

LAC STE. ANNE COUNTY
Province of Alberta

BYLAW #15-2024

**BEING A BYLAW OF LAC STE. ANNE COUNTY IN THE PROVINCE OF ALBERTA TO
AMEND THE FIRE SERVICES BYLAW**

WHEREAS Council of Lac Ste. Anne County enacted Bylaw #29-2020, the Fire Services Bylaw;

AND WHEREAS the Council of Lac Ste. Anne County wishes to amend the Fire Services Bylaw;

NOW THEREFORE the Council of Lac Ste. Anne County, duly assembled, hereby enacts as follows:

1. Bylaw #29-2020, the Fire Services Bylaw, is hereby amended by deleting Section 2.1 and replacing it with the following:

2.1 In this Bylaw:

- a) "Acceptable Burn Barrel" means an outdoor receptacle that meets the following specifications:
 - i. a minimum of three (3) metres clearance measured from the nearest edge of the Burn Barrel to a building, property lines, or other combustible material,
 - ii. equipped with an expanded metal spark arrestor mesh screen with openings no larger than 16 mm, secured in place with latches or weights,
 - iii. constructed of non-combustible material,
 - iv. not located over underground utility services or under aboveground wires,
 - v. is supervised at all times by a responsible person until such time that the fire in the Burn Barrel has been extinguished. A fire shall be deemed to include hot ashes and smoldering embers resulting from the fire, and
 - vi. is used to burn non-prohibited debris;
- b) "Acceptable Fireplace" means an outdoor receptacle that meets the following specifications:
 - i. a minimum of one (1) metre clearance measured from the nearest Fireplace edge to the nearest edge of buildings, property lines, or other combustible material,
 - ii. constructed of materials such as bricks, concrete, or rocks that are non-combustible,
 - iii. equipped with a chimney that is not less than 2.5 metres in height when measured from the base of the fire burning area,
 - iv. a chimney equipped with a regulation screen designed to contain and reduce the hazards of airborne sparks,
 - v. the base of the fire burning area is not less than 0.3 metres above the surrounding grade, and
 - vi. the fire chamber does not exceed 1.25 metres in width, and is at least 0.4 metres, but not more than 0.6 metres, in depth;
- c) "Acceptable Fire Pit" means an outdoor receptacle (fire/barbeque pit) that meets the following specifications:
 - i. a minimum of three (3) metres clearance from buildings, property lines and combustible materials is maintained,
 - ii. it is placed on non-combustible material such as rock, sand, mineral soil, gravel, or concrete and the ground surrounding it outward from its base to a distance of three (3) metres be clean mineral soil or be covered by any of the aforesaid materials,
 - iii. it is constructed of bricks or concrete blocks, heavy gauge metal or other suitable non-combustible material components,
 - iv. it has a spark arrestor mesh screen of 6 – 16 mm expanded metal (or equivalent) to contain sparks over the fire at all times,

