



TOWN OF COCHRANE  
**BYLAW 03/2014**

A bylaw of the Town of Cochrane in the Province of Alberta,  
for the purpose of establishing a Fire Services Organization in and for the Town of Cochrane.

**WHEREAS** The *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, provides that a Council of a Municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and for services provided by or on behalf of the municipality;

**WHEREAS** the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, provides that a Council of a Municipality may pass bylaws for municipal purposes establishing a system of licenses, permits or approvals including the establishment of Fees and the collection of Fees;

**WHEREAS** the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, provides that a municipality may provide fire services for that municipality or on behalf of one or more municipal authorities;

**WHEREAS** the Council of the Town of Cochrane wishes to establish Fire Services within the Town of Cochrane and to provide for efficient operation of such Fire Protection.

**NOW THEREFORE** the Council of the Town of Cochrane, in the Province of Alberta, duly assembled, hereby enacts as follows:

**SECTION 1. NAME OF BYLAW**

1.1 This bylaw may be cited as the "Fire Services Bylaw."

**SECTION 2. DEFINITIONS**

2.1 In this bylaw:

- (a) "Acceptable Fire Pit or Fireplace" means an outdoor receptacle which is only used for Recreational Fires and which has:
- (i) a minimum of 3 meters' separation, measured from the nearest edge, from buildings, property lines or any combustible material; enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible materials acceptable to the Chief Fire Officer;
  - (ii) a Regulation Screen covering the opening in a manner sufficient to contain and reduce the hazards of airborne sparks;
  - (iii) in the case of a fire pit:
    - (A) a height not exceeding 0.6 meter when measured from the lowest point of the surrounding grade to the top of the pit opening;
    - (B) an opening with a width, length or diameter not exceeding 1 meter when measured at the widest part; and
  - (iv) in the case of a fireplace:
    - (A) a chimney not less than 2.5 meters in height when measured from the lowest point of the base of the Fire burning area;

- (B) a base of the Fire burning area not less than 0.3 meters above the lowest point of the surrounding grade;
  - (C) a Fire chamber not exceeding 1.25 meters in width measured at the widest point; and
  - (D) a Fire chamber not less than 0.4 meters and not more than 0.6 meters in depth measured at the deepest point.
- (b) "Burnable Debris" means:
- (i) wood material from the construction or demolition of buildings which does not contain wood preservatives;
  - (ii) wood material which does not contain wood preservatives or laminates;
  - (iii) solid waste from sawmills or planing mills with an annual production of less than 6500 cubic meters of lumber;
  - (iv) seasoned wood, charcoal, natural gas, propane, or any other materials or substances sold for the purpose of being burned for Recreational Fires which are not Prohibited Debris;
  - (v) solid waste from post and pole operations that does not contain wood preservatives; or
  - (vi) solid waste from tree harvesting operations.
- (c) "Chattel Fire" means a Fire in which an article or articles of personal property are burned out-of-doors.
- (d) "Chief Administrative Officer" means the person appointed to that position and title by Council.
- (e) "Chief Fire Officer" means the person appointed to the position and title of Senior Manager Protective Services by Council.
- (f) "Commercial Fire" means a Fire which is set or maintained for commercial purposes and includes, without limitation, flaring, thawing the ground for commercial purposes, controlled burns, public events where a fee is charged for attendance, and training, but does not include Fires set by the Town for municipal purposes, Fires set by the Fire Services Organization for Fire Services purposes, or Incinerator Fires.
- (g) "Council" means the Council of the Town of Cochrane.
- (h) "Dangerous Goods" means dangerous goods as defined in the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c. D-4.
- (i) "Deputy Chief Fire Officer" means the person designated as such by the Chief Administrative Officer for the purposes of this bylaw.
- (j) "Equipment" means any tools, contrivances, devices or materials used by Fire Services to combat any Incident, and includes rolling apparatus such as, but not limited to, fire truck, pumper truck, rescue truck, rescue boat, mobile command unit, brush truck, auxiliary truck, dangerous goods unit, tanker or any vehicle provided with machinery, devices, equipment or materials used to transport members or supplies to combat any Incident .
- (k) "False Alarm" means any situation whereby the Fire Services Organization is needlessly contacted and attends or is requested or required to attend at a property in the absence of an Incident, through willful or accidental, human or mechanical error.
- (l) "Fire" means the burning of any flammable or combustible material or any combustible material in a state of combustion.
- (m) "Firefighter" means a member, including a volunteer, of the Fire Service Organization, whose functions, duties or powers are to carry out Fire Services, notwithstanding that the member may carry out other functions, duties or powers of the Fire Service Organization.
- (n) "Fire Ban" means an order, prohibition or restriction of Fires, issued by the Province of Alberta or by the Chief Fire Officer in accordance with this bylaw.
- (o) "Fire Hazard" means any condition, circumstance or event that, in the opinion of the Chief Fire Officer, unduly or excessively increases the possibility or

