
BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO ESTABLISH THE OPERATION OF FIRE PROTECTION SERVICES FOR THE TOWN OF BLACKFALDS.

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M 26.1 of the Revised Statutes of Alberta, 2000 and amendments thereto, for the purpose of providing for the establishment and operation of fire protection services for the Town of Blackfalds.

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, Chapter M-26 and amendments thereto, provides that a Council of a Municipality may pass bylaws for the prevention and extinguishing of fires, the preservation of life and property, and the protection of persons from injury or destruction by fire, safety, health and welfare of people and the protection of people and property;

WHEREAS, the *Forest and Prairie Protection Act*, R.S.A., 2000, Chapter F-19, as amended, provides certain additional powers which may be enacted by the Council of a Municipality so that it can enforce the provisions of the said *Forest and Prairie Protection Act* within the boundaries of the Municipality;

WHEREAS, the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended, provides for the entering into agreements with other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment, and for the purpose of providing fire protection not within the Town of Blackfalds municipal boundaries;

WHEREAS the municipal Council of the Town of Blackfalds has been accredited by the Safety Codes Council in its respective municipality;

WHEREAS the Council of the Town of Blackfalds wishes to establish a Fire Service within the Town of Blackfalds and to provide efficient operation of such fire service;

NOW THEREFORE, the Municipal Council of the Town of Blackfalds, duly assembled hereby enacts:

PART 1 – TITLE

- 1.1 That this Bylaw shall be cited as the “Fire Protection Bylaw”.
- 1.2 Schedule “A” shall form part of this Bylaw as the costs and fees to be recovered or charged by the Fire Department for services rendered.

PART 2 – DEFINITIONS

2.1 In this Bylaw:

- (a) **“Acceptable Burning Barrel”** applies to farm use only and means an outdoor receptacle that meets the following specifications;
 - (i) a minimum of three (3) meters clearance is maintained from any building, property line, or other combustible material when measured from the nearest edge;
 - (ii) the opening does not exceed one (1) meter in width or diameter when measured between the widest points or outer edge;
 - (iii) the receptacle has closed sides made from brick, concrete blocks, heavy gauge metal, or other non-combustible material that is acceptable to the Fire Department; and
 - (iv) a spark arrestor mesh screen with openings no larger than twelve and one-half (12.5) millimeters that is constructed of expanded metal (or equivalent material) is used to cover the opening in a manner sufficient to contain and reduce the hazards of airborne sparks.
- (b) **“Acceptable Fire Pit”** means an outdoor receptacle that meets the following specifications;

- (i) A minimum of three (3) meter clearance is maintained from any building, property line, or other combustible material when measured from the nearest edge;
 - (ii) the fire pit height does not exceed six hundred (600) millimeters when measured from the surrounding grade to the top of the pit opening;
 - (iii) the base that the fire pit is situated on must be non-combustible;
 - (iv) the pit opening does not exceed one (1) meter in width or in diameter when measured between the widest points or outer edges;
 - (v) the fire pit has enclosed sides made from brick, concrete blocks, heavy gauge metal, or other non-combustible material acceptable to the Fire Department; and
 - (vi) a spark arrestor mesh screen with openings no larger than twelve and one-half (12.5) millimeters that is constructed of expanded metal (or equivalent material) is used to cover the fire pit opening in a manner sufficient to contain and reduce the hazards of airborne sparks.
- (c) **“Acceptable Fireplace”** means an outdoor receptacle that meets the following specifications;
- (i) a minimum of one (1) meter’s clearance is maintained from any building, property line, or other combustible material when measured from the nearest fireplace edge;
 - (ii) the fireplace is constructed of materials such as brick or rocks that are heat and flame resistant;
 - (iii) the fireplace is equipped with a chimney that is not less than two and one-half (2.5) meters in height when measured from the base of the burning area;
 - (iv) the fireplace chimney is equipped with an approved screen designed to contain and reduce the hazards of airborne sparks, meeting the requirements of the manufacture and the Alberta Building Code;
 - (v) the base of the fire burning area is not less than three hundred (300) millimeters above the surrounding grade; and
 - (vi) the fire chamber does not exceed one and one-quarter (1.25) meters in width and is at least four hundred (400) millimeters but not more than six hundred (600) millimeters in depth.
- Clay fire pots are required to meet the above regulations and shall have a layer of sand or gravel in the bottom to prevent burn through.
- (d) **“Apparatus”** means any vehicle provided with machinery, devices, equipment, or materials for firefighting, as well as any vehicles used for transporting firefighters or supplies
- (e) **“Burnable Debris”** applies to farm use only and means the following material;
- (i) grass and weeds;
 - (ii) leaves and tree pruning;
 - (iii) brush and fallen trees on newly cleared land;
 - (iv) wood material from the construction or demolition of builds that does not contain wood preservatives as set out by Alberta Environment;
 - (vii) household refuse.

