

Town of McLennan
Fire Services Bylaw No. 2018- 09

A BYLAW OF THE TOWN OF MCLENNAN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING FIRE SERVICES IN AND FOR THE TOWN OF MCLENNAN

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

AND WHEREAS, THE Council of the Town of McLennan wishes to contract the Municipal District of Smoky River No. 130 Fire Protection Services to provide for efficient operation of such Emergency Services;

AND WHEREAS, for the purposes all sections relating to Open Air Fires and Fire Bans, these sections will pertain to the Non-Forest Protection area within the Town of McLennan;

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

SECTION 1 - CITATION

- 1.1 This bylaw may be cited as the “Fire Services Bylaw”.

SECTION 2 - DEFINITIONS

In this Bylaw, unless the context otherwise requires:

- 2.1 “Acceptable Fire Pit” means an outdoor receptacle for cooking purposes only that meets the following specifications:
- i. A minimum of three (3) meter clearance, measured from the nearest fire pit edge shall be maintained from buildings, property lines or any combustible material;
 - ii. The fire pit height shall not exceed 0.6 meter when measured from the surrounding grade to the top of the pit opening;
 - iii. The outside width, length, or diameter of the fire pit opening shall not exceed one (1) meter when measured between the widest outside edges;
 - iv. The fire pit installation shall have enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible materials acceptable to the Director of Protective Services/Fire Chief; and
 - v. A Regulation Screen shall be used to cover the fire pit opening in a manner sufficient to contain and reduce the hazards or airborne sparks.
- 2.2 “Alberta Forestry Service” shall refer to that branch of Sustainable Resource Development responsible for the Forest and Prairie Protection Act, R.S.A. 2000, c. F-19.
- 2.3 “Burnable Debris” means those materials permitted to be burned in accordance with applicable statutes and regulations and this bylaw and shall include but is not limited to materials described as:
- i. Wood material from the construction or demolition of buildings which does not contain wood preservatives;
 - ii. Wood material which does not contain wood preservatives or laminates;
 - iii. Solid waste from the post and pole operations that does not contain wood preservatives; or
 - iv. Solid waste from tree harvesting operations.
- 2.4 “Chattel Fire” means a fire in which an article or articles of personal property are being burned out-of-doors.
- 2.5 “Chief Administrative Officer” (CAO) means the **person appointed to the position and title of** Chief Administrative Officer by the Municipal Councils and includes any person appointed by the Chief Administrative Officer to act as his/her appointee.
- 2.6 “Council” means the Council of the Town of McLennan in the Province of Alberta.

