

LAMONT COUNTY
Bylaw Number 847.22
Regional Fire Services Bylaw

A BYLAW OF LAMONT COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AND OPERATE A REGIONAL FIRE SERVICE, AUTHORIZE THE PREVENTION AND CONTROL OF FIRES, AND AUTHORIZE THE RECOVERY OF RELATED FEES, EXPENSES, AND CHARGES.

WHEREAS the *Municipal Government Act* provides that a council of a municipality may pass bylaws for municipal purposes respecting the following matters:

- a) the safety, health and welfare of people, and the protection of people and property; and
- b) services provided by or on behalf of the municipality; and
- c) the enforcement of bylaws.

AND WHEREAS the *Municipal Government Act* further provides that a municipality may impose a system of licenses, permits or approvals and may collect, pursuant to a bylaw, costs and expenses incurred by the municipality for extinguishing fires;

AND WHEREAS the *Forest and Prairie Protection Act* provides that a council of a municipal district is responsible for fighting and controlling all fires within the boundaries of the municipal district, other than areas contained in a forest protection area;

AND WHEREAS Council for Lamont County wishes to establish fire service within the County and provide for the efficient operation of such a service;

AND WHEREAS Council for Lamont County wishes to provide for the prevention, regulation, and control of the lighting of fires within the County;

NOW THEREFORE the Council of Lamont County, in the Province of Alberta, duly assembled, hereby enacts the following:

TITLE & INTERPRETATION

1. This bylaw may be referred to as the "Regional Fire Services Bylaw."

PURPOSE

2. The purpose of this bylaw is to establish and operate a fire service, authorize the prevention and control of fires, and authorize the recovery of related fees, expenses, and charges.

DEFINITIONS

3. **"Acceptable Burning Barrel"** means an outdoor receptacle that meets the following specifications:
 - (a) a minimum of three meters' clearance is maintained from any building, property line, or other combustible material when measured from the nearest edge;
 - (b) the opening does not exceed one meter in width or diameter when measured between the widest points or outer edges;
 - (c) the receptacle has closed sides made from brick, concrete blocks, heavy gauge metal, or other non-combustible material that is acceptable to the Fire Chief;
 - (d) a spark arrestor mesh screen with openings no larger than thirteen millimeters (13mm) 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; and
 - (e) is only used on properties in the agricultural or heartland agricultural districts.

4. **"Acceptable Fire Pit"** means an outdoor receptacle that meets the following specifications:
 - (a) a minimum of three meters' clearance is maintained from any building, property line, or other combustible material when measured from the nearest fire pit edge;
 - (b) the fire pit height does not exceed six hundred millimeters (600mm) when measured from the surrounding grade to the top of the pit opening;
 - (c) the pit opening does not exceed one meter in width or in diameter when measured between the widest points or outer edges;
 - (d) the fire pit has enclosed sides made from brick, concrete blocks, heavy gauge metal, or other non-combustible material that is acceptable to the Fire Chief; and
 - (e) a spark arrestor mesh screen with openings no larger than thirteen millimeters (13mm) 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.

5. **"Acceptable Fireplace"** means an outdoor receptacle that meets the following specifications:
 - (a) a minimum of one meter's clearance is maintained from any building, property line, or other combustible material when measured from the nearest fireplace edge;
 - (b) the fireplace is constructed of materials such as bricks or rocks that are heat and flame resistant;
 - (c) the fireplace is equipped with a chimney that is not less than two and one-half meters in height when measured from the base of the burning area;
 - (d) the fireplace chimney is equipped with a regulation screen designed to contain and reduce the hazards of airborne sparks;
 - (e) the base of the fire burning area is not less than three hundred millimeters (300mm) above the surrounding grade; and
 - (f) the fire chamber does not exceed one and one-quarter meters in width and is at least four hundred millimeters (400mm), but not more than six hundred millimeters (600mm) in depth; and
 - (g) Clay fire pots are required to meet the above regulations and should have a layer of sand or gravel in the bottom to prevent burn-through.
6. **"Apparatus"** means any vehicle provided with machinery, or equipment, for firefighting operated by, or for, the fire department whether that vehicle operates on land, in the air, or on water.
7. **"Burnable Debris"** applies to agricultural, or heartland agricultural, district use only and means the following materials:
 - (a) grass and weeds;
 - (b) leaves and tree pruning;
 - (c) brush and fallen trees on newly cleared property; and
 - (d) wood material from the construction or demolition of buildings that does not contain wood preservatives.