All burning of any of the above debris requires a Fire Permit issued by the Fire Department with the exception of debris when burned in an Acceptable Burning Barrel for farm use only.

- (f) **“Contained Fire”** means a fire which is confined within a non-combustible structure or container
- (g) **“Council”** means the Council of the Town of Blackfalds
- (h) **“Dangerous Goods”** means any produce, substance or organism specified in the regulations or included by its nature in any of the classes listed in the regulations under the *Transportation of Dangerous Goods Control Act*, S.C. 1992, c. 34, and any amendments thereto.
- (i) **“Emergency Services”** means Fire Department as established and organized for the Town pursuant to the provisions of this Bylaw consisting of, inter alia, all persons appointed or recruited to the various positions prescribed herein, all equipment, apparatus, materials and supplies used in the operation, maintenance and administration of the Fire Department
- (j) **“Emergency Unit”** means an ambulance, a fire truck, pumper truck, rescue vehicle, bush buggy or tender
- (k) **“Equipment”** means any tool, contrivances, devices or materials used by the fire department to mitigate an incident or other emergency
- (l) **“False Alarm”** means any activation of an Alarm System which results in a response and attendance by the RCMP or Blackfalds’ Fire Department at an Alarm Site, where no unauthorized entry to the alarmed premises or other illegal act or emergency has occurred, and no similar emergency exists, no matter how that request for service is received and includes but is not limited to an Alarm System that:
 - (i) is being tested without prior notice to the RCMP and Blackfalds’ Fire Department.
 - (ii) is activated by a mechanical failure or malfunction or faulty equipment.
 - (iii) is activated by the presence or movement of pets or any other interior movement at the Alarm Site.
 - (iv) which is activated by any act of negligence, error or omission; or
 - (v) is activated by atmospheric conditions, excessive vibrations, power failure or communications failure, unless it is shown by the owner of the Alarm Site that the False Alarm was caused by a storm, lightning, fire, earthquake or act of God.
- (m) **“Fire Alarm”** system means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal or alerting a monitoring facility but does not include a fire alarm system that is intended to alert only the occupants in a dwelling unit, which it is installed.
- (n) **“Fire Permit”** means a written application in the prescribed form set out by the Fire Department for approval for an Open-Air Fire or discharge of Fireworks and includes such other information and requirements as may be required by the Fire Department
- (o) **“Fireworks”** means firecrackers, and fireworks listed in the current Alberta Fire code and as defined by the Government of Canada Explosives Act, and any amendments thereto:
 - (i) Consumer Fireworks are low-hazard firework articles designed for recreational use by the public. These articles include items such as roman candles, sparklers, fountains, wheels, volcanoes, mines, and snakes.
 - (ii) Display Fireworks are high-hazard firework articles designed for use by professionals. These articles include items such as aerial shells, cakes, roman candles, waterfalls, lances and wheels.
 - (iii) Pyrotechnic Special Effects are high-hazard pyrotechnics articles designed for use by professionals. These articles include items

such as gerbs, mines, comets and crossettes. This class also includes special purpose pyrotechnics manufactured live stage and the film and television industry.

