

BYLAW NO. 2018-13
FIRE BYLAW

BEING A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING FIRE SERVICES AND OPERATION THEREOF WITHIN THE BOUNDARIES OF THE TOWN OF BON ACCORD.

WHEREAS the Municipal Government Act, provides that a Council of a Town of Bon Accord may pass bylaws for the extinguishing of Fires, prevention of Fires, the preservation of life and Property and the protection of Persons from injury or destruction by Fire;

AND WHEREAS the Council of the Town of Bon Accord wishes to establish a fire service within the Town of Bon Accord and to provide for the efficient operation of such a fire service;

NOW THEREFORE, the Council of the Town of Bon Accord in the Province of Alberta, duly assembled, enacts as follows:

1. TITLE

1.1 This Bylaw may be referred to as the “Fire Bylaw” of the Town of Bon Accord.

2. DEFINITIONS

2.1 In this Bylaw:

2.1.1 “Alberta Fire Code” means the most current version of fire safety regulations adopted by the Province of Alberta and legislated under the Safety Codes Act;

2.1.2 “Apparatus” means any vehicle provided with machinery, devices, Equipment, or materials for firefighting, as well as any vehicles used for transporting firefighters or firefighting Equipment or supplies;

2.1.3 “Acceptable Fire Pit” means an outdoor receptacle, (Recreational Fire Pit) that meets the following specifications and has been inspected by the Fire department in accordance with this by-law:

- i) Measured from the nearest edge, must be a minimum of 4 meters (13.1 feet) from any part of the residence including overhang;
- ii) Measured from the nearest edge, must be a minimum of three meters (9.84 feet) from any property line, out buildings, overhead power lines, or combustible materials such as fences, trees etc;
- iii) The opening shall be no greater than .8 meters (32 inches) in width as measured across its widest part;
- iv) Shall have a depth of no less than .3 meters (12 inches);
- v) In operation, shall have a spark arrester screen on it with maximum openings of 1.27 centimeters (1/2 inch);

- vi) If there is no place on the property where a fire pit may be located using the above distances, a variance of the above clearances may be applied for. It, in the opinion of the Fire Chief or his designate, such safe guards and precautions are in place, and that the fire pit will be used safely, a variance may be granted with the person or persons obtaining the variance assuming all liability regarding the use of the fire pit.
- 2.1.4 “Council” means the Council of the Town of Bon Accord;
- 2.1.5 “Clerk of the Provincial Court” means an officer of a Provincial court who – accepts filings, issues process and keeps records;
- 2.1.6 “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 shall include those products, substances and organisms that are covered by the Transportation of Dangerous Goods Regulations;
- 2.1.7 “Deputy Fire Chief” means the manager of the Fire Department who performs duties as assigned by the Fire Chief, in the absence of the Fire Chief;
- 2.1.8 “District Fire Chief” means the manager of the Fire Department as appointed by Sturgeon County’s Fire Chief, if the Municipality has a contract in place with Sturgeon County, to oversee the day to day operations and administration of the Fire Department;
- 2.1.9 “Emergency Unit” means any vehicle operated for emergency purposes whether on land, water, or in the air, by the Fire Department;
- 2.1.10 “Equipment” means any tools, contrivances, devices or materials used by the Fire Department to combat an Incident or other emergency;
- 2.1.11 “False Alarm” means any notification to the Fire Department respecting the existence of a condition, circumstance, or event contrary to imminent danger to Persons or Property, wherein such a circumstance or event is in fact not in existence;
- 2.1.12 “Fire” means any combustible material in a state of combustion;
- 2.1.13 “Fire Ban” means a ban that is put in place by the Municipality prohibiting all Outdoor Fires, Incinerator Fires, Burning Barrel fires, Smudge fires, burning in barbeques/fire pits, or lighting or burning in a fire within a portable appliance not fueled by propane or natural gas;
- 2.1.14 “Fire Chief” means the manager of the Fire Department who performs the duties and responsibilities of a Fire Chief;

- 2.1.15 “Fire Department” means the Bon Accord Fire Department established by this Bylaw and including the persons duly appointed to the Fire Department by Council or the Fire Chief;
- 2.1.16 “Fire Pit Inspection” means a fire pit inspection in the form of Schedule “C” conducted by the Fire Chief or designate pursuant to this Bylaw
- 2.1.17 “Fire Permit” means a permit in the form of Schedule “B” issued by the Fire Chief or designate pursuant to this Bylaw and the Forest and Prairie Protection Act (FPPA);
- 2.1.18 “Fire Restriction” means restriction that are put in place by the Municipality relating to all Outdoor Fires, Incinerator Fires, Burning Barrel fires, Smudge fires, burning in barbeques/fire pits, or lighting or burning in a fire within a portable appliance not fueled by propane or natural gas;
- 2.1.19 “Garden/Yard Debris” means but not limited to wood, branches and dried leaves piled for the purposes of burning that is smaller than 3.6 meters long, 3.6 meters wide and 1.8 meters in height;
- 2.1.20 “High Hazard Fireworks” means those types of fireworks that only persons certified under the Canadian Explosives Act, may store, transport and discharge. For example, these are typically used at large events such as fairs, exhibitions, Canada Day displays;
- 2.1.21 “Incident” means a Fire or a situation where a Fire or explosion is imminent or other situation presenting a Fire or possible danger to life or Property, or the environment and to which the Fire Department has responded;
OR
“Incident” may be any motor vehicle collision, or any situation deemed an emergency or medical assist or any situation requiring a Fire Department response;
- 2.1.22 “Incinerator Fire” means a Fire that is confined within a non-combustible structure, container or barrel:
- i. With openings covered with heavy gauge metal screen having a mesh size no larger than thirteen (13) millimeters;
 - ii. That has a minimum of three (3) meters clearance from buildings, property lines and combustible materials;
 - iii. That is supervised at all times by a responsible adult person until such time that fire has been extinguished. A fire shall be deemed to include hot ashes and smoldering embers resulting from the fire;
 - iv. But does not include any industrial or commercial type incinerator that is required to be licensed under the Alberta Environmental Protection and Enhancement Act regulations;