8. **"Burning Hazard"** means an actual or potential occurrence of fire or other combustion of organic or inorganic material that could endanger human life or property or damage property.
9. **"Chief Administrative Officer"** or **"CAO"** means the Chief Administrative Officer of Lamont County or their authorized delegate pursuant to the *Municipal Government Act*.
10. **"Council"** means the duly elected Council of Lamont County.
11. **"County"** means Lamont County.
12. **"Dangerous Goods"** means any product, substance, or organism specified in the regulations, or included by its nature, in any of the classes listed in the regulations under the *Dangerous Goods Transportation and Handling Act*.
13. **"Enforcement Officer"** means any Bylaw Enforcement Officer employed by Lamont County in accordance with the *Municipal Government Act* and includes any member of the Royal Canadian Mounted Police (R.C.M.P), and, when authorized, a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the *Peace Officers Act*, RSA 2006, c P-3.5.
14. **"Equipment"** means any tools, devices, materials, or supplies used by or for the fire department to respond to an Incident.
15. **"False Alarm"** means any notification, by whatever means received, by the fire department respecting the existence of a condition, circumstance, fire, or other event containing an imminent, serious danger to persons or property, wherein such condition, circumstance, fire, or other event does not, in fact, exist.
16. **"Fire Ban"** means an order issued by the Fire Chief pursuant to this bylaw, for the purpose of cancelling all fire permits, prohibiting the lighting of, and requiring the extinguishment of all fires within the County.
17. **"Fire Chief"** means the person employed by the County as the Regional Fire Chief for Lamont County and is the head of Lamont County Emergency Services, or their designate.
18. **"Fire Department"** means the department as established by Council and organized by Lamont County consisting of, among other things, all persons appointed or recruited to the various positions within the fire department, including all members. The public facing name of this department is "Lamont County Emergency Services."

19. **"Fire Department Property"** means all real and personal property owned or controlled by the County and designated for use by the fire department including but not limited to apparatus, equipment, and fire stations.
20. **"Fire Guardian"** any individual appointed as a fire guardian pursuant to the *Forest and Prairie Protection Act* or this bylaw.
21. **"Fire Hazard"** means combustible material that, through its nature, location, condition or arrangement, or any combination of those factors, may be ignited and, if ignited, could create a Burning Hazard.
22. **"Fire Permit"** means a permit issued by an individual authorized by the County to do so pursuant to this bylaw, authorizing the setting of a specific type of fire, and includes a fire permit issued by a fire guardian pursuant to the *Forest and Prairie Protection Act*.
23. **"Fire Protection"** means all the services enumerated in Section 37 of this bylaw and includes any other service delivered by or for the fire department that is authorized by Council.
24. **"Fire Protection Charges"** means all costs incurred by or for the fire department in providing Fire Protection both within and outside the County's boundaries.
25. **"Fire Restriction"** means an order issued pursuant to this bylaw for the purpose of fire prevention and cessation of fire permits or other high-risk activities for duration of the restriction.
26. **"Fireworks"** means the pyrotechnics classified as fireworks pursuant to the *Explosives Act* and its Regulations, including consumer fireworks, display fireworks and special effect pyrotechnics, but does not include firecrackers or explosive devices.
27. **"Fireworks Permit"** means a permit, issued by the Fire Chief or their designate, authorizing the sale, purchase, possession, handling, discharge, firing or setting off fireworks in the County.
28. **"Incident"** means a fire or medical situation where a fire or explosion is imminent, or any other situation presenting danger or possible danger to life, property, or the environment, and to which the fire department has responded.
29. **"Member"** means any person who is duly appointed, or employed as, a member of the fire department and includes the Fire Chief.
30. **"Member in Charge"** means the highest-ranking member who first arrives at the scene of an Incident.