- probability of Fire occurring, becoming a Running Fire, or causing injury or property damage.
- (p) "Fire Permit" means a permit allowing the setting of Fires within the Town issued by the Chief Fire Officer in accordance with section 8 of this bylaw.
  - (q) "Fire Protection Services Agreement" means a written agreement between the Town and:
    - (i) any one or more neighboring municipalities or First Nations whose boundaries are adjacent or in proximity to the Town, or the Province of Alberta, which describes the provision of Fire Services by one party to another or the reciprocal provision of Fire Services;
    - (ii) any one or more privately owned and operated entities which provides emergency services, which describes the provision of Fire Services to be delivered on behalf of the Town; or
    - (iii) any Person, which describes the provision of Fire Services.
  - (r) "Fire Services" means services related to the suppression or prevention of fires, rescue and emergency services and other activities of a Firefighter including those described in the Level of Service.
  - (s) "Fire Services Organization" means the department of the Town which provides Fire Services in accordance with this bylaw.
  - (t) "Highway" means any thoroughfare, street, road, trail, pathway, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, or place or any part of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
  - (u) "Incident" means a Fire or a situation where a Fire or an explosion is occurring or may be imminent, or any other situation presenting a danger or possible danger to life or property and to which Fire Services has responded, including without limitation a motor vehicle accident.
  - (v) "Incident Commander" means the first Officer to arrive at an Incident.
  - (w) "Incinerator" means a non-combustible structure or container, the draft and smoke vents of which are covered with a Regulation Screen, and which is ventilated in such a manner as to prevent the escape of combustible materials including ash.
  - (x) "Incinerator Fire" means a Fire burning Burnable Debris that is confined within an Incinerator.
  - (y) "Level of Service" means the Town of Cochrane Fire Services – Level of Service Policy as adopted by Council and as may be amended from time to time by Council resolution.
  - (z) "Officer" means the Chief Fire Officer, Deputy Chief Fire Officer and any Firefighter designated as an officer by the Chief Fire Officer.
  - (aa) "Open Air Fire" means any Fire which is not contained inside of a building and which is not an Incinerator Fire, Pit Fire or Public Park Site Fire and, without limiting the generality of the foregoing, includes grass Fires, forest and brush Fires, Running Fires, structure Fires, building Fires, wood scrap Fires, ground thawing Fires and Chattel Fires.
  - (bb) "Peace Officer" means a Peace Officer as defined in the *Peace Officer Act*, S.A. 2006, c. P-3.5.
  - (cc) "Person" means an individual, firm, partnership, joint venture, proprietorship, corporation, association, society and any other legal entity.
  - (dd) "Pit Fire" means a Fire contained within an Acceptable Fire Pit or Fireplace.
  - (ee) "Portable Appliance" means an appliance constructed or used for the purpose of cooking food in the out-of-doors.
  - (ff) "Prohibited Debris" means any material that when burned, will result in the release to the atmosphere of dense smoke, offensive odors or a substance, the release of which is regulated, prohibited or controlled by the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c.E-12 and includes but is not limited to:

