COUNTY OF VERMILION RIVER  
PROVINCE OF ALBERTA  
BYLAW NO: 15-02

A BYLAW

of the County of Vermilion River in the Province of Alberta, for the purpose of establishing and operating the County's Fire Services, providing Fire Protection to the County, and the recovery of Fire Protection Charges.

WHEREAS

the Municipal Government Act provides that a Council of a municipality may pass bylaws for the prevention and extinguishing of fires, the preservation of life and property, the protection of persons from injury or destruction by fire, and the enforcement of bylaws;

AND WHEREAS

the Municipal Government Act further provides that a municipality may pass bylaws to regulate or prohibit, impose a system of licences, permits or approvals and may collect, pursuant to a bylaw, costs and expenses incurred by the municipality for extinguishing fires;

AND WHEREAS

the Municipal Government Act further provides for the entering into of agreements with other municipalities or persons for the joint use, control and management of fire extinguishing Apparatus and Equipment;

AND WHEREAS

the Forest and Prairie Protection Act provides that a Council of a municipal district is responsible for fighting and controlling all fires within the municipal boundaries, other than areas contained in a forest protection area;

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 a fire service;

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 by persons 18 years of age during specific periods of the year creates a manageable level of risk to life, health, safety and property;

NOW THEREFORE

the Council of the County of Vermillion River of the Province of Alberta, duly assembled, enacts as follows:
1. **SHORT TITLE**

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

2. **DEFINITIONS**

2.1. In this Bylaw:

2.1.1. "Apparatus" means any vehicle provided with machinery or Equipment for fire fighting operated by or for Fire Services whether that vehicle operates on land, in the air, or on water;

2.1.2. "Burnable Debris" means all combustible waste other than Prohibited Debris and includes, but is not limited to:

   2.1.2.1. straw and stubble;
   2.1.2.2. grass and weeds;
   2.1.2.3. leaves and tree prunings;
   2.1.2.4. brush and fallen trees on newly cleared land or associated with logging operations
   2.1.2.5. used power, telegraph and telephone poles that do not contain wood preservatives
   2.1.2.6. wooden materials, which do not contain wood preservatives, from the construction or demolition of buildings;
   2.1.2.7. solid waste from post and pole operations that does not contain wood preservatives, and
   2.1.2.8. solid waste from tree harvesting operations;

2.1.3. "Burning Barrel Fire" means a fire confined to a non-combustible structure or container that has draft holes no larger than 5 millimetres in diameter and is covered with a heavy gage metal screen of a mesh size not greater than 7 millimetres to contain sparks over the fire at all times, which is lit for the purpose of burning household refuse or other Burnable Debris;

2.1.4. "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;

2.1.5. "CAO" means the Chief Administrative Officer of the County or his delegate;

2.1.6. "Council" means the Municipal Council of the County of Vermilion River;

2.1.7. "County" means the County of Vermilion River;

2.1.8. "Equipment" means any tools, devices, materials or supplies used by or for Fire Services to respond to an Incident;

2.1.9. "False Alarm" means any notification, by whatever means received, to Fire Services respecting the existence of a condition, circumstance, fire or other
event containing an imminent, serious danger to persons or property, wherein such condition, circumstance, fire or other event does not, in fact, exist;

2.1.10. “Fire Ban” means an order issued by the Minister responsible for the Forest and Prairie Protection Act, or an order issued pursuant to the Bylaw, for the purpose of canceling all fire permits and defined as follows:

2.1.10.1. “Total Fire Ban” – prohibiting the lighting of, and requiring the extinguishment of all fires within the County

2.1.10.2. “Partial Fire Ban” – allowable fires under a partial ban are “Burning Barrel Fires” as defined under Section 2.1.3 and “Recreational Fires” as defined under Section 2.1.32

2.1.11. "Fire Chief" means the Fire Chief of a County fire department or his designate and, where the context so requires, shall include the Fire Chief of a fire department operated by another municipality or other entity which provides Fire Protection in the County, or his designate;

2.1.12. “Fire District” means the following geographic areas within the County where Fire Protection is to be provided:

2.1.12.1. Fire District 1
2.1.12.2. Fire District 2
2.1.12.3. Fire District 3
2.1.12.4. Fire District 4
2.1.12.5. Fire District 5
2.1.12.6. Fire District 6
2.1.12.7. Fire District 7

