

BYLAW NO. 1337/21

A BYLAW OF LACOMBE COUNTY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF VOLUNTEER FIRE DEPARTMENTS AND TO PROVIDE FOR THE PROTECTION AND PRESERVATION OF LIFE AND PROPERTY WITHIN LACOMBE COUNTY.

WHEREAS the *Municipal Government Act* provides that a Council of a municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property, services provided by or on behalf of the municipality 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 licenses, permits or approvals and to collect costs and expenses incurred by the municipality for extinguishing fires;

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 boundaries of the municipal district, other than areas contained in a forest protection area;

AND WHEREAS the Council of Lacombe County recognizes that fireworks are explosive devices and the sale, possession and use of fireworks by Persons not properly trained and authorized creates an unacceptable risk to life, health, safety and property;

AND WHEREAS the Council of Lacombe County has deemed it necessary for the safety and well-being of the community to regulate Fireworks within the boundaries of the County.

AND WHEREAS the Council of Lacombe County wishes to establish a fire protection and emergency response service within the County and provide for the efficient operation of such a service;

NOW THEREFORE THE COUNCIL OF LACOMBE COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

1. SHORT TITLE

- 1.1. This Bylaw may be cited as the Lacombe County "Fire Protection and Emergency Response Bylaw"

2. DEFINITIONS

- 2.1. "Apparatus" shall mean any vehicle provided with machinery, devices, equipment or materials used for the purpose of providing Fire Protection and Emergency Response Services, as well as vehicles used to transport firefighters or supplies;
- 2.2. "Burning Barrel Fire" shall mean any fire contained within a non-combustible structure or container covered with a spark arrester mesh screen made of expanded metal (or equivalent) with openings no larger than 13 millimeters (1/2") to contain sparks over the fire at all times which is used for the purpose of burning household refuse other than Prohibited Debris;
- 2.3. "Consumer Fireworks" mean fireworks which are designed for recreational use and are classified as low-hazard fireworks within the *Explosives Act* but does not include sparklers;
- 2.4. "Council" shall mean the Council of Lacombe County;
- 2.5. "County" shall mean Lacombe County;

- 2.6. "County Fire Chief" shall mean that person appointed by the County Manager to act as the Fire Chief for Lacombe County, or his/her designate;
- 2.7. "County Manager" shall mean the Chief Administrative Officer of Lacombe County, or his/her designate;
- 2.8. "Display Fireworks" mean fireworks that are designed for professional use and are classified as high-hazard within the *Explosives Act*;
- 2.9. "Director of Emergency Management" shall mean that person appointed by the County Manager to act as the County's Director of Emergency Management, or his/her designate;
- 2.10. "Disaster" shall mean a natural or manmade event that results or may result in serious harm to the safety, health or welfare of persons, property or the environment;
- 2.11. "District Chief" shall mean that person appointed by the County Fire Chief to act as the Chief of a District Fire Department, or his/her designate;
- 2.12. "Equipment" shall mean any tools, devices, or materials used by a Fire Department for the purpose of providing Fire Protection and Emergency Response Services;
- 2.13. "Firecracker" shall mean the same as it is defined in the most recent version of the *National Fire Code – Alberta Edition*
- 2.14. "Fire Ban" shall mean the prohibition on the lighting of fires in the County;
- 2.15. "Fire Department" shall mean a department established by this Bylaw or a Bylaw of any municipality entering into an agreement with the County for the purpose of providing Fire Protection and Emergency Response Services;
- 2.16. "Fire Guardian" shall mean any individual who is a Fire Guardian under, and is subject to any limitations provided for in the *Forest and Prairie Protection Act*;
- 2.17. "Fire Permit" shall mean a document issued by a Fire Guardian pursuant to this Bylaw, on the form adopted by the County from time to time;
- 2.18. "Fire Protection and Emergency Response" shall mean all aspects of Fire Department responses including, but not limited to, fire prevention, firefighting and suppression, pre-fire planning, fire inspection, fire investigation, public education and information, training, search and rescue, and responses to disasters and accidents, including motor vehicle accidents;
- 2.19. "Fireworks Permit" shall mean a document issued by the County Fire Chief or designate, pursuant to this Bylaw, on the form adopted by the County from time to time authorizing the possession, handling, discharging, firing or setting off of Consumer Fireworks or Display Fireworks.
- 2.20. "Fireworks Sale and Storage Permit" shall mean a document issued by the County Fire Chief or designate, pursuant to this Bylaw, on the form adopted by the County from time to time authorizing the sale or storage for the purpose of sale, of Consumer Fireworks or Display Fireworks.
- 2.21. "Illegal Fire" shall mean any fire that is set in contravention of this Bylaw;
- 2.22. "Inspection Officer" shall mean the County Fire Chief, District Chief, Peace Officer, Fire Guardian, or any Member authorized to undertake inspections;