- (i) animal carcasses;
  - (ii) animal manure;
  - (iii) chemicals and chemical containers;
  - (iv) combustible material in automobile bodies;
  - (v) combustible material in automobiles;
  - (vi) household refuse;
  - (vii) non-wooden material;
  - (viii) paints and painting materials;
  - (ix) pathological waste;
  - (x) rubber or plastic, or anything containing or coated with rubber or plastic or similar substances;
  - (xi) solid waste from sawmills or planing mills with an annual production in excess of 6500 cubic meters of lumber, unless an authorized Fire Permit has been approved;
  - (xii) tires;
  - (xiii) used oil; and
  - (xiv) wood or wood products containing substances for the purposes of preserving wood.
- (gg) "Public Park Site Fire" means a Fire set for the purpose of cooking food on land owned or leased by the Town or in the Town's direction, control and management for recreational purposes, that is confined to a non-combustible container supplied by the Town as approved by the Chief Fire Officer, or a Portable Appliance and which is fueled by Burnable Debris only.
- (hh) "Recreational Fire" means a Pit Fire or a Fire confined to a non-combustible container which is set for the purpose of cooking, obtaining warmth or viewing pleasure, and which is fueled by Burnable Debris only.
- (ii) "Regulation Screen" means a spark arrestor mesh screen with openings no larger than 1.25 cm at their widest dimension and constructed of expanded metal or equivalent non-combustible material.
- (jj) "Running Fire" means a Fire burning without being under the control of any Person.
- (kk) "Specified Penalty" means a penalty specified in Schedule "A" of this bylaw for committing an offence under this bylaw when such offence is being prosecuted by way of a Violation Ticket.
- (ll) "Town" means the Town of Cochrane.
- (mm) "Violation Tag" means a notice of contravention of this bylaw issued in accordance with section 13.3 of this bylaw in a form approved by the Chief Administrative Officer.
- (nn) "Violation Ticket" means a violation ticket under part 2 or part 3 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended or replaced from time to time.

For words not defined in the above-noted definitions reference should be made to the Canadian Oxford Dictionary (Second Edition), published by Oxford University Press.

### **SECTION 3. FIRE SERVICES**

- 3.1 The Council does hereby establish the Fire Services Organization, for the purpose of:
- (a) providing Fire Services;
  - (b) preserving life and property and protecting Persons and property from injury or destruction by Incidents;
  - (c) fulfilling obligations under approved Fire Protection Services Agreements; and
  - (d) advising the Council in establishing annual budgets and on the purchase of Equipment.
- 3.2 The Fire Services Organization shall provide Fire Services in accordance with the Level of Service and any applicable standard operating guidelines as established in

any applicable legislation, regulation or policy issued by the Province of Alberta or the Government of Canada, or any policy adopted by Council.

- 3.3 In the event of any inconsistency between the Level of Service and any applicable legislation, regulation or policy issued by the Province of Alberta, the provincial legislation, regulation or policy shall prevail notwithstanding section 15.1 of this bylaw.

### **Fire Services Outside of Town**

- 3.4 The Fire Services Organization shall not provide Fire Services and the Equipment shall not be used beyond the boundaries of the Town without:
- (a) a Fire Protection Services Agreement; or
  - (b) the approval of the Chief Administrative Officer.
- 3.5 The Chief Administrative Officer may authorize the Chief Fire Officer to negotiate on behalf of the Town for the purpose of entering into Fire Protection Services Agreements, including renewals and amendments thereof, provided that any such agreements, renewals or amendments shall be of no force or effect unless approved by the Council.

## **SECTION 4. OFFICERS AND OTHER AUTHORITIES**

### **Chief Fire Officer**

- 4.1 The office of the Chief Fire Officer is hereby created.
- 4.2 The Chief Fire Officer is hereby authorized to take such action as may be necessary for:
- (a) the development of rules, regulations and policies for the ongoing organization and administration of the Fire Services Organization;
  - (b) the direction of the Fire Services Organization and its Firefighters to carry out all Fire Services in accordance with this bylaw and any applicable federal, provincial or municipal regulation, policy, administrative directive, procedure or standard operating guideline.
- 4.3 The Chief Fire Officer is a designated officer of the Town for the purpose of carrying out any inspection, remedy, enforcement or other action pursuant to this bylaw.
- 4.4 When responding to an emergency at an Incident, the Chief Fire Officer may take whatever actions or measures are necessary to eliminate that emergency or protect persons or property, including without limitation:
- (a) cause a building, structure or thing to be pulled down, demolished or otherwise removed to prevent or reduce the risk of a Fire becoming a Running Fire or otherwise spreading to other buildings, structures or things;
  - (b) cause Firefighters to enter on any land or premises, with or without Equipment, including adjacent land or premises, to combat, control or deal with the Incident;
  - (c) issue directions or establish boundaries or limits and prohibit Persons from entering the area within the prescribed boundaries or limits;
  - (d) order an evacuation of any building or area which directly or indirectly is involved in an Incident;
  - (e) request that Persons who are not Firefighters provide assistance for the protection of Persons or property;
  - (f) commandeer privately owned equipment for the protection of Persons or property; and
  - (g) request Peace Officers to enforce directions and restrictions on Persons entering within the boundaries or limits referred to in this Section 4.4.

