

**TOWN OF TROCHU
BYLAW NO. 2022-01
FIRE SERVICES BYLAW**

A BYLAW of the Town of Trochu in the Province of Alberta **FOR THE PURPOSE OF PROVIDING FOR THE ESTABLISHMENT AND OPERATION OF FIRE PROTECTION SERVICES** in the Town of Trochu.

WHEREAS: The provisions of Section 7 of the *Municipal Government Act*, RSA 2000, Chapter M-26 permits the Council to pass Bylaws for municipal purposes of respecting safety, health, and welfare of people and the protection of people and property;

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

AND WHEREAS: The *Safety Codes Act*, RSA 2000, c. S-1, enables an accredited municipality to make Bylaws respecting fees for services provided pursuant to the Act and carrying out its powers and duties as an accredited municipality;

AND WHEREAS: The Town of Trochu is an accredited municipality under the *Safety Codes Act* in the Fire Discipline under Fire Accreditation No. J000137

AND WHEREAS: The Council of the Town of Trochu wishes to establish a fire department within the Town, and provide for the efficient operation of such a department and regulate and control the lighting of fires within the Town;

NOW THEREFORE: THE MUNICIPAL COUNCIL OF THE TOWN OF TROCHU, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

1. - SHORT TITLE:

1.1 This Bylaw may be referred to as the **FIRE SERVICES BYLAW** of the Town of Trochu.

2. - DEFINITIONS:

In this Bylaw, unless the context otherwise requires:

2.1 **"Acceptable Fire Pit"** (see "Schedule B"); means an outdoor receptacle that meets the following specifications:

- a. A minimum of 3 metres (10 feet) clearance, measured from the nearest firepit edge, is maintained from buildings, fences, property lines, or other combustible material;
- b. The fire pit installation has enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible material; and
- c. Not more than 0.6 metres (2 feet) high; and
- d. Not more than 1 metre (3 feet) wide.

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- 2.2 **"Agreement"** means any agreement entered into by the Town and another municipality or agency for the provision of fire protection or emergency services.
- 2.3 **"Apparatus"** means any vehicle, machinery, device, Equipment, or material for the purpose of firefighting, rescue, or cleanup of Dangerous Goods, as well as vehicles used to transport fire fighters, supplies, or contracted personnel required for such firefighting, rescue, or cleanup.
- 2.4 **"CAO"** means the Chief Administrative Officer of the Town of Trochu or their designate.
- 2.5 **"Council"** means the Council of the Town of Trochu.
- 2.6 **"Dangerous Goods"** means any material or substance that may constitute an immediate or long-term adverse effect to life, health, property, or the environment when burned, spilled, leaked, or otherwise released from its normal use. It shall include those products, substances and organisms described in the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c D-4, as amended, and the regulations promulgated there under.
- 2.7 **"Development Authority"** means a person or a body appointed as a Development Authority contemplated by and in accordance with the *Municipal Government Act*.
- 2.8 **"District Fire Department"** means a fire department established and operated by a municipality or agency other than the Town that provides Fire Protection Services pursuant to a formal Agreement.
- 2.9 **"Enforcement Officer"** means a member of the Royal Canadian Mounted Police, a Municipal Bylaw Officer, a Peace Officer, the CAO, or any person designated by the CAO to enforce this Bylaw.
- 2.10 **"Equipment"** means any tools, devices, or materials used by the Fire Department to combat an Incident or other emergency.
- 2.11 **"False Alarm"** means any notification to the Fire Department or any Member thereof respecting the existence of a condition, circumstance or event containing an imminent danger to persons or property, wherein such a condition, circumstance or event is in fact not in existence.
- 2.12 **"Fire"** means any combustible material in a state of combustion.
- 2.13 **"Fire Chief"** means the individual appointed by Council as the head of the Trochu Fire Department, or their designate.
- 2.14 **"Fire Code"** refers to the National Fire Code – 2019 Alberta Edition, NFC(AE)
- 2.15 **"Fire Department"** means the fire department established by this Bylaw and includes any member.
- 2.16 **"Fire Department Property"** means all property owned or controlled by and designated for use by the Fire Department, regardless of the source of the property.