- 2.23. "Member" shall mean any person that is a duly appointed Member of a Fire Department and shall include the District Chief;
- 2.24. "Member in Charge" shall mean the County Fire Chief or in the absence of the County Fire Chief, the District Chief, or in the absence of the District Chief, the highest ranking Member who first arrives at the site of an incident;
- 2.25. "Outdoor Fire" shall mean any fire that is not contained within a building, structure, or a container and shall include fires involving humus soil, coal, farm produce, waste, wood scrap, bush, brush, grass, straw and hay;
- 2.26. "Peace Officer" shall mean:
- a) a police officer,
 - b) a person appointed as a Peace Officer pursuant to the Peace Officer Act, SA 2006, c P-3.5; or
 - c) a person appointed as a bylaw enforcement officer pursuant to the Municipal Government Act, RSA 2000, c M-26
- 2.27. "Portable Appliance" shall mean any appliance used for cooking food in the outdoors;
- 2.28. "Prohibited Debris" shall mean any flammable debris or waste material that when burned may result in the release to the atmosphere of dense smoke, offensive odors or toxic air contaminants pursuant to the *Substance Release Regulation*, AR 124/93 of the *Environmental Protection and Enhancement Act*;
- 2.29. "Recreation Fire" shall mean a fire contained within a non-combustible container which is set for the purpose of cooking, obtaining warmth or viewing for pleasure and may only be fueled with wood, charcoal, coal, natural gas or propane;
- 2.30. "Smudge Fire" shall mean a fire that is used for the purpose of protecting livestock from insects;
- 2.31. "Specified Penalty" shall mean a penalty which may be paid in response to an alleged contravention of any provision of this Bylaw as established in Schedule "A" of this Bylaw;
- 2.32. "Structure Fire" shall mean a fire confined to or 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;
- 2.33. "Violation Ticket" shall mean a ticket issued for an alleged contravention of any provision of this Bylaw and shall be issued in accordance with the *Provincial Offences Procedure Act*.

3. ESTABLISHMENT OF FIRE DEPARTMENTS AND DISTRICTS

- 3.1. The following Lacombe County Fire Departments are hereby established for the purpose of providing Fire Protection and Emergency Response Services in the County:
- a) Alix,
 - b) Bentley,
 - c) Clive,
 - d) Eckville, and
 - e) Lacombe
- 3.2. Council may divide the County into Fire Districts as deemed necessary for the provision of Fire Protection and Emergency Response services.

4. FIRE AND MUTUAL AID AGREEMENTS

- 4.1. The County Manager is hereby authorized to enter into agreements with other municipalities and agencies for the purchase, use, operation and management of fire apparatus, equipment and facilities and for the purpose of providing Fire Protection and Emergency Response Services in the County and in those municipalities participating in such agreements.