- 2.1.23 “Large Brush Pile” means but not limited to wood, branches, tree stumps, yard debris piled for the purposes of burning that is larger than 3.6 meters long, 3.6 meters wide and 1.8 meters in height;
- 2.1.24 “Low Hazard Fireworks” means those types of fireworks which are regulated for storage, sale and discharge under the Alberta Fire Code. Commonly referred to as SHOP GRADE or FAMILY FIREWORKS;
- 2.1.25 “Member” means any person that is duly appointed Member of the Fire Department or a Member of the Public conscripted by the Fire Chief or their designate under section 7.5 herein;
- 2.1.26 “Municipality” means the Town of Bon Accord;
- 2.1.27 “Municipal Rural Area” is the area within the Municipality shown in yellow on Schedule “A”;
- 2.1.28 “Municipal Urban Area” is the area within the Municipality shown in orange on Schedule “A”;
- 2.1.29 “Officer” means a Member of the Fire Department appointed by the Fire Chief as an Officer;
- 2.1.30 “Officer in Charge” means the Member of the Fire Department responsible for the management of the Fire Department resources in Incident mitigation;
- 2.1.31 “Outdoor Fire” means any fire other than that defined as an Incinerator Fire, or Smudge Fire and shall include, but not be limited to:
- i. Fires involving humus, wood, soil, farm produce, brush, grass, feed, straw, coal;
 - ii. Any fire that has escaped or spread from a building, structure, machine, vehicle, incinerator or smudge fire;
 - iii. A fire lit or burning in an incinerator without the required metal screen;
- 2.1.32 “Owner” means the registered owner of real Property as listed on title;
- 2.1.33 “Peace Officer” means:
- i. a member of the Royal Canadian Mounted Police;
 - ii. a member of the municipal police service;
 - iii. a Community Peace Officer where under that person’s appointment as a Community Peace Officer that person is empowered to carry out the duties of a Peace Officer, or
 - iv. a Bylaw Enforcement Officer who is appointed by Council of the Town of Bon Accord;

- 2.1.34 “Person” means an individual, partnership, society, association, corporation, trustee, executor, administrator or other legal representative;
- 2.1.35 “Portable Appliance” means any appliance sold or constructed for the purpose of cooking food in the out of doors;
- 2.1.36 “Prohibited Debris” means any flammable debris or waste material that when burned, may result in the release to the atmosphere of dense smoke, offensive odors or toxic air contaminants as defined in Alberta Regulation 276/2003, Activities Designation Regulation pursuant to the Alberta Environmental Protection and Enhancement Act;
- 2.1.37 “Property” means real or personal Property, which, without limiting the generality of the foregoing, includes land and structures;
- 2.1.38 “Running Fire” means a Fire burning without being under proper or any supervision by any Person or a wild land Fire that is deemed out of control;
- 2.1.39 “Smudge Fire” means a fire confined within a non-combustible structure or container with that is set on land for the purpose of protecting livestock from insects or for protecting garden plants from frost. The structure or container must have openings covered with heavy gauge metal screen having a mesh size no larger than thirteen (13) millimeters. The structure or container shall be placed a minimum of three (3) meters clearance from buildings, property lines and other combustible materials;
- 2.1.40 “Structure Fire” means a fire confined to and within any building or structure, which will, or is likely to cause the destruction of or damage to such building or structure or other, structure fires are prohibited within municipal boundaries.
- 2.1.41 “Town Manager” means the Chief Administrative Officer as appointed by Council, or the Chief Administrative Officer’s delegate;
- 2.1.42 “Violation Ticket” means a ticket issued pursuant to the *Provincial Offences Procedure Act*, R.S.A 2000 c. P-34, as amended or repealed and replaced from time to time and regulations there under; and
- 2.1.43 “Windrow Pile” means but not limited to wood, branches, tree stumps piled after clearing of land in windrows or piles for the purpose of burning.

3. INTERPRETATION

- 3.1 Wherever the provisions of this Bylaw are at variance with each other, the more restrictive of the two (2) provisions shall apply.

- 3.2 Where there is any conflict between the provisions of this Bylaw and any other Bylaw related to fire services, the provisions of this Bylaw shall prevail.

4. FIRE DEPARTMENT JURISDICTION

- 4.1 The Fire Department shall consist of a Fire Chief, Deputy or District Fire Chief, Officers, Members, buildings, Apparatus and Equipment necessary to safeguard the health and welfare, and safety of people and to protect people and Property.
- 4.2 No Member of the Fire Department shall reside outside the boundaries of the Municipality, unless so approved by the Fire Chief.
- 4.3 At no time shall the Fire Chief reside outside the boundaries of the Municipality unless approved by Council.

