

TOWN OF OLDS

BYLAW NO. 2024-33

BEING A BYLAW OF THE TOWN OF OLDS TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF A FIRE DEPARTMENT, THE PREVENTION OF FIRES AND THE PROTECTION OF PEOPLE AND PROPERTY, THE RECOVERY OF FIRE PROTECTION CHARGES AND REGULATION OF THE USE AND SALE OF FIREWORKS.

WHEREAS the *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 following matters:

- i) the safety, health and welfare of people, and the protection of people and property;
- ii) services provided by or on behalf of the municipality; and
- iii) the enforcement of bylaws;

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

AND WHEREAS the Alberta Fire Code contemplates that municipalities will regulate the use, sale and storage of fireworks within their jurisdiction;

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

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| Schedule "A" | Fines and Penalties |
| Schedule "B" | Fire Permit |
| Schedule "C" | Sale of Fireworks |
| Schedule "D" | Fireworks Discharge/Display Permit |

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

PART 1: BYLAW TITLE

1. This Bylaw may be cited as the "Town of Olds Fire Bylaw."

PART 2: DEFINITIONS

2. "Address Number" means the number of a property designated by the Town, which may include a combination of numbers and/or words.
3. "Alberta Fire Code" means the *Alberta Fire Code 2019*, as amended, or repealed and replaced, from time to time.

4. "Apparatus" means any vehicle provided with machinery, devices, Equipment, or materials for firefighting as well as vehicles used to transport firefighters or supplies.
5. "Approved Fire" means a fire contained within a CSA certified barbecue, or a fire pit or outdoor fireplace that:
 - i) has an opening, surface or cooking area of not more than 3800 square centimeters;
 - ii) has enclosed sides no greater than 46 centimeters above ground level;
 - iii) is constructed of bricks, concrete blocks, or heavy gauge metal; and
 - iv) is covered with a spark arrestor mesh screen made with expanding metal, or an equivalent non-combustible material, with openings no larger than 1.3 centimeters;
6. "Chief Administrative Officer" or "CAO" means the individual appointed by Council to the position of Chief Administrative Officer under section 205 of the Municipal Government Act and pursuant to the Chief Administrative Officer Bylaw; or anyone authorized to act on his/her behalf.
7. "Consumer Fireworks" means Fireworks listed as Class F.1 in Part 16 of the *Explosives Regulations* (also known as "low-hazard fireworks").
8. "Council" means the Town of Olds municipal Council.
9. "Dangerous Goods" means any material or substance that may constitute an immediate or long-term adverse effect to life, health, property or the environment when burned, spilled, leaked or otherwise released from its normal use, handling, storage or transportation environment, and shall include those products, substances and organisms described in the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c. D-4, as amended, and the regulations there under.
10. "Display Fireworks" means Fireworks listed as Class F.2 in Part 18 of the *Explosives Regulations* (also known as "high-hazard fireworks").
11. "Equipment" means any tools, contrivances, devices, or materials used by the Fire Department to combat an Incident or other emergency.
12. "*Explosives Act*" means the *Explosives Act*, RSC 1985, c E-17, as amended or repealed and replaced from time to time.
13. "*Explosives Regulations*" means the *Explosives Regulations*, 2013, SOR/2013-211, as amended or repealed and replaced, from time to time.
14. "False Alarm" means any notification to the Fire Department, howsoever triggered, or received, respecting the existence of a fire, risk of fire or other related hazard, in circumstances where no such fire, risk of fire or other related hazard, in fact, exists.
15. "Fire Ban" means any fire ban, whether municipally or provincially declared, that prohibits fires in all or part of the Town.

16. "Fire Chief" means the individual appointed by the Chief Administrative Officer as the head of the Fire Department, or his or her designate.
17. "Fire Department" means the department established by this Bylaw and includes any Member.
18. "Fire Department Property" means all Property owned or controlled by the Town and designated for use by the Fire Department.
19. "Fire Permit" means a permit issued by the Fire Chief, pursuant to this Bylaw, authorizing the setting of a specific type of fire within the Town.
20. "Fire Recovery Costs" means rates, fees and charges payable for, or in connection with, the provision of Fire Protection, as set out in the Rates Bylaw.
21. "Fireworks" includes Consumer Fireworks, Display Fireworks and Special Effect Pyrotechnics, but does not include distress flares or any other pyrotechnic or any other explosive devices.
22. "Fireworks Permit" means a permit issued by the Fire Chief, pursuant to this Bylaw, authorizing a person to purchase, possess, handle, discharge, fire or set off Fireworks in the Town, and constitutes written permission for purposes of the Alberta Fire Code.
23. "Fireworks Sales Permit" means a permit, issued by the Fire Chief, pursuant to this Bylaw, authorizing a person to distribute, sell, possess, handle or store for the purpose of selling Fireworks in the Town, and constitutes written permission for purposes of the Alberta Fire Code.
24. "Incident" means a fire, explosion, rescue, alarm call, or any situation presenting a danger or a possible danger to life or property to which the Fire Department has responded.
25. "Member" means any person who is a duly appointed member of the Fire Department, including part time or volunteer members, the Fire Chief and any Officer.
26. "Member in Charge" means the Member in charge of an Incident, determined in accordance with section 6.
27. "Municipal Violation Ticket" means a Town-issued notice that alleges an offence and provides a person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence.
28. "Occupant" means any person, firm, partnership, association, corporation, company, or organization of any kind.
29. "Officer" means a member appointed by the Fire Chief to a supervisory position within the Fire Department.
30. "Property" means any real property or personal property.
31. "Peace Officer" means a Person employed for the purposes of preserving and maintaining the public peace, and includes:

- i) a Police Officer under the *Police Act*;
 - ii) a Peace Officer appointed under the Peace Office Act for the purpose of the Act; and
 - iii) a Bylaw Enforcement Officer or Community Peace Officer authorized to enforce this Bylaw in accordance with their appointment.
32. “Rates Bylaw” means the Town’s Rates Bylaw, as amended, or repealed and replaced, from time to time.
33. “Refuse or Waste” means:
- i) all animal or vegetable matter including materials resulting from the handling, preparation, cooking, consumption and storage of food;
 - ii) broken dishes, tins, glass, rags, cast-off clothing, wastepaper, excelsior cardboard, sawdust, food containers, plastic, grass cuttings, shrubbery and tree pruning’s, weeds, garden waste, manure, tree stumps, roots, turf, earth, furniture, household appliances, discarded auto parts or such waste matter as may accumulate as a result of building construction, renovation, repair, or demolition;
 - iii) any waste referred to in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, as amended, and regulations thereunder;
34. “Town” means the Town of Olds, a municipal corporation of the Province of Alberta, and includes, where the context so requires, the area contained within the boundaries of the Town of Olds.
35. “Violation Ticket” means a Violation Ticket issued in accordance with the *Provincial Offences Procedure Act* R.S.A. 2000, c.P-34.

PART 3: STATEMENT OF TO WHOM AND TO WHAT THE BYLAW APPLIES

36. This bylaw applies to all persons and/or all businesses within the Town of Olds.

PART 4: FIRE PROTECTION

37. Council hereby establishes the Fire Department for the purpose of:
- i) preventing and extinguishing fires;
 - ii) preserving life, property, environment and protecting persons and property from injury or destruction by fire, natural disasters and dangerous goods;
 - iii) providing rescue services;
 - iv) providing emergency medical response, excluding ambulance services;

- v) responding to and mitigating Incidents, including, without restriction, motor vehicle collisions;
- vi) providing fire inspection, investigation, and public education prevention services in accordance with Alberta's *Safety Codes Act*, R.S.A. 2000, c S-1, and the regulations thereunder, and the Town of Olds Quality Management Plan;
- vii) administering Fire Permit approvals, occupancy levels and compliance inspections to ensure the provisions of the National Fire Code Alberta edition requirements are met and adhered to;
- viii) responding to, and mitigating Dangerous Goods Incidents, and/or retaining third parties to aid with such Incidents, when necessary; and
- ix) providing Member training or other Member development;

in accordance with this Bylaw, policies and guidance documents established by the Town from time to time and all applicable legislation.

PART 5: FIRE CHIEF

- 38. The Fire Chief shall be appointed by, and report to, the Chief Administrative Officer.
- 39. The Fire Chief may, subject to the Council approved budget, appoint as many Members and Officers as the Fire Chief deems required for the operation of the Fire Department.
- 40. The Fire Chief shall supervise the Officers and Members.
- 41. The Fire Chief has complete responsibility and authority over the Fire Department, and the delivery of Fire Protection, subject to:
 - i) this Bylaw;
 - ii) all applicable Town policies and guiding documents;
 - iii) the direction the Chief Administrative Officer; and
 - iv) the direction of Council.
- 42. The Fire Chief is authorized to delegate, to a member or Officer, any powers, duties, or functions of the Fire Chief under this Bylaw.

PART 6: POWER OF MEMBERS

- 43. Every Member shall, unless the Fire Chief or Member in Charge has specified otherwise, have the authority and power to:
 - i) extinguish or control any fire,

- ii) perform the operations necessary to preserve life and Property;
- iii) enter onto any Property for the purpose described in subsections (a) or (b); and
- iv) regulate the conduct of the public in and around the vicinity of any place where a Member is performing the activities described in part seven.