- 2.7 "M.D." means Municipal District of Smoky River No. 130.
- 2.8 "Dangerous Goods" means a product, substance or organism included by its nature or by the regulations in any of the classes listed in the Schedule to the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c. D-4.
- 2.9 "Director of Protective Services/Fire Chief" means the person appointed by the CAO of the M.D. as the head of the Fire Services, or his/her designate.
- 2.10 "Emergency Unit" means a fire truck, pumper truck, rescue truck, rescue boat, mobile command unit, auxiliary truck, wildland unit, side-by-side unit, tender, or any vehicle provided with machinery, devices, equipment or materials including vehicles used to transport any member or supplies for firefighting or any Incident to which Fire Services has responded.
- 2.11 "Equipment" means any tools, contrivances, devices or materials used by Fire Services to combat an Incident or other emergency.
- 2.12 "False Alarm" means any fire alarm that is set off needlessly, through willful or accidental, human or mechanical error, and to which Fire Services responds.
- 2.13 "Fire Guardian" is a person appointed as a Fire Guardian by Council Resolution and also includes the chief elected official, each Councillor and the Chief Administrative Officer as per Sections 4(3) of the *Forest and Prairie Protection Act*.
- 2.14 "Fire Permit" means a permit issued pursuant to section 8 of this bylaw.
- 2.15 "Fire Services" means the fire fighting and emergency response service as established and organized for Municipal District of Smoky River No. 130 pursuant to the provisions of this bylaw consisting of, inter alia, all persons appointed to the various positions described herein, all equipment, apparatus, materials, and supplies used in the operation, maintenance, and administration of the firefighting services, including Municipal District fire halls.
- 2.16 "Fireworks" means the fireworks listed in the Alberta Fire Code and the *Explosives Act* (R.S.C. 1985, c. E-17).
- 2.17 "Forest Protection Area" shall mean a Forest Protection Area as defined in the *Forest Protection Area Regulation*, Alta. Reg. 149/1999
- 2.18 "Hamlet" includes the hamlets of Jean Cote, and Guy within the boundaries established in the Land Use Bylaw.
- 2.19 "Highway" means as defined in the *Traffic Safety Act*, T-6 R.S.A. 2000.
- 2.20 "Incident" means a fire or a situation where a fire or an explosion is or may be imminent, or any other situation presenting a danger or possible danger to life or property, and to which Fire Services has responded.
- 2.21 "Incinerator" means a non-combustible structure or container that has the draft and smoke vents thereof covered with a Regulation Screen which is ventilated in such a manner as to preclude the escape of combustible materials including ash and is used for the purpose of burning burnable debris.
- 2.22 "Incinerator Fire" means a fire that is confined within an incinerator.
- 2.23 "Member" means any person who is a duly appointed member of Municipal District of Smoky River No. 130 Protective Services by the Director of Protective Services/Fire Chief.
- 2.24 "Officer in Charge or Incident Commander" means the Member who, according to the Fire Services command structure established by the Director of Protective Services/Fire Chief,

is in command at an Incident in the absence or other inability of the Director of Protective Services/Fire Chief to perform his/her duties.

- 2.25 “Open Air Fire” means any fire which is not an Incinerator Fire, Pit Fire or Public Park Site Fire and, without limiting the generality of the foregoing, includes grass fires, forest and brush fires, running fires, structure fires, building fire, wood scrap fires, ground thawing fires, and Chattel Fires.
- 2.26 “Owner” means the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land; and in respect of any property other than land, the person in lawful possession of it.
- 2.27 “Pit Fire” means a fire contained within an Acceptable Fire Pit.
- 2.28 “Portable Appliance” means any appliance constructed or used for the purpose of cooking food in the out-of-doors.
- 2.29 “Prohibited Debris” means any material that when burned, will result in the release to the atmosphere of dense smoke, offensive odors or a substance, the release of which is regulated, prohibited, or controlled by the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c.E-12 or regulations there under, and includes but is not limited to:
- a. Animal cadavers;
 - b. Animal manure;
 - c. Chemicals and chemical containers;
 - d. Combustible material in automobile bodies;
 - e. Combustible material in automobiles;
 - f. Household refuse;
 - g. Non-wooden material;
 - h. Paints and painting materials;
 - i. Pathological waste;
 - j. Rubber or plastic, or anything containing or coated with rubber or plastic or similar substances;
 - k. Solid waste from sawmills with an annual production in excess of 6500 cubic meters or lumber, unless an authorized Fire Permit has been approved;
 - l. Tires;
 - m. Used oil; or
 - n. Wood or wood products containing substances for the purposes of preserving wood.
 - o. Leaves, and/or organic materials.
- 2.30 “Public Park Site Fire” means a fire on land owned or leased by the municipality for recreational purpose (ie. Campgrounds) that is confined to a non-combustible container if supplied by the municipality, or an approved fire pit by the Director of Protective Services/Fire Chief, or a Portable Appliance, which is set for the purpose of cooking food. Such fire may only be fueled with seasoned wood, charcoal, natural gas, or propane.
- 2.31 “Regulation Screen” means a spark arrestor mesh screen with openings no larger than 1.25 cm at their widest dimension and constructed or expanded metal or equivalent non-combustible material.
- 2.32 “Running Fire” means a fire burning without being under the proper control of any person.
- 2.33 “SOG” means Standard Operating Guidelines.
- 2.34 “Town” means the Town of McLennan.
- 2.35 “Violation Ticket” means a violation ticket under part 2 or 3 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.