5. APPOINTMENTS OF FIRE CHIEF AND MEMBERS

- 5.1 The Fire Chief shall be appointed by the Council of the Town of Bon Accord.
- 5.2 The Fire Chief shall be accountable to the Town Manager.
- 5.3 The Deputy or District Fire Chief shall be appointed by the Fire Chief of the Town of Bon Accord.
- 5.4 The Fire Chief may appoint Officers as required by the Fire Department. These Officers will be supervised by the Fire Chief and Deputy or District Fire Chief.
- 5.5 The Fire Chief and Deputy or District Fire Chief may appoint Members to the Fire Department to maintain their manpower quota within the current budget. These Members shall be supervised by the Fire Chief, Deputy or District Fire Chief and Officers.

6. POWER AND DUTIES OF THE FIRE CHIEF

- 6.1 The Fire Chief may purchase or otherwise acquire Equipment, Emergency Units, materials, and supplies required for the operation, maintenance, and administration of the Fire Department within the approved budget.
- 6.2 The Fire Chief shall have, subject to the authority of the Town Manager or as otherwise agreed upon, the full and complete control and authority over the Fire Department, its Members, its organization, administration, and discipline, including powers of promotion for merit, or reprimand, suspend or dismiss for neglected duty, insubordination, or other cause.
- 6.3 The Fire Chief shall, subject to the approval of the Town Manager or as otherwise agreed upon, be authorized to establish rules, regulations, policies, and any committees

necessary for the proper organization and administration of the Fire Department, providing that any regulations, rules, or policies made pursuant to this Bylaw shall not be inconsistent with the legislation and regulations of the Province of Alberta.

- 6.4 Where an emergency or a potential emergency exists, the Fire Chief, or in their absence the Deputy or District Fire Chief or their designate shall be at liberty to suspend all types of Fire within all, a portion, or portions of the Municipality for such a period of time and on such conditions as may be determined by the Fire Chief, Deputy or District Fire Chief or their designate.

7. POWERS AND DUTIES OF THE FIRE CHIEF, DEPUTY OR DISTRICT FIRE CHIEF, AND OFFICERS IN CHARGE

- 7.1 The Fire Chief, Deputy or District Fire Chief or Officer in Charge at an Incident has the authority to cause a building or structure to be demolished or otherwise removed if the Fire Chief, Deputy or District Chief, or Officer in Charge deems it necessary to prevent the spread of Fire to other buildings, structure or places.
- 7.2 The Fire Chief, Deputy or District Chief, or Officer in Charge at an Incident is empowered to enter premises or Property where the Incident occurred and to cause any Members, Apparatus, or Equipment of the Fire Department to enter as they deem necessary in order to combat, control, or deal with the Incident.
- 7.3 The Fire Chief, Deputy or District Fire Chief or Officer in Charge at any Incident shall have the power, if they shall deem it necessary for the protection of any building or other Property, to enter or pass through, or to cause Members of the Fire Department to enter or pass through, any building or premise adjacent or near the scene of the Incident, or to convey through or to use to operate through, in, or from such adjacent or nearby building or premise any Emergency Units or Equipment which they shall deem necessary.
- 7.4 The Fire Chief, Deputy or District Fire Chief, or Officer in Charge at any Incident may in their discretion prescribe the limits in the vicinity of the Incident within which, until they remove or change such limits, no Person or vehicle shall be permitted to come, unless such Person be a regular Member of the Fire Department or a Police Department, or be admitted by order of the Fire Chief and any who shall without permission enter upon any portion of such limits herein specified during the time the same shall be so closed, shall be subject to the penalties of this Bylaw. The Fire Chief, Deputy or District Fire Chief, or the Officer in Charge shall be authorized to call upon Police.
- 7.5 For the prevention or extinguishing of Fires and for preservation of life and Property from injury or destruction by Fire, the Fire Chief, Deputy or District Fire Chief or Officer in Charge may compel adults for the time being in the Municipality to assist in the extinguishing of Fires and to assist in the prevention or the spread thereof.
- 7.6 The Fire Chief, Deputy or District Fire Chief, or Officer in Charge may obtain assistance and support from other officials of the Municipality as they deem necessary in order to

discharge their duties and responsibilities under this Bylaw and other officials of the Municipality shall provide such assistance forthwith when so requested.

- 7.7 The Fire Chief, Deputy or District Fire Chief, or Officer in Charge of an Incident shall have the power to commandeer and authorize payment for the possession or use of any Equipment necessary for the purpose of mitigating an Incident.

8. POWERS OF FIRE DEPARTMENT MEMBERS

- 8.1 Each Member shall have the authority and power to:
- 8.1.1 Extinguish or control the Fire or the operations to preserve life and Property.
 - 8.1.2 Enter onto any Property for the purpose of extinguishing or controlling the Fire.
 - 8.1.3 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 in the vicinity of any Fire.
- 8.2 Each Member of the Fire Department while performing their duties may be required to carry an identification card issued by the Fire Department.