PART 7: AUTHORITY AND RESPONSIBILITY FOR INCIDENTS

44. The Member in Charge in respect of an Incident shall be determined in accordance with the following:

- i) the Fire Chief shall be the Member in Charge;
- ii) if the Fire Chief is absent, the Member in Charge shall be the Member who has been specifically designated, by the Fire Chief, as the Member in Charge;
- iii) if the Fire Chief is absent and no Member has been specifically designated as the Member in Charge pursuant to subsection (b), or the Member so designated is absent, the Member in Charge shall be the most senior Member present.

45. A Member in Charge in respect of an Incident shall continue to act as Member in Charge until he or she is relieved by a Member who is authorized, pursuant to part 6, to assume the role of Member in Charge in respect of the Incident.

46. The Member in Charge shall have control, direction and management of any Apparatus, Equipment or human resources assigned to an Incident.

47. The Member in Charge at the site of an Incident is empowered to:

- i) order persons in a building to vacate the building and not re-enter the building unless authorized by the Member in Charge;
- ii) establish a perimeter around the site and prevent persons from entering the perimeter;
- iii) request Peace Officer assistance to prevent persons from entering a building or established perimeter;
- iv) cause a building, structure or any other Property to be pulled down, demolished or otherwise removed so as to prevent the spread of fire or hazard to other buildings, structures or Property;
- v) cause any Member, Apparatus or Equipment to enter on any Property, including adjacent Property, to combat, control or deal with the Incident;
- vi) request that any able-bodied, adult persons who are not Members assist in extinguishing fires and to assist in the prevention and spread thereof;
- vii) authorize payment for the possession or use of any Equipment for the purpose of fighting a

fire or mitigating an emergency;

viii) direct the operations necessary to extinguish or control a fire, or to preserve life and Property; and

ix) regulate the conduct of the public in and around the vicinity of any place where a Member is performing the activities necessary to extinguish or control a fire, or to preserve life or Property.

PART 8: REQUIREMENT TO REPORT

48. The owner of any Property damaged by fire shall immediately report the particulars of such fire to the Fire Department.

49. The owner of any Property upon which Dangerous Goods have been spilled or released shall immediately report particulars of such spill or release to the Fire Department.

50. Any person who has spilled or released any Dangerous Good shall immediately report particulars of such spill or release to the Fire Department.

PART 9: PERMITTED AND PROHIBITED FIRES

51. No person shall light or cause to be lit any fire or permit any fire to be lit upon land that the person owns, occupies, or controls, unless the person holds a valid and subsisting Fire Permit, or the fire is exempt from the requirement for a Fire Permit under this Bylaw.

52. A Fire Permit is not required under this Bylaw for:

- i) an Approved Fire; or
- ii) the use of fireplaces, stoves and fire pits that have been installed by or on behalf of the Town or provincial government in any campground or park that is owned or controlled by the Town or provincial government;

provided that:

- iii) the receptacle containing the fire is a minimum of three (3) meters from all buildings, structures, property lines, and combustible materials;
- iv) only clean, dry and untreated wood or charcoal is burned and, without limiting the generality of the foregoing, no Refuse or Waste is burned;
- v) the fire does not emit smoke or sparks onto neighboring Property, or otherwise create a nuisance or hazard to neighboring Property; and
- vi) the fire is supervised, at all times, by a responsible adult, until the fire is fully extinguished.

53. A Fire Permit is not required under this Bylaw for a fire confined to an incinerator that is regulated by the *Environmental Protection or Enhancement Act*, or the regulations thereunder.

54. This Bylaw does not apply to a fire being lit for the purpose of training Members.

PART 10: FIRE PERMIT

55. An application for a Fire Permit shall be submitted to the Fire Chief, in writing, in the form approved by the Town.

56. A person who applies for a Fire Permit shall pay any applicable fee set out in the Rates Bylaw.

57. Upon receipt of a completed application for a Fire Permit, and the fee contemplated, the Fire Chief may, in his or her discretion:

- i) refuse to issue a Fire Permit; or
- ii) issue a Fire Permit, with or without conditions.

58. A Fire Permit may include any terms and conditions that that the Fire Chief deems advisable for the safe conduct of the fire.

59. A Fire Permit is not transferrable from one person to another or from one location to another.

60. The Fire Chief may suspend or revoke a Fire Permit if, in the opinion of the Fire Chief, acting reasonably:

- i) the holder of the Fire Permit has contravened this Bylaw, the Alberta Fire Code, applicable legislation or the terms and conditions of the Fire Permit; or
- ii) the suspension or revocation of the Fire Permit is necessary or desirable for the protection of persons or Property.

61. Upon receiving notification of the suspension or cancellation of a Fire Permit, the holder of the Fire Permit shall immediately extinguish any fire set pursuant to the Fire Permit.