- (p) **“Hazard”** means a risk of fire or damage to property and/or person(s) which may be caused by the burning of any waste and includes any nuisances
- (q) **“Incident”** means a fire or a situation where an explosion is imminent or any other situation where there is a danger or a possible danger to life or property and to which Emergency Services has responded
- (r) **“Incinerator Fire”** means a fire that is confined to a non-combustible structure or container which fire is set for the purpose of burning household refuse
- (s) **“Malicious false fire alarm”** means when a person or persons unknown with intent to cause disruption within a structure has activated a pull station or a detection device.
- (t) **“Member”** means:
- (i) a person who is a duly appointed Member of the Fire Department, and who receives remuneration (honorarium) for his or her services at a rate of pay established by Council;
 - (ii) a person who is a duly appointed Member of the Fire Department and who has advised the Town in writing that he or she is willing to gratuitously perform his functions under this Bylaw: and
 - (iii) a person who is a duly appointed Member of the Fire Department resides within the boundaries of the Town.
- (u) **“Nuisance”** means causing smoke which unreasonably affects the comfort or convenience of an individual and includes interference with use and enjoyment of property
- (v) **“Open Fire”** shall mean any Fire which is not a Pit Fire, Public Park Site Fire, and which, without limiting the generality of the foregoing shall include grass fires, brush fires, running fires, structure fires, building fires, wood scrap fires, ground thawing fires and chattel fires
- (w) **“Outdoor Fire”** means any fire not contained within a building or structure and shall include fire involving humus soil, piles of coal, farm produce, waste, brush, grass, seed, straw or any fire that has escaped or spread from a building, structure, machine or vehicle and any fire set for the purpose of thawing frozen ground
- (x) **“Paid on call firefighter”** is a firefighter that responds to emergencies 24 hours per day, who can respond during the day, evenings, and/or weekends also referred to as a volunteer firefighter
- (y) **“Peace Officer”** means;
- (i) a member of the Royal Canadian Mounted Police (RCMP), a police service, or
 - (ii) a peace officer appointed under the Peace officer Act, while the peace officer is in the exercise or discharge of the peace officer’s powers or duties;
 - (iii) a bylaw officer is hereby authorized and empowered to exercise or discharge the bylaw officer’s powers or duties;
- (z) **“Practice”** means a gathering of Fire Department (service) members scheduled by the Fire Chief or designate at which training in fire protection services is conducted
- (aa) **“Prohibited Debris”** means any material that when burned will result in the release of dense smoke or toxic air contaminants to the atmosphere as

outlined in any statute or bylaw written to protect and enhance the environment and shall include but not limited to materials described as;

- (i) animal cadavers;
 - (ii) animal manure;
 - (iii) chemicals and chemical container;
 - (iv) combustible material in automobile bodies;
 - (v) combustible material in automobiles;
 - (vi) construction site waste;
 - (vii) household refuse;
 - (viii) non-wooded material;
 - (ix) paints and painting material;
 - (x) pathological waste;
 - (xi) rubber or plastic or anything containing or coated with rubber or plastic or similar substances;
 - (xii) rubber or plastic attached to shredded scrap metal;
 - (xiii) straw and stubble;
 - (xiv) toxic substances;
 - (xv) used oil; or
 - (xvi) wood or wood products containing substances for the purpose of preserving wood.
- (bb) **“Pit Fire”** means a fire which is totally confined within a non-combustible structure or container that has the draft and smoke vents thereof covered with a heavy gauge metal screen having a mesh size no larger than 12.5 millimeters and which is ventilated in such a manner as to preclude the escape of combustible materials including ash, and which fire is set for the purpose of cooking or obtaining warmth, and such fire may only be fueled with dry wood, charcoal, coal, natural gas or propane
- (cc) **“Portable Appliance”** means any appliance sold or constructed for the purpose of cooking food in the out-of-doors, obtaining warmth or viewing pleasure. Such fire may only be fueled with seasoned wood, charcoal, natural gas or propane;
- i) The portable appliance must be used as to the manufacturer’s installation and usage requirements,
 - ii) No modifications are to be made to the portable appliance
- (dd) **“Property”** means any real or personal property, which without limiting the generality of the foregoing, includes land and structures
- (ee) **“Public Park Site Fire”** means a fire on land owned or leased by the Town or its agents for recreational purposes and is confined to a non-combustible container supplied by the Town, or a Portable Appliance, which is set for the purpose of cooking food, obtaining warmth or viewing for pleasure. Such fire may only be fueled with dry wood, charcoal, coal, natural gas or propane
- (ff) **“Quality Management Plan”** means the Fire Safety Quality Management Plan, approved by the Safety Codes Council, as Adopted by Council.
- (gg) **“Recreational Fire”** means a fire for recreational purposes which is confined to a non-combustible container which is set for the purpose of

cooking, obtaining warmth or viewing pleasure. Such fire may only be fueled with seasoned wood, charcoal, natural gas or propane