9. POWERS OF OFFICERS

- 9.1 The Fire Chief or their designate shall have the authority and power to:
- 9.1.1 Issue a Fire Permit in respect of any land within the Town of Bon Accord.
 - 9.1.2 Issue a Fire Permit unconditionally or impose conditions on the applicant, which the Fire Chief or their designate, in their discretion, deems appropriate.
 - 9.1.3 Suspend or cancel, at any time, a Fire Permit.
 - 9.1.4 Declare a partial or complete Fire ban on burning of any kind within the Municipality limits.
 - 9.1.5 Issue a High Hazardous Fireworks permit in respect of any land within the Town of Bon Accord.

10. DISCHARGE OF DUTIES

- 10.1 Council at its sole discretion may suspend or remove any Fire Chief from their duties.
- 10.2 The Fire Chief at their sole discretion may suspend or remove any Member from their duties.
- 10.3 Upon exit or termination from the Fire Department, any identification card(s) and/or Equipment must be turned into the Municipality.
- 10.4 The Fire Chief or any Members of the Fire Department or Peace Officers or the Town Manager or Council charged with the enforcement of this Bylaw, acting in good faith

and without malice for the Town of Bon Accord in the discharge of their duties, should not hereby render themselves liable personally and they are hereby relieved from all personal liability for any damage that may occur to Persons or Property as a result of any act or omission in the discharge of their duties.

11. TRAINING

- 11.1 All Members shall have ongoing training to meet response requirements. No Member shall be expected to perform duties beyond their scope of training.

12. REQUIREMENT TO REPORT

- 12.1 The Owner or authorized agent of any Property damaged by Fire shall immediately report to the Fire Department particulars of the Fire which are satisfactory to the Fire Chief or their designate.
- 12.2 The Owner or authorized agent of any Property containing a dangerous good(s) product which sustains accidental or unplanned release of dangerous good(s) product shall immediately report to the Fire Department particulars of the release which are satisfactory to the Fire Chief or their designate.

13. FIRE PERMITS AND FIRE PIT INSPECTIONS

- 13.1 In addition to any Fire Permit required under the Forest and Prairie Protection Act (supra) Fire Permits regulating burning shall be required under this Bylaw year-round at a nil fee in the form of Schedule "B".
- 13.2 Where an emergency, a potential emergency or Fire hazard exists, the Fire Chief or their designate shall be at liberty to suspend all types of Fires, within all or a portion or portions of the Municipality for such a period of time and on such conditions as may be determined by the Fire Chief or their designate.
- 13.3 Any person wishing to light or burn an Outdoor Fire, an Incinerator Fire or Smudge Fire within the Municipal Rural Area (refer to Schedule "A" for area map) must first, unless exempted by this Bylaw, apply and obtain a valid Fire Permit from the Fire Chief or designate. A Fire Permit shall include specified dates during which the Fire Permit will be valid, and if intended to apply for specified periods in more than one year, shall be reviewed and approved annually. Fire Permit applications may be denied by the Fire Chief as deemed appropriate having regard to any potential safety or related issues that may be applicable.
- 13.4 A Fire Permit shall not be transferable.
- 13.5 No person within the Municipal Urban Area (refer to Schedule "A" for area map), is permitted an open-air fire, or any other fire, upon land owned, occupied or under his

or her control unless a Fire Pit Inspection has been conducted in accordance with Schedule "C".

14. EXEMPTIONS

- 14.1 Use of "Approved Fire Pits" is permitted throughout the Municipality. A Fire Permit is not required under this Bylaw for an attended fire that is lit in an "Approved Fire Pit" for recreation, cooking or warming purposes.
- 14.2 A Fire Permit is not required under this Bylaw for an attended fire that is lit in a "Portable Appliance" for recreation, cooking or warming purposes.
- 14.3 A Fire Permit is not required under this bylaw for fires set for the purpose of training firefighters.
- 14.4 A Fire Permit is not required under this bylaw for an Industrial or Commercial type incinerator that is required to be licensed under the Alberta Environmental Protection and Enhancement Act regulations.
- 14.5 A fire permit is not required for "Flaring" associated to the operation, installation, maintenance and or repair of gas related plants or gas lines.
- 14.6 Fires ignited and being used in the process of ground thawing by the Municipal staff are exempt from the provisions of this bylaw.

15. CONTROL OF FIRE HAZARDS

- 15.1 If the Municipality finds within its municipal boundaries on privately owned land or occupied public land, conditions that in its opinion constitute a Fire hazard, it may order in writing the Owner or the Person in control of the land on which the Fire hazard exists to reduce or remove the hazard within a fixed time and in a manner prescribed by the Municipality.
- 15.2 When the Municipality finds that the order it made pursuant to Section 15(15.1) has not been carried out, the Municipality may enter on the land with any Equipment and any Person it considers necessary and may perform the work required to eliminate or reduce the Fire hazard.
- 15.3 The Owner or authorized agent of any Property on which work was performed pursuant to Section 15(15.1) shall on demand reimburse the Municipality for the cost of the work performed and in default of payment; such cost or fee may be charged against the land as taxes due and owing in respect to that land.

16. FIREWORKS

- 16.1 The Municipality may allow for the inclusion of High Hazard and Low Hazard Fireworks displays in Municipality-sponsored and/or co-sponsored events within the Municipality. All such displays shall be in accordance with the Alberta Fire Code and its regulations and in accordance with those conditions determined solely by the Municipality.