The boundaries of which are outlined on the map attached as Schedule “A” forming part of this Bylaw;

2.1.13. “Rescue District” means the following geographic areas within the County where rescue squads respond:

2.1.13.1. Rescue District 1
2.1.13.2. Rescue District 2
2.1.13.3. Rescue District 3
2.1.13.4. Rescue District 4
2.1.13.5. Rescue District 5
2.1.13.6. Rescue District 6

The boundaries of which are outlined on the map attached as Schedule “B” forming part of this Bylaw;

2.1.14. “Fire Guardian” means:
2.1.14.1. a person deemed a Fire Guardian under the *Forest and Prairie Protection Act*;

2.1.14.2. any person appointed as a Fire Guardian by resolution of Council in accordance with the *Forest and Prairie Protection Act*;

2.1.15. "Fire Hazard" means combustible material that, through its nature, location, condition or arrangement, or any combination of those factors, may be ignited and, if ignited, could create a Burning Hazard;

2.1.16. "Fire Permit" means a permit issued by an individual authorized by the County to do so pursuant to this Bylaw, authorizing the setting of a specific type of fire, and includes a Fire Permit issued by a Fire Guardian pursuant to the *Forest and Prairie Protection Act*;

2.1.17. "Fire Protection" means any and all of the services enumerated in Section 3.1 and includes any other service delivered by or for Fire Services that is authorized by Council;

2.1.18. "Fire Protection Charges" means all costs incurred by or for the Fire Service in providing Fire Protection 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;

2.1.19. "Fire Services" means 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 Protection under agreement with the County, and shall include all Members;

2.1.20. "Fire Services Coordinator" means the County employee appointed to administer Fire Services or his delegate;

2.1.21. "Fire Services Property" means all real and personal property owned or controlled by the County and designated for use by Fire Services including but not limited to Apparatus, Equipment and fire stations;

2.1.22. "Fireworks" means the Fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subdivisions 1 and 2 in Section 14 of the *Explosives Act* (Canada) and regulations thereto;

2.1.23. "Incident" means a fire, a situation where a fire or explosion is imminent or any other situation presenting a fire or possible danger to life or property;

2.1.24. "Member" means any person who is a duly appointed Member of Fire Services, and includes a Fire Chief;

2.1.25. "Member in Charge" means the Fire Chief, or in the absence of the Fire Chief, an Officer, or in the absence of an Officer, the highest ranking Member who first arrives at the scene of an Incident;

2.1.26. "Municipal Tag" means a tag or similar document issued by the County pursuant to the provisions of the *Municipal Government Act*;
2.1.27. "Officer" means any Member appointed to a supervisory position within a fire department;

2.1.28. "Peace Officer" means a bylaw enforcement Officer appointed by the County pursuant to the Municipal Government Act and includes a Member of the Royal Canadian Mounted Police and, when authorized, a community Peace Officer appointed under the Peace Officer Act;

2.1.29. "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:

2.1.29.1. animal manure;
2.1.29.2. pathological waste;
2.1.29.3. non-wooden material;
2.1.29.4. waste material from building or construction sites, excluding wooden materials that do not contain wood preservatives;
2.1.29.5. combustible material in automobile bodies;
2.1.29.6. tires;
2.1.29.7. rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
2.1.29.8. used oil; and
2.1.29.9. wood or wood products containing substances for the purpose of preserving wood;

2.1.30. "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.

2.1.31. "Quality Management Plan" means the Fire Safety Quality Management Plan, approved by the Safety Codes Council, as adopted by Council;

2.1.32. "Recreational Fire" means a fire for recreational purposes, which is confined to a non-combustible container which is set for the purpose of cooking, obtaining warmth or viewing for pleasure. Such fire may only be fuelled with seasoned wood, charcoal, coal, natural gas or propane;

2.1.33. "Running Fire" means a fire burning without being under proper or any control of any person; and

2.1.34. "Smudge Fire" means a fire confined to a non-combustible structure or container that has draft holes not larger than 5 millimeters in diameter and is covered with a heavy gauge metal screen of a mesh size not greater than 7 millimeters to
contain sparks over the fire at all times, which is lit for the purpose of protecting livestock from insects or for protecting garden plants from frost and is fueled solely by dry wood or charcoal;

2.1.35. "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.

