

**LAC STE. ANNE COUNTY**  
**Province of Alberta**

**BYLAW #29-2020**

A Bylaw of Lac Ste. Anne County, in the Province of Alberta, for the purpose of establishing Fire Services within Lac Ste. Anne County.

WHEREAS Sections 7 and 8 of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws for the safety, health and welfare of people and the protection of people and property, providing for a system of licenses, permits or approvals, the creation of offenses and enforcement through the imposition of penalties for those offences, as well as services provided by or on behalf of the municipality as may be considered proper by Council;

WHEREAS Section 551 of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass a bylaw to take whatever actions or measures are necessary to eliminate an emergency, and the expenses and costs of the actions or measures are an amount owing to the municipality by the person who caused the emergency.

WHEREAS Section 553(1)(g) of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass a bylaw making the owner of a parcel liable for costs and expenses related to the municipality extinguishing fires on the parcel, and unpaid costs and expenses for extinguishing fires on the parcel may be added to the Tax Roll of that parcel of land;

WHEREAS the *Forest and Prairie Protection Act*, R.S.A. 2000, Chapter F-19, and amendments thereto, provides certain discretionary and mandatory powers to enable a municipality to carry out and enforce the provisions of the *Forest and Prairie Protection Act* within its boundaries as applicable; and

WHEREAS the Council of Lac Ste. Anne County, pursuant to the powers and responsibilities granted to it pursuant to the *Municipal Government Act* and the *Forest and Prairie Protection Act*, wishes to provide for the prevention, regulation and control of the lighting of fires, and the setting off of fireworks, within Lac Ste. Anne County and for the preservation of life and property from damage or destruction by fire or fireworks on the terms hereinafter provided;

WHEREAS the Council of Lac Ste. Anne County wishes to establish fire services within Lac Ste. Anne County and to provide for efficient operation of such fire services; and

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

**PART 1.0 – NAME OF BYLAW**

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

**PART 2.0 - DEFINITIONS**

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) "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;
- e) "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;
- f) "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;
- g) "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;
- h) "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;
  - i) "County" or "Lac Ste. Anne County" means the Municipality of Lac Ste. Anne County in the Province of Alberta;
  - j) "County Fire Chief" means the senior manager of the Lac Ste. Anne County Fire Services, howsoever named, or designate;
  - k) "County Manager" means the Chief Administrative Officer of Lac Ste. Anne County in the Province of Alberta;
  - l) "Council" means the Council of Lac Ste. Anne County;
  - m) "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;
  - n) "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;
  - o) "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;
  - p) "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;
  - q) "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;
  - r) "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;
  - s) "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;
  - t) "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;
  - u) "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;
  - v) "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;
  - w) "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;
  - x) "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;

- y) "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;
- z) "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;
- aa) "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;
- bb) "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;
- cc) "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;
- dd) "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;
- ee) "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*;
- ff) "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;
- gg) "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;
- hh) "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;
- ii) "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;
- jj) "Peace Officer" means a person appointed as a Peace Officer under the *Peace Officer Act*;
- kk) "Person" means an individual and includes a firm, partnership, joint venture, proprietorship, corporation, association, society, and other legal entity;
- ll) "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;
- mm) "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;
- nn) "Property" means any lands, buildings, structures, or premises, or any personal property located thereupon, within the municipal boundaries of Lac Ste. Anne County;
- oo) "Running Fire" means a fire burning without being under the control of any Person;
- pp) "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;
- qq) "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;
- rr) "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.

### PART 3.0 – SERVICES

- 3.1 Services may be provided by Lac Ste. Anne County Fire Services for the purposes of:
- a) Preventing and extinguishing fires;
  - b) Preserving life and Property and protecting persons and Property from injury or destruction by fire;
  - c) Providing rescue services;
  - d) Preventing, combating and controlling Incidents;
  - e) Carrying out preventative patrols, pre-fire planning, and assisting with fire investigations and inspections;
  - f) Entering into agreements with other municipalities or persons for the joint use, control, and management of fire extinguishing apparatus and equipment; and
  - g) Purchasing and operating apparatus and equipment for extinguishing fires or preserving life and property, in accordance with approved budgets.