5. AUTHORITY AND RESPONSIBILITY OF THE COUNTY FIRE CHIEF AND DISTRICT CHIEFS

- 5.1. The County Fire Chief shall be responsible to the County Manager or designate for the performance of his/her duties pursuant to this Bylaw, other applicable policies of the County and the County Fire Chief job description.
- 5.2. The District Chief shall be responsible to the County Fire Chief for the performance of his/her duties pursuant to this Bylaw and other applicable policies of the County.
- 5.3. The District Chief may obtain assistance from other officials of the County as deemed necessary in order to discharge his/her duties and responsibilities under the Bylaw and other applicable policies of the County.
- 5.4. The District Chief shall manage and administer the affairs of the Fire Department pursuant to this Bylaw and other applicable policies of the County.
- 5.5. The District Chief may appoint other Members to the Fire Department.
- 5.6. The District Chief may appoint other Members of the Fire Department to act as the District Chief in his/her absence for a period not to exceed 30 days.
- 5.7. The Members of the Fire Department shall be responsible to the District Chief for the performance of their duties pursuant to this Bylaw and other applicable policies of the County and such other duties as may be assigned by the District Chief from time to time.

6. AUTHORITY AND RESPONSIBILITY OF MEMBERS IN CHARGE

- 6.1. The Member in Charge at an incident in his/her Fire Department response area 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.
- 6.2. The Member in Charge shall be responsible to direct and manage the operations necessary for the extinguishment of a fire or controlling other emergency incidents.
- 6.3. The Member in Charge shall take action as deemed necessary for preserving lives and property and protecting persons and property from injury or destruction from fire and other emergency incidents.
- 6.4. The Member in Charge is empowered to cause a building, structure or other thing to be pulled down, demolished or removed if deemed necessary to prevent the spread of fire to other buildings, structures or other things.
- 6.5. The Member in Charge is authorized to enter premises or property without permission where an incident is occurring and to cause any Member or Apparatus to enter without permission, as the Member in Charge deems necessary.
- 6.6. The Member in Charge is authorized to enter, pass through or over buildings, structures or property adjacent to the incident and to cause Members or Apparatus to enter or pass through or over the building, structure or property without permission, where the Member in Charge deems it necessary to gain access to the incident or protect any persons or property.

6.7. The Member in Charge may 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. No person shall enter the boundaries or limits of an area unless authorized to enter by the Member in Charge.

6.8. The Member in Charge may request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 6.7.

6.9. The Member in Charge is authorized to require any adult person who is not a Member, to assist in:

- a) extinguishing a fire or preventing the spread thereof;
- b) removing furniture, goods and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same; and
- c) demolishing a building or structure at or near the fire or other incident.

6.10. The Member in Charge is authorized to secure and commandeer privately owned equipment which is considered necessary to deal with an incident and authorize payment for the use of said equipment.

7. COMPLIANCE AND ENFORCEMENT

7.1. No person, other than Members, employees, or agents of the County shall, without prior approval from the County, the County Fire Chief, or the District Chief, affix any tool, hose, or other device to any fire hydrant.

7.2. No person shall, without prior approval from the County, paint or otherwise tamper with any fire hydrant or portion thereof.

8. FIRE GUARDIANS

8.1. Each year before April 1, The County Manager 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.

9. FIRE PERMITS

9.1. Fire Permits are required for all Outdoor Fires, with the exception of those listed in Sections 10.1, 10.2 and 10.3 of this Bylaw.

9.2. No fires are allowed on County owned property, roadways or in areas designated as municipal or environmental reserves without a Fire Permit.

9.3. In addition to any Fire Permit required under *the Forest and Prairie Protection Act* the County Manager may require Fire Permits during any other period of the year.

9.4. A Fire Permit, when issued, shall be at no cost to the applicant.

9.5. An application for a Fire Permit may be made to a Fire Guardian verbally, in writing or in electronic format, and the Fire Guardian shall receive and consider the application and, after having done so, may, in his/her absolute discretion, issue or refuse issuance of a Fire Permit to the applicant.

9.6. Fire Permits issued pursuant to this Bylaw are valid for such period of time as deemed appropriate to the Fire Guardian issuing the permit, but in any case shall not exceed a period of seven days.

9.7. A Fire Permit shall not be transferable to another property or individual.

9.8. A Fire Permit issued under the Bylaw may be suspended or cancelled at any time by a Peace Officer, Fire Guardian, or the County Manager.

