

THE COUNTY OF VERMILION RIVER

BYLAW 23-10

FIRE SERVICES BYLAW

**BEING A BYLAW OF THE COUNTY OF VERMILION RIVER IN THE PROVINCE OF ALBERTA,
FOR THE PURPOSE OF ESTABLISHING AND OPERATING THE COUNTY FIRE SERVICE,
PROVIDING FIRE SERVICES TO THE COUNTY AND THE RECOVERY OF FIRE SERVICE
CHARGES**

A BYLAW To provide for the establishment and operation of fire services within the County of Vermilion River.

WHEREAS Section 7(a) of the *Municipal Government Act* provides that a council may pass bylaws for municipal purposes for the safety, health and welfare of the people and the protection of people and property;

AND WHEREAS Section 8 of the *Municipal Government Act* further provides that a council may pass bylaws to regulate or prohibit and provide for a system of licences, permits or approvals;

AND WHEREAS Section 54(a) of the *Municipal Government Act* further provides for the entering into of an agreement with another municipality or jurisdictional authority to provide or to receive services outside its municipal boundaries;

AND WHEREAS Section 7(1) of the *Forest and Prairie Protection Act* provides that the council of a municipal district is responsible for fighting and controlling all fires within the boundaries of the municipal district other than areas contained in a forest protection area, and the costs and expenses shall be paid by the municipal district;

AND WHEREAS the Council of the County of Vermilion River wishes to establish fire services within the County and to provide for efficient operation of such fire services;

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

AND WHEREAS the Council of the County of Vermilion River has determined that the controlled and managed sale, storage, purchase and discharge of Fireworks creates a manageable risk to life, health, safety and property;

NOW THEREFORE The Council of the County of Vermilion River in the Province of Alberta, duly assembled, enacts as follows:

1. SHORT TITLE

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

2. DEFINITIONS

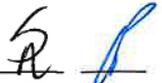
2.1. In this Bylaw:

- a. "Apparatus" means any vehicle provided with machinery or equipment for fire services operated by or for County Fire Service whether that vehicle operates on land, in the air, or on water.
- b. "Burnable Debris" means all combustible waste other than Prohibited Debris and includes, but is not limited to:
 - i. straw and stubble;
 - ii. grass and weeds;
 - iii. leaves and tree prunings;
 - iv. brush and fallen trees on newly cleared land or associated with logging operations;
 - v. used power, telegraph and telephone poles that do not contain wood preservatives;
 - vi. wooden materials, which do not contain wood preservatives,

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- from the construction or demolition of buildings;
- vii. solid wood waste from post and pole operations that does not contain wood preservatives, and
 - viii. solid wood waste from tree harvesting;
- c. "Burning Barrel Fire" means a contained fire that meets the following specifications:
- i. is in a non-combustible barrel or container;
 - ii. has a six millimetre or smaller metal screen to reduce the risk of flying sparks and debris,
 - iii. is positioned on exposed soil,
 - iv. a minimum of three metres clearance of combustible material, and
 - v. positioned at least 30 metres away from all structures and trees.
- d. "Burning Hazard" means an actual or potential occurrence of fire or other combustion of organic or inorganic material that could endanger human life or property or damage property;
- e. "CAO" means the Chief Administrative Officer of the County or their delegate;
- f. "Council" means the Municipal Council of the County of Vermilion River;
- g. "County" means the County of Vermilion River;
- h. "County Fire Chief" also known as the Fire Services Coordinator means a full-time employee of the County of Vermilion River, who is appointed and responsible for the administration and operation of the County Fire Service or any employee they so designate to act on their behalf;

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- i. "County Fire Service", means the County of Vermilion River Fire Service which includes the fire departments identified in Section 3.2 as being established and organized by the County and the fire departments identified in Section 4.3 as providing fire services under agreement with the County, and shall include all firefighters;
- j. "Director" means the County employee appointed as Director of Protective Services to administer fire services as the County Fire Chief, or their delegate, and shall hold appointments as a Peace Officer and Fire Guardian;
- k. "District Fire Chief" means the Fire Chief of a fire district, whether a Fire Chief of a County Fire Department or their designate and, where the context so requires, shall include the Fire Chief of a Fire Department operated by another municipality or entity which provides fire services in the County via contract, or their designate;
- l. "Equipment" means any tools, devices, materials or supplies used by or for the County Fire Service;
- m. "False Alarm" means any notification, by whatever means received, for fire services, wherein such condition, circumstance, fire or other event does not, in fact, exist and to which the County Fire Service is dispatched;
- n. "Fire Ban" means an order issued for the purpose of fire control by the Minister responsible for the *Forest and Prairie Protection Act*, or an order issued pursuant to the Bylaw, to suspend or cancel all fire permits, prohibit the lighting of fires, or require the extinguishing of fires;
- o. "Fire Department" shall mean a fire station within a Fire District, that provides fire and rescue services to the County of Vermilion River, whether County owned or contracted, under the command of a Fire Chief of an assigned district;

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- p. "Fire District" means the following geographic areas within the County where fire services are provided:
- i. Fire District 1 – Blackfoot
 - ii. Fire District 2 – Clandonald
 - iii. Fire District 3 – Islay
 - iv. Fire District 4 – Kitscoty
 - v. Fire District 5 – Marwayne
 - vi. Fire District 6 – Paradise Valley
 - vii. Fire District 7 – Vermilion
 - viii. Fire District 8 – Dewberry

The boundaries of which are outlined on the map attached as Schedule "A";

- q. "Fire Guardian" means an individual who is a fire guardian under, and is subject to any limitations provided for in Section 4 of the Forest and Prairie Protection Act;
- r. "Fire Hazard" means any combustible material that, through its nature, location, condition or arrangement, or any combination of those factors, may ignite or be ignited and that, if it ignites could create a burning hazard;
- s. "Fire Master Plan" means the Strategic Review – Fire Master Plan as adopted by Council;
- t. "Fire Permit" means a permit authorizing the setting of a specific type of fire, issued by a fire guardian.
- u. "Fire Service Charges" means all costs incurred by or for the County Fire Service in providing fire services both within and outside the County's boundaries, the rates of which are set out in the attached Schedule "C" forming part of this Bylaw;

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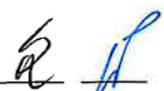


- v. "Fire Service Property" means all real and personal property owned or controlled by the County and designated for use by the County Fire Service including but not limited to apparatus, equipment and fire stations;
- w. "Fire Services" means services related to the suppression or prevention of fires, rescue and emergency services and other activities of a firefighter and includes the services enumerated in Section 3.1 and any other services authorized by Council;
- x. "Firefighter" means the volunteer members for the County Fire Service whose functions, duties or powers are the carry out fire services, notwithstanding that the member may carry out other functions, duties or powers for the County Fire Service;