- (hh) **“Running Fire”** means a fire burning without being under the proper or any control of any person
- (ii) **“Structure Fire”** means a fire confined to and within any building, structure, machine or vehicle, which will, or is likely to, cause the destruction of, or damage to, such a building, structure, machine or vehicle, excluding an incinerator fire.
- (jj) **“Town”** means the Town of Blackfalds
- (kk) **“Violation Ticket”** means as defined by the *Provincial Offences Procedure Act*, R.S.A. 2000 c. P-34, and any amendments thereto.
- (ll) **“Volunteer Fire Fighter”** means a member of the Fire Department.

PART 3 - FIRE DEPARTMENT

- 3.1 Council does hereby establish a Fire Department, for the purpose of:
- (a) preventing and extinguishing fires;
 - (b) investigating the cause of fires;
 - (c) preserving life and property and protecting persons and property from injury or destruction by fire;
 - (d) providing rescue, first response medical services;
 - (e) preventing prairie or running fires and enforcing the provisions of the *Forest and Prairie Protection Act*, and any amendments thereto;
 - (f) preventing, combating and controlling incidents;
 - (g) meeting the requirements of the Quality Management Plan for the Fire Discipline;
 - (h) entering into agreements with other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment;
 - (i) purchasing and operating apparatus and equipment for extinguishing fires or preserving life and property.
- 3.2 The Fire Department is hereby authorized to control and mitigate incidents involving Dangerous Goods.

PART 4 - FIRE CHIEF

- 4.1 The authority of the Fire Chief is granted by this Bylaw, Town of Blackfalds Policy and the Safety Codes Act, and any amendments thereto. The Fire Chief shall ultimately be responsible to the Chief Administrative Officer.
- 4.2 The Fire Chief or designate shall be responsible to the Council through the Chief Administrative Officer of the Town.
- 4.3 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction of Council, and shall, upon approval of Council, prescribe rules, regulations and policies for the ongoing organization and administration of the Fire Department, including but not limited to:
- (a) the use, care and protection of Fire Department property;
 - (b) the appointment, recruitment, conduct, discipline, duties and responsibilities of the Members; and
 - (c) the efficient operation of Fire Department Services;

- 4.4 Regulations, rules or policies made pursuant to Section 8 of this Bylaw shall not be inconsistent with the legislation and regulations of the Province of Alberta.
- 4.5 The Fire Chief shall:
- (a) upon approval of Council through the budget process, purchase or otherwise acquire equipment, apparatus, materials or supplies required for the operation, maintenance and administration of the Fire Department to be used in connection therewith;
 - (b) keep or cause to be kept, in proper form, records of all business transactions of the Fire Department, including the purchase or acquisition of equipment, apparatus, materials or supplies and records of fires attended, actions taken in extinguishing fires, inspections carried out and actions taken on account of inspections and any other records incidental to the operation of the Fire Department;
 - (c) Ensure that training is provided to fire service members meeting the requirements of Provincial legislation and industry best practices;
 - (d) upon approval of the Council, negotiate on behalf of the Council, with the Provincial Government of Alberta, other municipalities and persons for the purpose of establishing mutual aid agreements and fire control agreements with recommendations and concerns regarding the establishing or renewing of any mutual aid agreement or fire control agreement and amendments thereto; and
 - (e) perform such functions and have such powers and responsibilities as Council may from time to time prescribe.
- 4.6 The Fire Chief, or any other Member in charge at a fire, is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if deemed necessary to prevent the spread of fire to other building, structures or things.
- 4.7 The Fire Chief, or any other Member in charge at an incident, is empowered to cause Emergency Services to enter on any land or premises, including adjacent land or premises, to combat, control or deal with the incident in whatever manner deemed necessary.
- 4.8 For the purpose of fire investigations and inspections, the Fire Chief may obtain assistance from other officials of the town as deemed necessary in order to discharge the duties and responsibilities under this Bylaw.