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- 2.17 **"Fire Hazard"** means any condition, circumstance, or event where the possibility of Fire exists or is increased.
- 2.18 **"Fire Lane"** passageway or access road that will allow fire apparatus to pass through.
- 2.19 **"Fire Permit"** means a burning permit for an Open Fire issued by Kneehill County.
- 2.20 **"Fire Protection"** means any and all of the services enumerated in subsection 3.1 and any other service provided by the Fire Department with the authorization of Council.
- 2.21 **"Fire Protection Service Charges"** means rates, fees, and charges payable for, or in connection with the provision of Fire Protection, as set out in "Schedule A" of the Fire Services Bylaw.
- 2.22 **"Fire Watch"** consists of one or more trained personnel deployed with maintaining the safety of life and property by continuously patrolling all areas of a property affected by an impairment or other fire watch condition. A Fire Watch is required when:
- a. When any life safety system is taken out of service for more than 4 accumulated hours within a 24-hour period; and
 - b. When doing Hot Work or as required in a special permit or fire safety plan; and
 - c. Or otherwise as determined by a member.
- 2.23 **"Gas Fueled Firepit"** means a decorative structure, primarily for outdoor use and display. Some are designed to look like real fire pits; however, the coals or logs are decorative, and the real flame is being produced by natural gas or propane (includes gas fueled fire tables, fire bowls and hearths).
- 2.24 **"Hot Work"** is an activity or process that generates a source of ignition. This could be through a flame, heat, or a spark.
- 2.25 **"Incident"** means a fire, a situation where an explosion is imminent, a medical emergency (such as a motor vehicle accident) and any other situation where there is danger, or a possible danger to life or property,
- 2.26 **"Incident Commander"** means the first qualified Member of the Service in attendance at an Incident who assumes command in accordance with policies and procedures of the Service.
- 2.27 **"Intermunicipal Fire Services Agreement"** means the agreement executed between Kneehill County and the Town of Trochu for the provision of Fire Protection Services within the borders of Kneehill County, as amended from time to time.
- 2.28 **"Member"** means any person who is a duly appointed member of the Fire Department, or any person or member or employee of an agency asked by the Fire Chief or designate to assist at an Incident.

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- 2.29 **"Municipal Tag"** means a summons, a written notice, or any other document approved by the CAO to advise a person that a violation of this Bylaw has occurred and that, by payment of a specified amount for the offence within a set time period, the person will avoid prosecution for the offence. A municipal tag may be issued by an Enforcement Officer or delivered by mail.
- 2.30 **"Officer"** refers to a Lieutenant, Deputy Chief, or Captain of the Fire Department appointed by the Fire Chief in accordance with the provisions and eligibility requirements outlined in the SOG/SOP.
- 2.31 **"Open Fire"** means any fire which is not contained within an appropriate fire pit, and outdoor fireplace, a stationary barbeque, or an incinerator approved by Alberta Environment and includes, but is not limited to:
- a. Fire for the burning of weeds, grass, leaves, brush, or any other plant matter; or
 - b. Fire related to recreational uses in an area that has not been designated for recreational fire by the Municipality; or
 - c. A fire set for the purpose of thawing frozen ground.
- 2.32 **"Property"** means any real or personal property including, but not limited to, land and structures.
- 2.33 **"Provincial Offences Procedures Act"** means *the Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time.
- 2.34 **"Recreational Fire"** means a confined fire for the purpose of cooking, obtaining warmth, or viewing for pleasure. A recreational fire may only be fueled with seasoned wood, or charcoal, natural gas, or propane.
- 2.35 **"Refuse or Waste"** means:
- a. All animal or vegetable matter including materials resulting from the handling, preparation, cooking, consumption, or storage of food; or
 - b. Broken dishes, tins, glass, rags, cast-off clothing, wastepaper, cardboard, sawdust, food containers, plastic, grass cuttings, shrubbery and tree pruning's, weeds, garden waste, manure, tree stumps, roots, turf, earth, furniture, major household appliances, discarded auto parts, or such waste as may accumulate due to building construction, renovation, repair, or demolition; and/or
 - c. Any waste referred to in the Environmental Protection and Enhancement Act, R.S.A. 200, c. E-12, as amended, and all regulations promulgated thereunder.
- 2.36 **"Remedial Order"** means an order as described in Section 545 or Section 546 of *the Municipal Government Act*.
- 2.37 **"Responsible Adult"** means a person of at least eighteen (18) years of age who is able to make rational decisions and is accountable for one's own actions.