## **Deputy Chief Fire Officer**

- 4.5 The Deputy Chief Fire Officer is hereby authorized, in the event that the Chief Fire Officer is absent or unavailable, to take any action which the Chief Fire Officer is authorized to take in accordance with this bylaw.

## **Firefighter Appointment and Responsibilities**

- 4.6 All Firefighters except the Chief Fire Officer and the Deputy Chief Fire Officer shall be appointed to their positions within the Fire Services Organization by the Chief Fire Officer.
- 4.7 All Firefighters shall have the authority, duties and responsibilities as established under this bylaw, any applicable federal, provincial or municipal legislation, policy, administrative directive, procedure, or standard operating guideline.

## **Powers of Incident Commanders**

- 4.8 The Incident Commander has control, direction and management of any Equipment and Firefighter assigned to the Incident. The Incident Commander shall continue to serve as Incident Commander until relieved by another Officer.
- 4.9 The Chief Fire Officer may delegate to an Incident Commander the authority to take any actions at an Incident that the Chief Fire Officer could take pursuant to this bylaw.

## **SECTION 5. PROHIBITIONS**

- 5.1 No Person shall set or cause or allow to be set any Fire within the boundaries of the Town except in accordance with this bylaw.
- 5.2 No Person shall burn or cause or allow to be burned any Prohibited Debris within the boundaries of the Town except in accordance with a Fire Permit. 5.3 No Person shall enter the boundaries of an off-limits area prescribed in accordance with Section 4.4(c) without the authorization of the Chief Fire Officer.
- 5.4 No Person shall burn any substance or material except Burnable Debris in an Open Air Fire except in accordance with a Fire Permit.
- 5.5 No Person shall damage or destroy Equipment.
- 5.6 No Person at an Incident shall drive a vehicle over any Equipment without permission of the Incident Commander or the Chief Fire Officer.
- 5.7 No Person shall obstruct or interfere with a Firefighter from carrying out duties imposed by this bylaw.
- 5.8 No Person shall falsely represent himself or herself as a Firefighter or wear or display any Fire Services Organization badge, cap, button, insignia or other paraphernalia except with the authorization of the Chief Fire Officer.
- 5.9 No Person shall cause or allow a False Alarm, including without limitation a False Alarm caused by faulty smoke or Fire detection equipment.

## **SECTION 6. PERMITTED FIRES**

- 6.1 The following Fires are permitted without a Fire Permit provided they are set and maintained in accordance with this bylaw:
- (a) Fires where the Fire and any associated sparks are wholly contained within a building or other structure which are related to the ordinary and expected use of that structure, excluding Commercial Fires;
  - (b) Fires set by the Fire Service Organization for Fire Services purposes including training Firefighters;
  - (c) Fires set by the Town for municipal purposes;

- (d) Incinerator Fires;
- (e) Fires being used for the cooking of food using a Portable Appliance; and
- (f) Pit Fires and Public Park Site Fires provided:
  - (i) materials are only burned in such amounts as will be contained within the burning area of such pit, fireplace, or container and below the Regulation Screen of a pit or fireplace;
  - (ii) a means acceptable to the Chief Fire Officer, of controlling or extinguishing the Fire is available at the site of the Fire or within a reasonable distance thereof; and
  - (iii) a responsible, sober adult is present at the site of the Fire when the Fire is burning; and

6.2 The following Fires are only permitted in accordance with this bylaw if they are in accordance with a Fire Permit:

- (i) Commercial Fires;
- (ii) Open Air Fires; and
- (iii) any other Fires not listed in section 6.1 of this bylaw.