SECTION 3 – FIRE SERVICES

- 3.1 Council does hereby contract the services of the M.D. of Smoky River No. 130 Protective Services, for the purpose of:
- i. Preserving life and property and protecting persons and property from injury or destruction by fire or other means;
 - ii. Preventing and extinguishing fires;
 - iii. Providing rescue services;
 - iv. Preventing, combating, and controlling Incidents;
 - v. Conducting preventable patrols, pre-fire planning and fire inspections;
 - vi. Carrying out agreements made by the M.D. with other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment;
 - vii. Advising Council on the purchase of operating apparatus and equipment for extinguishing fires or preserving life and property.

SECTION 4 – DIRECTOR OF PROTECTIVE SERVICES/FIRE CHIEF

- 4.1 The office of the Director of Protective Services/Fire Chief is hereby created by the M.D. of Smoky River No. 130. The Director of Protective Services/Fire Chief shall report to the Chief Administrative Officer of the M.D. and will be appointed to the position by that CAO.
- 4.2 The Director of Protective Services/Fire Chief shall perform such functions and have such powers and responsibilities as this bylaw that the Chief Administrative Officer may from time to time prescribe.
- 4.3 The Director of Protective Services/Fire Chief, under the direction of the CAO is hereby authorized to take such action as may be necessary for the development of rules, and procedures for the ongoing organization and administration of Fire Services.
- 4.4 The Director of Protective Services/Fire Chief, or Incident Commander as the case may be:
- a. Has the authority to have a building, structure, or thing to be pulled down, demolished or otherwise removed if he/she deems it necessary to prevent the spread of fire to other buildings, structures, or things;
 - b. Has the authority to have Fire Services enter on any land or premises, including adjacent land or premises, to combat, control or deal with the Incident in whatever manner he/she deems necessary; and
 - c. May at his/her discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits.
- 4.5 No person shall enter the boundaries or limits of an area prescribed in accordance with Section 4.4 unless he/she has been authorized to enter by the Director of Protective Services/Fire Chief or Incident Commander.
- 4.6 The Director of Protective Services/Fire Chief or Incident Commander may request Police Officers to enforce restrictions on persons entering within the boundaries or limits referred to in Section 4.4 (c).
- 4.7 Upon approval of the CAO, the Director of Protective Services/Fire Chief may negotiate on behalf of the Town with the Provincial Government of Alberta and other municipalities and persons for the purpose of establishing mutual aid agreements and fire control agreements including renewals and amendments thereof. Any such agreements, renewals, or amendments must be approved by Council.
- 4.8 In an emergency situation, the Director of Protective Services/Fire Chief or Incident Commander may obtain assistance from other officials of the Town or direct staff, as deemed necessary in order to discharge the duties and responsibilities under this bylaw.
- 4.9 No person at an Incident shall impede, obstruct or hinder a member of Fire Services, or other person assisting or acting under the direction or at the request of the Director of Protective Services/Fire Chief or Incident Commander.
- 4.10 No person shall willfully damage or destroy Fire Services apparatus or equipment.

- 4.11 No person at an Incident shall drive a vehicle over any equipment without permission of the Director of Protective Services/Fire Chief or Incident Commander.
- 4.12 No person shall obstruct a Member from carrying out duties imposed by this bylaw.
- 4.13 No person shall falsely represent himself or herself as a Fire Services member or wear or display any Fire Services badge, cap, button, insignia, or other paraphernalia for the purpose of such representation.
- 4.14 No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for firefighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern, or other body of water designated for firefighting purposes.
- 4.15 The Director of Protective Services/Fire Chief or Incident Commander may request persons who are not Members to assist in extinguishing a fire, removing furniture, goods and merchandise from any building on fire or in danger thereof and guarding and securing same and in demolishing a building or structure at or near the Incident.
- 4.16 The Director of Protective Services/Fire Chief or Incident Commander is empowered to commandeer such privately owned equipment as he/she considers necessary to deal with an Incident.

