



CHAPTER 62

An Act respecting the protection of public buildings against fire

[Assented to, the 22nd of March, 1928]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Public Building Fire Protection Act (Revised R. S., c. 178, Statutes, 1925, chapter 178) is replaced by the following: replaced.

“CHAPTER 178

“AN ACT RESPECTING THE PROTECTION OF THE PUBLIC AGAINST FIRE

“**1.** This act may be cited under the title of *Public Fire Protection Act*. Short title.

“DIVISION I

DECLARATORY AND INTERPRETATIVE PROVISIONS

“**2.** The following expressions, terms and words in this act shall have the meaning and application hereinafter given them: Interpretation:

1. The words “public buildings” shall mean and include churches and chapels, or buildings used as such, seminaries, colleges, convents, monasteries, school-houses, public or private hospitals, orphanages, asylums, infant asylums, charity work-rooms (*ouvroirs*), hotels, boarding-houses capable of receiving at least fifteen boarders, theatres, halls for public meetings, lectures or amusements, buildings for the holding of exhibitions, stands on race-courses or other sporting grounds, buildings in parks, “Public buildings”;

skating rinks, moving picture halls, buildings of three stories or more above the ground-floor occupied as offices, stores employing at least ten clerks, court-houses, gaols, apartment houses, garages and museums;

“Owners of public buildings”;

2. The words “owners of public buildings” mean and include persons, companies and corporations, who are owners, tenants or occupants, under any title, of any building mentioned in the foregoing paragraph 1, and their agents;

“Electrical installations”;
“heating”;

3. The words “electrical installations” and “heating” mean and include: (a) all installations for lighting, heating or the producing of electric power in all buildings or constructions in the Province, regardless of their nature or construction, save the exceptions covered by section 11 of this act; (b) all steam-heating apparatus, of either high or low pressure, including hot-air heating systems as well as hot-water section boilers. When the word “installation” is used without a qualifying or determining word, it applies to both “electrical” and “heating”;

“Minister”;

4. The word “Minister” means the Minister of Public Works and Labour;

“Master electrician”;
“contracting electrician”;

5. The words “master electrician” and “contracting electrician” mean and include any person, company, association or corporation doing business as such or undertaking on his or its own account, work for new or existing electrical installation, the renewing, repairing or changing of electrical wires, conduits or apparatus for power, lighting or heating purposes, whether such work be done by the hour, day or for a lump sum, by verbal agreement, written contract or otherwise. The “master electrician” and the “contracting electrician” must hold, for such purposes, license “A” or license “B”, as the case may be, in accordance with the provisions of section 21 of this act;

“Journeyman electrician”;

6. The words “journeyman electrician” mean and include any person who works on a new or existing electrical installation, at renewing, repairing or changing electrical wires, conduits or apparatus, for power, lighting or heating purposes, on an employer’s account. Such person must, for such purpose, hold license “C” in accordance with section 21 of this act;

“Examiners”;
“board of examiners”;

7. The words “examiners”, “board of examiners” and “board of examining electricians” mean the board of examining electricians of the Province of Quebec, and the word “examiner” means a member of the board;

“License”;

8. The word “license” means a permit to do business, contract or work, according to the terms of the classification of licenses, as provided in section 21 of this act;

9. The word "certificate" means a declaration of acceptance of an installation covered by section 7 of this act. "Certificate";

10. The words "apartment house" mean a house inhabited by more than three families having the entrance, corridors, passages and stairs in common. "Apartment house".

"DIVISION II

"ELECTRICAL AND HEATING SYSTEM INSTALLATIONS

"3. From and after the 1st of July, 1928, all the plans of new electrical installations or of any change in an existing electrical installation, whether for light, heat or motive power, as well as of all installations of heating systems in public buildings must be submitted for the approval of the examiners appointed for such purpose, and such plans must be furnished and approved before commencing work. Approval of plans.

"4. From and after the 1st of July, 1928, every person, company, association or corporation wishing to do electrical installation work, as provided in this act, whether as additions to or changes in an existing electrical installation or as new electrical installation in the Province, must obtain, before commencing the work, a permit from the board of examiners. Permit.

"5. Except in the cases hereinafter provided for, every person, company, association or corporation who or which, after the 1st of July, 1928, carries on business of, or undertakes or works at, the installation of electrical wires, conduits or apparatus for the transmission of electricity in, on or over any building for producing light, heat or motive power, in this Province, as a contractor or as a journeyman electrician, must, under the penalties hereinafter enacted, first obtain a license, in conformity with the provisions of this act, from the examiners appointed for such purpose. License.