31. **"Owner"** means the person or persons listed on title as the registered owner of property at the Land Titles Office.
32. **"Person"** means any individual, firm, partnership, association, or corporation.
33. **"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 legislation or bylaw written to protect and enhance the environment and includes, but is not limited to, materials described as:
 - (a) animal manure;
 - (b) chemicals and chemical containers;
 - (c) combustible material in automobiles;
 - (d) household refuse;
 - (e) non-wooden material;
 - (f) paints and painting materials;
 - (g) pathological waste;
 - (h) rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
 - (i) tires;
 - (j) toxic substances;
 - (k) used oil; or
 - (l) wood or wood products containing substances for the purpose of preserving wood.
34. **"Recreational Fires"** means a fire confined within a non-combustible structure or container, which is lit for the purpose of cooking, obtaining warmth, or viewing for pleasure and is fueled solely by dry wood, charcoal, natural gas, or propane;

35. **"Schedule of Fees and Charges Bylaw"** means Lamont County's most recently approved bylaw that establishes the fees and charges applicable to county services, as amended or replaced from time to time.
36. **"Violation Ticket"** means a violation ticket issued for an offence committed against any of the provisions of this bylaw under Part 2 of the *Provincial Offences Procedure Act*.

ESTABLISHMENT AND PURPOSE OF THE FIRE DEPARTMENT

37. Lamont County's fire department is hereby established for the purpose of:
- (a) preventing and extinguishing fires;
 - (b) investigating the cause of fires in accordance with the quality management plan approved by Council and the Safety Codes Council;
 - (c) preserving life, property, and the environment, and protecting persons and property from injury or destruction by fire;
 - (d) providing rescue services and medical emergency co-response;
 - (e) preventing, combatting, and controlling incidents;
 - (f) conducting pre-fire planning and fire inspections in accordance with the quality management plan approved by Council and the Safety Codes Council;
 - (g) purchasing and operating apparatus and equipment for extinguishing fires or preserving life, property, and the environment;
 - (h) enforcing provisions of the *Safety Codes Act*;
 - (i) preventing prairie or running fires and enforcing the provisions of the *Forest Prairie and Protection Act*;
 - (j) fulfilling the requirements of any mutual aid agreements with other municipalities;
 - (k) assisting with emergency management;
 - (l) providing public education and information regarding fire safety;

- (m) training and other member development;
- (n) enforcing this bylaw and any other applicable bylaws and policies of the County and any applicable enactments;
- (o) controlling and mitigating Incidents involving dangerous goods; and
- (p) otherwise providing emergency services as required,

in accordance with the policies and guidelines established by the County from time to time and all applicable legislation.

AUTHORITY AND RESPONSIBILITY OF THE FIRE CHIEF

38. The Fire Chief shall be appointed by, and report to, the CAO.
39. The Fire Chief shall be responsible for managing the overall delivery of fire protection by the fire department, subject to:
 - (a) this bylaw;
 - (b) all applicable County policies;
 - (c) the direction of the CAO; and
 - (d) any agreements the County has with other municipalities or other entities, however constituted, that provide fire protection in the County.
40. The Fire Chief may prescribe rules, regulations and policies for the ongoing organization, administration, and day-to-day operation of the fire department, including but not limited to:
 - (a) use, care, maintenance, and protection of fire department property;
 - (b) the appointment, organization, recruitment, conduct, discipline, duties, training, and responsibilities of members;
 - (c) the efficient operation of the fire department; and
 - (d) other duties, functions and have such other powers and responsibilities the CAO may prescribe from time to time.

41. The Fire Chief may negotiate and, subject to ratification by Council, enter into agreements with the Province of Alberta, other municipalities, or other entities, however constituted, for the purchase, joint use, control, and management of fire department property, and for the purpose of providing fire protection within or outside the County.
42. The Fire Chief is authorized to delegate, and to authorize further delegations of any powers, duties and functions delegated to the Fire Chief by Council under this bylaw.

AUTHORITY AND RESPONSIBILITIES OF MEMBERS

43. Members are responsible to the Fire Chief for the performance of their duties pursuant to this bylaw and applicable policies of the County.

