

## FIRE PROTECTION BYLAW

**WHEREAS:** The current Municipal Government Act (MGA), and amendments thereto, allows that a Municipal Council may pass bylaws respecting to the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS:** The current Municipal Government Act (MGA), and amendments thereto, and amendments thereto, allows that a Municipal Council may pass bylaws respecting to people, activities and things in, on or near a public place or that is open to the public;

**AND WHEREAS:** The current Municipal Government Act (MGA), and amendments thereto,, and amendments thereto, Section 8(a) to regulate or prohibit.

**AND WHEREAS:** The council for the Town of High Prairie currently operates and wishes to continue operation of that fire service.

**AND WHEREAS:** The Council of the Town of High Prairie wishes to establish (or continue) and provide for the provision of Fire Protection and Emergency Services for the public of High Prairie.

**NOW THEREFORE:** **THE COUNCIL OF THE TOWN OF HIGH PRAIRIE, IN THE PROVINCE OF ALBERTA, IN REGULAR SESSION DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

This Bylaw may be called the "The Fire Protection Bylaw".

**2. DEFINITIONS**

In this Bylaw, words and phrases shall be construed as specific hereunder:

- (a) **COUNCIL** - means the Municipal Council of the Town of High Prairie.
- (b) **DANGEROUS GOODS** - means any material or substance that may constitute an immediate or long term adverse effect to life, health, property or the environment when burned, spilled, leaked or otherwise released from its normal use, handling, storage or transportation environment, and includes those products, substances and organisms covered by any applicable legislation.
- (c) **EMERGENCY UNIT** – means any vehicle operated for emergency purposes by the Fire Department, whether on land, water, or by air.
- (d) **EQUIPMENT** - means any tools, contrivances, devices, or materials used by the Fire Department to combat an incident or other emergency or any vehicle provided with machinery, devices, equipment, or materials for fire fighting as well as vehicles used to transport firefighters or supplies.

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- (e) **FIRE CHIEF** - means the person appointed by **the Town of High Prairie, CAO** as head of the Fire Department.
- (f) **FIRE DEPARTMENT** - means the High Prairie Volunteer Fire Department as established and organized for the Town, pursuant to the provisions in this Bylaw consisting of interalia (among other things), all persons appointed to, recruited to the various positions prescribed herein, all equipment, materials and supplies used in the operation, maintenance and administration of the Fire Department, including fire stations.
- (g) **FIRE GUARDIAN** - means the Fire Chief, or his designate, Peace Officer, or such other persons as the CAO shall appoint to perform such functions as are set forth by this Bylaw.
- (h) **FIRE PIT** - means a outdoor receptacle for the purposes of setting a recreational fire in a residential area of the Town and shall meet the following specifications:
  - i. A minimum of three (3) metres clearance, measured from the nearest fire pit edge, is maintained from buildings, property lines, or other combustible material;
  - ii. The fire pit height does not exceed .6 metres when measured from the surrounding grade to the top of the pit opening;
  - iii. The fire pit opening does not exceed 1 metre in width or in diameter when measured between the widest points or outside edges;
  - iv. The fire pit installation has enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible materials acceptable to the Fire Chief;
  - v. A spark arrestor mesh screen with openings no larger than 1.25 cm and constructed of expanded metal (or equivalent non-combustible material) is used to cover the fire pit opening in a manner sufficient to contain and reduce the hazards of airborne sparks.
- (i) **FIRE PROTECTION** - means all aspects of the fire safety approved by the High Prairie Council, but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advertising.
- (j) **FIRE PERMIT APPLICATION** - shall mean an Application in writing in the form set out in Appendix "C" herein, and such other information as may be required by the Fire Department.
- (k) **FIRE PERMIT** - means a special written consent form issued by the Fire Chief, his designate, or a Peace Officer, allowing for the setting of pit fires, smudge fires and open burning within the town limits.
- (l) **GREEN FLASHING LIGHTS** – means a lamp that produces intermittent flashes of green light and may be used by a full-time or volunteer firefighter to use in a personal vehicle for proceeding to the Fire Hall or scene of an emergency.