6.1 Any Fire permitted or allowed under this bylaw shall be contained to a reasonable size so that the Fire, or any embers, sparks or smoke emanating therefrom do not endanger any person or property or cause any objectionable effect on nearby property.

## **SECTION 7. REQUIREMENT TO REPORT AND REMEDY**

7.1 The owner or authorized agent of the owner of any property damaged by Fire shall immediately report to the Fire Services Organization the particulars of the Fire, in a form and to the extent required by the Chief Fire Officer.

7.2 The owner or authorized agent of the owner of any property within or upon which an accidental or unplanned release of Dangerous Goods occurs, shall immediately report the release to the proper regulatory authorities and provide the Chief Fire Officer with a copy of such report.

7.3 If a Fire has been set contrary to this bylaw, the owner or occupier or both of the parcel of land or building where the Fire is burning shall:

- (a) extinguish the Fire immediately; and
- (b) if unable to extinguish the Fire immediately, report the Fire to the Fire Services as soon as possible.

## **SECTION 8. FIRE PERMITS**

8.1 Any person wishing to obtain a Fire Permit must apply to the Chief Fire Officer during the normal business hours of the Fire Services Organization.

8.2 An application for a Fire Permit must contain the following information:

- (a) the name and address of the applicant, and the name and address of the owner of the land on which the applicant proposes to set a Fire;
- (b) the legal and municipal description of the land on which the applicant proposes to set a Fire;
- (c) the period of time for which the Fire Permit is required;
- (d) the precautions that will be taken by the applicant to ensure that the proposed Fire remains under his or her control;
- (e) the signature of the applicant;
- (f) the fee as set out in Schedule B to this bylaw;
- (g) the written consent to the proposed Fire by the owner of the land (if different than the applicant); and
- (h) any other information required by the Chief Fire Officer.

8.3 No Person shall provide false or misleading information in an application for a Fire Permit.

- 8.4 The Chief Fire Officer shall consider an application for a Fire Permit upon receipt, and may:
- (a) refuse the application if it does not comply with this bylaw;
  - (b) approve the application with or without conditions, or
  - (c) determine that a Fire Permit is not required.
- 8.5 A Fire Permit shall not be transferable.
- 8.6 A Fire Permit issued pursuant to this bylaw is valid for such period of time as shall be determined and set by the Chief Fire Officer and shall have endorsed thereon the period of time for which the permit is valid.
- 8.7 The Chief Fire Officer may, upon application by the holder of the Fire Permit, extend in writing the period of time that a Fire Permit is valid provided such Fire Permit has not expired.
- 8.8 The Chief Fire Officer may at any time suspend or revoke a Fire Permit or amend the conditions of a Fire Permit for the purpose of protecting Persons or property.

## **SECTION 9. FIRE BANS**

- 9.1 The Chief Fire Officer may from time to time issue a Fire Ban when in the opinion of the Chief Fire Officer there is an increased risk of a Fire becoming a Running Fire or causing injuries or property damage due to any conditions, including without limitation environmental conditions.
- 9.2 A Fire Ban issued by the Chief Fire Officer shall be in force until such time as the Fire Ban has been lifted by the Chief Fire Officer.
- 9.3 When a Fire Ban is in force, no Person shall set a Fire or cause or allow a Fire to be set on his property or property under his control, or if the property is located in a public park site within the Town.
- 9.4 If a Fire Ban is in force, all Fire Permits are suspended unless otherwise directed by the Chief Fire Officer.
- 9.5 The Chief Fire Officer, upon issuing or lifting a Fire Ban pursuant to clauses 9.1 or 9.2, shall give public notice through [www.fireban.ca](http://www.fireban.ca) or such other websites as he or she may deem appropriate and through any media announcements or other methods as he or she deems appropriate.
- 9.6 Notwithstanding section 9.2, all Persons are responsible for determining whether a Fire Ban is in effect, and failure to receive notice of a Fire Ban shall not constitute a valid defence for a breach of such Fire Ban.