"6. Public service companies or municipal services shall not connect with their systems any electrical installation hereafter made in any building in this Province, for the purpose of supplying and producing therein light, motive power or heat, unless such electrical installation has been inspected and approved by the board of examining electricians and a certificate of acceptance has been issued by them for such purpose. Inspection and approval of certain works.

"7. Every electrical installation in any building in the Province must be inspected by one of the inspector-electricians. Certificate after inspection.

cians of the board of examiners who shall give to the owner of the building a certificate of acceptance if the requirements of the board of examiners have been complied with. Every heating installation in a public building must be approved by an inspector of heating systems, who shall give to the owner of the building a certificate to that effect. Such certificates shall be kept constantly posted up in the place indicated by the inspector.

Conditions of issue of license fixed by Lt.-Gov. in C.

“8. The Lieutenant-Governor in Council may prescribe the conditions under which the licenses provided for by section 21 of this act shall be issued. He may also prescribe such conditions as he may deem just and reasonable, regarding the installation of a heating system in any public building, as well as the conditions under which the certificates provided for by section 7 of this act shall be issued, as well as their duration and the fees to be exacted.

Alterations to be made to defective installation.

“9. The examiners may, with the approval of the Minister, declare any electrical installation in any building, or any heating system already in a public building, to be defective, and may order the necessary alterations to be made therein, and, in default of compliance with the said examiners' orders to that effect, the penalties provided by section 34 of this act may be imposed. Public service companies or municipal services shall, upon an order of the examiners, sever the connection with any electrical installation which the said examiners have declared to be defective.

Materials, etc., prescribed by Lt.-Gov. in C.

“10. The Lieutenant-Governor in Council may prescribe the materials, accessories and apparatus which may be used in electrical installation work in the Province for lighting, motive power or heating purposes, and prohibit the offering for sale, selling and use of materials, accessories and apparatus which have not been approved.

Stations, etc. used for generating, etc., not affected.

“11. This act and the regulations made under its authority shall not affect work in electrical stations or their branches used for generating, transforming or distributing electric power, either by a public service corporation or by a municipal department, when the work is done by their employees under the control and direction of the officers of the said corporation or municipal service.

Power of stationary engineer holding diploma.

“12. Every stationary engineer holding a first or second class diploma shall have the right to do improvement and repair work on electrical apparatus without the license required for such purpose by this act, but only in the establishment where he is regularly employed.

“13. The heating apparatus of public buildings and, in particular, of churches, chapels, convents and colleges must be inspected yearly.

Yearly inspection of public buildings.

“14. In order to assure the greatest possible protection and for the purpose of applying this act, any building or construction, even though only partly occupied as a public building, within the meaning of paragraph I of section 2 of this act, shall be deemed to be a public building in its entirety, and, as such, shall be subject to the requirements of the board of examiners as regards electrical installations.

Buildings deemed public buildings for certain purposes.

“15. Any member of the provincial police shall have the right to require any person, company, association or corporation to show to him the license or licenses provided for by section 24 of this act, and he shall also have the right to demand proof that the law has been complied with, and, failing which, the said member of the provincial police shall have the right to stop immediately the work under way and shall notify the board of examiners of every violation of this act.

Powers of provincial police.

“16. The salaries of the examiners and the inspectors, and the expenses incurred for the carrying out of this act, shall be paid out of the consolidated revenue fund.

Salaries and expenses.

“17. Every examiner and every inspector appointed under this act may, provided it be at a reasonable hour, have access to, enter upon or cross any lot, building or place for the purpose of performing the duties devolving upon him under the authority of this act.

Power of inspector, etc.

“18. Nothing in this act or in the regulations put into effect under its authority shall be deemed to render the examiners, the inspectors or other officers or employees responsible for any damage or loss caused to any person or property through defects in the work, materials, accessories or apparatus mentioned in this act, or through a regulation or an order of the examiners, notwithstanding the fact of an inspection having been made or a certificate issued by the board of examiners, by one of its inspectors or by another officer or employee.

Examiners, etc. not responsible.

“DIVISION III

“EXAMINERS

“19. The Lieutenant-Governor in Council may appoint a board of examiners consisting of three members,

Board of examiners.

be chosen from competent electricians, not under twenty-five years of age, and having at least five years experience as journeymen electricians. The persons so appointed must, in addition, be able to speak and write French and English correctly.

Chief examiner and second examiner.