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- (m) **INCIDENT** - means a fire, or a situation where a fire or explosion is imminent, or any other situation presenting a danger to life or property and to which the Fire Department has responded.
- (n) **INCIDENT COMMANDER** - means that member of the Fire Department responsible for the Fire Department resources and actions at an incident.
- (o) **MEMBER** - means any person that is a duly appointed member of the Fire Department (including those persons conscripted by the Fire Chief, or his designate, at an emergency).
- (p) **OPEN BURNING** - means any fire which is not contained in an enclosed container or stove.
- (q) **PEACE OFFICER** - means a member of the Royal Canadian Mounted Police (RCMP), or Community Peace Officer, as employed by the Town of High Prairie.
- (r) **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 1.25 cm 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 be only fuelled with the seasoned wood, charcoal, coal, natural gas, or propane.
- (s) **PORTABLE APPLIANCE** - means any appliance sold or constructed for the purpose of cooking food outdoors, normally fueled by liquefied petroleum gas (LPG), natural gas, compressed briquettes, or charcoal.
- (t) **PROHIBITED DEBRIS** – means any inflammable waste that, when burned, may result in the release to the atmosphere dense smoke, offensive odours or toxic substances as defined in any applicable statutes and bylaws, including but not limited to:
- i. Animal cadavers;
  - ii. Non-wooden material;
  - iii. Tires;
  - iv. Rubber or plastic, or anything containing or coated with rubber or plastic;
  - v. Used oil;
  - vi. Wood or wood products containing substances for the purpose of preserving wood; and
  - vii. Household refuse.
  - viii. Straw, stubble, grass and/or weeds
  - ix. Leaves or tree pruning
  - x. Wooden and/or waste material from the construction and/or demolition of buildings or construction sties
  - xi. Combustible material in vehicle bodies, tires and/or oil from combustible engines
  - xii. Rubber, plastic or anything containing or coated with rubber, plastics or similar substances.

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- (u) **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, as approved by a Fire Guardian, or a portable appliance, which is set for the purpose of cooking food, obtaining warmth or viewing for pleasure. Such fire may only be fuelled with seasoned wood, charcoal, coal, natural gas, or propane.
- (v) **RUNNING FIRES** - means a fire burning without being under the proper or any control of any persons.
- (w) **TOWN** – means the Town of High Prairie.
- (x) **VIOLATION TICKET** - means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34, as amended, and Regulations there under.

### 3. FIRE DEPARTMENT

- 3.1 The Name of the association shall be “High Prairie Volunteer Fire Department”.
- 3.2 The Council does hereby establish a Fire Department for the purpose of:
  - (a) Fire Prevention.
  - (b) Extinguishing Fires.
  - (c) Investigating the cause of Fires.
  - (d) Preserving life and property and protecting persons and property from injury.
  - (e) Providing rescue services.
  - (f) Purchasing and operating Equipment and Emergency Unit for extinguishing fires or preserving life and property.
  - (g) Entering into agreements with other municipalities or businesses, persons for the joint use, control and management of fire extinguishing equipment, such as Section 3 – Fire Protection, of the Inter Municipal Agreement between the Town of High Prairie and the Big Lakes County (Appendix “A”).
- 3.3 The Fire Department is hereby authorized to control and mitigate incidents involving the Dangerous Goods Transportation and Handling Act and Regulations.
- 3.4 The Fire Department of the Town shall consist of a Fire Chief, members, buildings, Equipment, and equipment as is deemed necessary by council to safeguard the safety, health and welfare of the people and to protect the people, property and environment.
- 3.5 The High Prairie Fire Department members shall be nominated and voted on by the membership at the annual meeting.
- 3.6 Regulations, rules, or policies made pursuant to Section 4.16 of this Bylaw shall be consistent with the legislation and regulations of the Province of Alberta.