AUTHORITY AND RESPONSIBILITY OF MEMBERS IN CHARGE

44. The member in charge at an incident shall have control, direction and management of all apparatus, equipment and manpower assigned to that Incident and shall continue to function as the member in charge until relieved by another member authorized to do so.
45. The member in charge shall function as deemed necessary for preserving life and property and protecting persons and property from injury or destruction by fire or another emergency and is authorized to:
 - (a) enter, pass through or over buildings, structures, or property whether adjacent or in proximity to an Incident and to cause members or apparatus to enter or pass through or over the building, structure, or property without permission;
 - (b) establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by the member in charge;
 - (c) request enforcement officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 45(b);
 - (d) cause a building, structure, or thing to be pulled down, demolished, or otherwise removed;
 - (e) secure County manpower and equipment which they consider necessary to deal with an Incident;

- (f) secure and/or commandeer privately owned equipment which they consider necessary to deal with an Incident and authorize payment for use of the equipment;
- (g) require any adult person who is not a member to assist in:
 - i. extinguishing a fire or preventing the spread thereof;
 - ii. removing furniture, goods and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same; and
 - iii. demolishing a building or structure at or near the fire or other incident.

APPOINTMENT AND POWERS OF FIRE GUARDIANS

- 46. Council delegates its authority to appoint fire guardians under the *Forest and Prairie Protection Act* to the Fire Chief in accordance with section 203 of the *Municipal Government Act*.
- 47. Fire guardians shall have the authority and power to:
 - (a) exercise all powers prescribed for fire guardians under the *Forest and Prairie Protection Act*;
 - (b) issue fire permits in accordance with this bylaw;
 - (c) issue a fire permit unconditionally or to impose any conditions on the permit that the fire guardian considers appropriate, in their sole discretion, given the nature of the fire and prevailing circumstances, location and environmental conditions;
 - (d) suspend or cancel a fire permit at any time;
 - (e) refuse to issue a fire permit where, in the opinion of the fire guardian, there is a risk to the public in relation to the proposed fire;
 - (f) enforce the provisions of the *Forest and Prairie Protection Act* and this bylaw within the boundaries of the County;
 - (g) require any able-bodied adult person who is not exempt by the regulations of the *Forest and Prairie Protection Act* to assist in extinguishing fires and the prevention or spread thereof;

- (h) commandeer and authorize payment for the possession or use of any equipment for the purposes of extinguishing a fire;
- (i) enter a closed area under the *Forest and Prairie Protection Act* without a permit or written permission of a forest officer subject only to the regulations of the *Forest and Prairie Protection Act*;
- (j) obtain the following information from any person found on public property or leaving or entering public property:
 - i. name;
 - ii. address;
 - iii. an account of their activities;
 - iv. the route of the activities they propose to conduct;
 - v. the route they intend to follow on the public property;
- (k) enter on any property or premises, except a private dwelling house, without a warrant for the purpose of discharging their duties under this bylaw or the *Forest and Prairie Protection Act*;
- (l) enter any private dwelling house that is on fire without a warrant for the purpose of extinguishing the fire or to prevent the spread thereof;
- (m) direct the operations of extinguishing or controlling the fire or the operations to preserve life and property;
- (n) perform work relating to the extinguishing or controlling the fire or the operations to preserve life and property and enter onto any property for the purpose of extinguishing or controlling the fire; and
- (o) prevent interference with the efforts of persons engaged in the extinguishing of fires or preventing the spread thereof by regulating the conduct of the public at or in the vicinity of the fire.

PERMITTED AND PROHIBITED FIRES

48. No person shall light or cause to be lit any outdoor fire or permit any outdoor fire upon land owned or occupied by that person, or under their control, within the boundaries of the County except as otherwise provided for under this bylaw.
49. No person shall burn, or cause to be burned, any prohibited debris within the boundaries of the County.
50. No person shall light, or cause to be lit, an outdoor fire or permit any outdoor fire upon land owned or occupied by that person, or under their control, except when that individual is the holder of a valid fire permit issued pursuant to this bylaw or the *Forest and Prairie Protection Act* or unless the specific type of fire is exempted from requiring a fire permit either in this bylaw or the *Forest and Prairie Protection Act*.
51. Any person who builds, ignites, or permits a fire within the County must ensure that the fire is not left unsupervised at any time.
52. Notwithstanding section 50 of this bylaw, fire permits are not required under this bylaw for the following activities:
 - (a) cooking of food using a portable appliance;
 - (b) recreational fires or cooking of food in acceptable fire pits or acceptable fireplaces, provided that:
 - i. only clean fuel is used such as natural gas, dry wood, or charcoal, in amounts that will be contained within the acceptable fire pit or acceptable fireplace below the mesh screen;
 - ii. a means, acceptable to the Fire Chief, of controlling or extinguishing the fire is available on the property and within reasonable distance from where the fire occurs;
 - iii. the fire is kept under control and always supervised by a responsible adult person until such time that the fire has been completely extinguished;
 - iv. flame height does not exceed one meter above the structure or container;