PART 5 - CONTROL OF FIRE HAZARDS

- 5.1 If the Town finds within its Municipal boundaries on privately owned land or occupied public land conditions that in its opinion constitute a fire hazard, it may order the owner or the person in control of the land on which the fire hazard exists to reduce or remove the hazard within a fixed time and in a manner prescribed by the Town.
- 5.2 When the Town finds that the order it made pursuant to Section 5.1 has not been carried out, the Town may enter on the land with any equipment and any person it considers necessary and may perform the work required to eliminate or reduce the fire hazard.
- 5.3 The Owner or the person in control of the land on which work was performed pursuant to Section 5.2 shall, on demand, reimburse the Town for the cost of the work performed in default of payment; such cost or fee may be charged against the land as taxes due and owing in respect of that land.

PART 6 - REQUIREMENT TO REPORT

- 6.1 The Owner or his authorized agent of any property damaged by fire shall immediately report to the Fire Department particulars of the fires which are satisfactory to the Fire Chief.

- 6.2 The Owner or his authorized agent of any property containing a Dangerous Good(s) product which sustains an accidental or unplanned release of Dangerous Good(s) product shall immediately report to the Fire Department particulars of the release which are satisfactory to the Fire Chief.

PART 7 - PERMITTED FIRES

- 7.1 No person shall permit an Open Fire upon land owned or occupied by him or under his control within the Town unless:
- (a) the fire has been set by the Fire Department for the purpose of training;
 - (b) the fire is a Public Park Site Fire;
 - (c) the fire is a Pit Fire;
 - (d) the fire is an Acceptable Burn Barrel for newly annexed county property;
 - (e) the fire has otherwise been authorized by the Fire Department, by way of a fire permit.
- 7.2 All Fires are to be supervised by a responsible adult at all times and have a means to extinguish the fire on hand at all times.
- 7.3 Weather conditions must be favourable with winds less than 15km/hr.
- 7.5 The flames shall not exceed 1 meter in height.
- 7.6 The fire must be extinguished completely, so that the ashes are cold prior to leaving the fire.

PART 8 - FIRE PERMIT

- 8.1 No person shall permit an Open Fire or Incinerator Fire upon land owned or occupied within the Town except when the landowner is the holder of a subsisting Fire Permit issued pursuant to this Bylaw, unless;
- (a) the fire has been set by the Fire Department for the purpose of training; or
 - (b) the fire is a Public Park Site Fire
 - (c) the fire has otherwise been authorized by the Fire Department.
- 8.2 When issuing a fire permit the Fire Department may issue the permit unconditionally or impose conditions considered appropriate
- 8.3 Fire Permits issued pursuant to this bylaw are valid for a period of time to be determined and set by the Fire Department. The fire permit shall have endorsed thereon the period of time for which the said permit is valid.
- 8.4 The Fire Department may extend the period of time that a fire permit is valid, provided the fire permit has not expired.
- 8.5 The Fire Chief or designate may terminate, suspend, or cancel a Fire Permit upon contravention of any provision of this Bylaw, the Alberta Fire Code, or any terms and conditions found on the Fire Permit
- 8.6 A Fire Permit is not transferable.
- 8.7 A Fire Permit will not be issued over the phone prior to a site visit being performed.

PART 9 - FIRE BAN

- 9.1 Notwithstanding any provision in this or any other bylaw, the Fire Chief or designate may declare a complete ban on any burning of any kind in the Town.
- 9.2 When determining whether to declare a complete ban on burning, the Fire Chief or designate may take into consideration any or all of the following factors:

- (a) the air quality index;
 - (b) levels of precipitation;
 - (c) water shortages or restrictions;
 - (d) availability of firefighters and firefighting equipment; and
 - (e) the overall fire danger.
- 9.3 No person shall build, ignite or allow any kind of fire when a complete ban on burning is in effect.
- 9.4 The Fire Department or a Peace Officer may direct a Person to extinguish any fire when a fire ban is in effect.
- 9.5 A Person who fails to comply with the direction of a member of the Fire Department or a Peace Officer to extinguish a fire during a fire ban is guilty of an offense under this Bylaw and the fire department or the Peace Officer as the case may be, may extinguish the fire.