- 16.2 No other Person or organization shall initiate a fireworks display within the Municipal Urban Area (refer to Schedule "A" for area map).
- 16.3 Low Hazard Fireworks and High Hazard Fireworks sales are not permitted within Municipal boundaries.
- 16.4 The Municipality will only allow for the discharge of Low Hazard Fireworks within the Municipal Rural Area (refer to Schedule "A" for area map). All such displays shall be in accordance with the Alberta Fire Code and its regulations and in accordance with those conditions determined solely by the Municipality.
- 16.5 Any applicant residing within the Municipal Rural Area wishing to discharge Low Hazard Fireworks must apply to a minimum of one week in advance of the proposed discharge in the form of Schedule "D". The decision to approve or deny the application shall be made by the Fire Chief; the decision of the Fire Chief is final.
- 16.6 Any applicant wishing to discharge High Hazard Fireworks must apply to the Municipality a minimum of three weeks in advance of the event or proposed discharge. After receipt of a completed application in the form of Schedule "E" together with such fees as is approved by Council from time to time, the application form shall be forwarded to the Fire Chief for review. The decision to approve or deny the application shall be made by the Fire Chief; the decision of the Fire Chief is final.
- 16.7 Low Hazard Fireworks and High Hazard Fireworks shall not be sold, given away or discharged within the Municipality boundaries during times of Fire Restriction or Fire Ban.

17. RECOVERY OF FIREFIGHTING COSTS

- 17.1 Where the department has taken any action whatsoever for the purpose of extinguishing a fire or responding to a fire call or incident in or outside the Municipality or for the purpose of preserving life or property from injury or destruction by fire or other incident on land within or outside the Municipality, including any action taken by the department on a false alarm, the Fire Chief may in respect of any costs and expenses incurred by the department in taking such action, if the Fire Chief is of the opinion that grounds for doing so exist, charge any costs and expenses so incurred to the owner or occupant of the land in respect of which the action was taken.
- 17.2 The costs and fees to be charged by the Fire Department for services rendered pursuant to this bylaw shall be determined by Council by resolution from time to time and shall be set out in the Fees for Service Policy.
- 17.3 In the event that the owner or occupant of any land within the Municipality shall feel aggrieved by any action taken by the Fire Chief pursuant to Section 17.1, such owner or occupant shall have a period of thirty (30) days from the date of mailing or notice of

the action taken by the Fire Chief to appeal to Council for the Municipality the action taken by the Fire Chief and the decision of Council on any such appeal shall be final and binding upon the owner or occupancy of the land and shall not be subject to any further appeal.

- 17.4 In respect of land within Municipality , in the event that the amount levied by the Fire Chief shall not be paid within sixty (60) days after the mailing of a notice by the Fire Chief pursuant to Section 17.1, or in the event of an appeal, within sixty (60) days of the date of mailing of the decision of Council on the appeal, the amount levied and unpaid shall be charged against the land upon which the action was taken as taxes due and owing in respect of that land.

18. PROHIBITIONS

- 18.1 No person shall light or burn an Incinerator Fire/Burn Barrel Fire within the Municipal Urban Area of the Municipality (refer to Schedule "A" for area map).
- 18.2 Burning of Large Brush Piles is prohibited within the Municipal Urban Area of the Municipality. In all other areas of the Municipality (Municipal Rural Area) burning of Large Brush Piles is prohibited except between December 1 and March 31 of the following year.
- 18.3 Burning of Windrow Piles is prohibited within Municipal Urban Area of the Municipality. In all other areas of the Municipality (Municipal Rural Area) burning of Windrow Piles is prohibited except between December 1 and March 31 of the following year.
- 18.4 Burning of building related materials, waste used or produced during construction of structures is prohibited within the Municipal Urban Area of the Municipality.
- 18.5 No person shall light or burn an Outdoor Fire, an Incinerator Fire, Burn Barrel Fire, a Smudge Fire, or light or burn a fire in a barbecue/fire pit, or light or burn a fire within a Portable Appliance not fuelled by propane or natural gas, during a Municipal Fire Restriction or Fire Ban.
- 18.6 No person shall fail to comply with any of the terms or conditions set out in Fire Permit and or Fireworks Permit.
- 18.7 No person shall light or burn an Outdoor Fire or Smudge Fire for the purpose of ground thawing.
- 18.8 No person shall obstruct a Peace Officer, Fire Guardian or Fire Department member in the performance of their duties pursuant to this Bylaw or the Forest Prairie Protection Act (supra). Obstruction will include failure to provide access to property and failure to provide information as to identity of individuals.
- 18.9 No Owner shall allow, consent to, or permit a fire to be lit or burned on property under

the Owner's possession, control or ownership unless a valid Fire Permit has been issued for that fire as required by this Bylaw.