### 4. FIRE CHIEF

- 4.1 The Fire Chief shall be appointed by the **Town of High Prairie, CAO.**



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- 4.2 The Fire Chief, subject to town policy, shall have complete and full authority over the High Prairie Volunteer Fire Department, its members, its organization and administration.
- 4.3 The Fire Chief has responsibility and authority over the fire department members, subject to the direction of the CAO to whom he will be responsible. He will carry out fire protection activities and other fire related duties to the best of the financial and human resources ability of the town. He shall be responsible for the operation of the Fire Department.
- 4.4 The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of any Fire Department Equipment or personnel assigned to an incident and where a member is in charge he/she shall continue to act until relieved by an officer authorized to do so.
- 4.5 The Fire Chief shall be notified of all application of building and occupancy permits prior to the permit being issued.
- 4.6 The Fire Chief shall have the authority to enter structures or property where an emergency exists and to cause any member or equipment to enter the structure or property, as deemed necessary, in order to control, combat or manage an emergency.
- 4.7 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 he/she deems it necessary, in or to combat, control or deal with the incident.
- 4.8 The Fire Chief, or any other member in charge at an incident may, at his/her discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him/her.
- 4.9 The Fire Chief, or member in charge at an incident, may request Peace Officers to enforce restriction on persons entering within the boundaries or limits as outlined in Section 8.3.
- 4.10 The Fire Chief, or member in charge at an incident, is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the Equipment of the Fire Department to pass or enter through or over the building or property, where he/she deems it necessary to gain access to the incident or to protect any person or property.
- 4.11 The Fire Chief, or member in charge at an incident, shall at his discretion obtain assistance from employees of the municipality as he/she deems necessary in order to discharge his duties and responsibilities while firefighting under this Bylaw.
- 4.12 The Fire Chief, or the member in charge of an incident, may request persons who are not members to assist at an incident if he/she deems it necessary.
- 4.13 The Fire Chief, or the member in charge of an incident, is empowered to commandeer privately owned equipment, which he/she deems necessary to deal with the incident.

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- 4.14 The Fire Chief shall have authority to order the evacuation of persons and establish boundaries or limits to prevent unauthorized persons from entering the area or vicinity where an emergency exists.
- 4.15 The Fire Chief, or a member of the Fire Department charged with the enforcement of this Bylaw, acting in good faith and without malice for the municipality in the discharge of his/her duties, shall not hereby render himself/ herself liable personally and he/she is hereby relieved from all personal liability for any damage that may accrue to person or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties.
- 4.16 During any suit brought against the Fire Chief or a member of the Fire Department, because of an act or omission performed by him/her in the enforcement of any provision of this Bylaw, shall be defended by the Town of High Prairie until final determination of the proceedings.

### 5. LIMITS OF JURISDICTION

- 5.1 The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the area and boundaries of the Town of High Prairie, and no part of the Fire Equipment shall be used beyond the limits of the town without the express authorization of a written contract or agreement providing for the supply of fire fighting services outside the town boundaries.

### 6. FIRE GUARDIANS

- 6.1 Each duly appointed Member, as designated, shall be a Fire Guardian for the purpose as required by this Bylaw.

### 7. POWERS OF FIRE GUARDIANS

- 7.1 Each Fire Guardian upon direction of the Fire Chief or designate, shall be given access at reasonable hours, to both public and private places, for the purpose of inspecting the premises to ascertain whether the same constitutes or is likely to constitute a fire hazard.
- 7.2 Each Fire Guardian, upon approval of the Fire Chief or designate, shall have the authority and power to:
- (a) 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 to assist in the prevention and spread thereof;
  - (b) Command and authorize payment for the possession or use of any equipment for the purpose of fighting a fire;
  - (c) Obtain from every person found on public land or leaving or entering public land that person's name and address and an account of his activities and the route or activities he proposes to carry out and the route he intends to follow on the public land;