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- 2.38 **"Safety Codes Officer"** means an individual designated as a safety codes officer (fire discipline) pursuant to the *Safety Codes Act* and shall have all powers provided for within the *Safety Codes Act*.
- 2.39 **"Scene"** means the area beyond or surrounding an incident, in which emergency vehicles or personnel are located.
- 2.40 **"Schedule J"** refers to "Schedule J – Fire Related Offence Fees" of the current Town of Trochu Rates and Fees Bylaw
- 2.41 **"Service"** includes the Trochu Fire Department, and other area Fire Departments, or any other agency, which provides emergency services to the Town.
- 2.42 **"SOG/SOP"** means a standardized set of operating guidelines and procedures fire department(s) use to create continuity in responses and efficiencies while increasing the safety of all Members and the general public, which include but not limited to training events, apparatus maintenance, record keeping and public relations.
- 2.43 **"Town"** means the municipal corporation of the Town of Trochu, in the Province of Alberta, and where the context requires, means all lands situated in within the corporate boundaries of the Town of Trochu.
- 2.44 **"Violation Ticket"** means a ticket issued pursuant to Part 3 of the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended, and any regulations thereunder.

3. - FIRE DEPARTMENT:

- 3.1 Council hereby establishes the Town of Trochu Fire Department for the purpose of:
- a. providing Fire Protection Services; and
 - b. preventing, combating, and extinguishing fires and/or incidents; and
 - c. preserving life and property, and protecting persons and property from injury or destruction by fire or incident; and
 - d. operating apparatus and equipment for the purpose of preserving life and property while extinguishing fires and other emergency situations; and
 - e. fulfilling obligations under approved Fire Protection Agreements; and
 - f. providing Member training or other Member development; and
 - g. providing fire inspection, investigation, and public education prevention services in accordance with Alberta's *Safety Codes Act*, R.S.A. 2000, c S-1, and the regulations thereunder.
 - h. pre-fire and emergency planning and practice; and
 - i. providing initial first response to medical incidents, and rescue services.

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- 3.2 Each item in 3.1 shall be performed by the Trochu Fire Department to the level of service adopted by Council, in the SOG/SOP, which shall be consistent with the legislation and regulation of the Province of Alberta, the Intermunicipal Fire Services Agreement and any other Agreement or legislation.

4. - FIRE CHIEF:

- 4.1 The Fire Chief shall be selected by a vote of the members of the Trochu Fire Department, (in accordance with the provisions and eligibility requirements outlined in the SOG/SOP), subject to the ratification of Council.
- 4.2 The Fire Chief shall be responsible to the CAO and may be required to report directly to the CAO and Council on a quarterly basis or as per the discretion of the CAO.
- 4.3 The Fire Chief shall supervise the Officers and Members.
- 4.4 The Fire Chief has complete authority over the organization and operations of the Fire Department, subject to:
- a. this Bylaw;
 - b. all applicable Town policies and guiding documents;
 - c. the direction of the CAO and Council
- 4.5 The Fire Chief will, subject to budget approval by Council, appoint as many Members and Officers as the Fire Chief deems required for the operation of the Fire Department.
- a. Officers and Members will be appointed by the Fire Chief in accordance with the provisions and eligibility requirements outlined in the SOG/SOP.
- 4.6 The Fire Chief is authorized to delegate, to a Member or Officer, any powers, duties, or functions of the Fire Chief under this Bylaw.
- 4.7 The Fire Chief will ensure that the Fire Department is compliant with the requirements and provisions set out in the Intermunicipal Fire Services Agreement, Provincial legislation, and any other Agreements.
- 4.8 The Fire Chief will, subject to budget approval by Council, purchase or otherwise acquire Equipment, Apparatus materials and supplies necessary for the safe operation and maintenance of the Fire Department.

5. – MEMBERS:

- 5.1 Every Member shall; unless the Fire Chief or Incident Commander has specified otherwise, have the authority to:
- a. Assume the role of Incident Commander until such time as a qualified Officer is available to relieve them.

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- b. request any able-bodied adult person to assist in extinguishing fires and to assist in the prevention or spread thereof;
- c. without a warrant, enter onto or into any property, except a private dwelling or house, for the purpose of discharging their duties under this Bylaw;
- d. without a warrant, enter onto or into any property, private dwelling or building which seems to be on fire, or where there is a risk to life and property, for the purpose of discharging their duties under this Bylaw;
- e. regulate the conduct of the public in and around the vicinity of any place where a Member is performing the activities described in subsections (a.) or (b.), and
- f. obtain from every person found entering or leaving the scene, that person's name, address, and an account of their activities regarding the fire or incident.
- g. determine if a Fire Watch is required, and if so, ensure that sufficient trained personnel are available to provide a post-incident watch for the time-period, deemed necessary to secure the property against further incident. This may require the member to engage the services of a security company or security person to maintain a Fire Watch for the building, and/or to perform site security or to secure a premise. Expenses accrued related to the provision of a Fire Watch may be considered a Fire Protection Service Charge and billed as per Schedule A.