9.9. Each Fire Permit shall contain the following information:

- a) the name, address, and telephone number of the applicant;
- b) the legal description or municipal address of the land on which the applicant proposes to set a fire;

- c) the type and description of material which the applicant proposes to burn;
- d) the date of issuance of the Fire Permit;
- e) the period of time the Fire Permit is valid;
- f) the conditions that the Fire Guardian has imposed on the permit and the precautions that will be taken by the applicant to ensure that the proposed fire remains under control;
- g) the signature of the applicant if the application for the Fire Permit is made in person;
- h) a notation that the Fire Permit was issued via telephone if the application for the Fire Permit is made over the telephone; and
- i) the signature of the Fire Guardian issuing the Fire Permit.

9.10. A Fire Permit issued under the Bylaw is authorized to be reviewed and approved electronically via Lacombe County's online permitting system and is valid without signatures when done so, providing the permit holder can produce electronic proof of permit as required.

10. FIRE PERMIT EXEMPTIONS

10.1. A Fire Permit is not required under this Bylaw for the following:

- a) a Recreation Fire that is contained in a barbeque or fire pit provided that:
 - i. a minimum of 3.3 metres (10 feet) clearance from buildings, property lines and combustible materials is maintained;
 - ii. the barbeque or fire pit is constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible material;
 - iii. they are supervised until such time as the fire has been completely extinguished. For the purpose of this clause a fire shall be deemed to include hot ashes and smoldering embers resulting from the fire; and
 - iv. only wood, charcoal briquettes, manufactured fire logs, fireplace pellets, propane or natural gas is used.
- b) a Portable Appliance;
- c) a Burning Barrel Fire; or
- d) fires that are set for the purpose of firefighter training.

10.2. This Bylaw does not apply to any industrial or commercial incinerator regulated under the *Environmental Protection and Enhancement Act*.

10.3. Notwithstanding Section 9.2 of this Bylaw, a Fire Permit is not required for Recreation Fires on County owned property or municipal or environmental reserves that have been designated for such purpose provided that the Recreation Fire is fueled by natural gas or propane or is contained in a fire pit approved by the County.

11. FIREWORKS

11.1. No person shall sell, offer for sale or store for the purpose of sale, Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Sale and Storage Permit.

11.2. No person shall possess, handle, discharge, fire or set off Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Permit.

11.3. No person other than an individual who has a valid display supervisor or pyrotechnician card issued pursuant to the *Explosives Act (Canada)* shall possess, handle, discharge, fire or set off Display Fireworks in the County.

11.4. A display supervisor or pyrotechnician shall apply, in writing, to the County Fire Chief or designate, a minimum of 14 calendar days prior to the proposed Display Fireworks display for a Fireworks Permit. The application must address all information required by the *Explosives Act (Canada)* and the *National Fire Code – Alberta Edition*, including, but not limited to:

- a) date, time and location of the proposed display;

- b) names, addresses and certification numbers of all display supervisors or pyrotechnicians and assistants participating in the display;
- c) the name of the sponsor or purchaser of the display;
- d) a full description of the planned display and a list of all materials to be fired, detonated, burnt or energized during the display;
- e) the emergency plan for the display;
- f) verification of liability insurance, in an amount acceptable to the County; and
- g) any other information deemed necessary by the County, County Fire Chief or the District Fire Chief.

11.5. The County Fire Chief or designate may impose such conditions and restrictions on the Fireworks Permit as they deem appropriate. Such conditions and restrictions may include, but are not limited to:

- a) time of the day;
- b) days of the week;
- c) duration of display;
- d) geographic location;
- e) requirements for notification of affected residents;
- f) on-site fire suppression materials and resources; and
- g) safety precautions to mitigate danger or nuisance to any person or property.

11.6. The County Fire Chief or designate, may choose not to issue a Fireworks Permit if, in his/her opinion, such a display may create a risk to life, safety or property.

11.7. The County Fire Chief or designate, may revoke any previously issued Fireworks Permit for reasons of:

- a) non-compliance with:
 - i. the National Fire Code – Alberta Edition;
 - ii. the *Explosives Act* (Canada); or
 - iii. the Fireworks Permit.
- b) changes in environmental conditions; or
- c) safety to life, limb, or property.