62. Every person who sets a fire under the authority of a Fire Permit shall:

- i) keep the Fire Permit at the site of the fire;
- ii) produce the Fire Permit to a Member or Enforcement Officer upon demand; and
- iii) ensure that the fire is supervised, at all times, by a responsible adult, until the fire is fully extinguished.

63. A person to whom a Fire Permit has been issued, and any person involved in the lighting, supervision or maintenance of a fire set pursuant to a Fire Permit, shall comply with all terms and conditions of the Fire Permit.

PART 11: FIREWORKS & FIREWORKS PERMIT

64. No person shall purchase, possess, handle, discharge, fire or set off Fireworks within the Town unless they hold a valid Fireworks Permit.
65. An application for a Fireworks Permit shall be submitted to the Fire Chief, in writing, in the form approved by the Town, no less than five (5) business days prior to the date on which the Fireworks are to be discharged.
66. A person who applies for a Fireworks Discharge/Display Permit shall pay any applicable fee set out in the Rates Bylaw.
67. Upon receipt of a completed application for a Fireworks Permit, and the fee contemplated, the Fire Chief may, in his or her discretion:
- i) refuse to issue a Fireworks Permit; or
 - ii) issue a Fireworks Permit, with or without conditions.
68. No person shall apply for a Fireworks Permit, and no Fireworks Permit shall be issued:
- i) in respect of Consumer Fireworks or Display Fireworks, unless the applicant holds a display supervisor fireworks operator certificate issued pursuant to the *Explosives Act* and the regulations thereunder; or
 - ii) in respect of Special Effect Pyrotechnics, unless the applicant holds the required fireworks operator certificate for the use of Special Effect Pyrotechnics, issued pursuant to the *Explosives Act* and the regulations thereunder.
69. No person under the age of eighteen (18) years shall apply for, or be issued, a Fireworks Permit.
70. A Fireworks Permit shall include:
- i) the time(s) and date(s) for which the Fireworks Permit is valid; and
 - ii) the location(s) where the Fireworks may be discharged;
- which shall constitute the terms and conditions of the Fireworks Permit.
71. No person shall purchase, possess, handle, discharge, fire or set off Fireworks in a manner that is contrary to the terms and conditions of a Fireworks Permit, or otherwise contravene any term or condition of a Fireworks Permit.
72. Any person purchasing, possessing, handling, discharging, firing or setting off Fireworks shall keep the Fireworks Permit available for immediate production to a Member or Enforcement Officer upon demand.
73. The Fire Chief may suspend or revoke a Fireworks Permit if, in the opinion of the Fire Chief, acting reasonably:

- i) the holder of the Fireworks Permit has contravened this Bylaw, the Alberta Fire Code, applicable legislation or the terms and conditions of the Fireworks Permit; or
- ii) the suspension or revocation of the Fireworks Permit is necessary or desirable for the protection of persons or Property.

74. The person to whom a Fireworks Permit is issued shall:

- i) ensure that no fire or other damage occurs as a result of Fireworks or Fireworks debris;
- ii) in the event that a fire occurs, extinguish the fire immediately or contact the Fire Department without delay;
- iii) ensure that no Fireworks debris or other waste is left behind after the Fireworks are discharged;
- iv) ensure that:
 - a. where Consumer Fireworks or Display Fireworks are to be discharged, all requirements of the most recent version of the Display Fireworks Manual published by Natural Resources Canada, are complied with;
 - b. where Special Effect Pyrotechnics are to be discharged, all requirements of the most recent version of the Special Effect Pyrotechnics Manual, published by Natural Resources Canada, are complied with; and
 - c. all Alberta Fire Code and Fireworks Permit requirements regarding the discharge of Fireworks are complied with.

75. In the event that Fireworks are discharged without a valid Fireworks Permit, the person who causes a Firework to be ignited shall be accountable for those responsibilities listed in subsection 10.11 above.

PART 12: FIREWORKS & FIREWORKS SALES PERMITS

76. No person shall sell, offer for sale or store for the purpose of sale, Fireworks within the Town unless they hold a valid Fireworks Sales Permit.

77. An application for a Fireworks Sales Permit shall be submitted to the Fire Chief, in writing, on the form approved by the Town.

78. A person who applies for a Fireworks Sales Permit shall pay any applicable fee set out in the Rates Bylaw.

79. Upon receipt of a completed application for a Fireworks Sales Permit, and the fee contemplated by subsection 11.3, the Fire Chief may, in his or her sole discretion:

- i) refuse to issue a Fireworks Sales Permit; or

- ii) issue a Fireworks Sales Permit, with or without conditions.

