

Lethbridge County

BYLAW No. 22-002

FIRE BYLAW

BEING A BYLAW OF LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING FIRE SERVICES, RECOVERING FIRE PROTECTION CHARGES, AND PROVIDING A PERMITTING SYSTEM FOR FIRES AND FIREWORKS

WHEREAS, the *Municipal Government Act* provides that a council may pass bylaws respecting:

- a) the safety, health and welfare of people and the protection of people and property;
- 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 pass bylaws to regulate, prohibit and 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 the 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, the *National Fire Code – 2019 Alberta Edition* contemplates that municipalities will regulate the use, sale and storage of fireworks within their jurisdiction;

AND WHEREAS, the *Soil Conservation Act* provides a council with the authority to pass a bylaw establishing a system of permits controlling the burning of stubble on land;

AND WHEREAS, Lethbridge County has entered into joint emergency fire suppression and rescue services agreements with the Towns of Coaldale, Coalhurst, Nobleford, Picture Butte, and the City of Lethbridge;

AND WHEREAS, Lethbridge County wishes to provide for the prevention and control of fires within its boundaries;

NOW THEREFORE, Lethbridge County of the Province of Alberta, duly assembled, enacts as follows:

PART I – INTERPRETATION AND DEFINITIONS

Bylaw Title

- 1** This Bylaw may be cited as the “Fire Bylaw”.

Definitions

- 2** In this Bylaw:

- (a) “Acceptable Burning Barrel” means an outdoor receptacle that meets the following specifications:
 - (i) non-combustible structure or container that has draft holes not larger than sixteen (16) millimetres in diameter;
 - (ii) equipped with a heavy gauge metal screen to contain sparks over the fire at all times, with a mesh size not greater than seven (7) millimetres secured in place with latches or weights;
 - (iii) is not located over underground utility services or below above ground wires; and

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- (iv) is located a minimum of 5 meters (16.5 feet) from buildings, property lines, and combustible materials.
- (b) "Acceptable Fire Pit" means an outdoor receptacle that meets the following specifications:
 - (i) is fully enclosed on all sides and constructed entirely from bricks, concrete blocks, heavy gauge metal, or other non-combustible materials acceptable to a Fire Guardian;
 - (ii) height does not exceed sixty (60) centimetres when measured from the surrounding grade to the top of the pit covering;
 - (iii) opening does not exceed one (1) metre in width or in diameter when measured between the widest points or outside edges;
 - (iv) is set upon or built into the bare ground or on a non-combustible material such as brick, stone or concrete;
 - (v) is not located over any underground utilities;
 - (vi) is a minimum of one (1) metre laterally and five (5) metres vertically from any aboveground wires; and
 - (vii) as may otherwise be determined by the Manager having regard to health, safety, hazards and risks.
- (c) "Acceptable Fireplace" means an outdoor receptacle which meets the following specifications:
 - (i) A minimum of one (1) metre clearance measured from the nearest fireplace edge is maintained from buildings;
 - (ii) the fireplace is constructed of materials such as bricks, rocks or other materials which are heat and flame resistant;
 - (iii) the fireplace is equipped with a chimney which is not less than 2.5 metres in height when measured from the base of the fire burning area;
 - (iv) the fireplace chimney is equipped with a regulation screen designed to contain and reduce hazards of airborne sparks;
 - (v) the base of the fire burning area is not less than .30 metres above the surrounding grade;
 - (vi) the fire chamber does not exceed 1.25 metres in width, and is at least .40 metres but not more than .60 metres in depth; and
 - (vii) as may otherwise be determined by the Manager having regard to health, safety, hazards and risk.
- (d) "Apparatus" means any vehicle provided with machinery, devices, Equipment or materials for firefighting operated by or for Fire Services whether that vehicle operates on land, in the air, or on the water;
- (e) "Burnable Debris" has the same meaning given to it in the *Substance Release Regulation*, and includes cardboard and paper products;
- (f) "Burning Hazard" has the same meaning given to it in the *Forest and Prairie Protection Act*;
- (g) "Chief Administrative Officer" means the individual appointed as chief administrative officer of the County by resolution of Council in accordance with *Municipal Government Act*, or their delegate;
- (h) "Council" means the duly elected council of the County;
- (i) "County" means Lethbridge County;