The Lieutenant-Governor in Council may appoint, from the three members of such board, a chief examiner whose salary shall not exceed the sum of four thousand five hundred dollars per annum and a second examiner whose salary shall not exceed the sum of three thousand dollars per annum, and may fix the salary of the third examiner."

Duties of officers.

"**20.** The duties of such officers shall be as follows:

1. To examine all the plans of electrical and heating installations submitted to them;
2. To examine all those desiring to become electricians, and issue licenses;
3. To hold examinations in such places as the Minister may be pleased to select;
4. To draw up a programme for the examinations, prepare forms and other documents for the same, collect fees, keep registers, direct the work of the inspector-electricians and, generally, attend to the details of the administration of the board of examiners;
5. To issue permits for electrical installation, as provided in section 4 of this act;
6. To specify what materials, apparatus and accessories may be used in electrical installation work, whether for lighting, power or heat.

Archives and reports.

Such officers shall keep, in the archives of their offices, a record of each license and certificate given by them, and draw up reports on the operations of their offices whenever called upon by the Minister so to do.

Sub-classification.

They may, subject to the approval of the Minister, make a sub-classification of the licenses covered by section 21 of this act, if they deem it expedient in the general interest of the service, and the fees to be exacted in connection with such sub-classification as well as the fees for inspection and for issuing permits shall be such as may be fixed by the Lieutenant-Governor in Council, upon the recommendation of the Minister.

Fees.

"DIVISION IV

"LICENSES

Licenses.

"**21.** Six license forms shall be issued, designated as follows: "A", "B", "C", "D", "E" and "F".

License "A" may be issued to any person who has satisfactorily passed the examination prescribed for journeymen electricians, and has filed an application to be registered as a contracting or master electrician in the examiners' office, and paid the fee prescribed by this act. License "A".

License "B" may be granted to any company, association, or corporation doing or wishing to do business as contractor for electrical installation, provided one of the members of the said company, association or corporation holds a license of journeyman electrician given by the examiners, and the fee for such license "B" has been paid. License "B".

The examiners may, in special cases if they deem proper, issue such license to a person having no experience in electricity who wishes to carry on himself the business of a contracting electrician, provided that the work of electrical installation be entrusted to one or more licensed journeymen electricians in his employ. Id., for special cases.

License "C" is that which may be given to a journeyman electrician, having at least four years experience, and who, after passing his examination successfully and complying in every respect with the prescriptions contained in the forms prepared by the examiners, has paid the fee prescribed by this act. License "C".

License "D" is that authorizing a person to take charge of a moving-picture machine. License "D".

Every person applying for this license must be not less than eighteen years of age, and must pass an examination before the examiners, obtain a license, and pay the fee prescribed by this act. The operator is specially required to keep posted up, in a conspicuous place in the operating room, the license granted him, to which he has attached his own photograph, which shall be of such dimensions as not to cover the printed or written matter on the license. Id., as to conditions.

License "E" is a special license authorizing a person with a knowledge of electricity to do work in repairing and maintaining electrical installations in the establishment in which he is employed. The applicant for this license shall undergo examination before the board of examiners. License "E".

License "F" may be granted to any person in charge of the running of machinery operated by electricity, such as cranes, winches, carriers or any other machinery which the board of examiners may declare to be dangerous to the operators, workmen or the public. License "F".

22. No apprentice, labourer or other person, not provided with a license therefor, shall have the right to put in electrical installations except as assistant to a licensed journeyman electrician; and such assistant shall constantly

work under the immediate supervision of a licensed journeyman electrician.

Temporary
license for
outsiders.

“23. Any company, association, corporation or person whose place of business is outside the Province of Quebec, desiring to undertake or complete electrical installation work, under the provisions of this act, must apply to the board of examiners and obtain a temporary license allowing it or him to continue operations during the time required to perform or complete its or his contract. Such license shall expire as soon as the work is finished.

Posting of
licenses.

“24. Every license issued to electrical installation companies or contractors must be posted up in the administration offices of such companies or contractors. The licenses issued to moving-picture operators shall be posted up, as provided in section 21 for license “D”. Every journeyman electrician or holder of any other license must always carry such license on his person. Any omission to post up the license or neglect to carry it as required shall of itself be proof of lack of qualification.

Renewal of
licenses.

“25. The licenses shall be issued for the year, and must be renewed annually between the 1st of July and 1st of August.

“DIVISION V

“FEES

Fees.

“26. 1. The fee for each of the licenses “A” and “B” shall be twenty-five dollars per annum.