### PART 4.0 – AUTHORITY

- 4.1 Council hereby delegates the following authorities:
- a) The County Fire Chief, designate, or any Member acting in their position, is empowered to cause a building, structure, or thing to be pulled down, demolished, or otherwise removed if he or she deems it necessary to prevent the spread of fire to other buildings, structures, or things;
  - b) The County Fire Chief, or designate, or any Member acting in their position, is empowered to cause any Member to enter on any land or premises, including adjacent land or premises, to combat, control, or deal with an Incident in whatever manner the County Fire Chief, designate, or any other Member in charge at an Incident deems necessary;
  - c) The County Fire Chief, or designate, is authorized to issue Fire Permits and High Hazard Display Fireworks Permits, and to issue invoices for services provided and any other documents in the name of the County, which may be required for the efficient operation of the Fire Services within the County;
  - d) For the purpose of fire control, the County Fire Chief, or designate, may enforce a Fire Advisory, or a partial or total Fire Ban, which will be advertised through commonly available media platforms for not less than two (2) consecutive days; and
  - e) For the purpose of fire control, the County Fire Chief, or designate, or any Member acting in their position, may enforce a Fire Ban in specified areas.

- 4.2 The County Fire Chief, or designate, may seek the assistance of any department or official of the County, as deemed necessary to fulfill the duties hereunder.
- 4.3 The County Fire Chief, designate, or any Member acting in their position, is hereby authorized to assist with fire investigations or inspections when requested by an accredited Safety Codes Officer.

## 5.0 – CONTROL OF FIRE HAZARDS

- 5.1 Where conditions on privately-owned lands, or occupied lands, within the County boundaries, in the opinion of the County Fire Chief, or designate, constitutes a Fire Hazard or a Burning Hazard, he or she may order the Owner or the Person in control of the land on which the Burning Hazard exists to reduce or remove the Burning Hazard within a fixed time and in a manner prescribed by the County Fire Chief, or designate.
- 5.2 When the County Fire Chief, or designate, or any Member acting in their position, finds that an order made pursuant to Section 5.1 has not been carried out, he or she may enter on the land with any equipment and persons considered necessary to perform the required work.
- 5.3 Where work was performed pursuant to Section 5.2:
  - a) The Owner or Person in control of the land shall, on demand, reimburse the County for the cost of the work performed;
  - b) The County may recover such fees and charges as a debt due and owing to the County; and
  - c) Where the fees or charges are not paid, such fees or charges may be charged against the land as a lien in respect of that land and improvements as pursuant to Section 553 (1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26.

## 6.0 – REPORTING

- 6.1 The Owner or the authorized agent of any Property damaged by fire shall immediately report the particulars of the fire in a manner and detail satisfactory to the County Fire Chief, or designate.
- 6.2 The Owner or the authorized agent of any Property containing a Dangerous Good(s) product, which sustains an accidental, or unplanned release, of the Dangerous Good(s) product, shall immediately report the particulars of the release in a manner and detail satisfactory to the County Fire Chief, or designate.
- 6.3 The Owner or Occupant of privately-owned lands shall immediately report any previously undiscovered fire, excepting those fires not requiring a Fire Permit, to the County Fire Chief, or designate, regardless of damages. Undiscovered fires would include, but not be limited to, the following:
  - a) Fire causing property damage;
  - b) ground fire;
  - c) hold-over fire from previously permitted burn;
  - d) lightning strikes; and
  - e) Other.Notwithstanding the foregoing, the reporting of previously undiscovered fire must be made regardless of whether or not Fire Services assisted or mitigated the Incident.

## 7.0 – FIRE GUARDIANS

- 7.1 Fire Guardians shall be employed by the County to provide the services listed below, following the provisions of the *Forest and Prairie Protection Act*, and this Bylaw, within the boundaries of Lac Ste. Anne County:
  - a) Issue Fire Permits;
  - b) Attend site visits to monitor compliance of permitted burning; and
  - c) Provide education, interpretation and implementation of provincial and municipal legislation.
- 7.2 The number of required Fire Guardians shall be monitored and maintained as required by the County Manager through the recommendation of the County Fire Chief.