SECTION 5 – FIRE GUARDIANS (not applicable to Urban Municipalities)

- 5.1 Each year before in time for the beginning of the fire season, Council shall appoint, for a term not exceeding one year, with effect from the beginning of the fire season, a sufficient number of Fire Guardians to enforce the provisions of Section 4(2) of the *Forest and Prairie Protection Act* and this Bylaw within the boundaries of M.D. of Smoky River No. 130. Under Section 4(3) of the *Act*, the chief elected official, each Councillor, and the CAO are by virtue of their offices fire guardians in and for the M.D. except that part of the M.D. that is within a forest protection area.
- 5.1 Unless otherwise limited by the Director of Protective Services/Fire Chief, each Fire Guardian shall have the authority and power to issue and sign Fire Permits in respect of any land within M.D. of Smoky River No. 130 in accordance with Section 8 of this Bylaw.

SECTION 6 – REQUIREMENT TO REPORT

- 6.1 The owner or authorized agent of the owner of any property damaged by fire shall immediately report to Fire Services particulars of the fire, in a format and to the extent required by the Director of Protective Services/Fire Chief or designate.
- 6.2 The owner or authorized agent of the owner of any property within or upon which an accidental or unplanned release of Dangerous Goods occurs, shall immediately report the release to the proper regulatory authorities and provide the Director of Protective Services/Fire Chief with a copy of such report.

SECTION 7 – OPEN AIR FIRES

- 7.1 No person shall permit an Open-Air Fire upon land owned, occupied or under his or her control within the Municipality unless a Fire Permit has been obtained, the provisions and conditions of the Fire Permit are complied with, and Burnable Debris only is burned. Prohibited Debris as described in 2.29 must not be included in the Open-Air Fire.
- 7.2 Any fire permitted or allowed under this bylaw shall be contained to a reasonable size so that the fire, or any embers, sparks or smoke emanating therefrom do not endanger any person or property or cause any objectionable effect on nearby property. In accordance to the fire permit area map attached hereto as "Schedule A".

- 7.3 Notwithstanding Section 6.1 a Fire Permit shall not be required under this bylaw to conduct:
- i. the cooking of food using a Portable Appliance;
 - ii. recreational burning or the cooking of food in Acceptable Fire Pits, provided:
 - a. only clean fuel is used such as natural gas, dry wood or charcoal in amounts which will be contained within the burning area of such pit or fireplace below the Regulation Screen;
 - b. the pit is not used to burn Prohibited Debris;
 - c. a means, acceptable to the Director of Protective Services/Fire Chief, of controlling or extinguishing the fire is available at the site of the fire or within a reasonable distance thereof; and
 - d. a responsible adult is present at the site of the fire when the fire is burning;
 - iii. burning in fireplaces or in attached to dwellings and constructed in accordance with applicable safety codes;
 - iv. burning of a Public Park Site Fire;
 - v. burning in an Incinerator;
 - vi. burning by Fire Services for the purpose of training its Members.
- 7.4 If, in the sole opinion of the Director of Protective Services/Fire Chief or Officer in Charge, or a Police Officer, a fire or fire receptacle does not comply with this bylaw, the Director of Protective Services/Fire Chief, Officer in Charge or Police Officer may extinguish or have extinguished the said fire and order the property owner or person responsible for the fire or fire receptacle to relocate the receptacle on the property or remove the receptacle or the burning materials from the property.

