorized to be made under this By-law, or by an order of the Winnipeg Building Commission pursuant to Section 7.2, may, within seven days of being notified of such decision or order, appeal therefrom to the Standing Policy Committee on Protection and Community Services and the decision of the said Committee shall be final and not subject to appeal."

DONE AND PASSED in Council assembled, this 22nd day of March, 2000.