- (c) burning in fireplaces in, or attached to, dwellings as provided by legislation;
- (d) an outdoor fire lit by the fire department for training or preventive control purposes;
- (e) an outdoor fire prescribed by the regulations of the *Forest Prairie and Protection Act*;
- (f) burning of permitted burnable debris when burned within an acceptable burning barrel and/or incinerator; and
- (g) smudge fires.

FIRE PERMITS

- 53. Fire permits are required year-round and an application for a fire permit shall be made in writing on the form, either hard copy or electronic, approved by the Fire Chief, as may be amended from time to time.
- 54. Upon receipt of an application for a fire permit, the fire guardian may, in their sole discretion, refuse to issue a fire permit or issue a fire permit with, or without, conditions.
 - i. No fire permits shall be issued for muskeg/peat moss lands. The onus is on the person requesting the permit to know whether the land is muskeg/peat moss or not.
 - ii. The County may, in their sole discretion, identify known muskeg/peat moss areas and prohibit fire guardians from issuing fire permits in those areas.
 - iii. No fire guardian shall be held responsible for a fire permit which they unknowingly issue for muskeg/peat moss land.
- 55. A fire permit shall only be valid for the period expressly indicated on the permit, as determined by the fire guardian issuing the permit at their sole discretion, having regard for the nature and purpose of the fire and prevailing circumstances and environmental conditions.
- 56. A fire guardian may extend the period that an existing fire permit remains valid, so long as the extension is requested and approved prior to the expiration of the fire permit.
- 57. A fire guardian may, in their sole discretion, terminate, suspend, or cancel a fire permit at any time. Upon receiving notification of termination, suspension or cancellation of the fire permit, the fire permit holder shall immediately extinguish any Fire set pursuant to the fire permit.

58. On receiving notice that additional conditions have been imposed on a fire permit, the fire permit holder must immediately comply with the additional conditions.
59. A fire permit is not transferable.
60. Each fire permit application, and the subsequently issued fire permit document, must contain the following information:
 - (a) the name and address of the applicant and the name and address of the owner of the property on which the applicant proposes to set a fire;
 - (b) the legal and municipal description of the property on which the applicant proposes to set a fire;
 - (c) the period for which the fire permit is valid;
 - (d) the precautions and conditions that must be taken by the applicant to ensure that the proposed fire remains under control;
 - (e) the signature, either hard copy or digitally, and authorization of the applicant; and
 - (f) consent for the proposed fire by the owner of the property if different than the applicant.
61. Fire permits must have a unique identifying number.
62. Every person who sets a fire under authority of a fire permit shall:
 - (a) comply with any terms or conditions of the fire permit;
 - (b) keep the physical or electronic version of the Permit at the site of the fire;
 - (c) produce and show the Permit to a fire guardian, a member, or an enforcement officer upon request;
 - (d) always have a responsible person in attendance at the fire;
 - (e) keep the fire under control;
 - (f) extinguish the fire before expiration of the Permit or upon cancellation of the Permit; and

- (g) be responsible for any costs incurred by the fire department when called upon to extinguish such fire if, in the opinion of the Fire Chief or their designate, the fire is a hazard to persons or property.