SECTION 8 – PROCEDURE TO OBTAIN A FIRE PERMIT

- 8.1 Any person wishing to obtain a Fire Permit must apply to the Director of Protective Services/Fire Chief or designate during the normal business hours of M.D. of Smoky River No. 130 Administration Office.
- i. You may also obtain a fire permit by going on to the M.D. website. You will be able to print, fill it out and scan it to the Director of Protective Services/Fire Chief or designate to receive a permit number and for any additional comments that the Director of Protective Services/Fire Chief or designate need to add.
- 8.2 Each application for a Fire Permit must contain the following information:
- i. The name, address, legal and municipal description of the land of the applicant on which the applicant proposes to set a fire;
 - ii. The period of time for which the fire permit is required;
 - iii. The precautions that will be taken by the applicant to ensure that the proposed fire remains under his or her control; and
 - iv. The signature of the applicant.
- 8.3 Upon receipt of an application for a Fire Permit, the Director of Protective Services/Fire Chief or designate shall consider the application, and may, pursuant to the other provisions of this bylaw and the Alberta Fire Code:
- i. Refuse the application if it does not comply with this bylaw and the Alberta Fire Code; or
 - ii. Approve the application with or without conditions.
 - iii. May redirect to the appropriate fire guardian for that area.
- 8.4 If a fire pit is not an Acceptable Fire Pit, the Director of Protective Services/Fire Chief or designate may issue a Fire Permit if satisfied that the non-conforming fire pit meets appropriate safety standards.
- 8.5 The permit fee shall be set as in the annual budget, as approved by Council and paid upon approval of the application.
- 8.6 A Fire Permit issued pursuant to this bylaw is valid for such period of time as shall be determined and set by the Director of Protective Services/Fire Chief or designate and shall have endorsed thereon the period of time for which the permit is valid.

- 8.7 The Director of Protective Services/Fire Chief or designate may extend in writing the period of time that a Fire Permit is valid provided such permit has not expired.
- 8.8 If burning near a highway you are required to have visible smoke signs placed in each direction of the fire to advise travellers on the highway of this process.

SECTION 9 – FIRE BANS

- 9.1 The Director of Protective Services/Fire Chief or the CAO may from time-to-time prohibit all fires in the Town, whether requiring a Fire Permit or not, when in the opinion of the Director of Protective Services/Fire Chief or the CAO, the prevailing environmental conditions give rise to an increased risk of a fire running out of control.
- 9.2 A Fire Ban imposed pursuant to Section 8 of this bylaw shall remain in force until either the date provided in the notice of the Fire Ban, or until such time as the Director of Protective Services/Fire Chief or the CAO provides notice to the public that the Fire Ban is no longer in effect.
- 9.3 Notice of a Fire Ban shall be provided to the public. Notice may be in the form of signs posted throughout the Town in locations to be determined by the Town, through a public service message on the local radio, municipal websites, and the municipal social media channels, or by any other means which the Director of Protective Services/Fire Chief or CAO determines is appropriate for the purpose of informing the public of the fire ban.
- 9.4 When a 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 to reasonably know of the Fire Ban.

SECTION 10 – FIREWORKS

- 10.1 The possession, sale, storage, purchase, and discharge of fireworks by any person within the Town of McLennan shall be in compliance with the fire bylaw and the *Alberta Fire Codes and Safety Act* (R.S.A. 2000, C. S-1) and the *Explosives Act of Canada* (R.S.C. 1985, c. E-17).
- 10.2 Section 8(a) of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000, as amended, provides for municipalities to enact bylaws to regulate or prohibit.
- 10.3 Section 8(c) of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000, as amended, provides for municipalities to enact bylaws to provide for a system of licenses, permits, or approvals.
- 10.4 The Town recognizes that fireworks are explosive devices which are classified as Dangerous Goods under the Alberta Fire Code and which, when used improperly by untrained persons, can cause injury, damage, fire, and death. Therefore, no person shall display for sale, offer for sale, sell, possess or store any fireworks within the Town without written permission from the Director of Protective Services/Fire Chief.
- 10.5 No person may obtain, purchase, handle, set off, discharge a pyrotechnic display or otherwise, any fireworks within the Town without a valid Fire Permit.
- 10.6 A Display Supervisor or Pyro-Technician will apply in writing, a minimum of 28 calendar days prior to an event, to the Director of Protective Services/Fire Chief for a written letter of permission to conduct a display or show. The application in writing will cover all the information required by the *Explosives Act* and the Alberta Fire Code. It will include, but not be limited to:
- i. Date, time, and location of the proposed event;
 - ii. Names, addresses, and certification numbers of all display supervisors or pyro-technicians and assistants participating in the show;
 - iii. The name of the sponsor or purchaser of the event;