11.8. A Fireworks Permit, when issued, shall be at no cost to the applicant.

12. FIRE BANS

12.1. The County Manager is hereby granted the authority to impose Fire Bans from time to time depending on weather conditions and any other conditions as he deems appropriate.

12.2. A Fire Ban may be imposed with or without conditions.

12.3. A Fire Ban may be imposed for the entire County or portions of the County.

12.4. A Fire Ban declared by the Province of Alberta and the conditions imposed thereto take precedence over a Fire Ban issued by the County.

12.5. Fire Bans shall remain in effect until terminated by the County Manager.

12.6. Notice of a Fire Ban shall be provided to the public. Notice may be in the form of signs posted throughout the municipality in locations determined by the County, through a public service message on the local radio stations, or by any other means which the County Manager determines is appropriate.

12.7. When a Fire Ban has been imposed, Fire Permits issued in accordance with this Bylaw are deemed to be cancelled and all existing fires that the Fire Ban applies to are to be extinguished.

- 12.8. For the duration of a Fire Ban, Fire Departments within the County are authorized to extinguish any fire that the Fire Ban applies to, whether controlled or not, within the area subject to the Fire Ban.

13. CONTROL OF FIRE HAZARDS

- 13.1. Inspection Officers shall be given access at reasonable hours to both private and public land for the purpose of inspecting the property to determine whether a fire hazard exists.
- 13.2. No person shall light an Outdoor Fire, Incinerator Fire, Burning Barrel Fire, Recreation Fire, Smudge Fire or Structural Fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times.
- 13.3. If an Inspection Officer determines, in his/her sole discretion, that a fire hazard exists on private or public land, the County Manager may order the owner or person in control of the land on which the fire hazard exists to reduce or remove the hazard within a specified period of time and in a manner prescribed by the County Manager.
- 13.4. No person shall set, permit or maintain any fire at any time of the year such that the smoke emitted from the fire impairs visibility on a highway, or which in the sole discretion of an Inspection Officer, becomes a nuisance or safety concern on any highway or property. The person who set, permitted or maintained such a fire shall extinguish the fire immediately upon the order of an Inspection Officer.
- 13.5. If an order made pursuant to Sections 13.3 or 13.4 has not been carried out within the time specified, the County may enter the land with any equipment or personnel it considers necessary and perform any work required to reduce or remove the fire or smoke hazard.
- 13.6. The owner or person in control of the land in which work was performed by the County pursuant to Section 13.5, shall, on demand, reimburse the County for the cost of the work performed, and in default of payment, the amount levied and unpaid shall be added to the tax roll of the subject parcel of land.

14. ILLEGAL FIRE

- 14.1. Any Peace Officer or Member may extinguish an Illegal Fire using whatever Apparatus, Equipment or procedure may, at his/her sole discretion, be deemed appropriate.
- 14.2. The owner or person in control of the land on which work was performed by the County pursuant to Section 14.1, shall, on demand, reimburse the County for the cost of the work performed, and in default of payment, the amount levied and unpaid shall be added to the tax roll of the subject parcel of land.

15. RECOVERY OF COSTS

- 15.1. Where a Fire Department has taken any action whatsoever for the purpose of providing Fire Protection and Emergency Response Services in or outside of the County, the County may charge any fees and costs so incurred to any or all of the following persons, namely:
- a) the person or persons causing or contributing to the fire; or
 - b) the owner or occupant of the parcel of land or any other thing in respect to which the action was taken
- and all persons charged are jointly and severally liable for payment of the fees and costs to the County.
- 15.2. The fees and costs to be charged by the County for Fire Protection and Emergency Response Services rendered pursuant to this Bylaw shall be established by Council from time to time.

15.3. Fees or costs levied or charged under this Bylaw may be recovered by the County as an amount due and owing to the County, and in the event that the amount due and owing is not paid within 60 days of mailing of the invoice, collection of unpaid amounts 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.