FIRE RESTRICTIONS

- 63. The Fire Chief may, from time to time, prohibit the issuance of any new fire permits and suspend all active Permits when, in the opinion the Fire Chief, the prevailing environmental conditions give rise to an increased risk of fire.
- 64. A fire restriction imposed pursuant to section 63 of this bylaw shall remain in force until either the date provided in the notice of the fire restriction or until such time the Fire Chief provides notice to the public that the fire restriction is no longer in effect.
- 65. Notice of a fire restriction shall be provided to the public. Notice may be in the form of signage, through a public service message on websites, radio stations, or by any means which the Fire Chief determines is appropriate for the purpose of informing the public of the fire restriction.
- 66. When a fire restriction is in place:
 - (a) no fire guardian shall issue a fire permit; and
 - (b) the Fire Chief shall not issue any fireworks permits from the date of issuance of the fire restriction.
- 67. When a fire restriction is in place, no person shall:
 - (a) ignite a fire unless the fire is exempt from requiring a fire permit pursuant to section 52 of this bylaw; or
 - (b) sell, purchase, possess, handle, discharge, fire or set off fireworks within the County.

FIRE BANS

- 68. The Fire Chief may, from time to time, prohibit all fires within the County, or a portion of the County, when the Fire Chief, in their sole discretion, determines that the prevailing environmental conditions may give rise to an increased risk of fire or increased risk of a fire running out of control.

69. A fire ban imposed pursuant to section 68 of the bylaw shall remain in force until either the date provided in the notice of the fire ban or until such time the Fire Chief provides notice to the public that the fire ban is no longer in effect.
70. Notice of a fire ban shall be provided to the public. Notice may be in the form of signage, through a public service message on websites, radio stations, or by any means, which the Fire Chief determines is appropriate for the purpose of informing the public of the fire ban.
71. When a fire ban is in place, no person shall:
 - (a) ignite a fire, whether the person is the holder of a fire permit or not, and every person shall immediately extinguish any fire lit once the person knows or ought reasonably to know of the fire ban; or
 - (b) sell, purchase, possess, handle, discharge, fire or set off fireworks within the County.
72. All fire permits and fireworks permits issued within the area affected by the fire ban are suspended for the duration of the fire ban.

FIREWORKS PERMIT

73. No person shall sell, purchase, possess, handle, discharge, fire or set off fireworks within the County unless they hold a valid fireworks permit.
74. An application for a fireworks permit shall be made in writing on the form approved by the Fire Chief, as may be amended from time to time.
75. The issuance of a fireworks permit shall be at the sole discretion of the Fire Chief.
76. No person under the age of eighteen (18) years shall apply for a fireworks permit.
77. A fireworks permit shall provide, at minimum:
 - (a) the time(s) and date(s) for which the fireworks permit is valid; and
 - (b) the location(s) where the fireworks may be discharged; and
 - (c) the activity that the fireworks permit authorizes.

78. A fireworks permit may include any further terms and conditions that the Fire Chief deems necessary for the safe sale or use of the fireworks.
79. No person shall sell, purchase, possess, handle, discharge, fire or set off fireworks in a manner that is contrary to the terms and conditions of a fireworks permit.
80. Any person selling, purchasing, possessing, handling, discharging, firing, or setting off fireworks shall keep the fireworks permit available for immediate production to an enforcement officer or member upon demand.
81. The Fire Chief may revoke any fireworks permit issued pursuant to this bylaw:
 - (a) for reasons of non-compliance with the National Fire Code - Alberta Edition, the *Explosives Act*, this bylaw or the terms and conditions of the Permit; or
 - (b) due to changes in environmental conditions; or
 - (c) for any reason related to safety to life, limb, or property.
82. No person shall have in their possession, sell, offer for sale, give away or otherwise distribute, discharge, fire or set off firecrackers within the County.
83. The sale, purchase, possession, handling, and discharge of fireworks shall always be conducted in compliance with the National Fire Code - Alberta Edition.

BARBEQUES & PROPANE-FUELLED FIRE PITS

84. All barbeques and propane-fueled fire pits must comply with the requirements established in the *Safety Codes Act*.

FIRE SAFETY PLANS

85. As required by the *Safety Codes Act*, all buildings or parts of buildings undergoing construction or demolition must have a fire safety plan, which must comply with the requirements of the *Safety Codes Act*.