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- (j) "Equipment" means any tools, contrivances, devices or materials used by Fire Services to combat an Incident or other emergency;
- (k) "False Alarm" means any notification, by whatever means received, to Fire Services 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;
- (l) "Fire Ban" means an order issued by the Minister responsible for the *Forest and Prairie Protection Act*, or an order issued pursuant to this Bylaw by the County, for the purpose of cancelling all Fire Permits, prohibiting the lighting of, and requiring the extinguishment of all fires within the County;
- (m) "Fire Chief" means the individual appointed as the head of Fire Services, or their delegate;
- (n) "Fire Guardian" means:
 - (i) an individual appointed as a fire guardian by resolution of Council in accordance with the *Forest and Prairie Protection Act*; and
 - (ii) an individual deemed to be a fire guardian under the *Forest and Prairie Protection Act*;
- (o) "Fire Hazard" has the same meaning given to it in the *Forest and Prairie Protection Act*;
- (p) "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* and a stubble burning permit issued in accordance with the *Soil Conservation Act*;
- (q) "Fire Protection" includes any of the services enumerated in section 7 of this Bylaw and includes any other services delivered by or for Fire Services that is authorized by Council;
- (r) "Fire Protection Charges" means all rates, fees and charges payable for, or in connection with, Fire Services in providing Fire Protection within and outside the County's boundaries as prescribed in the County Schedule of Fees Bylaw No. 21-020;
- (s) "Fire Restriction" means an order issued pursuant to this Bylaw by the County for the purpose of fire prevention and cessation of all Fire Permits for the duration of the restriction;
- (t) "Fire Services" means the County's fire service and includes any fire department providing Fire Protection within the County pursuant to a Fire Services agreement with the County, and shall include all Members and Fire Services Property;
- (u) "Fire Services Property" means all real and Personal Property owned or controlled by Fire Services and designated for use by Fire Services including but not limited to Apparatus, Equipment and fire stations;
- (v) "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;
- (w) "Fireworks Permit" means a permit issued by the Manager, authorizing the sale, purchase, possession, handling, discharge, firing or setting off of Fireworks in the County;
- (x) "Incident" includes a fire or any situation where a fire or explosion is imminent or any other emergency where there is a danger or possible danger to life or Property;

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- (y) "Manager" means the Manager of Fire Services for the County, or their delegate;
- (z) "Member" means any Person who is duly appointed as a member of Fire Services;
- (aa) "Member in Charge" means the Manager, the Fire Chief, or in the absence of either, the highestranking Member who first arrives at the scene of an Incident;
- (bb) "Occupant" means any Person that is in possession, control or occupation of Property including, but not limited to, the holder(s) of an easement or right-of-way;
- (cc) "Owner" means any Person listed on title as the registered owner of Property at the Land Titles Office;
- (dd) "Peace Officer" has the same meaning given to it in the *Provincial Offences Procedures Act*;
- (ee) "Person" includes any individual, firm, partnership or body corporate;
- (ff) "Prohibited Debris" has the same meaning given to it in the *Substance Release Regulation*;
- (gg) "Property" means any real or personal property;
- (hh) "Recreational Fire" means a fire confined within an Acceptable Fire Pit or Acceptable Fireplace, 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;
- (ii) "Smudge Fire" means a fire confined to a non-combustible structure or container which is lit for the purpose of protecting livestock from insects or for protecting garden plants from frost and is fueled solely by dry wood or charcoal;
- (jj) "Violation Ticket" has the same meaning given to it in the *Provincial Offences Procedure Act*.