3. **FIRE SERVICES**

3.1. Council hereby establishes Fire Services in the County for the purpose of:

3.1.1. preventing and extinguishing fires;

3.1.2. investigating the cause of fires;

3.1.3. preserving life and property and protecting persons and property from injury or destruction by fire;

3.1.4. preventing prairie or Running Fires and enforcing the provisions of the *Forest Prairie and Protection Act*;

3.1.5. preventing, combating and controlling Incidents;

3.1.6. carrying out preventable controls;

3.1.7. fulfilling the requirements of any mutual aide agreements with other municipalities;

3.1.8. maintaining and operating Apparatus and Equipment for extinguishing fires and preserving life and property;

3.1.9. providing initial response to medical Incidents in support of Alberta Health Services EMS units;

3.1.10. providing rescue services;

3.1.11. conducting pre-fire planning and fire inspections;

3.1.12. assisting with emergency management;

3.1.13. providing public education and information regarding fire safety;

3.1.14. training and other Member development;

3.1.15. enforcing this Bylaw and any other applicable bylaws and policies of the County and any applicable enactments;

3.1.16. meeting the requirements of the Quality Management Plan; and

3.1.17. 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 (Schedule D and Appendix A).

3.2. Council hereby continues the following fire departments as departments established and organized by the County to provide Fire Protection in the respective Fire Districts:
3.2.1. Blackfoot – Fire District 1
3.2.2. Clandonald – Fire District 2
3.2.3. Islay – Fire District 3

4. ENTERING INTO AGREEMENTS

4.1. The County may enter into agreements with other municipalities or other entities for the purchase, joint use, control and management of Apparatus and Equipment, or for the purpose of providing Fire Protection within or outside of the County.

4.2. Council hereby establishes a committee, consisting of two Council representatives, the CAO and the Fire Services Coordinator, to be responsible to negotiate the agreements referred to in Section 4.1 above, subject to ratification by Council.

4.3. Agreements have been developed with the following municipalities to provide Fire Protection through their fire departments in the respective Fire Districts:

4.3.1. Dewberry - Fire District 2
4.3.2. Marwayne – Fire District 5
4.3.3. Kicsoty – Fire District 4
4.3.4. Paradise Valley – Fire District 6
4.3.5. Vermilion – Fire District 7

4.4. These agreements and any other agreements entered into from time to time shall be reviewed annually to ensure that the needs of the citizens are being met.

5. FIRE SERVICES COORDINATOR APPOINTMENT AND DUTIES

5.1. The Fire Services Coordinator shall be appointed by and report directly to the CAO.

5.2. The Fire Services Coordinator shall be responsible for managing the overall delivery of Fire Protection by Fire Services, subject to:

5.2.1. this Bylaw;
5.2.2. all applicable County policies;
5.2.3. the direction of the CAO; and
5.2.4. any agreements the County has with other municipalities or other entities, however constituted, that provide Fire Protection in the County.

5.3. The Fire Services Coordinator may establish rules, regulations, and policies necessary for the proper organization and administration of Fire Services including, but not limited to:

5.3.1. the use, care, maintenance and protection of Fire Services Property;
5.3.2. the appointment, recruitment, conduct, discipline, duties, training and responsibility of Members;
5.3.3. the efficient operations of Fire Services; and
5.3.4. may perform such functions and have such other powers and responsibilities the CAO may from time to time prescribe.

5.4. The Fire Services Coordinator is authorized to delegate, and to authorize further delegations of any powers, duties and functions delegated to the Coordinator by Council under this Bylaw.

6. **FIRE CHIEF AUTHORITY ASSIGNED**

6.1. When Council has entered into an agreement with another municipality or other entity for the provision of Fire Protection to part or all of the land within the County's jurisdiction, then:

6.1.1. the Fire Chief of that municipality or other entity shall be deemed to be the Fire Chief for the County when providing Fire Protection to lands within the County's jurisdiction; and

6.1.2. the duties and responsibilities of the Fire Chief and the Members shall be governed by the agreement between the County and that municipality or other entity.

6.2. The Fire Chief shall be responsible to the Fire Services Coordinator for the performance of his duties pursuant to this Bylaw and all applicable policies of the County.

6.3. The Fire Chief shall manage and administer the affairs of the Fire Department pursuant to this Bylaw and applicable policies of the County.

6.4. The Fire Chief shall be responsible for supervising the Members and the day-to-day operation, maintenance and protection of Fire Services Property.