- 18.10 No person shall burn Prohibited Debris.
- 18.11 No person shall light a fire that obstructs or causes disruption to traffic or roadways.
- 18.12 No person shall a light a fire and let it continue to burn if that fire causes continuous physical discomfort to any nearby property and its residents.
- 18.13 No person shall either directly or indirectly, personally or through an agent, servant employee ignite a fire and let it become a Running Fire on any property or allow a Running Fire to pass from his or her own property to another property.
- 18.14 Burning of grass or stubble is prohibited.
- 18.15 Fires of any type are prohibited on or within lands designated by the Municipality as Municipal Reserve, Environmental Reserve or a Natural Area unless otherwise permitted by the Town Manager or their designate.
- 18.16 Lighting of fires within areas designated as Industrial Areas, Industrial Parks or Industrial Worksites is prohibited unless otherwise approved by the Town Manager or their Designate.
- 18.17 Burning in areas of peat moss or peaty soil is prohibited.
- 18.18 No Person shall place or cause to be placed, any matter or thing, so as to obstruct or interfere with the operation or use of any fire hydrant, the Fire Department water inlet or outlet connections on buildings, fire alarm controls, manual alarm stations, or any fire detection device or Equipment.
- 18.19 No Person, other than the employee of the Town of Bon Accord Public Works Department or a Member of the Fire Department, shall use a fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving permission from the Public Works Manager or the Fire Department in writing.
- 18.20 No Person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire hydrants, cisterns, or bodies of water designated for firefighting purposes.
- 18.21 All Persons at or near any Fire refusing to provide assistance as required under section 7 (7.5) shall be liable to penalty.
- 18.22 Any Person, who in any way obstructs, prevents or refuses to admit a Safety Codes Officer or Inspector in, to, or upon any land, premises, yards, or buildings, for the

purpose of inspecting or investigating on the same, or who incites or abets such shall be considered in breach of this Bylaw.

- 18.23 No Persons shall willfully or maliciously destroy or injure any Property at a Fire or any Emergency Units belonging to the Fire Department.
- 18.24 No Person shall falsely represent themselves to be an employee, or Member, or connected with the Fire Department.
- 18.25 No Person shall wear, use or have in their possession or under their control any official badge, identification card, insignia, button, cap, helmet or uniform of the Fire Department unless such Person is an active Member of the said Fire Department, and has direct and specific authority to wear or have in their possession or under their control such items.
- 18.26 No Person shall use, or have in their possession or under their control, any key for the Fire Department building or vehicle, or key for any fire alarm or control key box within the Municipality, unless directly and specifically authorized to do so by the Fire Chief.
- 18.27 No Person shall make any False Alarm by telephone, or any other method normally used to make or cause any False Alarm, unless authorized by the Fire Chief for practice purposes.
- 18.28 No Person shall falsely state that he has the sanction of the Fire Department in soliciting any person or company on any matter.
- 18.29 Any Person who refuses to provide or furnish any information required under this Bylaw, when requested by the Fire Chief or their designate or a Peace Officer, or who encourages such, shall be considered in breach of this Bylaw.
- 18.30 No Person shall enter the boundaries or limits of an Incident without the permission of the Fire Chief or Officer in Charge.
- 18.31 No Person shall build, ignite or allow any kind of Fire contrary to a Fire Restriction or Fire Ban declared by the Fire Chief or their designate.
- 18.32 No Person shall light a Fire unless they have taken reasonable steps to control the Fire for the purpose for which it was lit and prevent it from becoming a Running Fire.
- 18.33 No Person shall knowingly make a false statement in a Fire or Fireworks Permit application.
- 18.34 No Person shall light a Fire or burn any material contrary to federal, provincial, or municipal legislation or regulations.

- 18.35 No Person shall use a Fire to burn any normal waste, which results from the operating of a household or commercial business.
- 18.36 No Person shall release High Hazard Fireworks within the Municipality without a permit issued by the Municipality. Only Municipal Co-Sponsored events.
- 18.37 No person shall release Low Hazard Fireworks within the Municipal Urban Area (refer to Schedule "A" for area map).
- 18.38 No person shall fire to burn any structure within the municipal boundaries (refer to schedule "A" for area map).

19. OFFENCES

- 19.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine as set out in Schedule "F" which is attached hereto as part of this Bylaw.

20. VIOLATION TICKETS

- 20.1 Notwithstanding the foregoing provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to Part II of the *Provincial Offences Procedure Act*, to any Person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 20.2 The Person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided for in Schedule "F" of this Bylaw.
- 20.3 When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to section 19.3 and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of a fine in the amount of the specified penalty.

21. SEVERABILITY

- 21.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of Council that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

22. GENERAL

- 22.1 Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial legislation or regulation or Municipal Bylaw, or any requirement of any lawful permit, order or license.

- 22.2 Every provision of 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.
- 22.3 All headings and subheadings in this Bylaw are included for guidance purposes and convenience only and shall not form part of this Bylaw.
- 22.4 Specific references to statutes, regulations and other bylaws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.

23. Repeal of Bylaws

- 23.1 Bylaw 2000-07 Fire Pit Bylaw, Fireworks Bylaw 2008-06 and 2009-06 Fire Bylaw are hereby repealed.

This Bylaw will come into full force and effect upon the day it receives third and final reading by Council.

READ A FIRST TIME this 18th day of September 2018.