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- (d) Enter into a Fire Application Agreement on behalf of the Town and issue a Fire permit in respect of any land within the Town;
- (c) Issue a Fire Permit unconditionally or impose conditions upon the applicant which the Fire Guardian, in his direction, considers appropriate;
- (d) Suspend or cancel at any time a Fire permit;
- (e) Without a warrant, enter on any land and premises, except a private dwelling house, for the purpose of discharging his/her duties under this Bylaw;
- (f) Without a warrant, enter any private dwelling house which is on fire and proceed to extinguish the fire or to prevent the spread thereof;
- (g) Direct the operations of extinguishing or controlling the fire or the operations to preserve life and property;
- (h) Prevent interference with the efforts of persons engaged in the extinguishing of fires and preventing the spread thereof by regulating the conduct of the public at or in the vicinity of any fire.

### 8. USE OF GREEN FLASHING LIGHTS IN VOLUNTEER VEHICLES

WHEREAS: by the authority of an amendment to Section 59 of the Highway Traffic Act:

- (a) A full-time or volunteer firefighter may carry on or in a vehicle, other than an emergency vehicle, a lamp that produces intermittent flashes of green light and may operate the lamp if the said vehicle is proceeding to the Firehall for an Emergency call or to the scene of an Emergency.
- (b) No person other than a full-time or volunteer firefighter shall operate a lamp that produces intermittent flashes of green light.
- (c) Only Green Flashing lights issued by the Fire Department may be used in a personal vehicle operated by a full-time or volunteer firefighter.
- (d) Nothing in this section shall be construed so as to permit a fulltime or volunteer firefighter to operate a vehicle in contravention of this act, the regulations or a Municipal Bylaw.

### 9. CONTROL OF FIRE HAZARDS

- 9.1 No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge (See Appendix "C").
- 9.2 No person shall damage or destroy Fire Department Equipment (See Appendix "C").
- 9.3 No person shall enter the boundaries or limits of an incident area unless he has been authorized to enter by the Fire Chief or the member in charge (See Appendix "C").

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- 9.4 No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or member in charge (See Appendix "C").
- 9.5 No person shall falsely represent themselves as a Fire Department member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation (See Appendix "C").
- 9.6 No person shall obstruct or otherwise interfere with access roads, streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, standpipe, sprinkler system, cistern or other body of water designated for fire fighting purposes (See Appendix "C").
- 9.7 No person shall have in his/her possession, sell, offer for sale, give away or otherwise distribute, discharge, fire or set off any type of fireworks within the town limits unless acceptable by the Fire Chief or the Peace Officer.
- 9.8 Any person who ignites, fuels, supervises, maintains or permits an Open Fire within the Municipal Boundaries of the Town of High Prairie without a valid Fire Permit as required by this Bylaw is guilty of an offence, unless:
- (a) The Fire is a Pit 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 1.25 cm and which is ventilated in such a manner to preclude the escape of combustible materials including as, which fire is set for the purpose of cooking or obtaining warmth, and such fire may only be fuelled with seasoned wood, charcoal, coal, natural gas, or propane;
  - (b) The fire is a Smudge Fire confined within a non-combustible structure or container that is set on land of one (1) acre or more in area, for the purpose of protecting livestock from insects or for protecting garden plants from frost;
  - (c) The Fire has been set by the Fire Department for the purpose of training it's members;
  - (d) The fire is a Public Park Site Fire; or
  - (e) The Fire has otherwise been authorized by the Fire department.
- 9.9 When a fire is lit under the circumstances described in Section 13.1 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 fire is lit shall;
- (a) Extinguish the fire immediately; or
  - (b) Where he/she is unable to extinguish the fire immediately, report the fire to the Fire Department.
- 9.10 No person shall, 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



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property or allow a Running Fire to pass from his own property to the property of another.