6. - INCIDENT COMMANDERS:

- 6.1 The first qualified Member of the Service arriving on the scene of an Incident shall assume the role and duties of the Incident Commander.
- 6.2 The Incident Commander shall have control, direction, and management of any Fire Department apparatus, equipment, or manpower assigned to an incident and they shall continue to perform the duties of the Incident Commander until relieved by another qualified Member of the Service authorized to do so.
- 6.3 The Incident Commander may request that any able-bodied, adult person who are not Members assist in the combatting, controlling, or dealing with the incident.
- 6.4 The Incident Commander may at their discretion establish boundaries or limits at the incident or scene. The Incident Commander shall then have control to allow or disallow entrance or exit to and from the scene or incident.
- 6.5 The Incident Commander may request Enforcement Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 6.4.
- 6.6 The Incident Commander is empowered to enter any property (without a warrant) and to take all steps they deem necessary to either directly or indirectly combat, control, or deal with an incident including:

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- a. passing through or over buildings or property adjacent to an incident, and direct Members of the Service and the apparatus and equipment of the Fire Department to enter or pass through or over the building or Property; and
 - b. ordering the evacuation of any building or area which is directly or indirectly involved in an incident; and
 - c. causing a building, structure, or thing to be pulled down, demolished, or otherwise removed.
- 6.7 The Incident Commander in charge at an Incident has the authority to commandeer privately owned equipment which they consider necessary to deal with the Incident and the owner of such equipment will be compensated by the Town in accordance with standard industry rates.

7. - REQUIREMENT TO REPORT:

- 7.1 The owner of any Property damaged by Fire shall, either personally or by agent, immediately report the particulars of the Fire to the Fire Department in a manner set out and in accordance with the Safety Codes Act RSA 2000, c. S-11 as amended.
- 7.2 The owner of any Property upon where Dangerous Goods have been spilled or released shall, either personally or by agent, immediately report particulars of such a spill or release to the Fire Department.

8. - CONTROL OF FIRE HAZARDS:

- 8.1 If the Enforcement Officer of Fire Chief finds conditions that in their opinion constitute a fire hazard within the Town's municipal boundaries, they may order the owner or the person in control of the land on which the fire hazard exists to reduce or remove the fire hazard within a fixed time and in a manner prescribed by the Town.
- a. The Enforcement Officer may request the assistance of the Fire Department to determine if the conditions constitute a fire hazard and provide a written report to the CAO.
- 8.2 If the CAO finds that the order made pursuant to Section 10.1 has not been carried out, CAO or designate may enter onto the land with any equipment and any person they consider necessary and may perform the work required to eliminate or reduce the Fire Hazard.
- 8.3 The owner or occupant of the land pursuant to Section 10.1 may also be guilty of an offence and liable for a fine as indicated in "Schedule J".

9. - FIRE PROTECTION SERVICE CHARGES:

- 9.1 The owner or occupant of the land on which work was performed pursuant to Section 8.2 shall, pay to the Town a Fire Protection Service Fee as per "Schedule A".

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- 9.2 In the event of a Fire or upon the Fire Department providing Fire Protection services to a property within the Town may in its sole and absolute discretion charge any associated costs and expenses incurred by the Town and/or the Fire Department in taking such action to any, or all of the following persons, namely:
- a. the person(s) causing or contributing to the Fire; or
 - b. the owner or occupant of the property to which the services were provided:
 - i. All individuals charged are jointly and severally responsible for payment of the Fire Protection Service Charges to the Town as per "Schedule A"; and
 - ii. Should the situation warrant, a penalty may also be imposed as per "Schedule J".
- 9.3 Fire Protection Charges shall be paid in full on or before the due date imposed by the Town.
- 9.4 The owner of a parcel to which Fire Protection is provided, is liable for Fire Protection Service Charges incurred. As such the Town may transfer to the tax roll of a parcel of land all unpaid Fire Protection Service Charges and interest charges accrued one hundred and twenty (120) days after the Fire Protection Service Charge has been levied.
- 9.5 Collection of unpaid Fire Protection Service Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Town is entitled to place on the property in respect of which the indebtedness is incurred.