## **SECTION 10. CONTROL OF HAZARDS**

- 10.1 The owner or occupier of any parcel of land or building within the boundaries of the Town shall ensure that such parcel of land or building is free of Fire Hazards.

## **SECTION 11. RECOVERY OF COSTS**

- 11.1 Where the Fire Services Organization has responded to an Incident, the Fire Services Organization may charge the fees set out in Schedule B to this bylaw to the Person who caused the Incident, the owner or occupier of the land where the Incident occurred, or both.
- 11.2 In the event of a False Alarm, the Fire Services Organization may charge the fees set out in Schedule B to this bylaw to the Person who caused the False Alarm, the owner or occupier of the land where the False Alarm occurred, or both.
- 11.3 Where the Fire Services Organization has extinguished a Fire on a parcel of land, the Fire Services Organization may charge the fees pursuant to section 11.1 of this bylaw to the owner of the parcel of land
- 11.4 Where the Fire Services Organization has provided any other Fire Services, including services relating to the prevention of Fires, the Fire Services Organization may

charge the fees set out in Schedule B to this bylaw to the Person to whom the Fire Services are provided.

## **SECTION 12. OFFENCES**

- 12.1 Any Person who contravenes any provision of this bylaw by:
- (a) doing something that is prohibited by this bylaw;
  - (b) failing to do something that is required by this bylaw; or
  - (c) doing something in a manner different from that which is required by this bylaw,
- is guilty of an offence.
- 12.2 Where a contravention of this bylaw is of a continuing nature, every day during which the contravention continues shall be deemed to be a separate offence.

## **SECTION 13. ENFORCEMENT**

- 13.1 A Violation Ticket shall be served upon the person named therein in accordance with the provisions of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34.
- 13.2 Where a Peace Officer has reasonable grounds to believe that a Person has violated any provision of this bylaw, that Peace Officer may serve that Person with a Violation Ticket.
- 13.3 Notwithstanding section 13.2, where a Peace Officer has reasonable grounds to believe that a Person has violated any provision of this bylaw, that Peace Officer may serve that Person with a Violation Tag by personal service or by registered mail.
- 13.4 A Violation Tag issued pursuant to section 13.3 of this bylaw shall specify the penalty in lieu of prosecution payable in respect of the contravention of this bylaw as set out in Schedule A to this bylaw for penalties in lieu of prosecution.
- 13.5 A Person who has been issued a Violation Tag pursuant to section 13.3 of this bylaw and has paid the penalty to the Town by the date specified on that Violation Tag shall not be liable to prosecution for the subject contravention.
- 13.6 Nothing in this bylaw shall prevent a Peace Officer from issuing a Violation Ticket for the mandatory Court appearance of any Person who contravenes any provision of this bylaw, or from laying an information.

## **Penalties**

- 13.7 A Person who is convicted of an offence pursuant to this bylaw is liable on summary conviction to a fine not exceeding \$10,000.00 plus court costs, and in default of payment of a fine imposed to a period of imprisonment not exceeding six (6) months.
- 13.8 The Specified Penalty for a breach of this bylaw shall be:
- (a) Where Schedule A to this bylaw specifies a penalty in respect of a contravention of a provision of this bylaw, the penalty specified in that schedule; and
  - (b) Where Schedule A to this bylaw does not specify a penalty in respect of a contravention of a provision of this bylaw, the minimum penalty shall be \$250.00.
- 13.9 Where a Person has been convicted of the same offence, or has issued a Violation Tag and has paid the penalty specified in that Violation Tag:
- (a) on two separate occasions within a twenty-four (24) month period, the Specified Penalty in respect to the second contravention shall be double the amount specified in section 13.8; and
  - (b) three (3) or more times within a twenty-four (24) month period, the Specified Penalty in respect to the third and subsequent contraventions shall be four (4) times the amount specified in section 13.8

13.10 The levying and payment of a fine or imprisonment for any period provided in this bylaw shall not relieve a Person from paying any other fines or penalties or any fees, charges or costs for which that Person is liable pursuant to this bylaw.

**Remedying Contraventions**

13.11 The Chief Fire Officer is authorized to enforce this bylaw and to take any steps authorized by the *Municipal Government Act*, R.S.A. 2000, c. M-26.