- y. "Firefighter in Charge" means the County Fire Chief, District Fire Chief, or in the absence of the District Fire Chief, an Officer, or in the absence of an Officer, the highest ranking Firefighter who first arrives at the scene of an Incident;
- z. "Fireworks" means the authorized explosives classified as Type F by the *Explosives Act* (Canada) and regulations;
- aa. "Incident" means a situation where the County Fire Service is required to respond to a fire, explosion, medical, rescue or other emergency event;
- bb. "Municipal Tag" means a tag or similar document issued by the County pursuant to the provisions of the *Municipal Government Act*;
- cc. "Officer" means any Firefighter appointed to a supervisory position within a fire department as a Lieutenant, Captain or Deputy Fire Chief;

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- dd. "Outdoor Fire" means any fire not contained within a building or structure and shall include fire involving humus soil, piles of coal, farm produce, waste, bush, grass, seed, straw or any fire that has escaped or spread from a building, structure, machine or vehicle and any fire set for the purpose of thawing frozen ground and does not include recreational fires.
- ee. "Peace Officer" means a bylaw enforcement officer appointed by the County pursuant to Section 555 of the *Municipal Government Act* and includes a Regular Member of the Royal Canadian Mounted Police and, when authorized, a Community Peace Officer appointed under the *Peace Officer Act*;
- ff. "Prohibited Debris" means any combustible waste that, when burned, may result in the release to the atmosphere of dense smoke, offensive odours, or toxic substances pursuant to the *Substance Release Regulation, AR 124/93* under the *Environmental Protection and Enhancement Act* and includes but is not limited to:
- i. animal manure;
 - ii. pathological waste;
 - iii. non-wooden material;
 - iv. waste material from building or construction sites, excluding wooden materials that do not contain wood preservatives;
 - v. combustible material in automobile bodies;
 - vi. fires;
 - vii. rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
 - viii. used oil; and

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- ix. wood or wood products containing substances for the purpose of preserving wood.

- gg. "Recreational Fire" means a fire for recreational purposes which is set for the purpose of cooking, obtaining warmth or for viewing pleasure and that meets the following specifications:
 - i. Confined to a non-combustible container;
 - ii. A minimum of 3 metres clearance, measured from the nearest fire pit edge is maintained from buildings, property lines and other combustible materials,
 - iii. The fire pit opening does not exceed 1 metre in width or diameter when measure between the widest points or outside edges,
 - iv. Fuelled with seasoned wood, charcoal, coal, natural gas, or propane;
 - v. Supervised at all times by a responsible adult until fully extinguished.

- hh. "Rescue District" means the following geographic areas within the County where rescue squads respond:
 - i. Rescue District 1 – Blackfoot
 - ii. Rescue District 4 – Kitscoty
 - iii. Rescue District 5 – Marwayne
 - iv. Rescue District 6 – Paradise Valley
 - v. Rescue District 7 – Vermilion
 - vi. Rescue District 8 – Dewberry

The boundaries of which are outlined on the map attached as Schedule B;

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- ii. "Residential Incinerator" means an incinerator used by one single-family detached dwelling to burn household waste generated only by that household;
- jj. "Running Fire" means a fire burning without being under proper control or any control of any person;
- kk. "Smudge Fire" means a contained fire which is lit for the purpose of protecting livestock from insects or for protecting garden plants from frost and that meets the following specifications:
 - i. is in a non-combustible barrel or container,
 - ii. has a six millimetre or smaller metal screen to reduce the risk of flying sparks and debris,
 - iii. is positioned on exposed soil,
 - iv. a minimum of three metres clearance of combustible material,
 - v. positioned at least 30 metres away from all structures and trees, and
 - vi. is fueled solely by dry wood or charcoal.
- ll. "Structure Fire" means a fire confined to and within any building, structure, machine, or vehicle, which will, or is likely to, cause the destruction of, or damage to, such building, structure, machine or vehicle, excluding an incinerator fire.
- mm. "Under Control" for the purposes of this bylaw, means a person will only burn what they can control and if during a site visit, it will be at the discretion of the Director or a designated fire guardian to determine if the fire is under control.

3. FIRE SERVICES

- 3.1. Council hereby establishes the County of Vermilion River Fire Service for the purpose of:
 - a. preventing and extinguishing fires;

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- b. investigating the cause of fires;
- c. preserving life and property and protecting persons and property from injury or destruction by fire;
- d. preventing prairie or running fires and enforcing the provisions of the *Forest and Prairie Protection Act*;
- e. preventing, combating and controlling incidents;
- f. carrying out preventable controls;
- g. fulfilling the requirements of any mutual aid agreements with other municipalities;
- h. maintaining and operating apparatus and equipment for extinguishing fires and preserving life and property;
- i. providing initial response to medical incidents in support of Alberta Health Services EMS units as established in medical first response protocols;
- j. providing rescue services;
- k. conducting pre-fire planning and fire inspections within the scope of our authorities;
- l. assisting with emergency management;
- m. providing public education and information regarding fire safety;
- n. training and other firefighter development;
- o. enforcing this bylaw and any other applicable bylaws and policies of the County and any applicable enactments;
- p. meeting the requirements of the Fire Master Plan; and
- q. otherwise providing emergency services as required in accordance with the policies and guidelines established by the County from time to time and all applicable legislation.

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- 3.2. Council authorizes the following fire departments as departments established and organized by the County to provide fire services in the respective Fire Districts:
- a. Blackfoot – Fire District 1
 - b. Clandonald – Fire District 2
 - c. Islay – Fire District 3
 - d. Dewberry – Fire District 8

4. ENTERING INTO AGREEMENTS

- 4.1. The County may enter into agreements with other municipalities or other entities for the purpose, joint use, control and management of apparatus and equipment, or for the purpose of providing Fire Services within or outside of the County.
- 4.2. Council hereby establishes a committee, consisting of two Council representatives, the CAO and the Director of Protective Services, to be responsible to negotiate the agreements referred to in Section 4.1 above, subject to ratification by Council.
- 4.3. Contract agreements have been developed with the following municipalities to provide Fire Services through their fire departments in the respective Fire Districts:
- a. Kitscoty – Fire District 4
 - b. Marwayne - Fire District 5
 - c. Paradise Valley – Fire District 6
 - d. Vermillion – Fire District 7
- 4.4. These contracts and any other agreements entered into from time to time shall be reviewed annually, or according to their respective terms, to ensure that the needs of the citizens are being met.

5. DIRECTOR OF PROTECTIVE SERVICES APPOINTMENT AND DUTIES

- 5.1. The Director shall be appointed by and report to the CAO.