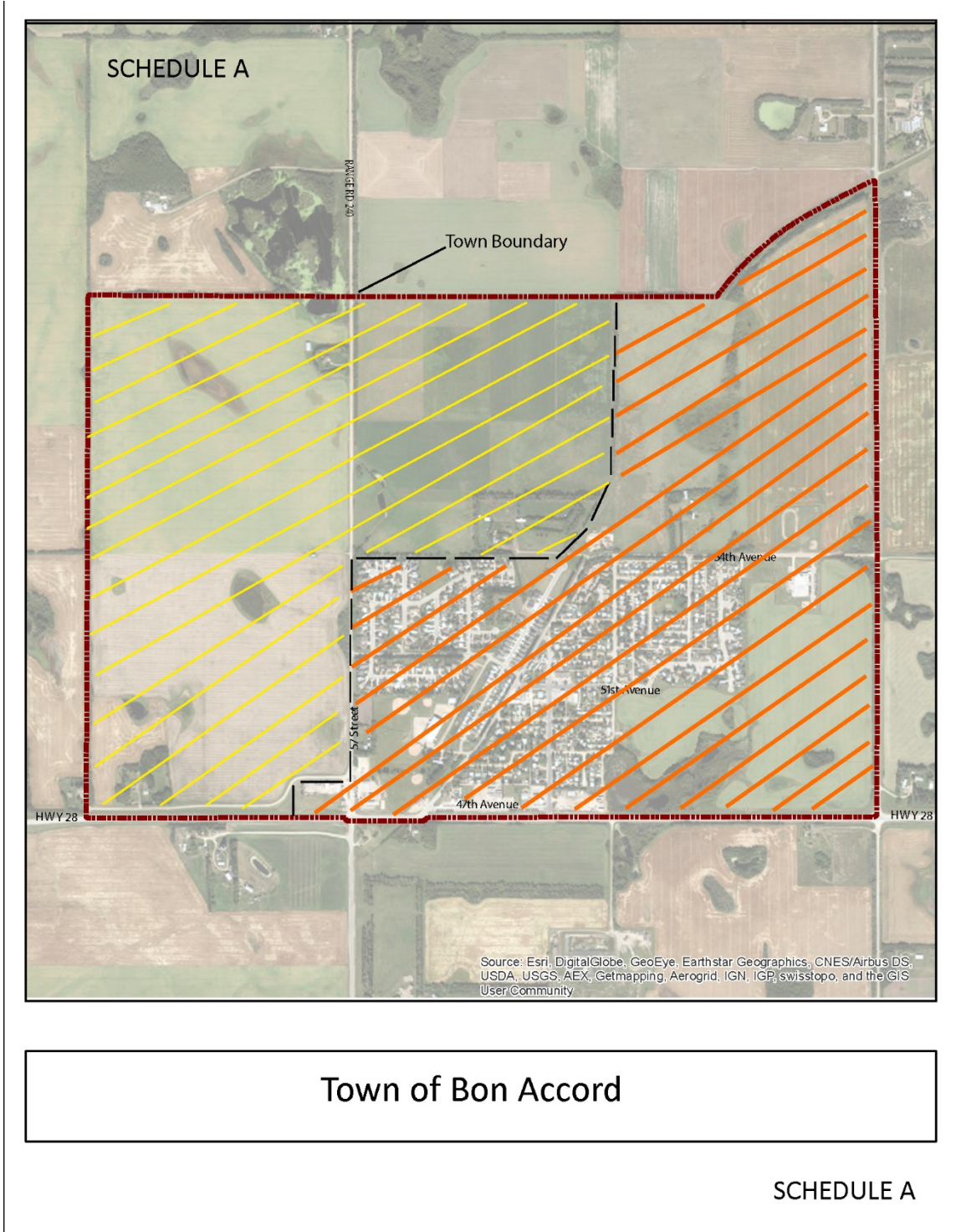
READ A SECOND TIME this 16th day of October 2018.

READ A THIRD AND FINAL TIME this 16th day of October 2018.

Mayor

CAO

SCHEDULE A – Municipal Map, Rural and Urban



SCHEDULE B – Town of Bon Accord Fire Permit
As required by the current Fire Service Provider – Sturgeon County.

SCHEDULE C

FIRE PIT INSPECTION FORM

Name of Applicant: _____

Mailing Address of Applicant: _____

Residential Address: _____

Legal Address: _____

Telephone Number: _____

Owner (if different than applicant): _____

Address of Owner: _____

Please include a land site diagram of your fire pit showing the proximity to structures and fences on your property.

Signature of Applicant: _____

Consent of Owner of Land if different than Applicant: _____

For Office Use Only:

Approved: _____ yes _____ no Date of Inspection: _____

Conditions: _____

Signature of Fire Chief or Designate: _____

SCHEDULE D - Low hazard Fireworks Permit

As required by the current Fire Service Provider – Sturgeon County.

SCHEDULE E – High Hazard Firework Permit

As required by the current Fire Service Provider – Sturgeon County.