9.11 No person shall:

- (a) Light a Fire, Pit Fire, or Smudge Fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times;
- (b) Light a Fire, Pit Fire, or Smudge Fire when the weather conditions are conducive to creating a Running Fire;
- (c) 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/her own;
- (d) Deposit, discard or leave any burning matter of substance where it might ignite other material and cause a fire;
- (e) Conduct any activity that involves the use of fire that might reasonably be expected to cause a fire, unless he exercises reasonable care to prevent the fire from occurring;
- (f) Provide false, incomplete, or misleading information to the Municipality or the Fire Department on or with respect to the Fire Permit Application;

9.12 No person shall use a fire to burn prohibited debris:

9.13 Any person who fails to extinguish a fire pursuant to this Bylaw shall be guilty of an offence.

### 10. REQUIREMENT TO REPORT

10.0 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 or his designate.

10.1 The owner or his authorized agent of any property containing a dangerous good(s) product shall immediately report to the Fire Department particulars of the release, which are satisfactory to the Fire Chief or his designate.

### 11. PERMITS

11.1 A Fire Pit Permit shall be required.

11.2 A Fire Permit shall be required.

11.3 Notwithstanding Section 10.2, a permit shall not be required under this bylaw to conduct:

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- (a) The cooking of food using a portable barbecuing appliance.
  - (b) The cooking of food in approved Fire Pits, provided that:
    - i. The Fire Pit is constructed from a metal ring or brick designated for same; outside measurements not to exceed 30" (inches) and must have a mesh cover;
    - ii. The Fire Pit is not used to burn "Prohibited Debris";
    - iii. 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 is located;
    - iv. All fire pits must be located 3 meters (12 feet) from any combustibles, e.g.: fences, trees, and buildings.
  - (c) Burning by the fire services for the purpose of training its members.
  - (d) Burning in Town owned campgrounds and parks where stove and fire pits are provided by or approved by the town (Public Park Site Fire).
  - (e) Burning by the Town of High Prairie Public Works Department.
- 11.1 Open Burning within the Town of High Prairie limits is prohibited unless a permit is obtained, the provisions outlined on the permit are complied with, and only burnable debris is burned.
- 11.2 Any person wishing to obtain a Fire permit may apply directly to the Fire Chief or a Peace Officer.
- 11.3 Upon receipt of a properly executed Fire Permit Agreement, the Fire Guardian shall consider the Fire Permit Application, and may, in his/her sole and absolute discretion:
- (a) Refuse to grant a Fire Permit;
  - (b) Grant a Fire Permit without terms and conditions;
  - (c) Grant a Fire Permit upon such terms and conditions, as the Fire Department deems appropriate.
- 11.4 Fire and Fire Pit Permits shall be non-transferable.
- 11.5 The Fire Chief, his designate, or a Peace Officer must approve the building or use of a fire pit.
- 11.6 Fire Permits issued pursuant to this Bylaw are valid for such period of time as shall be determined and set by the Fire Guardian and the Fire Permit shall have endorsed therein the period of time for which the said Permit is valid.



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- 11.7 A Fire Guardian may extend, in writing, the period of time that a Fire Permit is valid, provided the Fire permit has not expired.
- 11.8 A Fire Guardian may, in his sole and absolute discretion, terminate, suspend or cancel a Fire Permit upon contravention of any provision of this bylaw or any terms and conditions found on the permit. The person concerned shall immediately extinguish any fire set pursuant to his or her permit.
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- 11.9 Each application for a Fire Permit must contain the following information:
- (a) The name and address of the applicant;
  - (b) The civic description of the land on which the applicant proposes to set the fire;
  - (c) The type and description of material which the applicant proposes to burn;
  - (d) The period of time for which the Fire Permit is valid;
  - (e) The precautions, if any that will be taken by the applicant to ensure that the proposed fire remains under his/her control.
  - (f) The signature of the applicant.
  - (g) The written consent of the proposed fire by the owner of the land, or authorized agent of the owner (if different than the applicant).
- 11.10 The Fire Permit and Fire Pit Permit fees are as outlined in Appendix "B".
- 11.11 Where a person:
- (a) fails to obtain a Fire Permit as required under this Bylaw; or
  - (b) obtains a Fire Permit as provided for in this Bylaw but fails to follow the provisions of the Bylaw and those conditions outlined on the Fire Permit; or
  - (c) originally did not require a Permit, both whose actions brought an open area fire under the requirement for a Permit as defined herein; and
  - (d) a fire beyond the control of the person or other emergency results, then such person shall be liable to pay all costs incurred by the Fire Department for the response, and the Town shall be able to recover from such person all such costs as a debt owing to the municipality (Appendix "C")

## 12. FIRE BANS

- 12.1 The Town of High Prairie shall have the authority to impose a Fire Ban within the Town of High Prairie.