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- 5.2. The Director shall be responsible for managing the overall delivery of Fire Services by the County Fire Service, subject to:
- a. this Bylaw;
 - b. all applicable County policies;
 - c. the direction of the CAO; and
 - d. any agreements the County has with other municipalities or other entities, however constituted, that provide Fire Services in the County.
- 5.3. The Director may establish rules, regulations, and policies necessary for the proper organization and administration of the County Fire Service including, but not limited to:
- a. establish, and review, Standard Operation Guidelines for the County Fire Service;
 - b. the use, care, maintenance and protection of Fire Service Property;
 - c. the appointment, recruitment, conduct, discipline, duties, training and responsibility of Firefighters;
 - d. the efficient operations of the County Fire Service; and
 - e. may perform such functions and have such other powers and responsibilities the CAO may from time to time prescribe.
- 5.4. The Director is authorized to delegate, and to authorize further delegations of any powers, duties and functions delegated to the Director by Council under this Bylaw.

6. DISTRICT FIRE CHIEF AUTHORITY ASSIGNED

- 6.1. The District Fire Chief shall be deemed to have the power delegated to the County Fire Chief when providing fire services to lands within the County's jurisdiction.

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- 6.2. The duties and responsibilities of the District Fire Chief shall be governed by the agreement between the County and that municipality or other entity.
- 6.3. The District Fire Chief shall be responsible to the Director for the performance of their duties pursuant to this Bylaw and all applicable policies of the County.
- 6.4. The District Fire Chief shall manage and administer the affairs of the County Fire Service pursuant to this Bylaw and applicable policies of the County.
- 6.5. The District Fire Chief shall be responsible for supervising the Firefighters and the day-to-day operation, maintenance and protection of Fire Service Property.
- 6.6. Subject to the approval of the Director, the District Fire Chief under contract, shall establish Standard Operational Guidelines for the provision of fire services that are consistent with this Bylaw and all applicable policies of the County.
- 6.7. The District Fire Chief may recruit and appoint Firefighters to the Fire Department and dismiss Firefighters from the Fire Department, in accordance with applicable County policies.
- 6.8. The District Fire Chief shall maintain and submit to the Director on a timely basis:
 - a. Records of all business transactions of the Fire Department;
 - b. Records of all incidents attended by the Fire Department and actions taken;
 - c. Records of all fire inspections carried out and actions taken on account of fire inspections; and
 - d. Any other records incidental to the operation of the Fire Department or as requested by the Director.

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- 6.9. The District Fire Chief may appoint other Officers to act as District Fire Chief in their absence for a period not to exceed thirty (30) days.

7. OFFICER APPOINTMENT AND DUTIES

- 7.1. Officers shall be appointed at the discretion of the District Fire Chief.
- 7.2. An Officer will be required to function as the Firefighter in Charge in the absence of the District Fire Chief or County Fire Chief.
- 7.3. An Officer shall provide leadership to Firefighters and implement training programs.
- 7.4. An Officer shall assist the District Fire Chief in the administration and operation of the fire department.

8. FIREFIGHTER APPOINTMENT AND DUTIES

- 8.1. Firefighters may be appointed by and are accountable to the Officers and District Fire Chief for the performance of their duties pursuant to this Bylaw and applicable policies of the County.

9. AUTHORITY AND RESPONSIBILITY OF FIREFIGHTER IN CHARGE

- 9.1. The Firefighter in Charge at an Incident shall have control, direction and management of all apparatus, Equipment and manpower assigned to that Incident and shall continue to act as the Firefighter in Charge until relieved by another Firefighter authorized to do so.
- 9.2. The Firefighter in Charge shall take action as deemed necessary for preserving life and property and protecting persons and property from injury or destruction by fire or other emergency and is authorized to:
- a. enter, pass through or over buildings, structures or property whether adjacent or in proximity to an Incident and to cause Firefighters or apparatus to enter or pass through or over the building, structure or property without permission;

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- b. establish boundaries or limits and keep persons from entering or leaving the area within the prescribed boundaries or limits unless authorized by the Firefighter in Charge;
- c. request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in subsection 9.2.b;
- d. cause a building, structure or thing to be pulled down, demolished or otherwise removed;
- e. secure County manpower and Equipment which they consider necessary to deal with an Incident;
- f. secure and/or commandeer privately owned Equipment which they consider necessary to deal with an Incident and authorize payment for use of the Equipment;
- g. require any adult person who is not a Firefighter, to assist in:
 - i. extinguishing a fire or preventing the spread thereof;
 - ii. removing furniture, goods and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same; and
 - iii. demolishing a building or structure at or near the fire or other Incident.
 - iv. Direct a Peace Officer to humanely destroy any animal that may be injured and suffering, where other means to destroy the animal are non-existent or delayed, and that the Peace Officer be so equipped for that purpose;

10. FIRE GUARDIANS

- 10.1. Each year before March 1, Council shall appoint, for a term not exceeding one year, a sufficient number of fire guardians to enforce the provisions of the *Forest and Prairie Protection Act* and this Bylaw within the boundaries of the County.

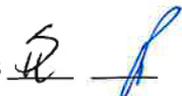
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- 10.2. Each councillor and the CAO are by virtue of their offices fire guardians in and for the County.
- 10.3. A fire guardian shall have the authority and power to enforce the provisions of the *Forest and Prairie Protection Act* within the boundaries of the County;
- 10.4. A fire guardian may require any able-bodied adult person not exempted by regulations of the *Forest and Prairie Protection Act* to assist in fighting a fire.
- 10.5. A fire guardian may commandeer and authorize payment for the possession or use of any equipment for the purpose of fighting a fire.
- 10.6. A fire guardian may in writing delegate the fire guardian's powers under subsections 10.3 and 10.4 to any person

11. PERMITTED AND PROHIBITED FIRES

- 11.1. No person shall light or cause to be lit an outdoor fire or structure fire or permit any outdoor fire or structure fire on land owned or occupied by them or under their control within the boundaries of the County unless that person is the holder of a subsisting fire permit.
- 11.2. Subsection 11.1 does not apply to a recreational fire, burning barrel fire, smudge fires or residential incinerator fires.
- 11.3. A fire permit is not required for a Designated Landfill Fire provided that the fire has been set and is being supervised by the Vermilion River Regional Waste Management Commission, in established burn pits located at Waste Transfer Stations in accordance with their procedures as described in Schedule E.
- 11.4. This section does not apply to:
 - a. an Outdoor Fire or Structure Fire lit by Fire Services for training or preventive control purposes;
 - b. a fire that is a flare stack used in the petroleum industry; or

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- c. a fire confined to an incinerator regulated under the *Environmental Protection and Enhancement Act*.