Rules of Interpretation

- 3 The headings in this Bylaw are for guidance purposes and convenience only.
- 4 Every provision in this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 5 In this Bylaw, a citation of or reference to any act or regulation of the Province of Alberta or of Canada, or of any other bylaw of the County, is a citation of or reference to that act, regulation, or bylaw as amended, whether amended before or after the commencement of the act, regulation or bylaw in which the citation or reference occurs.
- 6 Nothing in this Bylaw relieves a Person from complying with any provision of any provincial or federal legislation or regulation, other bylaw or any requirement of any lawful permit, order or licence.

PART II – FIRE SERVICES

Establishment and Purpose of Fire Services

- 7 Council hereby establishes Fire Services in the County for the purpose of:
 - (a) preventing and extinguishing fires;
 - (b) investigating the origin, cause and circumstances of Incidents;
 - (c) preserving life and Property and protecting Persons and Property from injury or destruction by fire;

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- (d) preventing prairie or running fires and enforcing the provisions of the *Forest and Prairie Protection Act*;
- (e) preventing, combating, responding to, and controlling Incidents;
- (f) carrying out preventable controls;
- (g) providing rescue services;
- (h) conducting pre-fire planning and fire inspections;
- (i) providing public education and information regarding fire safety;
- (j) providing any other emergency response as may be authorized by the County's policy or applicable legislation; and
- (k) conducting fire inspections/investigations as per the County Fire Quality Management Plan;

in accordance with the policies and guidelines established by the County.

- 8** The County may provide for the delivery of the services listed in section 7 by entering into Fire Services agreements with adjoining municipalities and nothing in this Bylaw shall obligate the County to hire or maintain its own fire department or Members.

Authority and Responsibility of the Manager

9

- (1) The Manager shall be appointed by and report to the Chief Administrative Officer.
- (2) The Manager shall be responsible for managing the overall delivery of Fire Services, subject to:
 - (a) this Bylaw;
 - (b) all applicable County policies;
 - (c) the direction of the Chief Administrative Officer; and
 - (d) any agreements the County has with other municipalities or other entities, however constituted, that provide Fire Protection in the County.
- (3) The Manager is authorized to delegate, and to authorize further delegations of any powers, duties and functions delegated to the Manager under this Bylaw.

Authority and Responsibility of the Fire Chief

10

- (1) The Fire Chief shall be responsible to the Manager for the performance of their duties pursuant to this Bylaw and all applicable County policies.
- (2) Subject to approval by the Manager, the Fire Chief may prescribe rules, regulations and policies for the ongoing organization, administration and day-to-day operation of Fire Services, including but not limited to:
 - (a) use, care, maintenance and protection of Fire Services Property;
 - (b) the appointment, recruitment, conduct, discipline, duties, training and responsibilities of Members;
 - (c) the efficient operation of Fire Services; and
 - (d) such other functions, powers and responsibilities as the Manager or Chief Administrative Officer may prescribe.

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Authority and Responsibility of Members

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

Authority and Responsibility of Member in Charge

12 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 act as the Member in Charge until relieved by another Member authorized to do so.

13

(1) The Member in Charge shall take action as deemed necessary for preserving life and Property and protecting Persons and Property from injury or destruction by fire or other 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 Peace Officers to enforce restrictions on Persons entering within the boundaries or limits outlined in subsection (b);
- (d) cause a building, structure or thing to be pulled down, demolished or otherwise removed;
- (e) secure County manpower and Equipment which is considered necessary to deal with an Incident;
- (f) secure or commandeer privately owned Equipment which is considered 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, 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

14 Council delegates its authority to appoint Fire Guardians under the *Forest and Prairie Protection Act* to the Chief Administrative Officer in accordance with section 203 of the *Municipal Government Act*.

15

(1) 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; and

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- (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.