## 8.0 – FIRE PERMITS

- 8.1 Fire Permits are required at all times of the year to light an Open Fire, Structure Fire, or any other fire, if required under this Bylaw or the *Forest and Prairie Protection Act*.
- 8.2 Council, from time to time by a bylaw, may establish a fee for issuing a Fire Permit.
- 8.3 No Person shall set, permit, or maintain any Open Fire at any time of the year such that the smoke emitted from the fire impairs visibility on any municipal roadway, any Highway or which, in the sole discretion of the County Fire Chief, or designate, becomes a nuisance or safety concern. The Person who set, permitted, or maintained such an Open Fire shall extinguish the fire immediately upon the order of the County Fire Chief, or designate.
- 8.4 Any Person wishing to obtain a Fire Permit for any area within the County shall request a Fire Permit through the County.
- 8.5 A Fire Permit shall be on the form required by the Fire Services, and shall contain the following information:
- The name, address, and telephone number, if applicable, of the applicant;
  - The reason for a Fire Permit is required;
  - The legal description of land and/or municipal address of the Property upon which the proposed fire will be set;
  - A description of the Burnable Debris which will be burned;
  - Any precautions that will be taken by the Owner, or authorized agent, to maintain and control the proposed fire;
  - The length of time for which the Fire Permit will remain valid (to a maximum 10 days);
  - The signature of the Owner or authorized agent;
  - The signature of the Fire Guardian issuing the Fire Permit; and
  - Any additional information as required by the County Fire Chief.
- Notwithstanding the foregoing, the County Fire Chief, or designate, may approve an electronic permitting process that may allow for electronic consent or approvals in place of original signatures and/or documents, subject to such requirements or other information as may be deemed necessary by the County Fire Chief, designate, or any Fire Guardian processing an application for a Fire Permit.
- 8.6 The County Fire Chief, or designate, may, in his or her sole discretion, terminate or suspend a Fire Permit at any time.
- 8.7 Upon request for a Fire Permit, the County Fire Chief, designate, or Fire Guardian may, in his or her sole discretion, request additional information, and/or complete a site inspection to:
- Refuse to grant the Fire Permit;
  - Grant a Fire Permit with or without terms and conditions as deemed appropriate; or
  - Determine that a Fire Permit is not required.
- 8.8 A Fire Permit is not transferable.
- 8.9 Notwithstanding 8.5 (f), the County Fire Chief, or designate, may issue a Fire Permit for longer periods (30, 60 or 90 days), or shorter durations, as determined by circumstances, conditions, preventative measures, or plans as submitted to the County Fire Chief, or designate, as well as require any ongoing site inspections as determined by the County Fire Chief.
- 8.10 The County Fire Chief, or designate, shall be empowered to suspend any or all of the following activities, within all portions of the County, for such a period of time or conditions as may be determined:
- Structure Fires;
  - Open Fires;
  - Outdoor Fires;
  - Other fires lit for cooking or warming purposes, including Campfires; and
  - Discharge or set off Fireworks.
- 8.11 Upon receiving notice, an Owner, or authorized agent, shall immediately suspend activities as follows:
- Fire Permit:
    - Extinguish any fire(s) set;
  - High Hazard Display Fireworks Permit:
    - Refrain from commencing, or proceeding with, the display.
- 8.12 Within Hamlets and Multi-Parcel/Country Residential subdivisions, the following burning is permitted without a Fire Permit:
- An Acceptable Fireplace year-round; and
  - An Acceptable Fire Pit with a regulation screen.