PART 10 - RECOVERY OF COSTS

- 10.1 Where the Fire Department has extinguished a fire or responded to a fire call or incident within or outside the Town for the purpose of preserving life or property from injury or destruction by fire or other incident, including any such action taken by the Fire Department on a false alarm, the Fire Chief may, in respect of any costs incurred by the Fire Department in taking such action, charge any costs so incurred by the Fire Department to:
- (a) the person who caused the incident
 - (b) the owner of the property of the person in possession of the property where the incident occurred or
 - (c) the owner of the property or the person in possession and control of the property if the location of the incident is not on privately owned land.
 - (d) A person who has negligently or intentionally misused a fire alarm system by activating without cause.
- 10.2 The schedule of costs and fees to be recovered or charged by the Fire Department for services rendered pursuant to this Bylaw shall be as set out in Schedule "A" attached to and forming part of this Bylaw.
- 10.3 In respect of the costs or fees described in Sections 10.2 and 10.3:
- (a) the Town may recover such cost or fee as a debt due and owing to the Town, or
 - (b) in the case of action taken by the Fire Department in respect of land within the Town, where the cost or fee is not paid upon demand by the Town, then in default of payment, such cost or fee may be charged against the land as taxes due and owing in respect of that land.

PART 11 - OFFENCES

- 11.1 Any person who ignites, fuels, supervises, maintains or permits an Open Fire or Incinerator Fire within the municipal boundaries of the Town of Blackfalds without a valid Fire Permit as required by this Bylaw is guilty of an offense, unless;
- (a) the fire has been set by the Fire Department for the purpose of training;
 - (b) the fire is a Public Park Site Fire
 - (c) the fire is a Pit Fire
 - (e) the fire has otherwise been authorized by the Fire Department by way of a fire permit.

- 11.2 When a fire is lit under the circumstances described in Section 39 when such fire is not permitted pursuant to this Bylaw the owner or occupier of the land or the person having control of the land upon which such fire is lit shall:
- (a) extinguish the fire immediately, or
 - (b) where he is unable to extinguish the fire immediately, report the fire to the Fire Department.
- 11.3 No person either directly or indirectly personally or through an agent, servant or employee kindle a fire and let it become a Running Fire on any land not his own property or allow a Running Fire to pass from his own property to the property of another.
- 11.4 No person shall sell, possess, or discharge Fireworks in the Town unless they have the appropriate permits and licensing for high level displays and special events. A Fire Permit is required for the discharge of Fireworks. Fireworks must be purchased from a recognized company that meets all current provincial or federal regulations and standards.
- 11.5 Fireworks considered low level displays are banned in the Town. Possession, sale, or storage of Fireworks is prohibited.
- 11.6 No person shall:
- (a) build, ignite or allow any kind of fire when a complete ban on burning has been declared in effect.
 - (b) light an open fire, pit fire or public park site fire without first taking sufficient precaution to ensure that the fire is not a nuisance and can be kept under control at all times
 - (c) permit the flames to exceed 1 meter in height
 - (d) light an Incinerator Fire for the purpose of burning household refuse unless the property has recently been annexed county property
 - (e) light an open fire, pit fire or public park site fire when the weather conditions are conducive to creating a running fire;
 - (f) place a Pit Fire less than 3.0 meters from any structure including but not limited to a fence, deck, garage, shed or house or any combustible material;
 - (g) burn in a Pit Fire or a Public Park Site Fire, garbage, leaves, straw, painted wood, treated construction materials and items made of or containing rubber, metal, plastic, tar or any materials deemed for disposal
 - (h) fail to take reasonable steps to control a fire for the purpose of preventing it from becoming a Running Fire or from spreading onto land other than his own;
 - (i) deposit, discard or leave any burning matter or substance where it might ignite other material and cause a fire;
 - (j) conduct any activity that involves the use of fire that might reasonably be expected to cause a fire, unless he/she exercises reasonable care to prevent the fire from occurring;
 - (k) provide false, incomplete or misleading information to the Municipality or to the Fire Department on or with respect to the Fire Permit;
 - (l) interfere with the efforts of persons authorized in this Bylaw to extinguish fires or preserve life or property;
 - (m) interfere with the operation of any the Fire Department equipment or apparatus required to extinguish fires or preserve life or property;
 - (n) damage or destroy Fire Department property;
 - (o) move any fire hose or drive a vehicle over any fire hose at any fire without permission of the Fire Department member in charge;
 - (p) place or cause to be placed, any matter or thing, so as to obstruct or