PART III – FIRES AND FIRE PERMITS

Permitted and Prohibited Fires

16

- (1) No Person shall burn or cause to be burned any Prohibited Debris.
- (2) No Person shall light or cause to be lit, or otherwise allow or permit, any outdoor fire upon land they are the Owner or Occupant, unless the Person holds a valid and subsisting Fire Permit, or the fire is exempt from the requirement for a Fire Permit under this Bylaw.
- (3) A Fire Permit is not required under this Bylaw for:
 - (a) a fire in an Acceptable Burning Barrel which is lit for the purpose of burning Burnable Debris;
 - (b) a fire in an Acceptable Fire Pit or Acceptable Fireplace;
 - (c) a Recreational Fire;
 - (d) a Smudge Fire;provided that:
 - (i) the fire is kept under control and supervised at all times by a responsible adult until such time that the fire has been completely extinguished; and
 - (ii) flame height does not exceed ninety (90) centimetres above the structure or container.
- (4) This Bylaw does not apply to:
 - (a) an outdoor fire lit by Fire Services for training or preventive control purposes;
 - (b) an outdoor fire that is a flare stack used in the petroleum industry;
 - (c) an outdoor fire prescribed by regulations under the *Forest and Prairie Protection Act*; or
 - (d) a fire confined to an incinerator regulated under the *Environmental Protection and Enhancement Act*.

Fire Permits

17

- (1) Fire Permits are required throughout the entire year.
- (2) An application for a Fire Permit shall be made on the form approved by the Chief Administrative Officer, as may be amended from time to time.
- (3) A Fire Permit shall only be valid for the time period expressly indicated on the Fire 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.
- (4) The Chief Administrative Officer, Manager, Fire Chief, a Fire Guardian, or a Peace Officer 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. Notice of cancellation may be made by telephone, in writing, via text message or other electronic messaging, or in Person.
- (5) A Fire Permit is not transferrable.

PART IV – PERMIT HOLDER RESPONSIBILITIES

Permit Holder Responsibilities

18

- (1) Every Person who sets a fire under authority of a Fire Permit shall:
- (a) comply with any terms or conditions of the permit;
 - (b) keep the permit at the site of the fire;
 - (c) produce the permit to the Chief Administrative Officer, Manager, Fire Chief, a Member, or Fire Guardian, a Peace Officer, upon request;
 - (d) have a responsible adult in attendance at the fire at all times under the conditions as listed in the Fire Permit;
 - (e) keep the fire under control;
 - (f) not allow smoke or sparks to drift or otherwise create a nuisance or hazard to neighboring Property, Persons, or roadways;
 - (g) completely extinguish the fire before expiration of the permit or upon cancellation of the permit; and
 - (h) be responsible for any costs incurred by the Fire Services when called upon to extinguish such fire if, in the opinion of the Manager, as the case may be, the fire is a hazard to Persons or Property.

PART V – FIREWORKS

19

- (1) No Person shall sell, purchase, possess, handle, discharge, fire or set off Fireworks within the County unless they hold a valid and subsisting Fireworks Permit.
- (2)
- (a) An application for a Fireworks Permit shall be made in writing on the form approved by the Manager, as may be amended from time to time.
 - (b) The issuance of a Fireworks Permit shall be at the sole discretion of the Manager.
 - (c) No Person under the age of eighteen (18) years old shall apply for a Fireworks Permit.
 - (d) The Manager may add conditions to a Fireworks Permit, including but not limited to:
 - i. the time(s) and date(s) for which the Fireworks Permit is valid;
 - ii. the storage and methods of storage of Fireworks;
 - iii. the location(s) where the Fireworks may be discharged;
 - iv. the activity that the Fireworks Permit authorizes;all of which shall constitute terms and conditions of the Fireworks Permit.
 - (e) A Fireworks Permit may include any further terms and conditions that the Manager deems necessary for the safe sale or use of the Fireworks.
 - (f) 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.
 - (g) Any Person selling, purchasing, possessing, handling, discharging, firing or setting off Fireworks shall keep the Fireworks Permit available for immediate

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production to the Chief Administrative Officer, Manager, Fire Guardian, the Fire Chief, or a Peace Officer upon demand.