FIRE AND DANGEROUS GOODS INCIDENT REPORTING REQUIREMENTS

86. The owner or authorized agent of any property damaged by fire must immediately report the particulars of the fire to the fire department in the manner and form prescribed by and to the satisfaction of the Fire Chief.
87. The owner or authorized agent of any property containing Dangerous Goods which sustains an accidental or unplanned release of the Dangerous Goods must immediately report the particulars of the release to the fire department in the manner and form prescribed by and to the satisfaction of the Fire Chief.

SERVICE FEES AND CHARGES

88. When the fire department has taken any action whatsoever for the purpose of:
- (a) site inspections for regulated occupancies;
 - (b) requested site inspections;
 - (c) fire investigations;
 - (d) business inspections;
 - (e) file searches;
 - (f) report copies;
 - (g) duplicate copies of photographs;
 - (h) photocopies of photographs;
 - (i) site inspection or fire permit for flammable or combustible fuel tank installation;
 - (j) site inspection or fire permit for flammable or combustible fuel tank removal;
 - (k) fire permits;
 - (l) fireworks permits;
 - (m) responding to an incident; or

(n) responding to a false alarm,

the applicable fee as set out in County's most current *Schedule of Fees and Charges Bylaw* must be paid to the County by the owner of the subject property.

89. The fees charged by the fire department for services rendered pursuant to this bylaw are set out in the *Schedule of Fees and Charges Bylaw*.
90. The fees and charges described in this section shall be a debt due and owing to the County and collection of unpaid fees and charges may be undertaken by civil action in a court of competent jurisdiction.

FIRE PROTECTION CHARGES

91. When the fire department has extinguished a fire within or outside the County for the purpose of preserving life, property, and the environment from injury or destruction, the Fire Chief may charge any costs incurred by the fire department in taking such action to:

- (a) the person or persons causing or contributing to the fire; or
- (b) the owner or occupant of the parcel of land,

and all persons charged are jointly and severally liable for payment of the fire protection charges to the County.

92. Fire protection charges shall be paid within thirty (30) days of receipt.
93. Collection of unpaid fire protection charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the County is entitled to on the parcel of land in respect of which the indebtedness is incurred.
94. Without limiting section 91, the owner of a parcel of land within the County is liable for fire protection charges incurred in relation to the fire department extinguishing fires on that parcel and the County may add to the tax roll of the parcel of land all unpaid fire protection charges, which forms a special lien against the parcel of land in favor of the County from the date the amount was added to the tax roll.
95. Notwithstanding the provisions of sections 91, 92 and 94, the County may elect to recover fire protection charges from person(s) responsible for those charges pursuant to the *Forest and Prairie Protection Act*.

INSPECTION AND ENFORCEMENT

96. Where a parcel of land does not comply with this bylaw or a person contravenes this bylaw, the County may pursue its enforcement alternatives in accordance with this bylaw, any enactment, or any common law right, including issuing an order to remedy contraventions or dangers, remedying contraventions, or dangers by the County, adding amounts to tax rolls, and pursuing injunctions pursuant to the *Municipal Government Act*.
97. The Fire Chief is authorized to conduct inspections of land and structures, issue orders, remedy conditions and contraventions, and enforce this bylaw in accordance with the *Municipal Government Act*.

OFFENCES

98. No person shall:
- (a) contravene any provision of this bylaw;
 - (b) damage or destroy fire department property;
 - (c) falsely represent themselves as a member;
 - (d) obstruct or otherwise interfere with access by the fire department or fire department property to:
 - i. the scene of an incident;
 - ii. a fire hydrant, cistern or other body of water designated for firefighting purposes; or
 - iii. to connections to fire mains, standpipes, or sprinkler systems.
 - (e) cross any boundaries or limits established by the fire department in accordance with this bylaw, without the express authorization of the member in charge;
 - (f) knowingly cause or permit a burning hazard or fire hazard to exist on a parcel of land;
 - (g) deposit, discard or abandon any burning matter or substance to create a burning hazard;
 - (h) light any fire, or cause any fire to be lit, during a fire ban;