- iv. A full description of the planned event and a list of all materials to be fired, detonated, burnt, or energized during the event;
 - v. The emergency plan for the event;
 - vi. Verification of liability insurance, in an amount acceptable to the Town;
 - vii. Payment of the designated application fee if applicable;
 - viii. Confirmation of notification and permission for the event from adjacent landowners; and
 - ix. Any other information deemed necessary by the Director of Protective Services/Fire Chief.
- 10.7 The Director of Protective Services/Fire Chief or designate may choose to issue to a Display Supervisor or Pyro-Technician, in the form of a signed letter on official letterhead, written permission for a show or display to take place and a Fire Permit, if all requirements are met and there is no risk to life, safety, or property.
- 10.8 The Director of Protective Services/Fire Chief or designate may attach any terms and conditions in a written letter of permission that he or she deems appropriate for the individual event and may choose to revoke any previously issued written letter of permission for reasons of non-compliance with:
- i. The Alberta Fire Code;
 - ii. The *Explosives Act*;
 - iii. The letter of permission, including any terms and conditions;
 - iv. Changes in environmental conditions, and/or,
 - v. For any reasons of safety to life, limb, or property.

SECTION 11 – RECOVERY OF COSTS

- 11.1 Where Fire Services has extinguished a fire, or responded to an Incident within or outside the Town as per our mutual aid agreements, for the purpose of preserving life or property from injury or destruction by such incident, including any such action taken by Fire Services on a False Alarm, the Director of Protective Services/Fire Chief, may in respect of any costs incurred by Fire Services in taking such action, charge any costs so incurred by Fire Services to:
- i. The person who caused the Incident; or
 - ii. The owner of the land or the person in possession where the Incident occurred.
- 11.2 The fees charged by the Fire Services for services rendered pursuant to this bylaw are per the Rates, Fees and disbursement bylaw of the M.D. of Smoky River No. 130.
- 11.3 In respect of the fees or charges described above:
- i. The Town may recover such fees or charges as a debt due and owing to the Town; or
 - ii. In the case of action taken by Fire Services in respect of land within the Town, where the fees or charges are not paid upon demand by the Town, then in default of payment, such fees or charges may be charged against the land as taxes due and owing in respect of that land;
 - iii. In the event that the owner or occupant of any land within or outside the Town shall feel aggrieved by the fees described in Section 11, such owner or occupant shall have a period of thirty (30) days from the date of the mailing of the fee assessment to appeal the fees to the Town Council. The decision of Council on any such appeal shall be final and binding upon the owner or occupant of the land and is not subject to further appeal.

SECTION 12 – OFFENCES AND PENALTIES

- 12.1 The Director of Protective Services/Fire Chief or designate may terminate, suspend, or cancel a Fire Permit upon contravention of any provision of this bylaw, the Alberta Fire Code or any terms and conditions included in the permit.
- 12.2 A person, who contravenes any provision of this bylaw, or any terms or conditions is guilty of an offence and upon a conviction, is liable to a fine (as per rates, fees, and disbursements bylaw, or policy of the Town of not less than \$500 and not more than \$5,000, plus court costs.

- 12.3 Where a person:
- i. Fails to obtain a Fire Permit as required under this bylaw; or
 - ii. Obtains a Fire Permit but fails to follow the provisions of this bylaw or the conditions included in such Permit; and
 - iii. A fire beyond the control of the person or other emergency to which Fire Services responds results wherefrom, then such person shall be liable to pay all costs of all emergency response service incurred by Fire Services calculated in accordance with the current fee schedule, as established in the annual budget, approved by Council, and the Town may recover from such person all such costs as a debt owing to the Town.
- 12.4 The Director of Protective Services/Fire Chief is hereby authorized and empowered to issue a Violation Fine to any Person who the Director of Protective Services/Fire Chief has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 12.5 A Violation Fine shall be served upon the person named therein in accordance with the provisions of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34.
- 12.6 If the alarm is determined to be false, the M.D. Smoky River Emergency Services may submit an invoice to the Town in accordance with this bylaw.
- i. First offence is free of charge;
 - ii. Second offence you will be given a warning;
 - iii. Third offence you will be charged a fee as per the M.D. Rates, Fees and Disbursement Bylaw.
- 12.7 Where a contravention of this bylaw is of a continuing nature, further Violation Fines may be issued by the Director of Protective Services/Fire Chief.
- 12.8 Specified penalties for breaches or fees of the provisions of this bylaw are as per the M.D. of Smoky River No. 130 Rates, Fees and Disbursement Bylaw.