(h) The Chief Administrative Officer, Manager, Fire Guardian, the Fire Chief, or a Peace Officer may, in their sole discretion, terminate, suspend or cancel a Fireworks Permit at any time. The following non-exhaustive list of circumstances may result in a Fireworks Permit being revoked:

- i. non-compliance with the *National Fire Code – 2019 Alberta Edition*, the *Explosives Act*, this Bylaw, or the terms and conditions of the Fireworks Permit;
- ii. due to changes in environmental conditions;
- iii. for any reason related to safety to life, limb or Property.

(3) 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.

(4) The sale, purchase, possession, handling and discharge of Fireworks shall at all times be carried out in compliance with the *Explosives Act* and the *National Fire Code – 2019 Alberta Edition*.

PART VI – FIRE RESTRICTION AND BAN

Fire Restriction

20

(1) The Manager may, from time to time, prohibit the issuance of any new Fire Permits or Fireworks Permits and suspend all active Fire Permits and Fireworks Permits when, in the opinion the Manager, the prevailing environmental conditions give rise to an increased risk of a fire running out of control.

(2) A Fire Restriction imposed pursuant to subsection (1) shall remain in force until either the date provided in the notice of the Fire Restriction or until such time as the Manager provides notice to the public that the Fire Restriction is no longer in effect.

(3) 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 the local radio stations, or by any other means which the Manager determines is appropriate for the purpose of informing the public of the Fire Restriction.

(4) When a Fire Restriction is in place:

- (a) no Fire Guardian shall issue a Fire Permit;
- (b) the Manager shall not issue any Fireworks Permits;

from the date of issuance of the Fire Restriction.

(5) When a Fire Restriction is in place, no Person shall:

- (a) ignite any fire unless the fire is exempt from requiring a permit; or
- (b) sell, purchase, handle, discharge, fire or set off Fireworks within the County.

Fire Ban

21

(1) The Manager may prohibit all fires in the County when, in the opinion the Manager, the prevailing environmental conditions give rise to an increased risk of a fire running out of control.

(2) Fire Bans may be established and declared for the entire County or portions of the County.

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- (3) A Fire Ban imposed pursuant to subsection (1) shall remain in force until either the date provided in the notice of the Fire Ban or until such time as the Manager provides notice to the public that the Fire Ban is no longer in effect.
- (4) 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 the local radio stations, or by any other means which the Manager determines is appropriate for the purpose of informing the public of the Fire Ban.
- (5) Subject to subsection (6), when a Fire Ban is in place, no Person shall ignite any fire, whether or not the Person is the holder of a Fire Permit, and shall immediately extinguish any fire lit once the Person knows or ought reasonably to know of the Fire Ban.
- (6) During a Fire Ban a Person may, subject to the requirements of this Bylaw, and unless the notice of the Fire Ban provides otherwise, use a barbeque that burns propane, natural gas, compressed briquettes, wood pellets or charcoal, provided that the barbeque is used for the purpose of cooking or obtaining warmth and is used on private Property or in a public area that has been approved by the County for the use of such barbecues.

Requirement to Report

- 22** The Owner of any Property damaged by fire shall immediately report the particulars of such fire to the Manager.

PART VII – RECOVERY OF COSTS

Fire Protection Charges

23

- (1) Upon Fire Services providing Fire Protection on a parcel of land within the County's boundaries, the County may, in its sole and absolute discretion, charge Fire Protection Charges to any or all of the following Persons, namely:
 - (a) the Person or Persons causing or contributing to the fire;
 - (b) the Occupant of the parcel of land on which Fire Protection was provided;
 - (c) the Owner of the parcel of land which Fire Protection was provided;
 - (d) the Person with control over the parcel of land on which Fire Protection was provided, which may include, without restriction, a Property manager; and
 - (e) the Person or Persons who requested Fire Protection;

and all Persons charged are jointly and severally liable for payment of the Fire Protection charges to the County.