## 9.0 – FIREWORKS AND BURN BARRELS

- 9.1 All Persons discharging or setting off Fireworks shall conform to all manufacturer's specifications and recommendations for such Fireworks, and to all requirements of any applicable laws and regulations, including the National Fire Code – Alberta Edition, as amended from time to time, and this Bylaw, and all other County Bylaws, including, but not limited to:
- a) Nuisance Bylaw, as amended; and
  - b) Noise Control Bylaw, as amended.
- 9.2 No Person shall set off or discharge Fireworks, and no Owner shall allow any set off or discharge of Fireworks on his or her Property, within any Hamlet, Multi-Parcel/Country Residential subdivision, Campground, or on any Municipal or Environmental Reserve within the County, except with the prior written permission of the County Fire Chief, designate, or a Fire Guardian.
- 9.3 Notwithstanding Section 9.1 and 9.2, the County Fire Chief may authorize the discharge of Fireworks in relation to a County permit issued in accordance with the County Special Events and Vendor Bylaw, as amended.
- 9.4 Burn Barrels will NOT be permitted for use in a Hamlet or Multi-Parcel/Country Residential subdivision.

## 10.0 – EXEMPTIONS AND POWERS

- 10.1 Notwithstanding Section 8.0, a Fire Permit is not required under this Bylaw to conduct any of the following:
- a) The cooking of food or the provision of heat using a Portable Appliance; or
  - b) Recreational burning, or the cooking of food in an Acceptable Fireplace or Acceptable Fire Pit, provided:
    - i. only clean fuel is used, such as natural gas, propane, dry wood, or charcoal, in amounts which will be contained within the Fireplace or Fire Pit below the mesh screen,
    - ii. the Fireplace, or Fire Pit, is not used to burn Prohibited Debris,
    - iii. a means, acceptable to the County Fire Chief, or designate, of controlling or extinguishing the fire is available on the property and within reasonable distance from where the fire occurs, and
    - iv. a responsible adult is present on the Property when the fire is burning;
  - c) Burning in a Campfire for the purposes of warming, or cooking food, provided:
    - i. only fuels such as dry natural or seasoned firewood, or untreated milled wood,
    - ii. the fire is under control at all times, and
    - iii. the fire is extinguished before leaving the site of the fire;
  - d) The burning of Burnable Debris or clean burnable Household Garbage in an Acceptable Burn Barrel;
  - e) Burning in Fireplaces in or attached to dwellings are provided by legislation;
  - f) The fire has been set by Fire Services for the purpose of training;
  - g) The fire has been otherwise authorized by Fire Services; or
  - h) Setting off Fireworks, that have been accessed through retail purchase.
- 10.2 Where Fire Services has taken any action whatsoever for the purpose of Fire Services, including and not limited to report copies, duplicate photographs, and/or site inspections, an applicable fee, as set by current County Bylaw or Policy, may apply.
- 10.3 Where Fire Services has taken any action whatsoever for extinguishing a fire or responding to an Incident within the County for the purpose of preserving life or property from injury or destruction by fire or other Incident, including any such action taken by the Fire Services on a False Alarm, the County may, in respect of any costs incurred by the Fire Services in taking such action, charge any costs so incurred by Fire Services to:
- a) The Person who caused the Incident;
  - b) The Owner of the land or the Person in possession of the land where the Incident occurred; or
  - c) The Owner of the Property where the Person in possession and control of the property which is the location of the Incident if not located on privately owned land.
- 10.4 The incident response rates to be charged by Fire Services for services rendered pursuant to this Bylaw shall be as set out in Schedule "B". The County Fire Chief, or designate, upon



approval and ratification by Council, may determine the application of fees and charges from time to time.

- 10.5 Upon receipt of an invoice for services provided by Fire Services, the Owner or Person receiving such an invoice pursuant to this Bylaw may appeal in written form to County Council within 30 days of the post-mark date.
- 10.6 Appeals may extend beyond the 30 days stated as a result of insurance matters or other matters deemed acceptable by the County Fire Chief, or designate, and will be reviewed on an individual basis as required.
- 10.7 In respect of the incident response rates described in Schedule "B" of this Bylaw:
- a) The County may recover such incident response rates as a debt and owing to the County; or
  - b) In the case of action taken by Fire Services in respect of land within the County, where the incident response rates are not paid upon demand by the County, then in default of payment, such incident response rates may be charged against the land as a lien in respect of that land and improvements as pursuant to Section 553 (1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26.
- 10.8 When a fire is lit, or discovered, without the appropriate Fire Permit, except a fire described in Section 10.1, the Owner, or occupier of the land, or the Person having control of the land upon which such fire is lit, or discovered, shall:
- a) Extinguish the fire immediately;
  - b) Monitor or take action to control or contain the fire;
  - c) Where he or she is unable to extinguish the fire immediately, report the fire to Fire Services through contact with 9 – 1 – 1; and
  - d) Be liable to costs incurred by the County to respond, suppress, and extinguish the fire at the discretion of the County Fire Chief.
- 10.9 Vendors within the County do not require any County Permit for the display, storage and/or sale of Fireworks, but must comply with all applicable legislation, including the *Explosives Act (Canada)* and regulations under that Act.