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- 12.2 A Fire Ban shall be issued within the Town of High Prairie whenever a Fire Ban is issued in the rural area surrounding the Town of High Prairie, whether such order is issued by the Assistant Deputy Minister of Forest Protection Division, or by the Big Lakes County.
- 12.3 The Fire Ban shall be issued by the Fire Chief or his designate.
- 12.4 The Fire Ban shall have the effect of:
- (a) Cancelling any fire permits issued under the authority of this Bylaw,
  - (b) Requiring that all outdoor fires presently burning whether set under the authority of a fire permit or not, be extinguished,
  - (c) Prohibiting the lighting of any outdoor fires, including camp fires, and
  - (d) Prohibiting the lighting of any fire works.
- 12.5 For purposes of clarification, a Fire Ban will not apply to:
- (a) Fires which are contained in cooking and heating appliances and which are fuelled by fluids or gasses, and
  - (b) Pit Fires that are contained in industrial facilities.
- 12.6 When a Fire Ban has been issued, a Peace Officer and /or the Fire Chief or his designate shall be authorized to enter onto any land, whether public or private, without a warrant, for the purpose of inspecting the premises to ascertain whether there are any outdoor fires.
- 12.7 When a Fire Ban has been issued, the Fire Chief or his designate shall be authorized to enter onto any land, whether public or private, without a warrant, for the purpose of extinguishing any outdoor fire that has not been extinguished by the owner or occupant after being requested to do so.
- 12.8 When the Fire Department has taken any action whatsoever for the purpose of extinguishing an outdoor fire required to be extinguished under a Fire Ban, the Fire Chief or his designate shall, in respect of any costs incurred by the Fire Department in taking such action, charge any costs so incurred by the Fire Department to the owner or occupant of the land in respect of which the action was taken.
- 12.9 Any person who fails to extinguish a fire pursuant to this Bylaw shall be guilty of an offence.
- 12.10 A Voluntary Payment Ticket may also be issued in lieu of a mandatory court appearance for \$100.00 (Appendix "C").
- 12.11 Nothing in this bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket for a mandatory Court appearance or a Voluntary Payment Ticket to any person who contravenes any provision of this Bylaw.



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### 13. RECOVERY OF COSTS

- 13.1 Council may consider other areas that a fee may apply other than approved in this Bylaw and, upon appeal, Council may suspend or waive any fees included in this Bylaw for special circumstances.
- 13.2 With approval of Council, where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire or responding to a fire call or other incident within or outside the Town or for the purpose of preserving life property from injury or destruction by fire or other incident within or outside the Town, 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 the person who caused the fire or the owner or occupant of the land in respect of which the action was taken.
- 13.3 The Council may decide to issue a fee for other services provided by the Fire Department, and such fees shall be due and payable upon receipt of such services.
- 13.4 (a) The schedule of costs and fees to be charged by the Fire Department for services rendered pursuant to this Bylaw shall be set out in the most current Fees Bylaw.
- (b) The most current fees bylaw may be amended or altered by resolution of Council as reviewed from time to time, as deemed necessary.
- 13.5 In respect of the costs and fees described in Sections 12.2, 12.3, and 12.4:
- (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 to 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.
- 13.6 For fees pursuant to this bylaw, refer to the most current Fees Bylaw.
- 13.7 All fees or charges remaining outstanding for more than thirty (30) days after the date of any invoice shall be deemed to be past due and a late payment penalty shall be added on a monthly basis to all such past due invoices at a rate of 2% of the balance outstanding. Such late payment penalty shall be compounded monthly at the rate of 2% (24%) per annum).
- 13.8 Notwithstanding Section 12.7, all fees, charges, and late payment penalties levied pursuant to this Bylaw are a debt due and owing to the Town of High Prairie and may be collected as such.
- 13.9 The Fire Department may charge fees on a cost recovery basis for any service provided by the department. Fees in excess of cost recovery rates or for emergency services must be approved by Council
- 13.10 The Fire Department shall also be authorized to recover all costs of consumables that are incurred at a fire or Motor Vehicle Accident.