10.- FIRE PERMITS:

- 10.1 Anyone wishing to set an Open Fire within the Town of Trochu must first obtain a Fire Permit from Kneehill County.
- 10.2 The Town shall attach such conditions to a Fire Permit issued pursuant to section 12.1 as are necessary to comply with the Safety Codes Act RSA 2000, c. S-1, as amended, and this Bylaw.
- 10.3 No person shall permit, suffer, or allow an Open Fire upon land owned, occupied, or under control of that person within the Town without having obtained a valid Fire Permit.
- 10.4 A Fire Permit holder shall ensure that any Fire authorized by the said Fire Permit is kept under the control of a Responsible Adult and shall make reasonable efforts to secure the area surrounding the fire from entry by unauthorized persons.
- 10.5 A Fire Permit is not required for:
- a. an Acceptable Fire Pit;
 - b. the use of fireplaces, stoves and firepits that have been installed by or on behalf of the Town in any campground or park that is owned or controlled by the Town provided that:

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- I. the receptacle meets the requirements of an Acceptable Fire Pit; and
- II. only clean, dry, and untreated wood or charcoal is burned, and without limiting the generality of the foregoing, no Refuse or Waste is burned; and
- III. the Fire does not emit smoke or sparks onto neighboring property, or otherwise create a nuisance or hazard to neighboring property; and
- IV. the Fire is supervised at all times, by a Responsible Adult until such time that the Fire is extinguished.

11.- FIRE BANS, FIRE PITS AND OPEN FIRES:

11.1 The Fire Chief or CAO may issue Fire Bans as per "Schedule C" and when issued, every person shall:

- a. immediately extinguish every Open Fire (even if a valid permit has been issued) and Recreational Fire lit by them or under their authority and every Fire located on land occupied or owned by them within the Town's boundaries affected by the Fire Ban; and
- b. refrain from lighting an outdoor fire, structure fire, incinerator fire, smudge fire, barbeque/fire pit, or portable appliance not fueled by propane or natural gas, during a municipal Fire Ban.

11.2 The Fire Chief or Enforcement Officer shall have authority over all fires, regardless of type, lit within the Town of Trochu, which may require that a fire be extinguished immediately. Anyone who fails to comply is guilty of an offense as per "Schedule J".

11.3 A person shall, by demand of the Town, reimburse the Town for any costs incurred in relation to a Fire the person is responsible for that is deemed by an Enforcement Officer, or the Fire Chief at their discretion, to present danger to the public or to adjacent property, and is required to be extinguished, controlled, or otherwise serviced by the Fire Department, as per "Schedule A".

11.4 It shall not be an offence for the Fire Department to conduct any burning for the purpose of fire prevention or training except when a Fire Ban is in effect unless written permission is obtained from the CAO.

12. - REVIEW OF BUILDING CONSTRUCTION PLANS

12.1 A Safety Codes Officer at the request of the developer or Development Authority is authorized to review plans and inspect the construction of all new buildings and structures, other than single family dwellings, to establish that the fire protection facilities and equipment in the building comply with the Fire Code and all other applicable fire-related regulations, codes, and standards.

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13. -EVENT APPROVAL:

- 13.1 If the approval of the Fire Chief is required by any legislation, bylaw, or procedure for an event to be permitted within the Town, the Fire Chief will review the details of the event application and may:
- a. Refuse approval if the Fire Chief determines that the event is; or may become a Fire Hazard; or
 - b. Provide approval without condition; or
 - c. Provide approval subject to the conditions and restrictions that they deem necessary for safety and the prevention or the spread of fire.
- 13.2 If as a condition of event approval, the Fire Chief determines that additional event inspections are required at any time before, during or after the event, the applicant may be responsible to pay Fire Protection Service Charges as per "Schedule A".

14.- FIRE DEPARTMENT ACCESS

- 14.1 An owner(s) or owner's authorized agent must in relation to all property they own or control:
- a. Ensure all designated fire lanes provided for Fire Department access routes on private property are clear, and ready for use by Fire Department vehicles, at all times; and
 - b. Post signs in all fire lanes prohibiting parking with the wording, FIRE LANE – NO PARKING; and
 - c. Ensure that all fire lanes are designed to meet Fire Department response needs and the operational requirements of Fire Department vehicles and apparatus; and
 - d. Maintain Fire Department access routes in compliance with all applicable codes and standards; and
 - e. Ensure the address of the building is visible from the street frontage at all times; and
 - f. Provide directional signage for entrances not visible from the primary Fire Department response point; and
 - g. Maintain and keep corridors used by the public and exits free of obstructions; and
 - h. Design, install, keep, maintain, and use devices on all required exit doors in accordance with the Alberta Building Code.