80. A Fireworks Sales Permit shall expire one (1) year after the date on which the Firework Sales Permit was issued, unless the Fireworks Sales Permit establishes a shorter time period.
81. All requirements for Fireworks sales found in the Alberta Fire Code are deemed to constitute terms and conditions of any Fireworks Sales Permit.
82. No person shall sell, offer for sale or store for the purposes of sale, Fireworks in a manner that is contrary to the terms and conditions of a Fireworks Sales Permit, or otherwise contravenes any term of condition of a Fireworks Sales Permit.
83. A person that has been issued a Fireworks Sales Permit shall post the Fireworks Sales Permit in a manner clearly visible to the public at the premises where the Fireworks are sold, offered for sale, or stored for the purpose of sale.
84. The Fire Chief may suspend or revoke a Fireworks Sales Permit if, in the opinion of the Fire Chief, acting reasonably:
- i) the holder of the Fireworks Sales Permit has contravened this Bylaw, the Alberta Fire Code, applicable legislation or the terms and conditions of the Fireworks Sales Permit; or
 - ii) the suspension or revocation of the Fireworks Sales Permit is necessary or desirable for the protection of persons or Property.

PART 13: FIRE BANS

85. The Fire Chief may impose a Fire Ban or prohibit all Fires or Fireworks within the Town of Olds when the Fire Chief, in their sole discretion, determines that the prevailing environmental conditions may give rise to an increased risk of Fire or increased risk of a Fire running out of control.
86. A Fire Ban shall remain in force until either the date provided in the notice of the Fire Ban or until such time as the Fire Chief provides notice that the Fire Ban is no longer in effect.
87. When a Fire Ban is in place, no Person shall:
- i) ignite a fire, whether the person is the holder of a Fire Permit, and every person shall immediately extinguish any fire lit once the person knows or ought reasonably to know of the Fire Ban; or
 - ii) discharge, fire, or set off Fireworks within cooperate limits.
88. During a Fire Ban a Person may, subject to the requirements of this Bylaw, and unless the notice of Fire Ban provides otherwise, use a barbeque that burns propane, natural gas, compressed briquettes, wood pellets or charcoal, provided that the barbeque is used for the purpose of cooking or obtaining warmth and is used on private property or in a public area that has been approved by the Town or the Fire Chief for the use of such barbecues.

PART 14: PROPERTY ADDRESS NUMBERING

89. The owner of a property shall cause the Address Number assigned to the property to be displayed, at all times, at a location plainly visible from the roadway to which the property is addressed.
90. The owner of a property which has access to an alley shall, in addition to complying with subpoint 75, cause the Address Number assigned to the property to be displayed, at all times, at a location plainly visible from the alley.
91. All Address Numbers required to be displayed pursuant to this Bylaw shall be displayed, at all times, in a conspicuous manner so as to be plainly visible from the adjacent roadway or lane, as the case may be.
92. The owner of a parcel of land which is a construction site, and for which a structure is being erected, shall ensure that a temporary Address Number is always displayed in a conspicuous manner to be plainly visible from the adjacent roadway or alley.

PART 15: LOCK BOXES

93. A fire department approved lock box shall be installed and provided with keys, key fobs, key cards, and devices in a building equipped with:
 - i) a fire alarm system whose control features, including those for emergency voice communications systems, are located behind a lock panel,
 - ii) a fire alarm system in which manually operated devices require a key or device to be reset,
 - iii) a fire alarm system in which the electrical circuit breaker is located within a locked panel or room,
 - iv) an automatic sprinkler system in which the main control valve is locked in open position,
 - v) an automatic sprinkler system in which the main control valve is located within a locked room or enclosure,
 - vi) firefighting standpipe and water supply connections in a locked room or area,
 - vii) a key-operated elevator control feature that will permit exclusive use of elevators by firefighting personnel only,
 - viii) a key-operated elevator control feature that will switch selected elevators to operate on emergency power,
 - ix) stairway doors that have been locked on the stairway side in conformance with the NBC (AE), or

- x) locked access doors to a roof provided for firefighting purposes.

94. The Fire Department or the Town shall not be held liable for lost or stolen lock boxes or keys contained within.
95. The building owner is responsible to contact the Fire Department when entry systems have been changed, upgraded, or modified, to ensure keys, key fobs, key cards, or any other methods to access the building are compatible with current access options and readily available for use.
96. The Fire Department or the Town shall not be held liable for any delay in response or damage to structure, equipment, or contents due to building access difficulty because of incompatible key, key fobs, key cards, or any methods to access the building.
97. The building owner shall be responsible for initial costs of lock box, lock box maintenance, repair costs or lock box system upgrade costs as new technologies become available.