15.4. The owner of a parcel of land within the County to which Fire Protection and Emergency Response Services are provided is liable for fees and costs so incurred and the County may add to the tax roll of the parcel of land all unpaid amounts, 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.

16. OFFENCES

16.1. No person, or property owner shall:

- a) contravene any provision of this Bylaw;
- b) provide false, incomplete or misleading information to any person authorized to carry out duties authorized by this Bylaw;
- c) interfere with the efforts of any person authorized to carry out duties authorized by this Bylaw;
- d) damage or destroy any Fire Department Apparatus or Equipment;
- e) at an incident, drive a vehicle over any Fire Department Equipment without permission of the Member in Charge;
- f) falsely represent themselves as a Member or wear or display any Fire Department clothing, badge, insignia or other paraphernalia for the purpose of such false representation;
- g) light an Outdoor Fire or Structure Fire unless they are a holder of a Fire Permit if required under this Bylaw or the *Forest and Prairie Protection Act*;
- h) contravene any condition of a Fire Permit when lighting a fire or conducting a burn;
- i) burn Prohibited Debris;
- j) set, permit or maintain any fire such that the smoke emitted from the fire impairs visibility on a highway, or which in the sole discretion of an Inspection Officer, becomes a nuisance or safety concern on any highway or to neighboring persons or property;
- k) let a fire to burn out of control so as to threaten or cause damage to adjacent property;
- l) light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
- m) fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto neighboring property;
- n) affix any tool or other device to a fire hydrant or paint or otherwise tamper with a fire hydrant without prior approval from the County;
- o) fail to extinguish a fire once a Fire Ban has been imposed;
- p) allow any fire to be lit upon land that is owned or occupied by him/her or under his/her control except when such fire is permitted by this Bylaw;
- q) light, have care, or control of a Burning Barrel Fire 1) without the fire being contained in a non-combustible structure or container, or 2) without the structure or container being covered with a spark arrester mesh screen made of expanded metal (or equivalent) with openings no larger than 13 millimeters (1/2") to contain sparks over the fire at all times;
- r) light, have care, or control of a Burning Barrel Fire in a multi-lot residential, commercial or industrial subdivision or in a hamlet;

- s) light, have care, or control of a Fire in an unapproved container in an industrial subdivision;
- t) sell, offer for sale or store for the purpose of sale, Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Sale and Storage Permit.
- u) possess, handle, discharge, fire or set off Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Permit.

17. VIOLATION TAGS

17.1. A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

17.2. A Violation Tag may be issued to such person:

- a) personally;
- b) by regular mail sent to the postal address of the person as shown on their Operator's License issued in accordance with the Traffic Safety Act, their tax assessment roll, or on the certificate of title for the property; or
- c) by leaving it with a person apparently over 18 years of age at the place of residency of the person to whom the Violation Tag is addressed.

17.3. The Violation Tag shall be in a form approved by the County Manager and shall state:

- a) the name of the person to whom the Violation Tag is issued;
- b) a description of the offence and the applicable Bylaw section;
- c) the Specified Penalty for the offence;
- d) that the penalty shall be paid within 30 days of the issuance of the Violation Tag in order to avoid prosecution; and
- e) any other information as may be required by the County Manager.

17.4. Where a Violation Tag has been issued pursuant to this Bylaw the person to whom it has been issued to may, in lieu of being prosecuted for the offence, pay to the County the penalty specified within the time period indicated on the Violation Tag.

18. VIOLATION TICKETS

18.1. In the event a Violation Tag has been issued and the Specified Penalty has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket, pursuant to Part 2 of the *Provincial Offences Procedure Act*, to the person to whom the Violation Tag was issued.

18.2. Notwithstanding Section 17.1, a Peace Officer may immediately issue a Violation Ticket to any person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

18.3. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- a) Specify the fine amount established by this Bylaw for the offence, or
- b) Require a person to appear in court without the alternative of making a voluntary payment.

18.4. A Violation Ticket issued with respect to a contravention of any provision of this Bylaw shall be served upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.