15. - PROHIBITIONS:

- 15.1 No person shall cause a False Alarm.
- 15.2 No person shall fail to comply with a Fire Ban.
- 15.3 No person shall conduct any outdoor burning, unless the burning is conducted in a safe manner and is supervised at all times by a Responsible Adult, until such a time that the Fire has been extinguished.

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- 15.4 No person shall burn anything within 3 metres (10 feet) of any structure or combustible material (this includes the use of gas fueled firepits or portable campfires).
- 15.5 No person shall conduct or cause to be conducted any burning in a park or any other property owned or operated by the Town of Trochu, unless such burning occurs in a container provided by the Town of Trochu for that purpose.
- 15.6 No person shall conduct any burning or light an outdoor fire when weather conditions such as high winds are conducive to a fire readily escaping onto land other than their own.
- 15.7 No person shall conduct any burning or light an outdoor fire unless confined within an Acceptable Fire Pit.
- 15.8 No person shall allow any fires they conduct or light to exceed 1 metre (3 feet) above the fire pit/enclosure.
- 15.9 No person shall burn any refuse, waste, treated wood, or anything other than clean, seasoned wood, charcoal, natural gas, or propane.
- 15.10 No person shall conduct an Open Fire without a Fire Permit issued by Kneehill County.
- 15.11 No person shall be conduct a fire that is deemed by the Enforcement Officer or Fire Chief or designate to present a danger to the public or adjacent property.
- 15.12 No person shall fail to comply with an order issued by an Enforcement Officer, the Fire Chief or designate.
- 15.13 No person shall obstruct, hinder or in any way impede any authorized representative of the Town or Fire Department at any time during the execution of their duties pursuant this Bylaw.
- 15.14 No person shall obstruct, hinder or in any way impede Fire Department Members and Fire Department equipment or apparatus in the execution of their duties pursuant to this Bylaw.
- 15.15 No person shall place or leave in place, any vehicles, article, thing, or matter in such a manner as to interfere with free access or approach to any fire hydrant or service connection.
- 15.16 No person shall move any fire hose or drive a vehicle over any fire hose at any fire without permission of the Incident Commander.
- 15.17 No person other than an employee of the Town of Trochu Public Works Department or a Member of the Trochu Fire Department shall use any fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving written permission from the Public Works Department or the Fire Chief.
- 15.18 No person shall obstruct or otherwise interfere with access roads, or streets, or other approaches to any fire hydrants or bodies of water designated for firefighting purposes.

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- 15.19 Any person who in any way obstructs, or refuses to admit a Safety Codes Officer, or Enforcement Officer in, or upon any land, premises, yards, or buildings for the purpose of investigating, or who incites or abets such action shall be considered in breach of this Bylaw.
- 15.20 No person shall willfully or maliciously destroy or damage any Property, Apparatus or Equipment belonging to the Service.
- 15.21 No person shall wear, use, or have in their possession or under their control any official badge, identification, or uniform of the Fire Department without express written consent of the Fire Chief.
- 15.22 No person shall falsely represent themselves as an employee, a member of, or connected with the Fire Department.
- 15.23 No person shall falsely state to have the ability to sanction the Fire Department in soliciting any person, agency, society, or company on any matter.
- 15.24 Any person who refuses to provide any information required under this Bylaw when requested shall be in breach of this Bylaw.
- 15.25 No person shall allow his or her property, whether owned or occupied, or occupied public land to become a fire hazard through:
- a. the accumulation of combustible materials; or
 - b. lack of maintenance to the property or the structures upon it; or
 - c. any contravention of Municipal, Provincial, or Federal regulations.

16. PENALTIES:

- 16.1 Any person violating a provision of this Bylaw is guilty of an offence and is liable to pay the amount as set out in "Schedule J".

17. – ENFORCEMENT:

- 17.1 An Enforcement Officer is hereby authorized and empowered to issue a Remedial Order, a Municipal, or a Violation Ticket, or a combination thereof to any person, whom the Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 17.2 An Enforcement Officer may, for the purpose of ensuring that the provisions of this Bylaw are being complied with, enter in or upon any Property, in accordance with Section 542 of the *Municipal Government Act*, to carry out an inspection, enforcement or other action required or authorized by this Bylaw, the *Municipal Government Act*, or other statute.
- 17.3 When exercising their authority to enter onto Property for inspection or enforcement, an Enforcement Officer shall provide the owner or occupant of the Property with reasonable notice as required by the *Municipal Government Act*.

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- 17.4 If a Municipal Tag or Violation Ticket is issued in respect of an offence, the person may pay the penalty amount as per the amount specified on or before the required date to avoid further prosecution for the offence.