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- 13.11 All monies generated by the fire department will be above the annual budget and will go into the fire department budget.

### 15. PENALTIES

- 15.1 A person who contravenes or fails to comply with any condition in a permit or with any order or request directed to him/her, pursuant to this Bylaw, is guilty of an offence.

- 15.2 (a) The schedule of penalties to be charged by the Fire Department for services rendered pursuant to this Bylaw shall be set out in Schedule "B", attached to and forming part of this Bylaw.

- (b) Schedule "B" may be amended and altered by resolution of Council as reviewed from time to time, as deemed necessary.

### 16. VIOLATION TICKET

- 16.1 Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket for the mandatory Court appearance or a voluntary payment ticket to any person who contravenes any provision of this Bylaw.

### 17. SEVERABILITY

- 17.1 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 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.

### 18. REPEAL

- 18.1 Bylaw #11/2016 and #15/2017 are hereby repealed.

This Bylaw comes into effect on the date of its adoption by Council.

**READ** a first time as amended this 26th day of June, 2018.

**READ** a second time as amended this 11th day of December, 2018.

**GIVEN unanimous consent as amended** this 11<sup>th</sup> day of December, 2018.

**READ** a third time as amended this 11<sup>th</sup> day of December, 2018.



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\_\_\_\_\_  
Mayor Brian Panasiuk  
\_\_\_\_\_  
CAO Brian Martinson

## FIRE PROTECTION BYLAW

### APPENDIX "A"

#### EXCERPT FROM THE INTER MUNICIPAL AGREEMENT BETWEEN THE TOWN OF HIGH PRAIRIE AND THE BIG LAKES COUNTY, REGARDING FIRE PROTECTION

### 3. Fire Protection

- a. High Prairie shall provide fire suppression and rescue services within the area of Big Lakes County as detailed in Schedule "A" attached, and hereafter referred to as "the response area", and subject to the following terms and conditions.
- b. Big Lakes County shall provide firefighting equipment for High Prairie's use. Current Big Lakes County equipment deployment includes one fire truck and one tanker truck, and shall hereinafter be referred to as "Big Lakes County firefighting equipment".
- c. High Prairie shall, subject to the availability of personnel, send a minimum of five (5) firefighters with the Big Lakes County firefighting equipment to all structural fire calls within the response area.
- d. High Prairie shall, subject to the availability of personnel, send a minimum of (3) three firefighters, with the Big Lakes County firefighting equipment, to all non- structural fire calls within the response area.
- e. In the event that a call for assistance within Big Lakes County is received from the Enilda Fire Department, the Jousard Fire Department, the Kinuso Fire Department Faust Fire Department, or the Grouard Fire Department, then High Prairie shall respond, at a minimum, with Big Lakes County firefighting equipment.
- f. The High Prairie Fire Chief (or designate) shall have the authority, in any circumstance deemed necessary, to call upon any resource that Big Lakes County is entitled to call upon to respond to a fire within the response area and Big Lakes County shall pay for such services.
- g. High Prairie shall endeavour to immediately respond to emergency calls from within the response area provided. However, the Town does not guarantee and is not required to respond to such emergency calls immediately unless its manpower and equipment can reasonably be spared at the time of the call and if, in the opinion of the High Prairie Fire Chief (or designate), High Prairie can respond without impairing High Prairie's capacity to protect life and/or property within High Prairie corporate limits. During times of limited resources, High Prairie will work cooperatively with Big Lakes County to coordinate appropriate coverage.
- h. Big Lakes County agrees to pay fifty (50%) of the net operating costs within the response area. Net costs shall include operating and maintenance of all equipment used by the High Prairie & District Fire Department.