- (i) light a fire unless they are the holder of a valid fire permit if required under this bylaw or the *Forest and Prairie Protection Act*, or both;
- (j) provide false, incomplete, or misleading information to the Fire Chief, a fire guardian, a member, or an enforcement officer with respect to a fire or a fire permit application;
- (k) light a fire on any land not their own without the written consent of the owner of the land;
- (l) permit a fire lit by that person to pass from their own land to the land of another person;
- (m) light a fire without first taking sufficient precautions to ensure that the fire can be always kept under control;
- (n) conduct any activity that might reasonably be expected to cause a fire unless that person exercises reasonable care to prevent a fire from occurring;
- (o) conduct any activity that involves the use of a fire, where smoke produced by the fire may impede the visibility of vehicular and pedestrian traffic on any road or highway;
- (p) light a fire on lands owned or controlled by the County except with the County's express written consent;
- (q) use a fire to burn Prohibited Debris;
- (r) impede, obstruct, or otherwise hinder the Fire Chief, a member of the fire department or an enforcement officer in performing their duties under this bylaw or related legislation;
or
- (s) impede, obstruct, or otherwise hinder access to property or equipment required for use by a member of the fire department or enforcement officer in performing their duties under this bylaw or related legislation.

PENALTIES

99. A person who contravenes or fails to comply with any provision of this bylaw is guilty of an offence and is liable to a fine in an amount not less than \$250.00 and not more than \$2,500. No person found guilty of an offence under this bylaw is liable to imprisonment.

100. Without restricting the generality of section 99, the fine amounts established for use on Violation Tickets if a voluntary payment option is offered are as set out in Schedule 'A' of this bylaw.

VIOLATION TICKETS AND VOLUNTARY PAYMENT

101. An enforcement officer is authorized and empowered to immediately issue a violation ticket pursuant to the *Provincial Offences Procedure Act* to any person that the enforcement officer has reasonable grounds to believe has contravened any provision of this bylaw.

102. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- (a) specify the fine amount established by this bylaw for the offence; or
- (b) require a person to appear in court without the alternative of making a voluntary payment.

103. A person who commits an offence may:

- (a) if the Violation Ticket is issued in respect of the offence; and
- (b) if the Violation Ticket specifies the fine amount established by this bylaw for the offence,

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

104. When the Clerk records in the Court records the receipt of a voluntary payment pursuant to Section 70 and the *Provincial Offences Procedure Act*, the act of recording receipt of that payment constitutes acceptance of the guilty plea and constitutes the conviction and the imposition of a fine in the amount of the specified penalty.

SEVERABILITY

105. Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

REPEAL AND EFFECTIVE DATE

106. Bylaw 847.22, being the "Regional Fire Services Bylaw," is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

107. Upon this bylaw coming into full force and effect, the following bylaws, policies, and any amendments thereto, are hereby repealed:

(a) Bylaw 715.11, Fire Protection Bylaw

(b) Lamont County Policy 4130, Fire Billing Policy

Read a first time this 22nd day of March 2022.

Read a second time this 26th day of April 2022.

Read a third time this 26th day of April 2022.


REEVE


CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"
Specified Penalties

Bylaw Section Number	Offence	Minimum Penalty		
		First Offence	Second Offence	Third and Subsequent Offences
62(a)	Conducting a burn contrary to the conditions of a fire permit	\$500	\$1000	\$1500
71(a)	Burning during a fire ban	\$1500	\$2000	\$2500
86/87	Failure to report an incident to the fire department	\$250	\$250	\$250
98(b)	Damage or destroy fire department Property	\$500 + Replacement Cost	\$500 + Replacement Cost	\$500 + Replacement Cost
98(g)	Deposit, discard, or leave any burning matter or substance that may cause a fire	\$1000	\$2000	\$2500
98(i)	Lighting an outdoor fire without a fire permit	\$500	\$1000	\$1500
98(j)	Providing false or misleading information when applying for a fire permit	\$500	\$1000	\$1500
98(m)	Failure to take necessary precautions when burning	\$500	\$1000	\$1500
98(p)	Lighting an outdoor fire on municipal land without a permit	\$500	\$1000	\$2500
98(q)	Burning prohibited debris	\$1000	\$2000	\$2500
98(s)	Impeding, obstructing, or otherwise hindering a member of the fire department or enforcement officer in performing their duties	\$1500	\$2000	\$2500
98(t)	Impeding, obstructing, or otherwise hindering access to property or equipment required by a member of the fire department or enforcement officer in performing their duties	\$1500	\$2000	\$2500