- (2) Fire Protection Charges shall be paid within thirty (30) days of receipt of an invoice.
- (3) 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.
- (4) Without limiting subsection (1), the Owner of a parcel of land within the County to which Fire Protection is provided is liable for Fire Protection Charges incurred 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 favour of the County from the date the amount was added to the tax roll, in accordance with the *Municipal Government Act*.
- (5) Notwithstanding the provisions of subsections (1), (2) and (3), the County may elect to recover Fire Protection Charges from any Persons responsible for those charges pursuant to the *Forest and Prairie Protection Act*.

- 24** A Person who has damaged or destroyed any Apparatus, Equipment or Fire Services Property shall, in addition to any penalty imposed to in this Bylaw, be liable for, and pay

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upon demand, all costs incurred by the County to repair or replace the Apparatus, Equipment or Fire Services Property in question.

Services Fees and Charges

25

- (1) The County may establish and levy fees and charges for services, including but not limited to:
 - (a) fees for responding to an Incident;
 - (b) Fire Permit and Fireworks Permit application fees;
 - (c) site inspection fees;
 - (d) fire investigation fees;
 - (e) fees for responding to False Alarms; and
 - (f) fees for file searches and copying records.
- (2) 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.

PART VIII – ENFORCEMENT

Inspection and Enforcement

26

- (1) 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 the tax roll of the Owner of the parcel, and pursuing injunctions pursuant to the *Municipal Government Act*.
- (2) The Manager is authorized to carry out inspections of land and structures, issue orders, remedy conditions and contraventions, and enforce this Bylaw in accordance with the *Municipal Government Act*.

Offences

27 No Person shall:

- (a) contravene any provision of this Bylaw;
- (b) contravene any term or condition of a permit issued pursuant to this Bylaw;
- (c) cause or permit a Burning Hazard or Fire Hazard to exist on a parcel of land;
- (d) deposit, discard or abandon any burning matter or substance so as to create a Burning Hazard;
- (e) light a fire or cause a fire to be lit during a fire ban;
- (f) light a fire or allow a fire to be lit unless they are a holder of a valid Fire Permit if required under this Bylaw or the *Forest and Prairie Protection Act* or both;
- (g) light Fireworks or allow Fireworks to be lit unless they are a holder of a valid Fireworks Permit under this Bylaw;
- (h) provide false, incomplete or misleading information to the Chief Administrative Officer, Manager, a Fire Guardian, Fire Chief, or a Peace Officer with respect to a fire or a permit application;

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- (i) light a fire on any land not the Person's own without the written consent of the Owner of the land;
- (j) permit a fire lit by that Person to pass from their own land to the land of another Person;
- (k) light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
- (l) conduct any activity that might reasonably be expected to cause a fire unless that Person exercises reasonable care to prevent a fire from occurring;
- (m) conduct any activity that involves the use of a fire, where smoke produced by the fire may impede visibility of vehicular and pedestrian traffic on any road or highway; or
- (n) light a fire on lands owned or controlled by the County except with the County's express written consent.

Vicarious Liability

28 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

Corporations and Partnerships

29

- (1) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (2) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

Fines and Penalties

30

- (1) A Person who is guilty of an offence is liable upon summary conviction to a fine in an amount:
 - (a) not less than the specified penalty established in Schedule "A"; and
 - (b) in the case of all other offences, not exceeding \$10,000.00.
- (2) Without restricting the generality of subsection (1) the fine amounts set out in Schedule "A" are established as specified penalties for use on Violation Tickets, if a voluntary payment option is offered.
- (3) Notwithstanding subsection (1), any Person who commits a second or subsequent offence under this Bylaw within one (1) year of a first offence, is liable on summary conviction to a fine not less than the increased amount set out for the offence in Schedule "A" to this Bylaw.