6.5. Subject to the approval of the Fire Services Coordinator, the Fire Chief shall establish Standard Operational Guidelines for the provision of Fire Protection that are consistent with this Bylaw and all applicable policies of the County.

6.6. The Fire Chief may recruit and appoint Members to the Fire Department and dismiss Members from the Fire Department, in accordance with applicable County policies.

6.7. The Fire Chief shall maintain and submit to the Fire Services Coordinator on a timely basis:

6.7.1. Records of all business transactions of the Fire Department;

6.7.2. Records of all Incidents attended by the Fire Department and actions taken;

6.7.3. Records of all fire inspections carried out and actions taken on account of fire inspections; and

6.7.4. Any other records Incidental to the operation of the Fire Department.

6.8. The Village and Town Fire Chief shall prepare and submit a proposed budget annually to the Fire Services Coordinator on or before September 1 for the following fiscal year, or as otherwise required by the Fire Services Coordinator from time to time.

6.9. The proposed budget shall describe in detail all operating and capital revenue and expenditures, including honoraria for Members.
6.10. The Fire Chief may appoint other Members to act as Fire Chief in his 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 Fire Chief.

7.2. An Officer will be required to function as the Member in Charge in the absence of the Fire Chief or Fire Service Coordinator.

7.3. An Officer shall provide leadership to Members and implement training programs.

7.4. An Officer shall assist the Fire Chief in the administration and operation of the fire department.

8. **MEMBER APPOINTMENT AND DUTIES**

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

9. **AUTHORITY AND RESPONSIBILITY OF MEMBERS IN CHARGE**

9.1. The Member in Charge at an Incident shall have control, direction and management of all Apparatus, Equipment and manpower assigned to that Incident and shall continue to act as the Member in Charge until relieved by another Member authorized to do so.

9.2. The Member in Charge shall take action as deemed necessary for preserving life and property and protecting persons and property from injury or destruction by fire or other emergency and is authorized to:

9.2.1. enter, pass through or over buildings, structures or property whether adjacent or in proximity to an Incident and to cause Members or Apparatus to enter or pass through or over the building, structure or property without permission;

9.2.2. establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by the Member in Charge;

9.2.3. request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in subsection (b) above;

9.2.4. cause a building, structure or thing to be pulled down, demolished or otherwise removed;

9.2.5. secure County manpower and Equipment which he considers necessary to deal with an Incident;

9.2.6. secure and/or commandeer privately owned Equipment which he considers necessary to deal with an Incident and authorize payment for use of the Equipment;
9.2.7. require any adult person who is not a Member, to assist in:

9.2.7.1. extinguishing a fire or preventing the spread thereof;

9.2.7.2. removing furniture, goods and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same; and

9.2.7.3. demolishing a building or structure at or near the fire or other Incident.

10. FIRE GUARDIANS

10.1. Each year before April 1, Council shall appoint 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.

10.2. Fire Guardians shall have the authority and power to:

10.2.1. issue a Fire Permit in respect of any property within the County;

10.2.2. issue a Fire Permit unconditionally or to impose any conditions on the Permit that the Fire Guardian considers appropriate, in his or her sole discretion, given the nature of the fire and prevailing circumstances, location and environmental conditions;

10.2.3. suspend or cancel a Fire Permit at any time;

10.2.4. refuse to issue a Fire Permit where, in the opinion of the Fire Guardian, there is a risk to the public in relation to the proposed fire;

10.2.5. enforce the provisions of the Forest and Prairie Protection Act within the boundaries of the County;

10.2.6. require any able-bodied adult person, who is not exempted by the regulations of the Forest and Prairie Protection Act to assist in fighting a fire;

10.2.7. commandeer and authorize payment for the possession or use of any Equipment for the purposes of fighting a fire;

10.2.8. enter a closed area under the Forest and Prairie Protection Act, without a permit or written permission of a forest Officer, subject only to the regulations of the Forest and Prairie Protection Act;

10.2.9. obtain from every person found on public land or leaving or entering public land that person’s name, address and an account of his or her activities and the route of the activities he or she proposes to carry out and the route he or she intends to follow on public land;

10.2.10. 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 this Bylaw or the Forest and Prairie Protection Act;

10.2.11. without a warrant enter any private dwelling house which is on fire and proceed to fight the fire.
10.2.12. direct the operations of extinguishing or controlling the fire or the operations to preserve life and property;

10.2.13. perform work relating to the extinguishing or controlling the fire or the operations to preserve life and property and enter onto any property for the purpose of extinguishing or controlling the fire; and

10.2.14. prevent interference with the efforts of persons engaged in the extinguishing of fires or preventing the spread thereof by regulating the conduct of the public at or in the vicinity of the fire.