12. FIRE PERMITS

- 12.1. In addition to any Fire Permit required under the *Forest and Prairie Protection Act*, Fire Permits shall be required under this Bylaw for the period from January 1 to December 31 each calendar year.
- 12.2. A Fire Guardian may in their discretion issue to an applicant a fire permit in respect of any land within the County.
- 12.3. A fire permit is valid only for the period for which it is issued.
- 12.4. A fire guardian issuing a fire permit may endorse on the permit any special fire control conditions with which the applicant must comply in addition to the *Forest and Prairie Protection Act*, the regulations and this bylaw.
- 12.5. A Fire Guardian may extend the period of time that a Fire Permit is valid, provided the Fire Permit has not expired.
- 12.6. A fire permit may be suspended or cancelled at any time by a fire guardian and on receiving notice of the suspension or cancellation the person concerned shall immediately extinguish any fire set pursuant to the person's permit.
- 12.7. Each application for a Fire Permit must contain the following information:
 - a. the name and address of the applicant;
 - b. the legal description of the land on which the applicant proposes to set a fire;
 - c. the type and description of materials which the applicant proposes to burn;
 - d. the period of time for which the Fire Permit is valid;

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- e. the precautions that must be taken by the applicant to ensure that the proposed fire remains under their control;
- f. the date of issuing the Fire Permit.

12.8. A Fire Permit is not transferable.

12.9. Every person who sets a fire under authority of a Fire Permit shall:

- a. keep the Permit at the site of the fire;
- b. produce and show the Permit to a Fire Guardian, a Firefighter or a Peace Officer upon request;
- c. have a responsible person in attendance at the fire at all times;
- d. keep the fire under control;
- e. extinguish the fire before expiration of the Permit or upon cancellation of the Permit; and
- f. be responsible for any costs incurred by the County when called upon to extinguish such fire.

12.10. Notwithstanding Section 12.4, Burning Barrel Fires and Smudge Fires are prohibited within a hamlet of the County.

12.11. Notwithstanding Section 12.4, fires requiring a fire permit are prohibited in industrial subdivisions.

13. FIREWORKS PROHIBITIONS

13.1. No person shall wholesale, display for sale, offer for sale, sell, possess, or store any Fireworks within the County of Vermillion River without the written permission of the County Fire Department.

13.2. No person shall obtain, purchase, set off, discharge, or otherwise handle Fireworks within the County of Vermillion River without the written permission of the County Fire Department.

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- 13.3. No person shall sell Fireworks to any person without seeing that person's driver's licence or other photo identification issued by the Government of Alberta or Canada.
- 13.4. No person shall sell Fireworks to anyone under the age of 18 years.
- 13.5. No person shall bring Fireworks into the County of Vermilion River without the written permission of the County Fire Department.
- 13.6. No person shall set up, set off, fire, discharge or energise a pyrotechnics display in the County of Vermilion River without the written permission of the County Fire Department.

14. FIREWORKS PERMISSIONS

- 14.1. A display supervisor or a pyro-technician, holding a valid authorization under the *Explosives Act* (Canada), may conduct a Fireworks display after receiving permission to do so in writing from the County Fire Chief.
- 14.2. A display supervisor or pyro-technician, shall apply in writing, a minimum of 3 calendar days prior to the proposed Fireworks display, to the County Fire Chief for a written letter of permission to conduct the Fireworks display. The application must address all information required by the *Explosives Act* (Canada) and the *Alberta Fire Code*, including, but not limited to:
 - a. Date, time and location of the proposed display;
 - b. Names, addresses and certification numbers of all display supervisors or pyro-technicians and assistants participating in the display;
 - c. The name of the sponsor or purchaser of the display;
 - d. A full description of the planned display and a list of all materials to be fired, detonated, burnt or energized during the display;
 - e. The emergency plan for the display;

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- f. Verification of liability insurance, in an amount acceptable to the County; and
 - g. Any other information deemed necessary by the County or the District Fire Chief.
- 14.3. The County Fire Chief may issue written permission for the Fireworks display to take place and may impose such conditions and restrictions on the Fireworks display as they deem appropriate. Such conditions and restrictions may include, but are not limited to:
- a. time of the day;
 - b. days of the week;
 - c. duration of display;
 - d. geographic location;
 - e. requirements for notification of affected residents;
 - f. on-site fire suppression materials and resources; and
 - g. safety precautions to mitigate danger or nuisance to any person or property.
- 14.4. The County Fire Chief may choose not to issue written permission to anyone for a Fireworks display if, in their opinion, such a display may create a risk to life, safety or property.
- 14.5. Fireworks may only be sold and purchased between the hours of 8:00 am and 8:00 pm Mountain Time.
- 14.6. A wholesaler or distributor of Fireworks wishing to provide Fireworks to a retail vendor in the County must first apply and obtain the written permission of the County Fire Chief.
- 14.7. A retail vendor wishing to sell Fireworks to persons in the County must first apply and obtain the written permission of the County Fire Chief. This permission must include approval and acceptance of the storage area and the required Fire Safety Plan as outlined in the Alberta Fire

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- 14.8. A retail vendor wishing to sell Fireworks to persons in the County must retain all the information required from every purchaser by the Alberta Fire Code for a period of not less than two years as outlined in the Alberta Fire Code. This information will include:
- a. The date of the sale;
 - b. The name, address and phone number of the purchaser;
 - c. A description of the Fireworks sold;
 - d. The date and time the Fireworks will be discharged;
 - e. The location and description of the site where the Fireworks will be discharged;
 - f. A copy of the written permission to discharge, issued by the Fire Department of the municipality where the Fireworks will be discharged, or from a Forest Officer where the discharge is to take place within a forest protection area; and
 - g. A copy of the written permission to purchase Fireworks issued by the County Fire Chief
- 14.9. A person wishing to purchase Fireworks in the County must first obtain written permission to discharge, issued by the Fire Department of the municipality where the Fireworks will be discharged, or from a Forest Officer where the discharge is to take place within a forest protection area.
- 14.10. A person in possession of written permission to discharge Fireworks as noted in Section 14.9 above may apply to the County Fire Chief for written permission to purchase Fireworks from a vendor within the County.
- 14.11. The County Fire Chief or their designate may attach any terms and conditions in a written permission that they deem appropriate for the specific event and location.

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- 14.12. The County Fire Chief or their designate may choose to revoke any previously issued written permission for reasons of:
- a. non-compliance with:
 - i. The Alberta Fire Code;
 - ii. The Explosives Act (Canada); or
 - iii. The written permission;
 - b. changes in environmental conditions; or
 - c. safety to life, limb or property.

15. FIRE BAN

- 15.1. For the purpose of fire control the Director of Protective Services or the CAO may impose a fire ban to:
- a. Suspend or cancel all fire permits within the County, or
 - b. Prohibit the lighting or require the extinguishing of a fire set other than under the authority of a fire permit
- 15.2. Fire Bans imposed pursuant to section 15.1, shall remain in force until either the date provided in the notice of the Fire Ban or until such time as the Director or CAO provides notice to the public that the Fire Ban is no longer in effect.
- 15.3. Fire bans will be communicated immediately to the public by a means that the Director or the CAO consider most likely to bring the matter to the attention of the public.
- 15.4. Fire Advisories will be issued when the fire danger rating has increased. No restrictions are placed during the advisory.
- 15.5. Fire Restrictions also known as a Partial Fire Ban will suspend or cancel all fire permits, and only outdoor fires that do not require a fire permit are allowed.