PART 16: FIRE HYDRANTS

98. All persons who own property on which a fire hydrant is located or own property which is adjacent to Town owned property on which a fire hydrant is located:
 - i) shall maintain a two (2) metre clearance on each side of a fire hydrant and a one (1) metre clearance on the side of the farthest from the nearest adjacent street;
 - ii) shall maintain a two (2) metre clearance above the fire hydrant;
 - iii) shall not permit anything to obstruct, construct, erect, or place any object within the (2) metre clearance on each side of a fire hydrant;
 - iv) shall not permit anything except grass to be planted within the clearance area set out in subsection (i) and (ii).
99. Any Person who fails to comply with the requirements of this Section commits an offence.

PART 17: FIRE HAZARDS

100. If in the opinion of the Fire Chief or their designate, an accumulation of combustible material on public or private property poses an undue hazard and threatens adjacent properties or infrastructure, the property owner is guilty of an offence.
101. If in the opinion of a Weed Inspector, Fire Chief or their designate, the grass or any other vegetation on a Premises poses a fire hazard, a Weed Inspector may issue a Remedial Order to modify the vegetation on the Premises to abate the hazard, and the Remedial Order shall include the manner in which the fire hazard may be abated.
102. If the condition is not rectified in a manner and within a time frame acceptable to the jurisdiction, the Fire Chief or their designate has the authority to initiate action to mitigate the hazard.

103. Any actions taken by the Fire Chief or their designate to rectify the hazardous condition will have their associated costs billed to the property owner.

PART 18: RECOVERY OF COSTS

104. Where the Olds Fire Department has taken any action, within or outside the Town, for the purpose of preserving life or property from injury or destruction due to fire or other incident, the Town in its discretion, can recover any costs incurred by the Olds Fire Department in taking such action to any or all the following persons:

- i) the person or persons causing or contributing to a Fire or Incident;
- ii) the occupant of the parcel of land on which Fire Protection was provided;
- iii) the owner of the parcel of land on which Fire Protection was provided;
- iv) the person with control over the parcel of land on which Fire Protection was provided, which may include, without restriction, a property manager; and
- v) the person or persons who requested the Fire Protection;

105. Where the Olds Fire Department has responded to a motor vehicle collision, the Town may, in its discretion, recover costs by charging to any or all the following persons;

- i) the owners of motor vehicles involved in the collision; and
- ii) where the motor vehicle collision has occurred on Provincial Highways, Alberta Transportation will be charged directly.

106. Where in response to a Home Fire Security Alarm, the Alarm Monitoring Company has activated Olds Fire Department prior to any Owner/Occupant contact attempts being made to determine if alarm is warranted, the Town may recover costs by charging the property owner. Such fee may be charged to any person who caused or contributed to the triggering of the Home Fire Security Alarm.

107. Where the Olds Fire Department responds to more than two (2) Commercial System False Alarms originating from the same alarm system or Property within the same calendar year, the Town may recover costs by charging the property owner. Such a fee may be charged to any person who caused or contributed to the Commercial System False Alarm.

108. Fire Recovery Costs imposed by the Town shall be paid, in full, on or before the due date imposed by the Town.

109. Collection of unpaid recovery costs may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Town is entitled to on the parcel of land in respect of which the indebtedness is incurred.

110. The owner of a parcel of land within the Town is liable for Fire Recovery Costs that are specifically related to the Fire Department extinguishing fires on the parcel of land, and the Town may add, to the tax roll of the parcel of land, all unpaid Fire Recovery Costs that are related to the Fire Department extinguishing fires on the parcel, which forms a special lien against the parcel of land in favor of the Town from the date the amount was added to the tax roll, in accordance with section 553 of the *Municipal Government Act*.
111. The property owner is responsible for the care and restricted control of the property affected by fire. If access control measures to the property are not put in place as requested by the Fire Department, the Town will do so and will recover the costs by applying all incurred costs on the property owner.
112. Properties affected by fire that are not inhabitable in the period between the fire and repair or reclamation shall be secured against entry through windows, doors, holes in the structure in conjunction with site security fencing.
113. Properties that are damaged by fire that have been determined to be beyond repair by insurance adjustors shall complete an application for demolition through the Town and plan to have the structure demolished and removed within sixty (60) days of the initial incident. If this action is not taken, the Town reserves the right to have the building demolished and recovery costs by applying all incurred costs on the property owner.
114. Properties that have been mechanically damaged by vehicles, equipment, trains, aircraft or acts of nature (Tornado) and presents structural damage that affects the safety of inhabitants, the Fire Department shall deem the property unsafe and can restrict access until action is taken by the property owner to repair the damage utilizing the appropriate permits and processes by the local authority.