- v. the fire is supervised at all times by a responsible adult until such time that the fire has been extinguished. A fire shall be deemed to include hot ashes and smoldering embers resulting from the fire,
- vi. only wood, charcoal briquettes, propane, or natural gas fuels are to be used,
- vii. flame height does not exceed 90 cm above the fire/barbeque pit, and
- viii. not located over any underground utilities or under any aboveground wires;
- d) "All-Terrain Vehicle" means a wheeled or tracked motor vehicle designed for travel primarily on unprepared surfaces such as open country and marshland, but does not include a snow vehicle, implement of husbandry, or construction machinery;
- e) "Utility Task Vehicle" means a larger type of ATV designed to haul heavier loads and perhaps allow additional passengers;
- f) "Burnable Debris" means all combustible waste other than Prohibited Debris in accordance with the *Alberta Regulation 124/93 – Environment Protection and Enhancement Act Substance Release Regulation*, including, but not limited to, the following:
 - i. straw and stubble,
 - ii. grass and weeds,
 - iii. leaves and tree prunings,
 - iv. brush and fallen trees,
 - v. used power, telegraph and telephone poles that do not contain wood preservatives,
 - vi. wooden materials, which do not contain wood preservatives, from the construction or demolition of buildings,
 - vii. solid waste from post and pole operations that does not contain wood preservatives, or
 - viii. solid waste from tree harvesting operations;
- g) "Burning Hazard" means an actual or potential occurrence of fire or other combustion of organic or inorganic material that could endanger human life or damage property;
- h) "Bylaw Officer" means, a Bylaw Enforcement Officer appointed by Lac Ste. Anne County under Section 555 (1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26;
- i) "Campfire" means a recreational fire for the purpose of cooking or warming, or viewing for pleasure, that meets the following applications:
 - i. built on flat rock, gravel, sand, bare mineral soil, or another non-combustible surface that extended at least one (1) metre around the fire,
 - ii. is supervised at all times by a responsible adult until such time that the fire has been extinguished,
 - iii. the site has sufficient supply of water to extinguish the fire,
 - iv. the fire is kept under control at all times, and
 - v. the fire is extinguished before leaving the site of the fire, unless there is another person continuing to use the fire. A fire shall be deemed to include hot ashes and smoldering embers resulting from the fire;
- j) "Campground" means real property that is either County-owned or privately owned that is made available to persons for camping, whether by cabin, tent, tent trailer, holiday trailer, camper, motor home or similar recreational vehicle, including the outdoor recreational facilities located on the real property;
- k) "County" or "Lac Ste. Anne County" means the Municipality of Lac Ste. Anne County in the Province of Alberta;
- l) "County Fire Chief" means the senior manager of the Lac Ste. Anne County Fire Services, howsoever named, or designate;
- m) "County Manager" means the Chief Administrative Officer of Lac Ste. Anne County in the Province of Alberta;
- n) "Council" means the Council of Lac Ste. Anne County;
- o) "Dangerous Goods" means any product, substance, or organism specified in the regulations, or included by its nature in any of the Classes listed in the regulations under the *Transportation of Dangerous Goods Act*, R.S.A. 1992, Chapter 34, as amended;
- p) "Emergency Unit" means a fire truck, pumper truck, rescue truck, ambulance, mobile command unit, squad, dangerous goods unit, tender, watercraft, or any other vehicle used to perform activities at an Incident;
- q) "False Alarm" means any fire alarm that is set off needlessly, through willful, accidental, human, or mechanical error, and to which Lac Ste. Anne County Fire Services responds;
- r) "Fire Advisory" means an order by the County Manager of Lac Ste. Anne County, or an order by the County Fire Chief that may, at their discretion, prohibit the issuance of Fire, or High Hazard Display Fireworks, Permits for the purposes of lighting an open fire or setting off of fireworks or explosives;
- s) "Fire Ban" means a provincial ministerial order, an order by the County Manager of Lac Ste. Anne County, or an order by the County Fire Chief that may, at their