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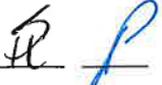
- 15.6. Fire Bans also known as Total Fire Bans restrict all fires, whether or not the person is the holder of a Fire Permit and all lit fires shall immediately be extinguished once a person knows or ought reasonably to know of the Total Fire Ban.

16. PROVISIONS FOR BURNING VEGETATION OR DEBRIS

- 16.1. A person who burns vegetation or debris resulting from land clearing or agricultural activities on farm land:
- a. Shall not burn the vegetation or debris in windrows or piles unless:
 - i. The windrows and piles are formed and located in accordance with subsection 16.2, and
 - ii. The area containing the vegetation or debris to be burned is cleared of combustible material to a width of not less than 15 metres,
 - b. Shall keep the burning operation under control at all times, and
 - c. Shall have at the site of the burning operation:
 - i. Sufficient firefighting equipment, and
 - ii. A sufficient number of persons to control the burning operation.
- 16.2. Windrows and piles must:
- a. Not exceed 60 metres in length and must be separated by an 8-metre break between each length,
 - b. Be no closer than 25 metres from any uncleared land or vegetation, and
 - c. In the case of windrows, be separated from other parallel windrows by not less than 15 metres.

17. FIRE PROHIBITIONS

- 17.1. No person shall:
- a. burn or cause to be burned any Prohibited Debris within the

Initials 

boundaries of the County;

- b. Light an outdoor fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
- c. Light an outdoor fire when any fire hazard or burning hazard is conducive to a fire readily escaping out of control;
- d. Fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto land other than the person's own;
- e. Deposit, discard or leave any burning matter or substance in place where it might ignite other matter and result in a fire.

18. FIRE SERVICES CHARGES

- 18.1. Where the County Fire Service has mitigated an incident, including a false alarm, the County Fire Service, may in respect of any costs incurred in taking such action, charge any costs incurred to any Person(s) found to have caused the incident, who acted in an intentional or negligent manner.
- 18.2. When costs are charged pursuant to section 18.1, the costs shall be in accordance with Schedule C, plus any additional expenses incurred.
- 18.3. A Fire Services Charge shall be paid within sixty (60) days of being levied.
- 18.4. Collection of unpaid Fire Services Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien, which the County is entitled to on the parcel of land in respect of which the indebtedness is incurred.
- 18.5. The owner of a parcel of land within the County to which Fire Services are provided is liable for Fire Services Charges incurred and the County may add to the tax roll of the parcel of land all unpaid Fire Services Charges, which forms a special lien against the parcel of land in favour of the County from the date the amount was added to the tax roll.

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19. CONTROL OF FIRE HAZARDS

- 19.1. Any person who creates a fire hazard in any manner shall reduce, remove or eliminate the hazard.
- 19.2. If the County finds within its boundaries on privately owned land or occupied land conditions that may constitute a fire hazard or a burning hazard, it may order the owner or person in control of the land on which the hazard exists to reduce, remove or eliminate the hazard within a fixed time and in a manner prescribed by the County.
- 19.3. If the County finds that the order it made pursuant to subsection 19.2 has not been carried out, the County may enter on the land with any equipment and persons considered necessary and may perform the required work.
- 19.4. The owner or the person in control of the land on which work was performed pursuant to subsection 19.3 shall reimburse the County for the cost of the work performed and in default of payment the County has a lien for the amount against the land and improvements on it.

20. ENTRY, INSPECTION AND ENFORCEMENT POWERS

- 20.1. A fire guardian may without a warrant, at any reasonable time, enter on and inspect any land and premises, except a private dwelling house, for the purpose of exercising powers or performing duties under the *Forest and Prairie Protection Act or Regulations*.
- 20.2. A fire guardian may without a warrant enter any private dwelling house that is on fire and proceed to fight the fire.
- 20.3. Where a parcel of land does not comply with this Bylaw or a person contravenes this Bylaw, the County may pursue its enforcement alternatives in accordance with this Bylaw, any enactment or any common law right, including issuing an order to remedy contraventions or dangers, remedying contraventions or dangers by the County, adding amounts to the tax roll of the owner of the parcel, and pursuing injunctions pursuant to the *Municipal Government Act*.

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20.4. The Director is authorized to carry out inspections of land and structures, issue orders, remedy conditions and contraventions, and enforce this Bylaw in accordance with the *Municipal Government Act*.

21. INVESTIGATION OF CAUSE, ETC, OF FIRE

21.1. A fire guardian may investigate the cause, origin, and circumstances of a fire.

21.2. Without limiting subsection 21.1, a person making an investigation on subsection 21.1 may, without a warrant, for the purposes of the investigation:

- a. Enter on any land or premises at any reasonable time, accompanied by any person or bringing with the person any thing that the person considers would be of assistance in making the investigation,
- b. Perform or have performed any tests the person considers necessary on the land or premises or anything on them, and
- c. Remove anything from the land or premises:
 - i. That is reasonably pertinent to the matter under investigation, or
 - ii. That the investigator considers, on reasonable and probably grounds, is or may be evidence of the commission of an offence against the *Forest and Prairie Protection Act*.

21.3. A fire guardian may, for the purposes of an investigation, temporarily cordon off or secure an area of land or premises and prohibit any person from entering or remaining in the area or premises until the investigation is completed.

21.4. A person shall not enter an area or premises that have been cordoned off or secured under subsection 21.3 without first obtaining the permission of a fire guardian;

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- 21.5. The investigator shall, on or before the completion of the investigation, return to the person entitled to it anything removed under subsection 21.2.c unless:
- a. It is required as evidence in a prosecution arising out of the investigation, or
 - b. For any other reason it is impossible or impractical to return it.
- 21.6. The investigator shall, if requested, produce to the person owning or in charge of the land or premises or of anything being tested or removed under subsection 21.2 evidence of the investigator's appointment as a fire guardian.
- 21.7. If entry by the investigator on the land or premises is refused, the investigator may make an application to a justice, and if it appears to the justice, on information laid before the justice on oath, that there are reasonable and probable grounds for believing that entry is needed for the purposes of ensuring a proper investigation under this section, the justice may issue a warrant authorizing the investigator, by force if necessary, to:
- a. Enter on the land or premises, and
 - b. Perform any other activity referred to in subsection 21.2
- 21.8. Before exercising any powers under subsection 21.2.b or .c, an investigator shall make reasonable efforts to obtain the co-operation of the owner or person in charge of the land or premises.
- 21.9. In this section, land or premises includes vehicles and buildings, whether affixed to the land or not, but does not include a private dwelling.

22. NOTICE

- 22.1. Any notice provided for in this Bylaw shall be in writing.