13.12 Without limiting the generality of section 13.11, the Chief Fire Officer is authorized to:

- (a) issue an order requiring a Person responsible for a contravention of this bylaw to remedy that contravention;
- (b) enter on any land or structure to inspect the land or structure, remedy any contravention of this bylaw or enforce any term of this bylaw;
- (c) carry out any work necessary to enforce any term of this bylaw at the expense of the Person responsible for the contravention of this bylaw.

**SECTION 14. SEVERABILITY**

14.1 Each provision of this bylaw is independent of all other provisions. If any provision of the bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.

**SECTION 15. INTERPRETATION**

15.1 Wherever the provisions of this bylaw are, or are deemed to be, at variance with each other, the more restrictive of the two provisions shall apply.

15.2 Whenever the singular and masculine gender is used in this bylaw, the same shall include the plural, feminine and neuter gender whenever the context so requires.

15.3 Any reference in this bylaw to any federal or provincial statute shall mean that statute as amended or replaced from time to time and any amendments thereto and shall include any regulations enacted pursuant to that statute.

15.4 The Schedules to this bylaw may be amended or replaced from time to time by resolution of Council.

15.5 Nothing in this bylaw relieves any Person from compliance with any other bylaw or applicable federal or provincial law, regulation or enactment.

**SECTION 16. REPEAL**

16.1 Bylaw 14/2010 is hereby rescinded in its entirety.

**SECTION 17. EFFECTIVE DATE**

17.1 This bylaw shall come into force and effect on the date of the third and final reading.

Read a first time  
Read a second time  
Read a third time

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Manager, Legislative Services

## Schedule "A"

### Specified Penalties

| <b>Section Offence</b>   | <b>Penalty in Lieu of Prosecution</b> | <b>Specified Penalty</b> |
|--|---------------------------------------|--------------------------|
| 5.1 Cause or allow a prohibited Fire to be set without a permit        | \$100.00                              | \$150.00                 |
| 5.2 Burn or allow to be burned Prohibited Debris                       | \$500.00                              | \$1,000.00               |
| 5.3 Entering off-limits areas at an incident                           | \$250.00                              | \$500.00                 |
| 5.4 Burn material other than Burnable Debris in an Open Air Fire       | \$75.00                               | \$100.00                 |
| 5.5 Damage or destroy Equipment  | \$1000.00                             | \$1,000.00               |
| 5.6 Drive a vehicle over Equipment at an Incident                      | \$500.00                              | \$500.00                 |
| 5.7 Obstruct or interfere with a Firefighter                           | \$500.00                              | \$1,000.00               |
| 5.8 Falsely represent oneself as a Firefighter                         | \$300.00                              | \$500.00                 |
| 5.9 Cause or allow a False Alarm                                       | \$200.00                              | \$250.00                 |
| 6.1 Failure to take precautions while burning                          | \$300.00                              | \$500.00                 |
| 7.1 Failure to report a Fire   | \$300.00                              | \$500.00                 |
| 7.2 Failure to report a Dangerous Goods release                        | \$300.00                              | \$500.00                 |
| 7.3 Failure to extinguish or report a Fire                             | \$300.00                              | \$500.00                 |
| 8.3 Provide false or misleading information in Fire Permit application | \$300.00                              | \$500.00                 |
| 9.3 Setting or allowing a fire to be set during a Fire Ban             | \$100.00                              | \$150.00                 |

**Schedule "B"**

**Fee Schedule Fire Protection Charges and Permit Fees**

|   | <b>Fee</b>                            |
|---|---------------------------------------|
| <b>8.2 Fire Permits</b>                                   |                                       |
| Fire Permit Application Fee                               | \$50.00                               |
| <b>11.1 - 11.4 Cost Recovery</b>                          |                                       |
| Responding to an Incident or False Alarm                  | Town's actual costs incurred          |
| Responding to an Incident that requires an aquatic rescue | \$1325.00 per hour or portion thereof |
| Fee for standby time or a Fire watch                      | \$250.00/per hour                     |
| Fee for a file search                                     | \$100.00 plus copy charges            |
| Fee for a Fire safety plan review                         | \$150.00                              |
| Fee for a response plan review                            | \$150.00                              |