#### 11.0 – OFFENSES

- 11.1 No Owner or Person shall either directly or indirectly, personally, or through an agent, servant, or employee, light a fire, whether a Fire Permit was obtained for that fire, or the fire was previously undiscovered, and allow it to become a Running Fire on any land, including his or her own Property, or allow a Running Fire to pass from his or her Property, or Property under his or her control, to the Property of another.
- 11.2 No Person shall, and no Owner shall allow any Person on his or her Property to:
- a) Light an Open Fire without a Fire Permit if a Fire Permit is required under this Bylaw;
  - b) Light an Open Fire, Outdoor Fire, Incinerator Fire, Acceptable Burn Barrel Fire, Acceptable Fireplace Fire, Acceptable Fire Pit Fire, or Campfire, without first taking sufficient precaution to ensure that the fire can be kept under control at all times;
  - c) Light an Open Fire, Outdoor Fire, Incinerator Fire, Acceptable Burn Barrel Fire, Acceptable Fireplace Fire, Acceptable Fire Pit Fire, Campfire, or set off or discharge Fireworks, 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;
  - d) Burn in an Acceptable Burn Barrel, Acceptable Fireplace, Acceptable Fire Pit, or Campfire, any Prohibited Debris;
  - e) Deposit, discard, or leave any burning material or substance where it might ignite other material and cause a fire;
  - f) Conduct any activity that involves the use of fire, or that creates potential sources of fire ignition, which could be expected to cause a Running or Open Fire, unless he or she uses precautionary measures to prevent such a fire from occurring;
  - g) Fail to report property damaged caused by fire;
  - h) Fail to report an accidental, or unplanned, release of Dangerous Good(s) product;
  - i) Provide false, incomplete, or misleading information on or with respect to a Fire Permit or High Hazard Fireworks Permit Application;
  - j) Interfere with the efforts or persons authorized in this Bylaw to extinguish fires, or preserve life or property;

- k) Interfere with the operation of any Fire Services equipment or apparatus, including any contracted services operating under the authority of the County, required to extinguish fires, or preserve life or property;
  - l) Damage or destroy any Fire Services property; or
  - m) Falsely represent him- or herself as a Fire Services Member, or wear or display any uniform, badge, cap, button, insignia, or other paraphernalia for the purpose of such false representation.
- 11.3 No Owner or Person shall use fire to burn Prohibited Debris, including 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*.
- 11.4 No Owner or Person shall obstruct a Fire Guardian, or a Member of the Fire Services in the performance of their duties, nor a Bylaw Officer or Peace Officer in the enforcement of this Bylaw.
- 11.5 No burning or fires of any sort are allowed in areas designated as Municipal or Environmental Reserve, except for the purposes of prescribed management conducted, or authorized, by the County.
- 11.6 No Owner or Person shall fail to comply with conditions of a Fire Permit or High Hazard Fireworks Permit.
- 11.7 Nothing in this Bylaw shall be interpreted to authorize any fire, burning, or other act, which is in contravention of the *Environmental Protection and Enhancement Act*, or any regulation made hereunder.
- 11.8 No Owner or Person shall utilize a Burn Barrel or burn Household Garbage within a Hamlet or Multi-Parcel/Country Residential subdivision within Lac Ste. Anne County.
- 11.9 No Owner or Person shall discharge Fireworks in a manner that contravenes manufacturer recommendations for those Fireworks.
- 11.10 No Person shall discharge or set off Fireworks in a Campground, Municipal or Environmental Reserve, Hamlet or Multi-Parcel/Country Residential subdivision.