11. PERMITTED AND PROHIBITED FIRES

11.1. No person shall light or cause to be lit any Outdoor Fire or Structure Fire or permit any Outdoor Fire or Structure Fire on land owned or occupied by him or under his control within the boundaries of the County except as otherwise provided for under this Bylaw.

11.2. No person shall burn or cause to be burned any Prohibited Debris within the boundaries of the County.

11.3. No person shall light or cause to be lit any Outdoor Fire or Structure Fire or permit any Outdoor Fire or Structure Fire on land owned or occupied by him or under his control within the boundaries of the County except when he is the holder of a valid Fire Permit or unless the specific type of fire is exempted from requiring a Fire Permit either in this Bylaw or the Forest and Prairie Protection Act.

11.4. A Fire Permit is not required under this Bylaw for a Burning Barrel Fire, Recreational Fire, Smudge Fire or a Designated Landfill Fire provided that:

11.4.1. A minimum of 5 metres clearance from property lines, other structures and combustible materials is maintained;

11.4.2. The fire is kept under control and supervised at all times by a responsible adult person until such time that the fire has been completely extinguished; and

11.4.3. Flame height does not exceed 90 centimetres above the structure or container.

11.4.4. The fire has been set and is being supervised by the Vermilion River Regional Solid Waste Management Authority, in established burn pits located at Waste Transfer Stations in accordance with their policy and procedures.

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

11.6. This Bylaw does not apply to:

11.6.1. an Outdoor Fire or Structure Fire lit by Fire Services for training or preventive control purposes;

11.6.2. a fire that is a flare stack used in the petroleum industry; or

11.6.3. 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. An application for a Fire Permit for an Outdoor Fire or a Structure Fire shall be made to a Fire Guardian in writing on the form adopted by the County, and the Fire Guardian shall receive and consider the application, and after having done so he may, in his absolute discretion, issue to the applicant a Fire Permit.

12.3. When issuing a Fire Permit a Fire Guardian may issue the Fire Permit unconditionally or impose conditions considered appropriate.

12.4. Fire Permits issued pursuant to this Bylaw are valid for such period of time as shall be determined and set by the Fire Guardian and the Fire Permit shall have endorsed thereon the period of time for which the said Permit is valid.

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 Guardian may, in his absolute discretion, suspend or cancel a Fire Permit at any time.

12.7. Each application for a Fire Permit must contain the following information:

12.7.1. the name and address of the applicant;
12.7.2. the legal description of the land on which the applicant proposes to set a fire;
12.7.3. the type and description of materials which the applicant proposes to burn;
12.7.4. the period of time for which the Fire Permit is valid;
12.7.5. the precautions, if any, that will be taken by the applicant to ensure that the proposed fire remains under his control;
12.7.6. the signature of the applicant;
12.7.7. the signature of the Fire Guardian issuing the Fire Permit;
12.7.8. 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:

12.9.1. keep the Permit at the site of the fire;
12.9.2. produce and show the Permit to a Fire Guardian, a Member or a Peace Officer upon request;
12.9.3. have a responsible person in attendance at the fire at all times;
12.9.4. keep the fire under control;
12.9.5. extinguish the fire before expiration of the Permit or upon cancellation of the Permit; and
12.9.6. be responsible for any costs incurred by the County when called upon to extinguish such fire.

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.

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 Vermillion 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 Vermillion River without the written permission of the County Fire Department.

14. **FIREWORKS PERMISIONS**

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:

- 14.2.1. Date, time and location of the proposed display;
- 14.2.2. Names, addresses and certification numbers of all display supervisors or pyrotechnicians and assistants participating in the display;
- 14.2.3. The name of the sponsor or purchaser of the display;
- 14.2.4. A full description of the planned display and a list of all materials to be fired, detonated, burnt or energized during the display;
- 14.2.5. The emergency plan for the display;
- 14.2.6. Verification of liability insurance, in an amount acceptable to the County; and
- 14.2.7. Any other information deemed necessary by the County or the 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 he deems appropriate. Such conditions and restrictions may include, but are not limited to:

14.3.1. time of the day;
14.3.2. days of the week;
14.3.3. duration of display;
14.3.4. geographic location;
14.3.5. requirements for notification of affected residents;
14.3.6. on-site fire suppression materials and resources; and
14.3.7. 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 his 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 Code.