Initials



- 22.2. Service of any notice provided for in this Bylaw may be made as follows:
- a. Personally upon the person to be served, or to any person receiving it on his or her behalf;
 - b. By mailing the copy to the person to be served to the last known post office address of the person to be served;
 - c. Where the property is not occupied, by mailing the notice by regular mail to the mailing address noted on the County tax roll for the property; or
 - d. As directed by the courts.
- 22.3. Service is presumed to be effected under section 22.2:
- a. seven days from the date of mailing if the document is mailed in Alberta to an address in Alberta; or
 - b. subject to (a), fourteen days from the date of mailing if the document is mailed in Canada to an address in Canada;
- 22.4. unless the document is returned to the sender other than by the addressee, or the document was not received by the addressee, the proof of which lies on the addressee.

23. REVIEW BY COUNCIL

- 23.1. A person who receives a written order given pursuant to this Bylaw may request Council review the order under the terms prescribed by the *Municipal Government Act*.

24. OFFENSES

- 24.1. No person shall:
- a. contravene any provision of this Bylaw;

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- b. impede, obstruct or hinder a Firefighter, or any other person assisting or acting under the direction of a Firefighter from carrying out any function or activity related to the provision of Fire Services;
- c. damage or destroy Fire Services Property;
- d. falsely represent himself as a Firefighter;
- e. obstruct or otherwise interfere with access by Fire Services or Fire Services Property to:
 - i. the scene of an Incident;
 - ii. a fire hydrant, cistern or other body of water designated for firefighting purposes; or
 - iii. connections to fire mains, standpipes, or sprinkler systems.
- f. cross any boundaries or limits established by the Fire Services in accordance with this Bylaw, without the express authorization of the Firefighter in Charge;
- g. cause or permit a Burning Hazard or Fire Hazard to exist on a parcel of land;
- h. deposit, discard or abandon any burning matter or substance so as to create a Burning Hazard;
- i. light a fire or cause a fire to be lit during a Fire Ban;
- j. light a fire unless they are the holder of a valid Fire Permit if required under this Bylaw or *the Forest and Prairie Protection Act* or both.
- k. provide false, incomplete or misleading information to the Director, a Fire Guardian, a Firefighter or a Peace Officer with respect to a fire or a Fire Permit application;
- l. light a fire in a hamlet other than a Recreational Fire;
- m. light a fire in Industrial Zones;

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- n. light a fire on any land not his own without the written consent of the owner of the land;
- o. permit a fire lit by that person to pass from his own land to the land of another person;
- p. light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
- q. conduct any activity that might reasonably be expected to cause a fire unless that person exercises reasonable care to prevent a fire from occurring;
- r. conduct any activity that involves the use of a fire, where smoke produced by the fire may impede the visibility of vehicular and pedestrian traffic on any road or highway;
- s. light a fire on lands owned or controlled by the County except with the County's express written consent; or
- t. use a fire to burn Prohibited Debris.

25. PENALTIES

- 25.1. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to the specified penalty for the offence set out in Schedule C.

26. MUNICIPAL TAGS

- 26.1. A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 26.2. A Municipal Tag may be issued to such person:
 - a. either personally; or

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- b. by mailing a copy to such person at his last known post office address.
- 26.3. The Municipal Tag shall be in a form approved by the CAO and shall state:
- a. the name of the person;
 - b. the offence;
 - c. the specified penalty established by this Bylaw for the offence;
 - d. that the penalty shall be paid within 30 days of the issuance of the Municipal Tag; and
 - e. any other information as may be required by the CAO.

27. PAYMENT IN LIEU OF PROSECUTION

- 27.1. Where a Municipal Tag is issued pursuant to this Bylaw, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the County the penalty specified within the time period indicated on the Municipal Tag.

28. VIOLATION TICKETS

- 28.1. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.
- 28.2. Notwithstanding section 28.1, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the Provincial Offences Procedure Act to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw;
- 28.3. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

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

29. VOLUNTARY PAYMENT

29.1. A person who commits an offence may:

- a. if the Violation Ticket is issued in respect of the offence; and
- b. if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

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

29.2. When the Clerk records in the Court records the receipt of a voluntary payment pursuant to Section 29.1 and the Provincial Offences Procedure Act, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the specified penalty.

30. SEVERABILITY

30.1. SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed, and the remaining bylaw shall be maintained.

31. REPEAL

31.1. Bylaw 15-02, as amended is repealed.

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32. EFFECTIVE DATE

32.1. This Bylaw shall come into force and effect upon receiving Third and Final Reading and having been signed by the Reeve and Chief Administrative Officer.

Read this First time this 23 day of May, 2023

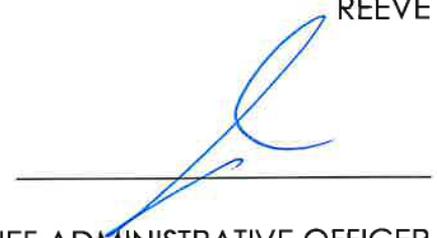
Read this Second time this 23 day of May, 2023

Read a Third and Final time and finally passed, this 23 day of May, 2023

SIGNED by the Reeve and Chief Administrative Officer this 23 day of May, 2023.