## 12.0 – PENALTIES

- 12.1 Any Owner or Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon conviction, to a fine of not more than \$25,000.00, per offense.
- 12.2 Where an Owner or Person contravenes any provision of this Bylaw, the Specified Penalty is prescribed in Schedule “A”.
- 12.3 Where an Owner or Person contravenes any Section of this Bylaw, that Owner or Person shall be liable to Fire Services and the County for the entire cost of any type of emergency response and mitigation service required to bring the Incident under control; whether Fire Services or the County provided that service or by a third party or agency, and:
- a) The County may recover such fees or charges as a debt due and owing to the County; or
  - b) In the case of action taken by Fire Services in respect of land within the County, where the incident response rates are not paid upon demand by the County, then in default of payment, such incident response rates may be charged against the land as a lien in respect of that land and improvements.
- 12.4 A Bylaw Officer or Peace Officer is hereby authorized and empowered to issue a Violation Ticket to any Owner or Person whom that Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 12.5 Where a Violation Ticket is issued pursuant to this Bylaw, the Owner or Person to whom the Violation Ticket is issued may, in lieu of being prosecuted for the offence, pay the Violation Ticket as outlined on Schedule “A” hereto, provided that such payment is made in full on, or before, the date outlined on the Violation Ticket.
- 12.6 In respect to any incident response rates levied or charged under this Bylaw:
- a) Lac Ste. Anne County may recover such costs or fees as an amount due and owing to the County pursuant to Section 552 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26; and
  - b) In default of payment, where permitted by the *Municipal Government Act*, R.S.A., 2000, Chapter M-26, Section 553(1) (c), add the amount to the Tax Roll of the property in question.

13.0 – SEVERABILITY

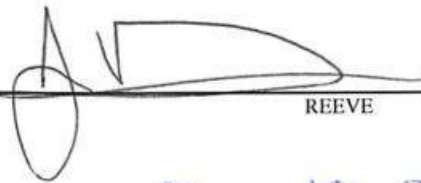
13.1 Should any part of this Bylaw be found to have been improperly enacted, for any reason, then such Section or Part shall be regarded as severable from the rest of this Bylaw, and this Bylaw remaining after such severance shall be effective and enforceable as if the Section or Part found to be improperly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

EFFECTIVE DATE

Bylaws 18-2015 and 24-2010, and amendments thereto, are hereby repealed.

This Bylaw shall come into force and effect on the date of the third and final reading and signing thereof.

FIRST READING:  
SECOND READING:  
THIRD READING:

  
\_\_\_\_\_  
REEVE

Date Signed: Dec. 18, 2020

  
\_\_\_\_\_  
COUNTY MANAGER

Date Signed: DEC. 11/20

**BYLAW # 29-2020**

**SCHEDULE "A"**

**WHEREAS**, under the provisions of Section 44 of the *Provincial Offences Procedure Act*, and under the provision of Section 7 of the *Municipal Government Act*, Council may, by Bylaw, provide for the payment of Violation Tickets or summons out of court.

A Violation Ticket may be issued by a Bylaw, or Peace Officer, to any Owner and/or Person charged with a breach of any of the provisions of this Bylaw and the hereto-mentioned Acts shall apply regarding the payment.