2. For issuing a temporary license under section 23 of this act, the fee shall be fifty dollars.

3. For issuing license “C”, the fee shall be five dollars, and the fee for subsequent annual renewals shall be two dollars each.

4. For issuing any of the licenses “D”, “E” and “F”, the fee shall be three dollars each, and the fee for subsequent annual renewals shall be one dollar each.

5. The fees exacted in connection with the sub-classification of licenses as well as the for inspection and for issuing permits, under the last paragraph of section 20, shall be paid as prescribed.

6. The board of examiners, alone, shall have the right to collect the fees fixed for the approval of plans, inspection of electrical installations and issuing of permits in the Province.

“27. The examination fee for every journeyman electrician wishing to obtain a diploma permitting him to inspect electrical installations and everything connected with apparatus used in this branch of industry, whether for his employer, for a company or for a municipal service, shall be twenty-five dollars, and five dollars for every renewal of the license. Examination fee.

“28. The rate of fees with respect to the examination of plans for the installations mentioned in section 3 of this act shall be based on a percentage of the value of the electrical installation, that is to say one-half of one per cent, with a minimum of ten dollars and a maximum of two hundred dollars. The rate of fees with respect to the examination of plans for the electrical installations mentioned in section 3 of this act, when such electrical installations are made by non-resident contractors, who are holders of the license mentioned in section 23 of this act and in paragraph 2 of section 26 of this act, shall be one per cent of the value of such electrical installation with a minimum of fifty dollars. Basis of rate of fees.

“29. The fee for inspection of any heating system in the buildings mentioned in section 13 of this act shall be five dollars, save for churches, chapels, convents, colleges, schoolhouses, hospitals, orphanages, insane asylums, court houses and gaols, for which the inspection shall be done gratuitously. Fee for inspection of heating systems.

“30. The fees for the issue and renewal of licenses, for the approval of plans, the fines provided by this act for delay in the renewals and the fees for inspection and issuing of permits and the fines imposed by the courts shall be collected by the board of examiners and be paid to the Provincial Treasurer. Other fees.

“DIVISION VI

“EXAMINATIONS

“31. Every person wishing to obtain a license, whether as a journeyman electrician, an operator of a moving-picture machine, a special operator, or as being in charge of hoisting apparatus, must come before the board of examiners. He must give information regarding the duration of his service at his then employment, and also give satisfactory information regarding his conduct and sobriety. Examination.

“32. The board of examiners may, with the approval Programme

of examinations, etc.

of the Lieutenant-Governor in Council, prescribe that the National Electrical Code or the Canadian Electrical Code shall, either the one or the other, serve as a basis in drafting the examination programme, as well as the forms and questionnaires to be used by the examiners upon the examination of candidates. The electrical code selected shall serve as a basis in applying the law and the board of examiners may amend or change it, with the approval of the Minister, when, to meet special conditions, such a proceeding seems to them to be in the general interest.

Demonstration required.

“33. The examiners may, for the purpose of classification, require from the candidates a practical as well as a theoretical demonstration in connection with their examination.

“DIVISION VII

“PENALTIES

Penalties.

“34. The following shall be liable, for a first offence, to a minimum fine of ten dollars per day and a maximum fine of fifty dollars per day, or to imprisonment for eight days, or to both fine and imprisonment at the discretion of the court, and, for the second or any subsequent offence, to a fine of fifty dollars per day or to one month's imprisonment, or to both fine and imprisonment at the discretion of the court:

1. Every company, association, corporation or person who or which:

a. Does business, contracts for (licenses “A” and “B”), or does electrical installation work (license “C”), takes charge of a moving-picture machine (license “D”), does repair or maintenance work in the establishment in which he is employed (license “E”), or is in charge of the operating of electrical machinery (license “F”), without the license or licenses required by this act;

b. Has or takes into its or his employ any person unprovided with the license prescribed by this act;

c. Neglects or refuses to submit, for the approval of the board of examiners, the plans for a proposed electrical installation in a building covered by section 3 of this act, as well as those for installing a heating system, or who begins installation work before obtaining approval of the plans;

d. Begins or allows electrical installation work to be begun without having previously obtained the permit required by section 4 of this act;

e. Offers for sale, sells or utilizes, in electrical installa-

tions, materials, accessories or apparatus, other than those prescribed according to section 10 of this act;

2. Every person or company owning a public service, or every municipal service or corporation who or which:

a. Neglects or refuses to pay the fees exigible;

b. Connects an electrical installation contrary to the provisions of section 6 of this act;

c. Neglects or refuses to sever the connection with an electrical installation, as provided in section 9 of this act;

d. Collects fees contrary to the provisions of subsection 6 of section 26 of this act; and

3. Every person who hinders, molests or embarrasses an inspector or any other officer or employee, or who interferes in the performance of his duties.