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:

14.8.1. The date of the sale;
14.8.2. The name, address and phone number of the purchaser;
14.8.3. A description of the Fireworks sold;
14.8.4. The date and time the Fireworks will be discharged;
14.8.5. The location and description of the site where the Fireworks will be discharged;
14.8.6. 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
14.8.7. 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 his or her designate may attach any terms and conditions in a written permission that he or she deems appropriate for the specific event and location.

14.12. The County Fire Chief or his designate may choose to revoke any previously issued written permission for reasons of:

14.12.1. non-compliance with:

14.12.1.1. The Alberta Fire Code;

14.12.1.2. The Explosives Act (Canada); or

14.12.1.3. The written permission;

14.12.2. changes in environmental conditions; or

14.12.3. safety to life, limb or property.

15. **FIRE BAN**

15.1. The Fire Services Coordinator or CAO may, from time to time, prohibit all Fires in the County, whether requiring a Fire Permit or not, when in the opinion the Fire Services Coordinator or CAO, the prevailing environmental conditions give rise to an increased risk of a fire running out of control.

15.2. A Total/Partial Fire Ban imposed pursuant to section 16.1 of this Bylaw, shall remain in force until either the date provided in the notice of the Total/Partial Fire Ban or until such time as the Fire Services Coordinator or CAO provides notice to the public that the Total/Partial Fire Ban is no longer in effect.

15.3. Notice of a Total/Partial Fire Ban shall be provided to the public. Notice may be in the form of signs posted throughout the County, in locations to be determined by the County, through a public service message on the local radio stations, or by any other means which the CAO determines is appropriate for the purpose of informing the public of the Total/Partial Fire Ban.

15.4. When a Total Fire Ban is in place, no person shall ignite a fire, whether or not the person is the holder of a Fire Permit and shall immediately extinguish any fire lit once the person knows or ought reasonably to know of the Total Fire Ban.

15.5. When a Partial Fire Ban is in place, only “Burning Barrel Fires” as defined under Section 2.1.3 and “Recreational Fires” as defined under Section 2.1.32 are permitted
16. FIRE PROTECTION CHARGES

16.1. Upon providing Fire Protection on a parcel of land within or outside the County's boundaries, the County may, in its sole and absolute discretion, charge the person causing or contributing to the fire, or the owner or occupant of the parcel of land, a Fire Protection Charge, and all persons charged are jointly and severally liable for payment of the Fire Protection Charge to the County.

16.2. A Fire Protection Charge shall be paid within sixty (60) days of being levied.

16.3. Collection of unpaid Fire Protection Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien, which the County is entitled to on the parcel of land in respect of which the indebtedness is incurred.

16.4. The owner of a parcel of land within the County to which Fire Protection is provided is liable for Fire Protection Charges incurred and the County may add to the tax roll of the parcel of land all unpaid Fire Protection Charges, which forms a special lien against the parcel of land in favour of the County from the date the amount was added to the tax roll.

17. NOTICE

17.1. Any notice provided for in this Bylaw shall be in writing.

17.2. Service of any notice provided for in this Bylaw may be made as follows:

17.2.1. Personally upon the person to be served; or to any person receiving it on his or her behalf; or

17.2.2. By mailing the copy to the person to be served to the last known post office address of the person to be served.

17.2.3. 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.

17.2.4. As directed by the courts.

17.3. Service is presumed to be effected under section 18.2:

17.3.1. seven days from the date of mailing if the document is mailed in Alberta to an address in Alberta; or

17.3.2. subject to (a), fourteen days from the date of mailing if the document is mailed in Canada to an address in Canada;

17.4. 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.

18. INSPECTION AND ENFORCEMENT

18.1. Where a parcel of land does not comply with this Bylaw or a person contravenes this Bylaw, the County may pursue its enforcement alternatives in accordance with this
Bylaw, any enactment or any common law right, including issuing an order to remedy contraventions or dangers, remedying contraventions or dangers by the County, adding amounts to the tax roll of the owner of the parcel, and pursuing injunctions pursuant to the Municipal Government Act.