PART 19: CONTRACT/AGREEMENTS

115. The Town, if authorized by resolution of Council, may:
- i) enter a written contract providing for the supply of Fire Protection outside the municipal boundaries of the Town; and
 - ii) enter into mutual aid agreements in relation to Fire Protection with other surrounding municipalities within a 100 km radius of the Town.

PART 20: PROHIBITIONS

116. No person shall:
- i) deposit, discard, or leave any burning matter or substance in a location where it may reasonably be expected to ignite other material and cause a fire;
 - ii) conduct any activity that might reasonably be expected to cause a fire, without exercising reasonable care to prevent the fire;

- iii) impede, obstruct, or hinder a member, or any person assisting or acting under the direction of a Member, who is carrying out any function or activity related to the provision of Fire Protection;
- iv) damage, destroy or interfere with the operation of any Apparatus, Equipment or Fire Department Property;
- v) falsely represent oneself as a member, or other person employed by or affiliated with the Fire Department, including by, without limiting the generality of the foregoing, wearing, or displaying any insignia or materials of the Fire Department, without authorization from the Fire Chief;
- vi) fail to comply with an order given pursuant to this Bylaw to vacate a building; or
- vii) cross any perimeter established, pursuant to this Bylaw, at the scene of an Incident.

117. A person who has damaged or destroyed any Apparatus, Equipment or Fire Department Property shall, in addition to any penalty imposed pursuant to this Bylaw, be liable for, and pay upon demand, all costs incurred by the Town to repair or replace the Apparatus, Equipment or Fire Department Property in question.

PART 21: SEVERABILITY

118. If any provision of this bylaw shall be held invalid or unenforceable, the invalidity or unenforceability shall attach only to that provision and shall not in any manner affect or render invalid or unenforceable any other provision, and this bylaw shall be interpreted and enforced as if the invalid or unenforceable provision were not contained herein.

PART 22: OFFENCES AND ENFORCEMENT

119. A Peace Officer is hereby authorized and empowered to issue a Notice, Municipal Violation Ticket or Violation Ticket to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw. The Peace Officer may commence proceedings against such Person.

120. Municipal Violation Tickets and Violation Tickets will be issued in accordance with the Provincial Offences Act and the Town's General Penalty Bylaw.

121. In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

122. Any person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2500.00) and not less than FIFTY (\$50.00).

123. The specified fines for an offence committed pursuant to this bylaw are set out in the attached Schedule "A".

REPEAL CLAUSE

The following Bylaw and all amendments thereto are hereby repealed:
Bylaw No. 2018-28 Fire Bylaw

EFFECTIVE DATE

This Bylaw shall come into effect at such time as it has received a third reading and has been signed in accordance with the Municipal Government Act RSA 2000 C M-26, as amended from time to time.

READINGS

Read for the first time on the 8th day of July 2024.


Read for a second time on the 8th day of July 2024.

Received unanimous consent for third reading on the 8th day of July 2024.

Read for a third and final time on the 8th day of July 2024.



Judy Dahl,
Mayor



Brent Williams
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 9th day of July 2024.

Bylaw 2024-33
Schedule "A" – Fines and Penalties

Unless otherwise noted all offences of the Fire Bylaw have the following specified penalties.

| Penalty in lieu of Prosecution (PLP) | 1st Offence | 2nd Offence | 3rd Offence |
|---|-----------------------------------|-----------------------------------|-----------------------------------|
| \$125 | \$250 | \$500 | \$750 |

SPECIFIC PENALTIES ARE AS FOLLOWS:

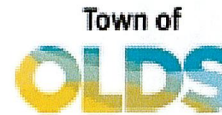
| Item | Section | PLP | 1st Offence | 2nd Offence | 3rd Offence |
|-------------|----------------|------------|-------------------------------|-------------------------------|-------------------------------|
| 20 | 116 (v) | \$250 | \$500 | \$1000 | \$1500 |
| 20 | 117 | \$250 | \$500 | \$1000 | \$1500 |

Bylaw 2024-33
Schedule "B" – Fire Permit
(2 pages)



Town of Olds Fire Department

4512 46 Street
Olds, AB T4H 1R5
403-507-4850



Fire Permit

Permit #: FP-

Date:

Permission is Hereby Granted To:

Address:
Phone:

Date of Permit

From:

To:

Having considered the conditions or inspected the property upon which the thing, process or activity which is the subject of this permit located at:

Activity Permitted:

Open Fire Permit Conditions

1. The applicant shall at all times remain in charge, or keep a competent person in charge, of the fire and shall barricade or otherwise secure the area to limit the entry of unauthorized persons.
 2. The applicant shall, upon demand, pay to the Town of Olds any and all costs incurred by the Town of Olds to extinguish a fire when, in the opinion of the Authority, the fire is a hazard to persons or to other property.
 3. The applicant shall indemnify and save harmless the Town of Olds from, of and against all loss or damage to persons (including death) or property that may arise directly or indirectly from the fire.
 4. This permit does not release the holder from any liability for damages.
- Additional conditions/over*