18.5. The person to whom a Violation Ticket with a Specified Penalty has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together in amount equal to the Specified Penalty.

18.6. When a clerk records in the Court records the receipt of a voluntary payment pursuant to Section 18.5 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.

19. SEVERABILITY

19.1. Should any section or part of this Bylaw be found to have been improperly enacted, for any reason, the such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section or part found to be improperly enacted had not been enacted as part of this Bylaw.

20. GENERAL

20.1. This Bylaw shall be in effect on the date of the final passing thereof.

20.2. This Bylaw rescinds Bylaw No. 1208/15.

Received first and second readings, and by unanimous consent of the Councillors present, a third reading and finally passed this XX day of XXX 2021.

Paula Law
Reeve

Tim Timmons
County Manager

SCHEDULE A
Fire Protection and Emergency Response Bylaw

Bylaw Section	Offence	First Offence	Second Offence	Third Offence
16.1(a)	Contravene any provision of this Bylaw	\$250	\$500	\$1,000
16.1(b)	Provide false, incomplete or misleading information to any person authorized to carry out duties authorized by this Bylaw	\$500	\$1,000	\$2,500
16.1(c)	Interfere with the efforts of any person authorized to carry out duties authorized by this Bylaw	\$1,000	\$2,000	\$5,000
16.1(d)	Damage or destroy any Fire Department Apparatus or Equipment	\$1,000	\$2,000	\$5,000
16.1(e)	At an incident, drive a vehicle over any Fire Department Equipment without permission of the Member in Charge	\$250	\$500	\$1,000
16.1(f)	Falsely represent themselves as a Member or wear or display any Fire Department clothing, badge, insignia or other paraphernalia for the purpose of such false representation	\$500	\$1,000	\$2,500
16.1(g)	Light an Outdoor Fire or Structure Fire unless they are a holder of a Fire Permit if required under this Bylaw or the <i>Forest and Prairie Protection Act</i>	\$250	\$500	\$1,000
16.1(h)	Contravene any condition of a Fire Permit when lighting a fire or conducting a burn	\$250	\$500	\$1,000
16.1(i)	Burn Prohibited Debris	\$250	\$500	\$1,000
16.1(j)	Set, permit or maintain any fire such that the smoke emitted from the fire impairs visibility on a highway, or which in the sole discretion of an Inspection Officer, becomes a nuisance or safety concern on any highway or to neighboring persons or property	\$250	\$500	\$1,000
16.1(k)	Let a fire to burn out of control so as to threaten or cause damage to adjacent property	\$500	\$1,000	\$2,500

16.1(l)	Light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times	\$250	\$500	\$1,000
16.1(m)	Fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto neighboring property	\$500	\$1,000	\$2,500
16.1(n)	Affix any tool or other device to a fire hydrant or paint or otherwise tamper with a fire hydrant without prior approval from the County	\$500	\$1,000	\$2,500
16.1(o)	Fail to extinguish a fire once a Fire Ban has been imposed	\$1,000	\$2,000	\$5,000
16.1(p)	Allow any fire to be lit upon land that is owned or occupied by him or under his/her control except when such fire is permitted by this Bylaw	\$250	\$500	\$1,000
16.1(q)	Light a Burning Barrel Fire without the fire being contained in a non-combustible structure or container or without the structure or container being covered with a spark arrester mesh screen made of expanded metal (or equivalent) with openings no larger than 13 millimeters (1/2") to contain sparks over the fire at all times	\$250	\$500	\$1,000
16.1(r)	Light a Burning Barrel Fire in a multi-lot residential, commercial or industrial subdivision, or in a hamlet	\$250	\$500	\$1,000
16.1(s)	Light a Fire in an unapproved container in an industrial subdivision	\$250	\$500	\$1,000
16.1(t)	Sell, offer for sale or store for the purpose of sale, Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Sale and Storage Permit	\$250	\$500	\$1,000
16.1(u)	Possess, handle, discharge, fire or set off Consumer Fireworks or Display Fireworks in the County without first obtaining a Fireworks Permit	\$250	\$500	\$1,000