- discretion, cancel any or all Fire, or High Hazard Display Fireworks, Permits, prohibit the lighting of or requiring the extinguishment of a fire, and prohibit the setting off of fireworks or explosives;
- t) "Fire Guardian" means a person named or employed as Fire Guardian, by the County Manager of Lac Ste. Anne County, and pursuant to the *Forest and Prairie Protection Act*, this Bylaw, or both;
 - u) "Fire Hazard" means combustible material that, through its nature, location, condition, or arrangement, or any combination of those factors, may be ignited and, if ignited, could create a Burning Hazard;
 - v) "Fire Permit" means a permit issued by Lac Ste. Anne County, pursuant to the *Forest and Prairie Protection Act*, this Bylaw, or both, allowing for the setting of an Open Fire, Outdoor Fire, or Structure Fire, within Lac Ste. Anne County;
 - w) "Fire Services" means the Lac Ste. Anne County Fire Department, as established pursuant to the laws of Alberta and organized for the County pursuant to the provisions of this Bylaw, and any agreements with municipalities within Lac Ste. Anne County borders; consisting of: all persons appointed or recruited to the various positions prescribed herein, all equipment, apparatus, materials, and supplies used in the operation, maintenance, and administration of the Lac Ste. Anne County Fire Services, including fire stations;
 - x) "Fireworks" means consumer Fireworks, commonly referred to as low-hazard firework articles, designed for recreational use by the public. These articles include items such as roman candles, sparklers, fountains, wheels, volcanoes, mines and snakes, as identified in the *Explosives Act (Canada)*, and regulations under the Act;
 - y) "Hamlet" means an unincorporated community that consists of five (5) or more buildings used as dwellings, of which a majority of the parcels are less than 1850.0 square metres and contains parcels of land that are used for non-residential purposes. Hamlets located within Lac Ste. Anne County: Cherhill, Darwell, Glenevis, Greencourt, Gunn, Rich Valley, Rochfort Bridge, and Sangudo;
 - z) "High Hazard Display Fireworks" means Fireworks articles used for large Fireworks displays designed for and used by professionals. These articles include items such as aerial shells, cakes, roman candles, waterfalls, lances and wheels as identified in the *Explosives Act (Canada)* and regulations under the Act;
 - aa) "High Hazard Display Fireworks Permit" means a permit issued by Lac Ste. Anne County pursuant to the *Explosives Act (Canada)* Explosives Regulatory Division, this Bylaw, or both, allowing for the setting off of High Hazard Display Fireworks within Lac Ste. Anne County;
 - bb) "Household Garbage" means any discarded material from household activities that may include, but not limited to: wet organic waste, plastic, rubber, disposable diapers, glossy coloured paper, particle board, or other materials that, when burned, give off offensive odours and visible smoke;
 - cc) "Incident" means a fire, or a situation where a fire or an explosion is imminent, or any other situation presenting a danger or possible danger of life or property and to which the Fire Services may respond;
 - dd) "Incinerator Fire" means a fire that is confined within a non-combustible structure, container, or Burn Barrel, with openings covered with a heavy gauge metal screen having a mesh size of 6 – 16 mm and which is used for the purpose of burning Burnable Debris, protecting livestock from insects, or for protecting garden plots from frost;
 - ee) "Member" means any person who is an employee of Lac Ste. Anne County Fire Services, whether that member is full time, part time, paid, or a volunteer;
 - ff) "Multi-Parcel/Country Residential" means a subdivision of property, containing five (5) or more residential parcels where the parcel size for each parcel is predominantly 4.05ha. (10.0 acres), or less, with each parcel being created primarily for residential use;
 - gg) "National Fire Code – Alberta Edition" means the most current version of fire safety regulations, as amended from time to time, adopted by the Province of Alberta and legislated under the *Safety Codes Act*;
 - hh) "Occupant" means any person other than the registered Owner who is in possession of the property, including, but not restricted to, a lessee, licensee, tenant or agent of the Owner;
 - ii) "Open Fire" means any fire which is not an Acceptable Burn Barrel Fire, Acceptable Fireplace Fire, Acceptable Fire Pit Fire, Campfire, Incinerator Fire, or Outdoor Fire and which, without limiting the generality of the foregoing, may include grass fires, forest and brush fires, running fires, structure fires, building fires, wood scrap fires, ground thawing fires, chattel fires, and crop residue fires;
 - jj) "Outdoor Fire" means any fire outside of an Acceptable Burn Barrel, Acceptable Fireplace, Acceptable Fire Pit, Campfire, or Incinerator Fire and, by proxy, includes, but not limited to, the following:

- i. fires involving humus, wood, soil, farm produce, bush, grass, feed, straw, or coal,
 - ii. any fire that has escaped or spread from a building, structure, machine, or vehicle,
 - iii. a Burn Barrel or Incinerator without the required spark arrestor screen,
 - iv. fires in outdoor ovens, earthen ovens, or home-built wood burners,
 - v. chimeneas,
 - vi. tiki torches, and
 - vii. random (back-country) fires;
- kk) "Owner" means:
- i. the Person as registered on title at the Land Titles Office,
 - ii. a Person who is recorded as the Owner of the Property on the assessment roll of Lac Ste. Anne County,
 - iii. a Person who has purchased or otherwise acquired the Property, whether purchased or otherwise acquired from the Owner or from another purchase, and has not become the registered Owner thereof,
 - iv. a Person controlling the Property under construction,
 - v. a Person acting as the authorized agent of the Owner, or
 - vi. a Person who is the Occupant of the Property under a lease, license, or permit;
- ll) "Peace Officer" means a person appointed as a Peace Officer under the *Peace Officer Act*;
- mm) "Person" means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, association, society, and other legal entity;
- nn) "Portable Appliance" means any appliance sold or constructed for the purpose of cooking food or for the provision of heat in the out-of-doors that has been subjected to CSA approval;
- oo) "Prohibited Debris" means any combustible waste that, when burned, may result in the release to the atmosphere of dense smoke, offensive odours or toxic substances in accordance with the *Environmental Protection and Enhancement Act – Substance Release Regulation*, and shall include, but not limited to, the following:
- i. animal manure,
 - ii. pathological waste,
 - iii. waste material from building construction and/or demolition sites, excluding wooden materials that do not contain wood preservatives,
 - iv. combustible material in automobile bodies,
 - v. rubber, including tires,
 - vi. plastic, including baler twine,
 - vii. plastic, or rubber-coated materials, including copper wire,
 - viii. containers that held pesticides, or any other chemicals,
 - ix. used oil, or
 - x. wood or wood products containing wood preservatives;
- pp) "Property" means any lands, buildings, structures, or premises, or any personal property located thereupon, within the municipal boundaries of Lac Ste. Anne County;
- qq) "Running Fire" means a fire burning without being under the control of any Person;
- rr) "Specified Penalty" means a penalty specified in Schedule "A" which may be paid in response to a Bylaw or Violation Ticket, for an alleged offence of a Section of this Bylaw;
- ss) "Structure Fire" means a fire confined to and within any building, structure, machine, or vehicle, which will, or is likely to cause the destruction of or damage to such building, structure, machine, or vehicle;
- tt) "Violation Ticket" means a ticket issued pursuant to the *Provincial Offences Procedure Act*, R.S.A. 2000, Chapter P-34 for a breach of any of the provisions of this Bylaw.
2. Bylaw #29-2020, the Fire Services Bylaw, is hereby amended by deleting Section 11.2(c) and replacing it with the following:
- (c) Light an Open Fire, Outdoor Fire, Incinerator Fire, Acceptable Burn Barrel Fire, Acceptable Fireplace Fire, Acceptable Fire Pit Fire, Campfire, set off or discharge Fireworks, or operate an All-Terrain Vehicle or Utility Task Vehicle for recreational purposes, when the weather conditions are conducive to creating a Running Fire or when Fire Services or another authorized agency has announced a Fire Advisory or Fire Ban on any type of burning;
3. Schedule "A" to Bylaw #29-2020, the Fire Services Bylaw, is hereby amended by deleting the reference to Section 11.2(c) and replacing it with:

11.2 (c)	Light an Open Fire, Outdoor Fire, Incinerator Fire, Acceptable Burn Barrel Fire, Acceptable Fireplace Fire, Acceptable Fire Pit Fire, Campfire, set off or discharge Fireworks, or operate an All-Terrain Vehicle/Utility Task Vehicle for recreational purposes, when the weather conditions are conducive to creating a Running Fire or when Fire Services or another authorized agency has announced a Fire Advisory or Fire Ban on any type of burning.	\$1,000.00	\$5,000.00	\$10,000.00
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4. All other provisions of Bylaw #29-2020, the Fire Services Bylaw, shall remain unamended and in full force and effect.
5. Should any provision of this bylaw become invalid, void, illegal, or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provisions had not been invalid.
6. Coming into force of this bylaw is effective upon the third and final reading and signing of this Bylaw.



FIRST READING the 25th day April of 2024.

SECOND READING the 25th day of April 2024.

UPON UNANIMOUS CONSENT OF THOSE COUNCILLORS PRESENT;

PASSED AT THIRD READING THE 25th day of April 2024.



Reeve, Joe Blakeman
 (Seal)


County Manager, Mike Primeau