18.2. The Fire Services Coordinator 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.

19. REVIEW BY COUNCIL

19.1. 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.

20. OFFENSES

20.1. No person shall:

20.1.1. contravene any provision of this Bylaw;

20.1.2. impede, obstruct or hinder a Member, or any other person assisting or acting under the direction of a Member from carrying out any function or activity related to the provision of Fire Protection Services;

20.1.3. damage or destroy Fire Services Property;

20.1.4. falsely represent himself as a Member;

20.1.5. obstruct or otherwise interfere with access by Fire Services or Fire Services Property to:

20.1.5.1. the scene of an Incident;

20.1.5.2. a fire hydrant, cistern or other body of water designated for firefighting purposes; or

20.1.5.3. connections to fire mains, stand pipes, or sprinkler systems.

20.1.6. cross any boundaries or limits established by the Fire Services in accordance with this Bylaw, without the express authorization of the Member in Charge;

20.1.7. cause or permit a Burning Hazard or Fire Hazard to exist on a parcel of land;

20.1.8. deposit, discard or abandon any burning matter or substance so as to create a Burning Hazard;

20.1.9. light a fire or cause a fire to be lit during a Fire Ban;

20.1.10. 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.

20.1.11. provide false, incomplete or misleading information to the Fire Services Coordinator, a Fire Guardian, a Member or a Peace Officer with respect to a fire or a Fire Permit application;
20.1.12. light a fire in a hamlet other than a Recreational Fire;
20.1.13. light a fire on any land not his own without the written consent of the owner of the land;
20.1.14. permit a fire lit by that person to pass from his own land to the land of another person;
20.1.15. light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
20.1.16. conduct any activity that might reasonably be expected to cause a fire unless that person exercises reasonable care to prevent a fire from occurring;
20.1.17. 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;
20.1.18. light a fire on lands owned or controlled by the County except with the County’s express written consent; or
20.1.19. use a fire to burn Prohibited Debris.

21. **PENALTIES**

21.1. 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” attached to and forming part of this Bylaw.

22. **MUNICIPAL TAGS**

22.1. 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.

22.2. A Municipal Tag may be issued to such person:
   22.2.1. either personally; or
   22.2.2. by mailing a copy to such person at his last known post office address.

22.3. The Municipal Tag shall be in a form approved by the CAO and shall state:
   22.3.1. the name of the person;
   22.3.2. the offence;
   22.3.3. the specified penalty established by this Bylaw for the offence;
   22.3.4. that the penalty shall be paid within 30 days of the issuance of the Municipal Tag; and
   22.3.5. any other information as may be required by the CAO.

23. **PAYMENT IN LIEU OF PROSECUTION**
23.1. 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.

24. VIOLATION TICKETS

24.1. 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.

24.2. Notwithstanding section 25.1, 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;

24.3. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
   24.3.1. specify the fine amount established by this Bylaw for the offence; or
   24.3.2. require a person to appear in court without the alternative of making a voluntary payment.

25. VOLUNTARY PAYMENT

25.1. A person who commits an offence may:
   25.1.1. if the Violation Ticket is issued in respect of the offence; and
   25.1.2. if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

25.2. 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.

25.3. When the Clerk records in the Court records the receipt of a voluntary payment pursuant to Section 22.1 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.

26. SEVERABILITY

26.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
27. REPEAL

27.1. The following Bylaws, as amended, are hereby repealed:
   27.1.1. Bylaw 11-03
   27.1.2. Bylaw 12-01
   27.1.3. Bylaw 13-01
   27.1.4. Bylaw 14-26

28. EFFECTIVE DATE

28.1. This Bylaw shall come into force and effect upon third and final reading.

READ A FIRST TIME this 9th day of April, 2015

READ A SECOND TIME this 9th day of April, 2015

READ A THIRD TIME AND PASSED this 9th day of April, 2015

COUNTY OF VERMILION RIVER

Per: ________________________ REEVE

Per: ________________________ CHIEF ADMINISTRATIVE OFFICER
SCHEDULE "C" – FEES AND COSTS

OBJECTIVE:
To establish rates and entities to be charged for Fire Protection 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 for burning during a fire ban.
   ➢ will be charged a penalty for false alarms after first offense. $100 for second offense, $400 for third offense, $800 for fourth or higher offense.