interfere with the operation or use of any fire hydrant, Fire Department water inlet or outlet connections on buildings, fire alarm control panels, manual alarm stations, or any fire detection device or equipment;

- (q) other than the employee of the Town Public Works Department or a member of the Fire Department shall use a fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving permission from the Director of Infrastructure and Property Services or the Fire Chief;
 - (r) obstruct or otherwise interfere with access roads or streets or other approaches to any fire hydrants, cisterns, or bodies of water designated for firefighting purposes;
 - (s) falsely represent themselves as a Fire Department Member or wear or display any Emergency Services badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.
 - (t) use a fire to burn prohibited debris.
- 11.7 No person shall obstruct, prevent, or refuse to admit a fire inspector or investigator to or upon any land, premises, yards, or buildings for the purpose of inspecting or investigating on the same, or who incites or abets such shall be considered in breach of this Bylaw.
- 11.8 Nothing in this Bylaw shall be deemed to authorize any fire, burning, or other act that is in contravention of the *Alberta Environmental Protection and Enhancement Act*, RSA 2000, c. E-12 and any amendments thereto or any regulation made thereunder. In the event of any conflict between the provisions of this Bylaw and the said Act or Regulations, the provisions of the said Act or Regulations shall govern.

PART 12 – PENALTIES

- 12.1 A person who contravenes any provision of this Bylaw shall be deemed to be guilty of an offence and, upon conviction, is liable to a fine as outlined in Schedule “A” contained within this Bylaw.
- 12.2 Where a person:
- a) fails to obtain a Fire Permit as requested under this Bylaw;
 - b) obtains a Fire Permit as provided for in this Bylaw but fails to follow the provisions of the Bylaw or the conditions outlined on the Fire Permit as defined herein; or
 - c) originally did not require a Fire Permit but whose actions brought an Open Air Fire under the requirements for a Fire Permit as defined herein;
 - d) a fire beyond the control of the person or other incident results therefrom, then such a person shall be liable to pay all the costs for emergency response incurred by the Fire Department, and the Town shall be able to recover from such person all such costs as a debt owing to the municipality.
- 12.3 A Peace Officer is hereby authorized and empowered to issue a Violation Ticket to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw. A Violation Ticket may be issued to such person:
- (a) either personally, or;
 - (b) by mailing a copy to such person at their last known address.
- 12.4 Where a contravention of this Bylaw is of a continuing nature, further Violation Tickets or Summons may be issued by a Peace Officer, provided that no more than one Violation Ticket or Summons shall be issued for each calendar day that the contravention continues.
- 12.5 Where a Violation Ticket is issued pursuant to this Bylaw, the person to whom the Violation Ticket is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Ticket.
- 12.6 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Violation Ticket

for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

PART 13 - VIOLATION TICKET

- 13.1 If the penalty specified on a Violation Ticket is not paid within the prescribed time period, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedures Act* and any amendments thereto.
- 13.2 Notwithstanding any other provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, and any amendments thereto to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

PART 14 - SEVERABILITY

- 14.1 Should any section or part of this Bylaw be found to have been improperly enacted, for any reason, then such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

PART 15 - REPEAL

- 15.1 That Bylaw 1187/15 is hereby repealed upon this Bylaw coming into effect.