SCHEDULE F – Violations/Penalties

Section	Prohibition/Violation	Penalty
18.1	No person shall light or burn an Incinerator Fire/Burn Barrel Fire within the Municipal Urban Area of the Municipality (refer to Schedule “A” for area map).	\$500.00
18.2	Burning of Large Brush Piles is prohibited within the Municipal Urban Area of the Municipality. In all other areas of the Municipality (Municipal Rural Area) burning of Large Brush Piles is prohibited except between December 1 and March 31 of the following year.	\$500.00
18.3	Burning of Windrow Piles is prohibited within Municipal Urban Area of the Municipality. In all other areas of the Municipality (Municipal Rural Area) burning of Windrow Piles is prohibited except between December 1 and March 31 of the following year.	\$500.00
18.4	Burning of building related materials, waste used or produced during construction of structures is prohibited within the Municipal Urban Area of the Municipality.	\$500.00
18.5	No person shall light or burn an Outdoor Fire, an Incinerator Fire, Burn Barrel Fire, a Smudge Fire, or light or burn a fire in a barbecue/fire pit, or light or burn a fire within a Portable Appliance not fuelled by propane or natural gas, during a Municipal Fire Restriction or Fire Ban.	\$500.00
18.6	No person shall fail to comply with any of the terms or conditions set out in Fire Permit and or Fireworks Permit.	\$250.00
18.7	No person shall light or burn an Outdoor Fire or Smudge Fire for the purpose of ground thawing.	\$500.00
18.8	No person shall obstruct a Peace Officer, Fire Guardian or Fire Department member in the performance of their duties pursuant to this Bylaw or the Forest Prairie Protection Act (supra). Obstruction will include failure to provide access to property and failure to provide information as to identity of individuals.	\$1000.00
18.9	No Owner shall allow, consent to, or permit a fire to be lit or burned on property under the Owner’s possession, control or ownership unless a valid Fire Permit has been issued for that fire as required by this Bylaw.	\$500.00
18.10	No person shall burn Prohibited Debris	\$500.00
18.11	No person shall light a fire that obstructs or causes disruption to traffic or roadways.	\$250.00
18.12	No person shall a light a fire and let it continue to burn if that fire causes continuous physical discomfort to any nearby property and its residents.	\$250.00
18.13	No person shall either directly or indirectly, personally or through an agent, servant employee ignites a fire and let it become a Running Fire on any property or allow a Running Fire to pass from his or her own property to another property.	\$1000.00
18.14	Burning of grass or stubble is prohibited	\$500.00
Section	Prohibition/Violation	Penalty

18.15	Fires of any type are prohibited on or within lands designated by the Municipality as Municipal Reserve, Environmental Reserve or a Natural Area unless otherwise permitted by the Town Manager or their designate.	\$500.00
18.16	Lighting of fires within areas designated as Industrial Areas, Industrial Parks or Industrial Worksites is prohibited unless otherwise approved by the Town Manager or their Designate.	\$500.00
18.17	Burning in areas of peat moss or peaty soil is prohibited	\$500.00
18.18	No Person shall place or cause to be placed, any matter or thing, so as to obstruct or interfere with the operation or use of any fire hydrant, the Fire Department water inlet or outlet connections on buildings, fire alarm controls, manual alarm stations, or any fire detection device or Equipment.	\$1000.00
18.19	No Person, other than the employee of the Town Public Works Department or a Member of the Fire Department, shall use a fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving permission from the Public Works Manager or the Fire Department in writing.	\$500.00
18.20	No Person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire hydrants, cisterns, or bodies of water designated for firefighting purposes.	\$1000.00
18.21	All Persons at or near any Fire refusing to provide assistance as required under section 7 (7.5) shall be liable to penalty.	\$250.00
18.22	Any Person, who in any way obstructs, prevents or refuses to admit a Safety Codes Officer or Inspector in, to, or upon any land, premises, yards, or buildings, for the purpose of inspecting or investigating on the same, or who incites or abets such shall be considered in breach of this Bylaw.	\$1000.00
18.23	No Persons shall willfully or maliciously destroy or injure any Property at a Fire or any Emergency Units belonging to the Fire Department.	\$2000.00
18.24	No Person shall falsely represent themselves to be an employee, or Member, or connected with the Fire Department.	\$250.00
18.25	No Person shall wear, use or have in their possession or under their control any official badge, identification card, insignia, button, cap, helmet or uniform of the Fire Department unless such Person is an active Member of the said Fire Department, and has direct and specific authority to wear or have in their possession or under their control such items.	\$250.00
18.26	No Person shall use, or have in their possession or under their control, any key for the Fire Department building or vehicle, or key for any fire alarm or control key box within the Municipality, unless directly and specifically authorized to do so by the Fire Chief.	\$250.00
Section	Prohibition/Violation	Penalty
18.27	No Person shall make any False Alarm by telephone, or any other method normally used to make or cause any False Alarm, unless authorized by the Fire Chief for practice purposes.	\$500.00
18.28	No Person shall falsely state that he has the sanction of the Fire Department in soliciting any person or company on any matter.	\$1000.00

18.29	Any Person who refuses to provide or furnish any information required under this Bylaw, when requested by the Fire Chief or their designate or a Peace Officer, or who encourages such, shall be considered in breach of this Bylaw.	\$500.00
18.30	No Person shall enter the boundaries or limits of an Incident without the permission of the Fire Chief or Officer in Charge.	\$500.00
18.31	No Person shall build, ignite or allow any kind of Fire contrary to a Fire Restriction or Fire Ban declared by the Fire Chief or their designate.	\$500.00
18.32	No Person shall light a Fire unless they have taken reasonable steps to control the Fire for the purpose for which it was lit and prevent it from becoming a Running Fire.	\$250.00
18.33	No Person shall knowingly make a false statement in a Fire or Fireworks Permit application.	\$250.00
18.34	No Person shall light a Fire or burn any material contrary to federal, provincial, or municipal legislation or regulations.	\$500.00
18.35	No Person shall use a Fire to burn any normal waste, which results from the operating of a household or commercial business.	\$500.00
18.36	No Person shall release High Hazard Fireworks within the Municipality without a permit issued by the Municipality.	\$500.00
18.37	No person shall release Low Hazard Fireworks within the Municipal Urban Area (refer to Schedule "A" for area map).	\$500.00