Violation Ticket

31

- (1) A Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
- (2) If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

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- (a) state the specified penalty for the offence as set out in Schedule "A"; or
 - (b) require a Person to appear in Provincial Court without the alternative of making a voluntary payment.
- (3) A Person who commits an offence may:
- (a) if a Violation Ticket is issued in respect of the offence; and
 - (b) if the Violation Ticket states the specified penalty established by this Bylaw for the offence, as set out in Schedule "A" herein;
- 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.
- (4) When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to subsection (4) above and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

PART IX – GENERAL

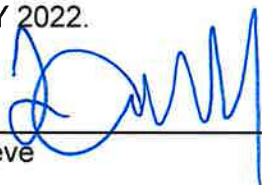
Repeal

32 Fire Ban Bylaw No. 1423, Fire Permit Bylaw No. 1424, Stubble Burning Bylaw No. 933, and Fire Services Bylaw No. 21-017 are hereby repealed.

Effective Date

33 This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

READ A FIRST TIME IN COUNCIL THIS 19th DAY OF MAY 2022.

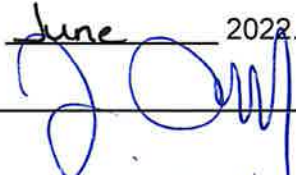


Reeve

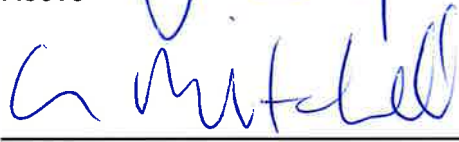


Chief Administrative Officer

READ A SECOND TIME IN COUNCIL THIS 16 DAY OF June 2022.

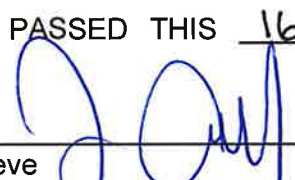


Reeve



Chief Administrative Officer

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 16 DAY OF June 2022.



Reeve



Chief Administrative Officer

**Bylaw No. 22-002
Fire Bylaw**

Schedule "A" - Specified Penalties

Bylaw Section Number	Offence	Violation Ticket	Second and Subsequent Offence
16(1)	Burning Prohibited Debris	\$250	\$1000
16(2)	Fire without a Fire Permit	\$250	\$500
19(1)	Sell, Purchase, Possess, Handle, Discharge, Fire or Set Off Fireworks without a Permit	\$500	\$1000
19(3)	Firecrackers	\$500	\$1000
20(5)(a)	Light any fire unless the fire is exempt from requiring a permit	\$1000	\$2000
20(5)(b)	Sell, purchase, handle, discharge, fire or set off Fireworks within the	\$1000	\$2000
22	Failure to report fire	\$250	\$500
27(b)	Contravene any term or condition of a permit	\$250	\$1000
27(c)	Cause or permit a Burning Hazard to exist on a parcel of land	\$250	\$500
27(d)	Deposit, discard or abandon any burning matter or substance so as to create a Burning Hazard	\$250	\$500
27(e)	Light a fire or cause a fire to be lit during a fire ban	\$1000	\$5000
27(f)	Light a fire or cause a fire to be lit without a Fire Permit	\$250	\$500
27(g)	Light Fireworks or allow Fireworks to be lit without a Fireworks Permit	\$500	\$1000
27(h)	Provide false or misleading information	\$250	\$1000
27(i)	Light a fire on land without written permission of Owner	\$250	\$500
27(j)	Permit a fire to pass to another Person's land	\$500	\$2000
27(k)	Light a fire without sufficient precautions	\$500	\$1000
27(l)	Conduct any activity that might reasonably be expected to cause a fire without exercising reasonable care	\$500	\$1000
27(m)	Conduct any activity that involves the use of a fire, where smoke produced by the fire may impede visibility of vehicular and pedestrian traffic on any road or highway	\$250	\$1000
27(n)	Light a fire on lands owned or controlled by the County except with the County's express written consent	\$500	\$1000