PART 16 - DATE OF FORCE

- 16.1. That this Bylaw shall come into effect, upon the date on which it is finally read and passed.

READ for the first time this 27th day of August, A.D. 2024.

(RES. 249/24)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

CAO KIM ISAAK

READ for the second time this 27th day of August, A.D. 2024.

(RES. 250/24)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

CAO KIM ISAAK

READ for the third time this 27th day of August, A.D. 2024.

(RES. 252/24)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

CAO KIM ISAAK

BYLAW 1312.24 - SCHEDULE A

Offences and Penalties					
Part	Section	Offence	-----Fines-----		
			First	Second	Third and Subsequent
9	36	Fail to comply with Fire Ban	\$1000.000	Court	Court
10	38	False Alarm Response – within a calendar year at the same alarm site RESIDENTIAL	\$0.00	\$250.00	\$500.00
10	38	False Alarm Response – within a calendar year at the same alarm site NON-RESIDENTIAL	\$0.00	\$300.00	\$600.00
10	38	Cause a Malicious False Alarm	\$250.00	\$500.00	\$1000.00
11	43,44	Sell, possess or discharge fireworks	\$150.00	\$250.00	Not more than \$2500.00
11	43	Fire Pit Violations as listed (a) to (j)	\$250.00	\$500.00	Not more than \$2500.00
Costs and Fees					
Description		Cost Recovery			
Response		* Administrative	* Incident Response		
Response to a Fire, Rescue, Dangerous Goods or other incident on any property other than Provincial Highways		* Administrative costs	\$720.00/hour		
Response to a Fire, Dangerous Goods, Rescue Responses or other incident on Provincial Highways		* Administrative costs	\$720.00/hour		
Response to a Fire, Dangerous Goods, Rescue Responses or other incident on railway property		* Administrative costs	\$720.00/hour		
Emergency Responses to other Municipalities as set out in service/mutual aid agreements					
Non-Incident Response					
Apparatus Fee		n/a	\$720.00/hour		
Apparatus with Personnel		n/a	\$720.00/hour		
Bush Buggy Unit with 2 Personnel		n/a	\$350.00/hour		
Tender Unit with 2 Personnel		n/a	\$720.00/hour		
Command Unit with 1 Personnel		n/a	\$250.00/hour		
Utility Trailer with Side x Side 2 Personnel		n/a	\$350.00/hour		
Manpower Fee for Additional Personnel Required		n/a	\$45.00/hr/person		
Costs and Fees					
Description		Cost Recovery			
Inspections		* Administrative	* Incident Response		
Urgent (Less than 1 business day notice)		\$125.00	n/a		
Fire Inspection – First with compliance		\$125.00	n/a		
Fire Inspection – Second with compliance on outstanding violation –Premises deemed satisfactory		\$75.00	n/a		
Fire Inspection – Second with compliance on outstanding violation – Premises deemed unsatisfactory		\$150.00	n/a		
Fire Inspection – Third with compliance on outstanding violation – Premises deemed satisfactory		\$75.00	n/a		
Fire Inspection – Third with compliance on outstanding violation – Premises deemed unsatisfactory		\$300.00	n/a		
Fire Inspection – Subsequent with compliance on outstanding violation – Premises deemed satisfactory		\$75.00	n/a		
Fire Inspection – Subsequent with compliance on outstanding violation – Premises deemed unsatisfactory		\$450.00	n/a		
		\$125.00	n/a		

Fire Inspection – Missed/Unprepared		
Fire Safety Plan Reviews	\$125.00	n/a
Administrative Fees and Costs		
File Search/Report Copies	\$50 per search	n/a
Occupancy Load Certificate	\$75.00	n/a
Fire Investigation Report	\$100.00	n/a
Fire Investigation Photograph	\$5.00/\$25 per cd	n/a
Air Refill (Breathing Air)	\$10 per 30 min cylinder \$35 per cascade bottle	n/a

- * Administrative costs and the cost for replacement of equipment and/or materials used, lost or damaged as a result of the response.
- * Incident Response: All responses will be billed at a one hour minimum with ½ hour increments.

UNCERTIFIED COPY