SEVERABILITY PROVISION

Should any provision of this bylaw be invalid then such invalid provision shall be severed, and the remaining Bylaw shall be maintained.

REPEAL

This bylaw repeals Bylaw 2018-06 and any amendments thereto made by Council resolution.

EFFECTIVE DATE

This bylaw shall come into force and effect when it receives third reading and is duly signed.

Read a first time this 13th day of November 2018

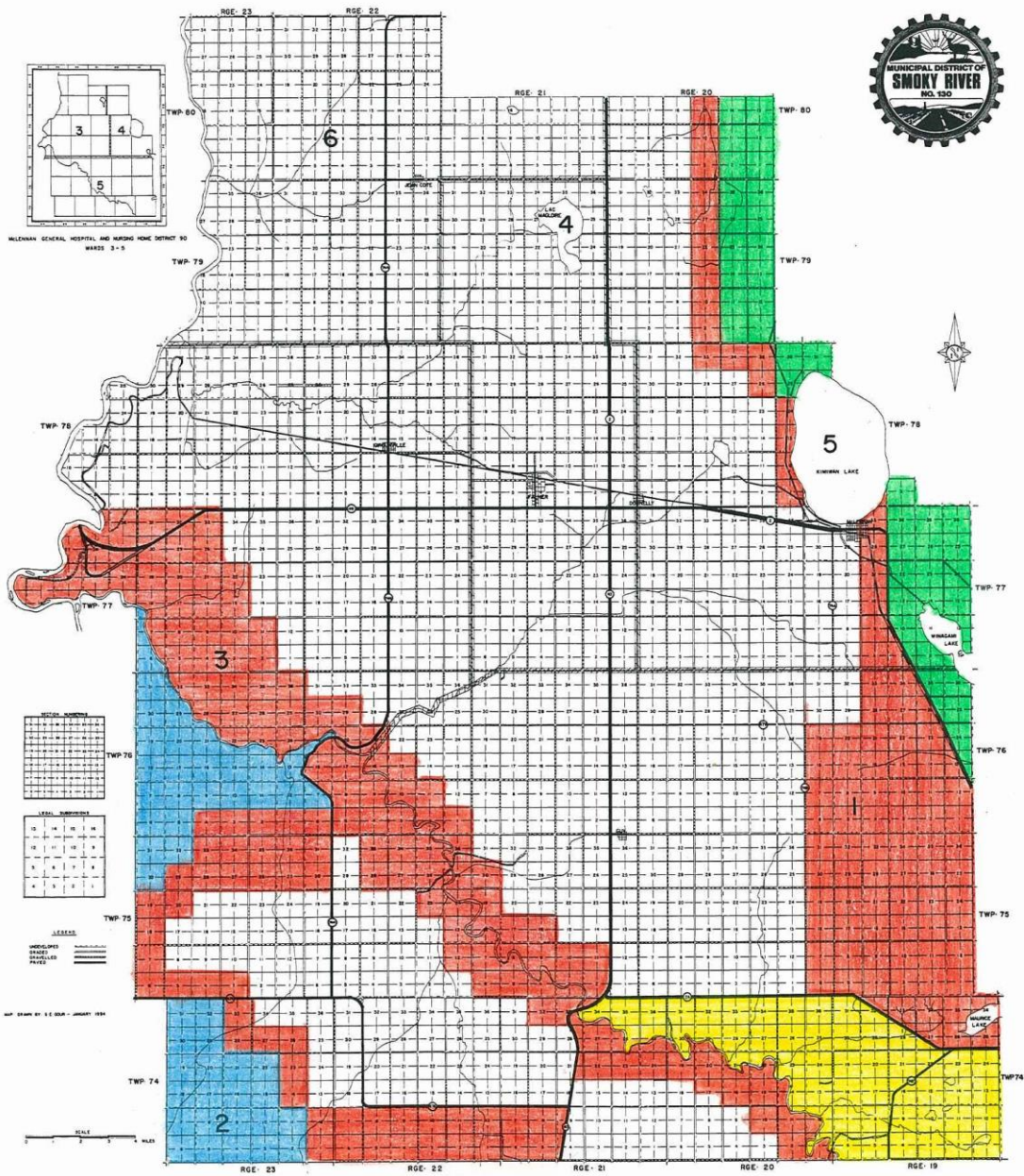
Read a second time this 13th day of November 2018