<b>Section</b>	<b>Offence</b>	<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> Offence</b>
<b>(NO TIME LIMITS BETWEEN OFFENCES)</b>				
11.1	Allow any fire to become a Running Fire on any land, or allow a Running Fire to pass from his or her own Property to the Property of another.	\$500.00	\$1,000.00	\$2,500.00
11.2 (a)	Light an Open Fire without a Fire Permit if a Fire Permit is required under this Bylaw.	\$250.00	\$500.00	\$1,000.00
11.2 (b)	Light an Open Fire, Outdoor Fire, Incinerator Fire, Acceptable Burn Barrel Fire, Acceptable Fireplace Fire, Acceptable Fire Pit Fire, or Campfire, without first taking sufficient precaution to ensure that the fire can be kept under control at all times.	\$500.00	\$1,000.00	\$5,000.00
11.2 (c)	Light an Open Fire, Outdoor Fire, Incinerator Fire, Acceptable Burn Barrel Fire, Acceptable Fireplace Fire, Acceptable Fire Pit Fire, Campfire, or set off or discharge Fireworks 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
11.2 (d)	Burn Prohibited Debris in an Acceptable Burn Barrel, Acceptable Fireplace, Acceptable Fire Pit or Campfire.	\$500.00	\$1,000.00	\$5,000.00
11.2 (e)	Deposit, discard, or leave any burning material or substance where it might ignite other material and cause a fire.	\$1,000.00	\$5,000.00	\$10,000.00
11.2 (f)	Conduct any activity that involves the use of fire, or that created potential sources of fire ignition, which could be expected to cause a Running or Open Fire unless he or she uses precautionary measures to prevent such a fire from occurring.	\$500.00	\$1,000.00	\$5,000.00

		<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> Offence</b>
<b>Section</b>	<b>Offence</b>	<b>(NO TIME LIMITS BETWEEN OFFENCES)</b>		
11.2 (g)	Fail to report property damaged caused by fire.	\$500.00	\$1,000.00	\$2,500.00
11.2 (h)	Fail to report an accidental, or unplanned, release of Dangerous Good(s) product.	\$5,000.00	\$10,000.00	\$25,000.00
11.2 (i)	Disclose false incomplete or misleading information when applying for a Fire or High Hazard Display Fireworks Permit.	\$500.00	\$1,000.00	\$5,000.00
11.3	Use fire to burn Prohibited Debris.	\$1,000.00	\$5,000.00	\$10,000.00
11.4	Obstruct a Fire Guardian, or a Member of the Fire Services in the performance of their duties, nor a Bylaw Officer or Peace Officer in the enforcement of this Bylaw.	\$2,500.00	\$5,000.00	\$10,000.00
11.5	Burn or have a fire in an area designated as Municipal or Environmental Reserve, excepting prescribed management authorized by the County.	\$500.00	\$1,000.00	\$5,000.00
11.6	Fail to comply with the conditions of a Fire or High Hazard Fireworks Permit.	\$1,000.00	\$5,000.00	\$10,000.00
11.8	Utilize a Burn Barrel or burn Household Garbage within a Hamlet or Multi-Parcel/Country Residential subdivision.	\$500.00	\$1,000.00	\$5,000.00
11.9	Discharge Fireworks in a manner that contravenes manufacturer recommendations for those Fireworks.	\$500.00	\$1,000.00	\$5,000.00
11.10	Discharge or set off Fireworks in a Campground, Municipal or Environmental Reserve, Hamlet or Multi-Parcel/County Residential Subdivision.	\$500.00	\$1,000.00	\$5,000.00

**BYLAW # 29-2020**

**SCHEDULE "B"**

**Incident Response Rates**

*When an incident occurs within Lac Ste. Anne County or municipalities having entered into a Fire Services Agreement, those who have entered into a Mutual Aid Agreement, or those who have other executed agreements with Lac Ste. Anne County, the following schedule will apply.*

Rates are established by County Council, from time to time through bylaw, for the following equipment:

A) Firefighter Wages	
Engine/Pumper	
Tanker /Tender	
Squad	
Wildland Truck	
Heavy Rescue Truck	
Command Unit	
Water Rescue Unit	
UTV	
Equipment Support Trailer	
Contracted Equipment (Fire or General)	Invoice cost
Consumables (foam, etc.)	Invoice cost + 25%
Hazardous Materials Supplies	Invoice cost + 25%
Municipal Water Access Fee	Current cubic metre rates as established at point of access

*When an incident occurs on Alberta Transportation Highway rights-of way, or any Railway right-of-way, the following rates will be charged:*

B) County-owned Emergency Unit (as above) *	established by the Province of Alberta
Contracted Equipment (Fire or General)	Invoice cost

\* All Emergency Unit rates are inclusive of labour.