B. Non-Residents of the County
   ➢ Alberta Transportation will be charged for response to vehicle fires/fire hazards and MVCs 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 will be charged for fire and rescue response to any fires, fire hazards or accidents.

ALL INCLUSIVE RATE TO BE CHARGED AS IDENTIFIED IN SECTION A:
   ➢ These rates will apply unless the fire is covered under a Mutual Aid Agreement with another jurisdiction.
   ➢ For any fire truck from each fire department responding, $300.00 per hour for the first two hours and $200 per hour thereafter per fire apparatus and $100.00 per hour for command unit.
   ➢ A fee for the cost of fire fighting will be charged up to the maximum allowable amount per insurance claim submitted. This fee does not apply to Schedule C Section B.
   ➢ Penalty for burning during a fire ban $500.00.
   ➢ Penalty for burning without a permit $300.00.
<table>
<thead>
<tr>
<th>False Alarms</th>
<th>Service Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>No Charge</td>
</tr>
<tr>
<td>Second (2\textsuperscript{nd}) response to False Alarm</td>
<td>$200</td>
</tr>
<tr>
<td>Third (3\textsuperscript{rd}) response to False Alarm</td>
<td>$400</td>
</tr>
<tr>
<td>Fourth (4\textsuperscript{th}) or more response to False Alarm</td>
<td>$800</td>
</tr>
<tr>
<td>Security Alarms routed to Fire Rescue Services</td>
<td>$800</td>
</tr>
</tbody>
</table>
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 Fire Fighters.

The Fire Department is authorized to provide:

- emergency services within the prescribed boundary area as listed in Schedule A, 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 the Mutual Aid Agreement.

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 Fire Chief, or his designate receiving the call to request appropriate back up from a neighboring municipality if required.

3. For the County, the Fire Services Coordinator will be responsible for identifying the required level of competency and maintaining the levels through the Fire Service Agreements.

4. The Fire Department will not respond to an Incident if adequately trained Members are not available. 911 will be advised to call another department and the Members 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 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 fire fighter shall be expected to perform duties beyond their scope of training.

3. A new Member 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 Member within the first year of joining must pass their S300 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

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.
<table>
<thead>
<tr>
<th>Emergency Service Provided</th>
<th>Level or Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Emergency Planning</td>
<td>Awareness Level</td>
</tr>
<tr>
<td>Fire Fighting – Structural</td>
<td>NFPA 1001</td>
</tr>
<tr>
<td>Fire Fighting – Airport</td>
<td>NFPA 1003, not provided</td>
</tr>
<tr>
<td>Fire Fighting – Wildland/Urban Interface</td>
<td>NFPA 1051, Level 1</td>
</tr>
<tr>
<td>Fire Officer</td>
<td>NFPA 1021, Level II</td>
</tr>
<tr>
<td>Medical First Responder</td>
<td>Emergency Medical Responder (EMR)</td>
</tr>
<tr>
<td>Motor Vehicle Collisions, Vehicle Extrication</td>
<td>NFPA 1001</td>
</tr>
<tr>
<td>Ice Rescue, Swift/Flat Water Rescue</td>
<td>not provided – awareness level only</td>
</tr>
<tr>
<td>Trench Rescue</td>
<td>not provided - awareness level only</td>
</tr>
<tr>
<td>Hazardous Materials Response</td>
<td>NFPA 472 - awareness level only</td>
</tr>
<tr>
<td>Confined Space Rescue</td>
<td>technician level with valid oil field tickets</td>
</tr>
<tr>
<td>Rope Rescue (low angle rescue only)</td>
<td>not provided - awareness level</td>
</tr>
<tr>
<td>Power Lines Down/Electrical Hazards</td>
<td>not provided - awareness level</td>
</tr>
<tr>
<td>Building Collapse</td>
<td>NFPA 1001</td>
</tr>
<tr>
<td>Fire Vehicle Driver/Operator</td>
<td>NFPA 1001</td>
</tr>
<tr>
<td>Incident Commander</td>
<td>NFPA 1001, ICS Series</td>
</tr>
<tr>
<td>Fire Investigator</td>
<td>SCO</td>
</tr>
<tr>
<td>Public Services (Fire Pits, Alarms, Education)</td>
<td>NFPA 1001</td>
</tr>
<tr>
<td>Mutual Aid Responses as per agreements</td>
<td></td>
</tr>
</tbody>
</table>

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