REEVE

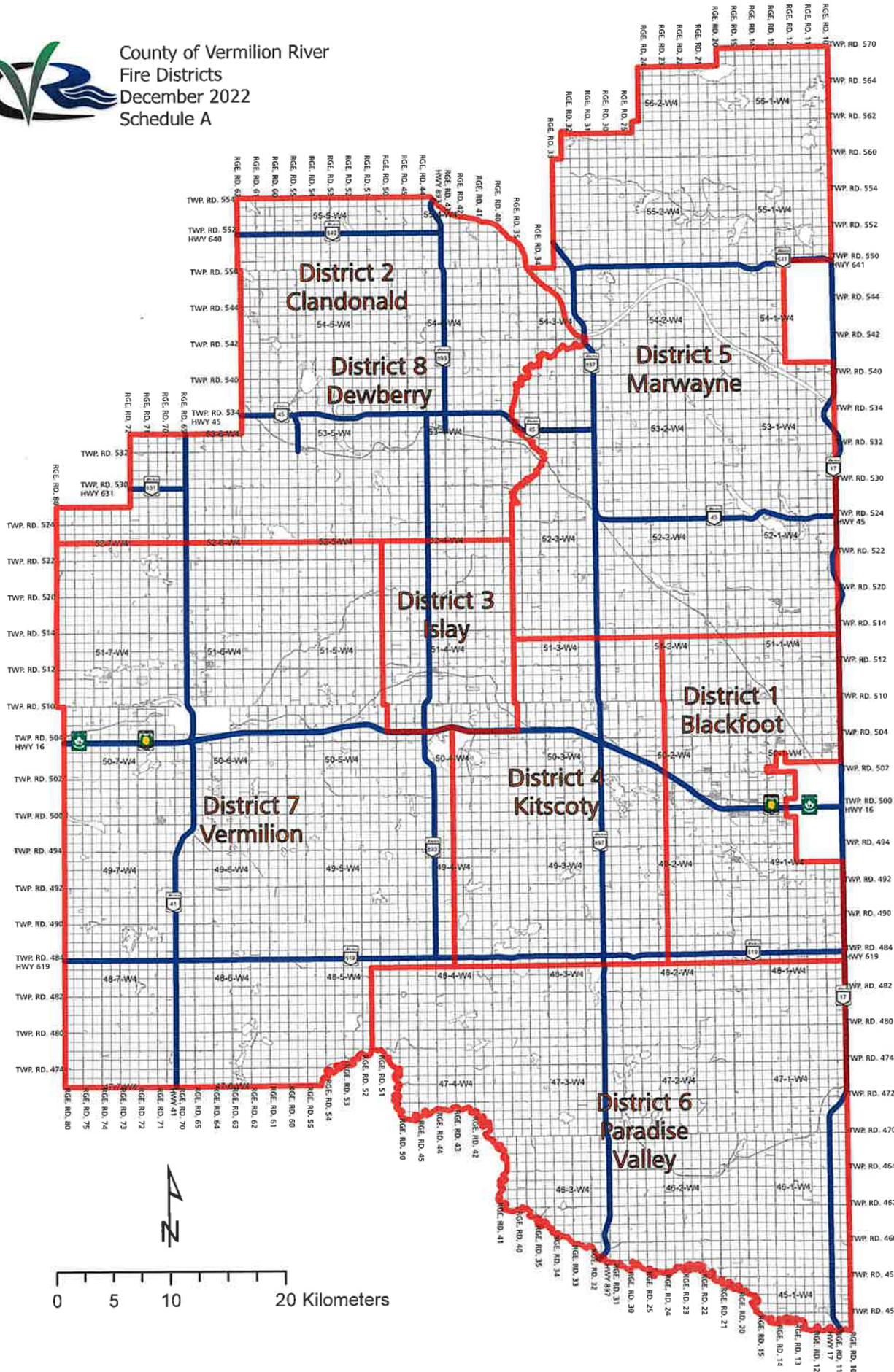


CHIEF ADMINISTRATIVE OFFICER

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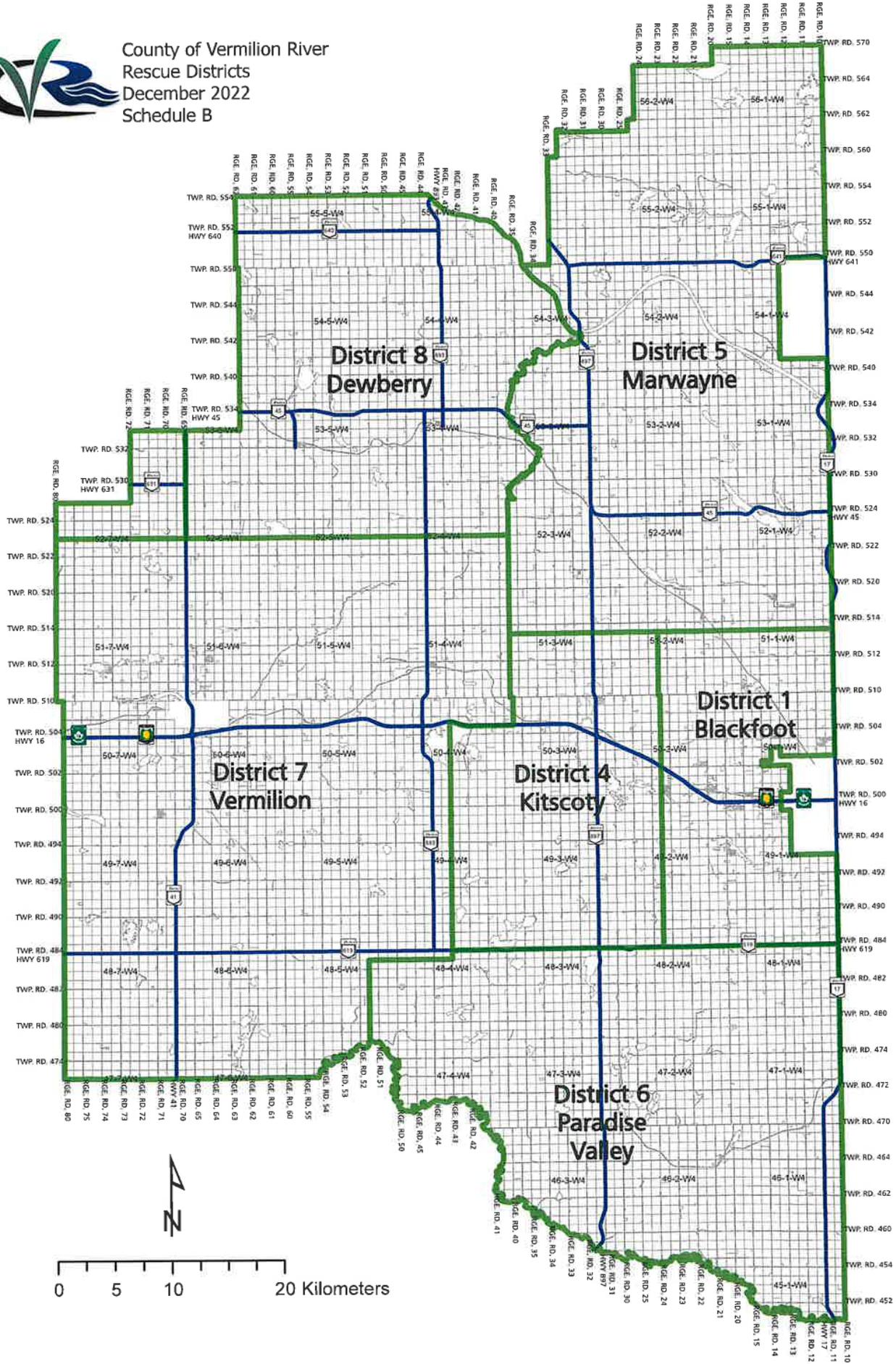


County of Vermilion River
Fire Districts
December 2022
Schedule A





County of Vermilion River
Rescue Districts
December 2022
Schedule B



Handwritten initials or signature.

SCHEDULE C – FEES AND COSTS

OBJECTIVE

To establish rates and entities to be charged for Fire Services provided by the County. This schedule does not preclude any other charges being levied, that are otherwise authorized in this Bylaw.

ENTITIES TO BE CHARGED

A. Residents or Ratepayers of the County

- will be invoiced for fire calls which are a result of negligence.
- will be charged for fire calls which are a result of any fire where the person is not a holder of a subsisting Fire or Fire Works Permit in accordance with this Bylaw.
- Will be charged a penalty contravening any provision of this Bylaw and offenses listed under Section 24.1.