18. - DEEMED SERVED:

- 18.1 A Municipal Tag issued by an Enforcement Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served on the person whom it is addressed:
- a. by being personally delivered to the person named on the Municipal Tag; or
 - b. upon sending the Municipal Tag by regular mail to the address as is shown on the assessment roll. A Municipal Tag will be considered served after 5 (five) business days upon mailing.
- 18.2 A Remedial Order issued by an Enforcement Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served on the person whom it is addressed:
- a. being personally delivered to the person named on the Remedial Order; or
 - b. upon sending the Remedial Order by regular mail to the address as is shown on the assessment roll. A Remedial Order will be considered served after 5 (five) business days upon mailing; or
 - c. upon being posted on a conspicuous place on the property that is in contravention.
- 18.3 A Violation Ticket issued by an Enforcement Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served:
- a. on the Person to whom it is addressed pursuant to the Provincial Offences Procedures Act or;
 - b. swearing an Information and Complaint against the person; or
 - c. by leaving a copy for such person at his/her residence with an individual at the residence who appears to be at least 18 years of age, and such service shall be adequate for the purposes of this Bylaw.
- 18.4 A Violation Ticket may be served on a corporation, either:
- a. by sending it by registered mail to the registered office of the corporation. A Violation Ticket will be considered served after 5 (five) business days upon mailing; or
 - b. by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address, and such service shall be adequate for the purposes of this Bylaw.
- 18.5 This Section does not prevent an Enforcement Officer from issuing a Violation Ticket requiring a Court appearance by the defendant in accordance with the *Provincial Offences Procedures Act*.

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19. - RECOVERY OF ENFORCEMENT COSTS:

- 19.1 The expenses incurred by the Town and Fire Department in carrying out enforcement action pursuant to this Bylaw constitutes a debt owing to the Town from the person responsible for the Bylaw contravention and may be collected by civil action for debt in a court of competent jurisdiction, in accordance with the *Municipal Government Act*.
- 19.2 In the event of the Town carrying out enforcement action pursuant to a Remedial Order, the CAO is responsible for sending a demand for payment of enforcement expenses incurred by the Town to the owner of the property where the infraction took place and if the owner fails to pay the enforcement expenses incurred by the Town within the time frame set out in the demand for payment, the CAO shall place the unpaid expense amount onto the tax roll of the subject property and that amount:
- a. is deemed to for all purposes to be a tax imposed under Division 2 of Part 10 of the *Municipal Government Act* from the date it was added to the tax roll; and
 - b. forms a special lien against the Land in favor of the Town from the date it was added to the tax roll for the Land, in accordance with *the Municipal Government Act*.

20. – JURISDICTION:

- 20.1 The limits of the jurisdiction of the Fire Department will extend to the areas and boundaries indicated within the Intermunicipal Fire Services Agreement, and no part of the fire apparatus or service shall be used beyond these limits without the express authority of a written contract, or a mutual aid agreement approved by Council or the CAO.

21. – LIABILITY:

- 21.1 The CAO and designate, Enforcement Officers, the Fire Chief and all Members of the Fire Department are not liable for loss or damage caused by anything said or done, or omitted to be done, in the performance or intended performance of their functions, duties, or powers assigned by this Bylaw, unless the circumstances constitute dishonesty, gross negligence, or willful misconduct.

22. – INTERPRETATION:

- 22.1 Should a provision of this Bylaw conflict with a provision of the Intermunicipal Fire Services Agreement, the provisions of the Intermunicipal Fire Services Agreement shall prevail.
- 22.2 Wherever a provision of this Bylaw is at variance with each other, the more restrictive of the two (2) provisions shall apply.
- 22.3 Wherever a provision of this Bylaw conflicts with a provision of another Bylaw of the Town, the provision of this Bylaw shall apply.

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23. – SEVERABILITY:

23.1 If any Section or parts of this Bylaw are found in any court of law to be illegal, or otherwise invalid and beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

24. - GENERAL PROVISIONS:

24.1 Where the singular and/or masculine are herein used, the plural and feminine should also be inferred where appropriate.

25.. – REPEAL:

25.1 Upon the passing of this bylaw, Bylaw No. 1993-02 is repealed in its entirety.

26.– ENACTMENT:

26.1 Bylaw No. 2022-01 shall come into full force and effect when it receives third reading and final reading and is duly signed.

READ a first time this 11th day of April, 2022.

READ a second time this 11th day of April, 2022.