“35. Every person, company, association or corporation holding the license “A” or “B”, as the case may be, which has not been renewed, as provided in section 25 of this act, shall be liable to a fine of ten dollars. Fine for non-renewal of licenses “A” and “B”.

“36. Every person holding any license other than those mentioned in the preceding section which he has not renewed, as provided in section 25 of this act, shall be liable to a fine of five dollars. Id., of other licenses.

“37. Owners of public buildings, titulars, churchwardens or trustee-owners of churches or buildings used as churches under the Religious Congregations’ Property Act (Chap. 202), and all others possessing churches or buildings used as churches under any other law, shall be held jointly and severally liable with the master or contracting electrician for any offence against this act under the provisions of subparagraphs *c* and *d* of paragraph 1 of section 34 of this act, and shall be jointly and severally liable to the penalties provided in the said section therefor. Liability.

“38. No certificate or license, issued under this act or the regulations enacted thereunder, may be transferred or conveyed; and every such license and certificate may be suspended or cancelled by the board of examiners for sufficient reasons. Such suspension or cancellation shall, however, be subject to appeal to the Minister and his decision shall be final. Certificate or license not transferable. Cancellation, etc.

“39. If it be proved that a contractor, company, corporation or association employs an unlicensed person for electrical installation, or if such installation is done contrary to the regulations established therefor, or if the Idem.

license was obtained under false representations, the license of such contractor, company, corporation or association may be suspended or cancelled.

“DIVISION VIII

“JURISDICTION OF CERTAIN COURTS AND PROCEDURE

Prosecu-
tions; how
brought and
prosecuted.

“40. 1. All prosecutions under this act shall be brought by the inspector before a judge of the Sessions of the Peace or a police magistrate in the cities of Quebec and Montreal, or before the district magistrate or a justice of the peace of the place where the offence was committed, if in any other part of the Province.

Provisions
governing
procedure.

2. The procedure to be followed in such cases shall be that prescribed by the Quebec Summary Convictions' Act (Chap. 165).

Prescrip-
tion.

3. No prosecution shall be brought, for any infringement of the law or of the regulations, after sixty days from the time such infringement came to the knowledge of the inspector.

“DIVISION IX

“INSPECTORS AND SECRETARY

Additional
inspectors
to ensure ob-
servance of
law.

“41. In order to ensure the observance of the law and regulations regarding electrical or heating installations, and to ascertain whether the persons contemplated under this act hold the licenses and comply with the law and the regulations, there may be added a number of inspectors duly qualified as journeymen electricians, as well as inspectors of heating systems, whose work shall consist in making inspections in all the buildings of the Province, in making the law known to the interested parties and reporting to the examiners whatever infringements they may establish. The duties of the inspectors of heating systems shall be to inspect steam heating systems, of high and low pressure, sectional hot-water boilers as well as hot-air heating systems.

Salary.

Such inspectors shall receive a salary not exceeding, for each of them, one thousand eight hundred dollars per annum.

Chief ins-
pector.

“42. The Lieutenant-Governor in Council may appoint from the above-mentioned inspectors, duly qualified as journeymen electricians, a chief inspector whose salary shall not exceed two thousand five hundred dollars per annum, and it shall be his duty to direct, under the control of the examiners, the actions of the inspectors.

"**43.** The Lieutenant-Governor in Council may ap-^{Secretary.}point a secretary to the board of examiners whose salary shall not exceed two thousand dollars per annum and whose duties shall consist of the direction of the clerical and accounting work and the other details of the various services of the board of examiners, under the control and direction of the examiners.

"**44.** The inspectors may order that fire-extinguishers^{Fire-extin-} for arresting incipient fires be put in the places they deem^{guishers.} the best for the safety of the building, or may have them put in themselves in case of negligence in complying with such orders.

"DIVISION X

"REGULATIONS

"**45.** The Lieutenant-Governor in Council may make^{Carrying} all the regulations required for carrying out this act, and^{out of act.} such regulations shall come into force from and after their publication in the *Quebec Official Gazette*."

2. This act shall come into force on the first day of July,^{Coming into} 1928.^{force.}