B. Non-Residents of the County

- Alberta Transportation will be charged for response to vehicle fires/fire hazards and MVC's on primary and secondary highway rights-of-way.
- CN or CP Railway will be charged for fires originating on railway right-of-ways.
- Persons who are not residents or ratepayers of the County may be charged for fire and rescue response to any fires, fire hazards, or accidents.

RATES & FEES

- The all inclusive rate charged for each County owned fire truck responding to a call for fire services will be at the annual rate set by Alberta Transportation in April of each year.
- A fee for the cost of firefighting will be charged up the maximum allowable amount per insurance claim submitted. This fee does not apply to Schedule C Section B.
- Penalties for offenses under this Bylaw are \$500.00

Schedule C – False Alarm Fees	Service Fee
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False Alarms	For the first response related to malfunctioning Fire Safety Installations or other safety monitoring devices, at the same premises responded to during a calendar year	No Charge
	Second (2 nd) response to False Alarm	\$200
	Third (3 rd) response to False Alarm	\$400
	Fourth (4 th) or more response to False Alarm	\$800
Security Alarms routed to Fire Rescue Services		\$800

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SCHEDULE D – LEVEL OF SERVICE POLICY

This policy is promulgated to outline the services provided and meet the intent of the Alberta Occupational Health & Safety Code and the Alberta Code of Practice for Firefighters.

The Fire Department is authorized to provide:

- fire services within the prescribed boundary areas as listed in Schedule A, and
- rescue services within the prescribed boundary area as listed in Schedule B, and
- Mutual Aid to neighboring municipalities as defined by Council approved agreements.

It is also understood that at times there may not be enough personnel to respond to a call. Coverage at those times will be provided via Mutual Aid Agreements.

RESPONSIBILITIES:

1. The Fire and Rescue Department will ensure that the level of service identified is adhered to and that the volunteers providing services are competent. Competency is determined by the Fire Department training policy and the Fire Chief or their designate.
2. Municipal Council will review and approve the service levels periodically.

RESPONSES:

1. A minimum emergency initial response is considered one pumper with five qualified personnel.
2. It is the responsibility of the District Fire Chief, or their designate receiving the call to request appropriate back up from a neighboring municipality if required.

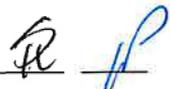
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3. For the County, the Director will be responsible for identifying the required level of competency and maintaining the levels through the Fire Services Agreements.
4. The Fire Department will not respond to an Incident if adequately training Firefighters are not available. 911 will be advised to call another department and the Firefighters may attend with the other department in charge of the Incident.
5. The basic services provided are:
 - structural fire suppression with interior search and rescue
 - natural cover fire suppression
 - rescue (structural, motor vehicle, water/ice)
 - dangerous goods response (awareness level)
 - first responder medical services
 - pre-fire planning

TRAINING

1. The District Fire Chief or his designate is responsible for maintaining the training levels of their respective Fire Department Members.
2. All department Members are expected to participate in ongoing training to maintain their skills. No firefighter shall be expected to perform duties beyond their scope of training.
3. A new firefighter cannot go out on a call unless they have completed the first aid and minimum firefighting qualifications as outlined in the training plan.
4. A Firefighter within the first year of joining must pass County Fire Orientation to continue to respond to firefighting calls. If training is not achieved, the Fire Chief will review the file and take appropriate action to extend probation or recommend release.

APPENDIX A

Initials 

Emergency Services Levels and Standards:

The minimum training level to be reached within one year of joining the Fire Department is first aid, CPR Level C and the National Fire Protection Association (NFPA) standards as currently identified in fire etc. courses S300, S600 and S1100.

No person can become part of the response team until they have qualified in first aid, CPR, personal protective Equipment including SCBA, fire ground communications and hose handling.

Emergency Service Provided	Level or Standard
Pre-Emergency Planning	Awareness Level
Fire Fighting – Structural	NFPA 1001
Fire Fighting – Airport	NFPA 1003, not provided
Fire Fighting – Wildland/Urban Interface	NFPA 1051, Level I
Fire Officer	NFPA 1051, Level II
Medical First Responder	Emergency Medical Responder (EMR)
Motor Vehicle Collisions, Vehicle Extrication	NFPA 1001
Ice Rescue, Swift/Flat Water Rescue	Not provided – awareness level only
Trench Rescue	Not provided – awareness level only
Hazardous Materials Response	NFPA 1072 – awareness level only
Confined Space Rescue	Technician level with valid oil field tickets
Rope Rescue (low angle rescue only)	Not provided – awareness level
Power Lines Down/Electrical Hazards	Not provided – awareness level
Building Collapse	NFPA 1001
Fire Vehicle Driver/Operator	NFPA 1001

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Incident Commander	NFPA 1001, ICS Series
Fire Investigator	SCO
Public Services (Fire Pits, Alarms, Education) Mutual Aid Responses as per agreements	NFPA 1001

Awareness Level: Responders will recognize risks and hazards, secure the area and call for trained assistance, where possible.

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SCHEDULE E – BURN PIT PROCEDURES

Provided by Vermilion River Regional Waste Management Services – July 2022

Please ensure that only clean burnable material is placed in the burn pit at all times. The only exception to this rule is burn barrel waste that is brought into the site. This should be put in the pit but on the side so that metal and other non-burnable material can be raked out and disposed of properly after the material has had time to cool down. Only burn when weather is permitting. If it is extremely windy, please do not burn the pit. If there is a total fire ban in place in the County, absolutely **NO** burning is allowed.

Burning cardboard can be easily picked up by the wind and carried off. Cardboard has chemicals in the composition, so it's not environmentally friendly to burn it. Cardboard should be disposed of in the cardboard recycling bins whenever possible. If there is a lot of cardboard, it can be placed in the household waste bins, but it must be flattened before it is placed in the bin. Paper goes into the recycling bins at all times.

Non-flammables such as old grain or soil should never be placed in the pit. Bulk material like grain does not burn well and will smoulder and smoke for a long time, thus leaving more opportunities for flare-ups some time after the initial burn. We do accept yard waste in our pits, but it shouldn't be in plastic bags and it should be dry and soil-free.

Following is a list of prohibited material. These items should never be placed in the burn pit as they cause harmful emissions, black smoke and increase the potential for out-of-control fires.

- Treated wood such as railroad ties
- Cardboard and paper
- Rubber tires
- Plastics
- Pressure-treated lumber
- Drywall
- Shingles
- Oil, fuel or chemicals

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- Unidentified liquids
- Paper
- Non-Burnable material such as metal and/or glass
- Organic animal waste
- Grain, soil or other bulk material
- Wood or other materials attached, such as shingles, flooring, etc.

It is important to remember that our burn pits are only to be used for clean burnable material. They are not designed to be used as incinerators as the pits do NOT reach a high enough heat to completely burn waste and the pits are open and not enclosed in any way. Large amounts of un-burnable material must not be allowed in the pit as it retards the burning process. It is up to the supervisor to determine what is appropriate.

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