UNANIMOUS permission for third reading given in Council on this 11th day of April, 2022

READ a third time this 11th day of April, 2022



Mayor



Chief Administrative Officer

Date April 11th / 2022

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BYLAW NO. 2022-01

"SCHEDULE A"

FIRE PROTECTION SERVICE CHARGES

- A.1** Fire and Emergency Apparatus will be billed as per the current Alberta Transportation rates, except for mutual aid apparatus, which will be billed for at the responding agency's mutual aid rate.
- A.2** Any fire or emergency related costs that are considered eligible expenses provided within the Intermunicipal Fire Services Agreement, any Mutual Aid Agreements, any other agreements, or legislation may be billed as per agreements and legislation.
- A.3** Any other fire related cost including, but not limited to, heavy equipment, private water haulers, specialty equipment and investigative costs may be billed at the Town's cost for providing the service.

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BYLAW NO. 2022-01
"SCHEDULE B"
ACCEPTABLE FIRE PIT

Guidelines for a backyard Fire Pit.

Your backyard fire pit must:

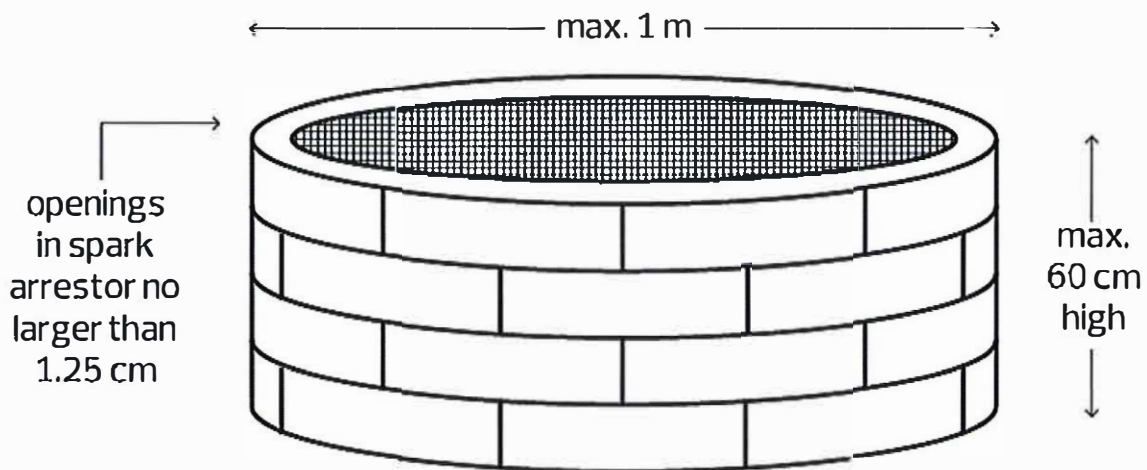
- Be at least 3 metres (10 feet) from buildings, property lines and anything else that could catch fire
- Not more than 0.6 metres (2 feet) high
- Not more than 1 metre (3 feet) wide
- Have enclosed sides made from bricks, concrete or heavy-gauge metal

Burning the Proper Fuels

The only things that can be burned in an outdoor fire pit are:

- Clean (non-treated), dry wood
- Charcoal
- Preservative-free wood or wood products

Burning yard waste, garbage, paper, or anything that might create too much smoke or toxic smoke is prohibited. Never burn old pallets, treated lumber or plywood



Date April 11th / 2022

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BYLAW NO. 2022-01
"SCHEDULE C"
ALBERTA FIRE BAN SYSTEM – APPROVED ACTIVITIES



NO RESTRICTION

Fire permits are required during fire season for any type of burning in the FPA, except campfires. Safe campfires are allowed in campgrounds and backcountry or random camping areas.



FIRE ADVISORY

The fire hazard rating has increased. Fire permits may be restricted. Safe campfires are allowed in campgrounds and backcountry or random camping areas, but this level is a warning they may be restricted if the situation doesn't improve.



FIRE RESTRICTION

Safe campfires are allowed in fire rings in campgrounds only. No campfires (or other open fires) or charcoal briquettes are allowed in backcountry or random camping areas. Gas or propane stoves/barbeques and portable propane fire pits are allowed.

Fire permits may be suspended or cancelled and no new fire permits will be issued. If the situation continues to worsen, Alberta Agriculture and Forestry will put on a fire ban.



FIRE BAN

No campfires (or other open fires) are allowed in campgrounds or backcountry and random camping areas. This includes charcoal briquettes. Gas or propane stoves/barbeques and portable propane fire pits are allowed. All fire permits are suspended or cancelled and no new fire permits will be issued.

Date

April 11th / 2022

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