Read a third time and finally passed this 13th day of November 2018

Mayor

Chief Administrative Officer

SCHEDULE "A"



M.D. #130

High Prairie



McLennan

Valleyview

SCHEDULE "B"

FIRE PERMIT

Issued under the authority of Municipal District of Smoky River No. 130 Protective Services

This Permit Authorizes

Permittee Name: _____ Phone # _____
Company Name: _____ Phone # _____
Complete Mailing Address: _____

To kindle fires on the following land:

LSD: ¼ _____ SEC _____ TWP _____ RGE _____ West of the 5th Meridian
Civic Address: _____

For the purpose of burning: (select one)

- | | | |
|--|--|------------------------|
| <input type="checkbox"/> A smudge | <input type="checkbox"/> Hand-piled brush piles | Old buildings |
| <input type="checkbox"/> Bales | <input type="checkbox"/> In a burn barrel | Slab pile |
| <input type="checkbox"/> Dry grass/stubble | <input type="checkbox"/> In an incinerator | Yard clean-up/debris |
| <input type="checkbox"/> Fireworks | <input type="checkbox"/> Machine-piled brush piles | Other (please specify) |
- _____

**Burning must be done in compliance with Bylaw _____ Section 8 Procedure to Obtain a Fire Permit.
Every person who sets a fire under authority of a permit shall:**

- a. Keep the permit at the site of the fire.
- b. Produce and show the permit to a fire officer on request.
- c. Keep the fire under control.
- d. Adequate fire equipment required in order to control and/or extinguish.
- e. Extinguish the fire before expiration of the permit or upon cancellation of the permit; or if wind conditions change.
- f. Have a responsible person in attendance at the fire at all times; except as may be otherwise authorized by a fire officer.
- g. If fire index is at very high or extreme, this permit becomes void and the fire must be immediately extinguished.
- h. Any material being burned is of paper or wood product, unless otherwise authorized by a fire officer.
- i. Burn barrel/Incinerator to be maintained in good working condition.
- j. Neighbours within a one (1) mile radius must be notified prior to launching fireworks.

The following conditions apply:

- Burning not permitted with winds over 12 km/hr.
 - Adequate water supply required in order to control and/or extinguish.
 - Ignition requirements: _____
 - No more than _____ piles or _____ windrows to be burned at any time.
 - Spread debris upon completion of burning and check for hot spots to ensure holdover fires have been completely extinguished.
 - Approved smoke signs required in both directions on _____
 - Other conditions: _____
- _____

Date Issued: _____ Effective: _____ Expires: _____

I have read and understand the responsibilities imposed on me by Section 8 of Bylaw _____ and the conditions in this permit.

Permittee Name: _____ Fire Guardian Name: _____

Signature: _____ Signature: _____

**A FIRE PERMIT IS VALID ONLY FOR THE PERIOD WHICH IT IS ISSUED AND ONCE COUNTERSIGNED. A
FIRE PERMIT MAY BE CANCELLED AT ANY TIME BY A FIRE OFFICER.**