## FIRE PROTECTION BYLAW

- i. High Prairie and Big Lakes County continue to coordinate their communications systems in order to facilitate effective communications between their respective fire protection services; this coordination will also, as much as possible, be extended to their respective 911 and dispatch services.
- j. The High Prairie Fire Chief (or designate) shall routinely update the Big Lakes County Fire Chief on operations, and shall supply an annual report to the Big Lakes County Council.
- k. The High Prairie & District Fire Department will attempt to maximize operating revenues from responding to motor vehicle accidents where appropriate. Any such revenue will be treated as revenue to the equipment purchases for the High Prairie & District Fire Department parties and shall be set aside as a restricted High Prairie/Big Lakes County Reserve for future equipment purchases approved by both parties.
- l. The High Prairie & District Fire Department may keep any funds solicited through fund raising ventures (but not from fees for service, call out fees, etc.) in its own bank account.
- m. The High Prairie & District Fire Department may purchase firefighting equipment and supplies as its membership sees fit from its monies that have been derived from fundraising ventures.
- n. The High Prairie & District Fire Department shall not purchase any additional vehicles or mobile equipment from its monies that have been derived from fundraising ventures, without the approval of both municipalities.
- o. High Prairie shall provide the High Prairie & District Fire Department with a copy of this agreement.

# FIRE PROTECTION BYLAW

## APPENDIX "B"

### HIGH PRAIRIE VOLUNTEER FIRE DEPARTMENT PENALTIES SCHEDULE

Section:	Penalty Offence:	Penalty Fee:
<b>Control of Fire Hazards</b>		
8.1	Impeding, Obstructing, or Hindering a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the Member in Charge	\$400.00
8.2	Damage or Destruction of Fire Equipment or Apparatus	Court Ordered
8.3	Unauthorized entry of boundaries/limits of an Incident Area	\$100.00
8.4	Driving over equipment without permission from the Fire Chief or Member in Charge	\$250.00
8.5	False representation	Court Ordered
8.6	Obstruction/Interference with access to roads, streets, and other approaches, to any fire alarm, Fire hydrant, cistern, or body of water designated for firefighting purposes of any connection provided to a fire main, pipe, standpipe, sprinkler system, cistern, or other body of water designated for firefighting purposes	\$350.00
8.7	Unauthorized possession, sale, offer to sell, give away, or setting off of any type of fireworks within Town Limits	\$500.00
8.8	Lighting any fire during a Restrictive Fire Ban Plus the cost of the Pumper Truck as per the most current fees bylaw.	\$500.00
8.9	Allow/permit fire to become a running fire	\$250.00
8.9(a)	Fail to taking precautions before lighting a fire	\$250.00
8.9 (b)	Light fire during weather conditions conducive of creating a running fire	\$250.00



## FIRE PROTECTION BYLAW

8.9 (c)	Fail to control fire/Cause fire to spread	\$250.00
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### APPENDIX "B" CONTINUED

8.9 (d)	Improper removal/extinguishment of burning matter	\$250.00
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8.9 (e)	Cause fire due to carelessness	\$350.00
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8.9 (f)	Provide false/incomplete/misleading information for fire permit	\$500.00
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#### Requirement to Report

9.1	Failure to report fire damaged property	\$ 300.00
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9.2	Failure to report Dangerous Goods	\$ 500.00
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#### Permits

10.1	Failure to obtain a Fire Pit Permit	\$ 100.00
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10.2	Failure to obtain a Fire Permit	\$100.00
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10.14(b)	Failure to comply with the Conditions as outlined in a Fire Permit	<u>All</u> emergency
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		Response costs
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11.10	Failure to Extinguish an outdoor fire;	
	• First Offence	\$ 100.00 plus All response costs
	• Second Offence	\$ 200.00 plus All response costs
	• Third and subsequent Offences	\$ 400.00 plus All response costs