Additional Terms and Conditions of this Permit:

Signature of Issuer

Sarah Manton
Inspector Name

Date Issued

Designation No. 10322
Designation No



Town of Olds Fire Department

4512 46 Street
Olds, AB T4H 1R5
403-507-4850



Additional Conditions

5. Burning of waste material is strictly prohibited.
6. Open burning shall be conducted in a manner such that the fire does not create a hazard or nuisance, which is offensive to other persons, or pose a risk to other property.
7. The fire shall be fully extinguished before supervision ends.
8. The applicant shall have sufficient manpower and fire controlling equipment available at all times during the fire.
9. Smoke minimizing fire starters shall be employed.
10. Open burning shall be extinguished or ignition shall be suspended when wind conditions exceed 25 km/h.
11. This permit shall be shown to anyone who may request to see it.
12. Authorized persons may revoke this permit any time, or upon a complaint of nuisance by another person.
13. All fires shall be open and free burning to minimize the development of smoke or fumes that may constitute a hazard or a nuisance or obscure visibility on adjacent roadways.

Bylaw 2024-33
SCHEDULE "C"- Sales of Fireworks
(3 pages)



Town of Olds Fire Department
4512 46 Street
Olds, AB T4H 1R5
403-507-4850



Town of Olds PERMIT TO SELL FIREWORKS

National Fire Code- Alberta Edition Div B 5.1.1.2

PERMIT NO. 24-01

Applicants Name: _____

Name of Retail Store: _____

Phone Number: _____

Email: _____

Address: _____

Address Where Fireworks Stored: _____
(If different than above)

OFFICE USE ONLY

| | |
|---|---------------------------------------|
| Special Condition/Precautions Include storage requirements | |
| Authorization Type | High or Low Hazard Fireworks (circle) |
| Signature of Safety Codes Officer: | Date: |

This permit hereby authorizes the applicant to store / possess / sell fireworks at the legal address indicated only.

Applicant is to comply with points under CONDITIONS AND INFORMATION below.

CONDITIONS AND INFORMATION

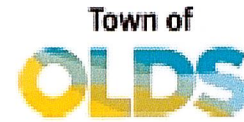
Please note:

It is the legal responsibility of the store and any of its representatives to ensure that the RECORD OF SALE FORM is completed.



Town of Olds Fire Department

4512 46 Street
Olds, AB T4H 1R5
403-507-4850



The RECORD OF SALE FORM must be available at all times if required by the Town of Olds Fire Department and shall be stored on site for a period of not less than 2 years

Additional conditions of purchase or discharge:

This permit is subject to cancellation at any time for any breach of the *National Fire Code-Alberta Edition*, Section 5.1.1.3, any of the special conditions in this permit (either section) or the Town of Olds Fire Services Bylaw 2024-33.

It is your responsibility to ensure that you are compliant at all times.
Copies of pertinent sections can be found online at www.olds.ca.

By signing below, I agree that I have read and understood the information above and that I have read and understood the specific sections of the *Alberta Fire Code* and the Town of Olds Fire Services Bylaw 2018-28. I also understand that if I do not agree to these conditions, I will not be issued a permit.

Date

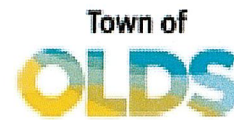
Signature of Applicant

Signature of Safety Codes Officer



Town of Olds Fire Department

4512 46 Street
Olds, AB T4H 1R5
403-507-4850



Fireworks Record of Sale Form

National Fire Code- Alberta Edition 5.1.1.3

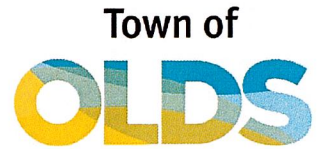
| Date of Purchase | Purchaser: Address, Phone Number and Signature | Fireworks description, name, manufacturer, fireworks classification number (CC) | Proposed discharge location, date, time |
|------------------|--|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

SCHEDULE "D" – Fireworks Discharge/Display Permit



Town of Olds Fire Department

4512 46 Street
Olds, AB T4H 1R5
403-507-4850



FIREWORKS DISCHARGE/DISPLAY PERMIT

PERMIT NO. _____

APPLICANTS NAME: _____

ADDRESS: _____

REPRESENTING: _____

The applicant is hereby authorized to handle, discharge, fire, set-off or display

_____ hazard Fireworks on _____

(Low or High)*

(Date and Time)

at _____ within the Province of Alberta.

(Specific location where fireworks will be displayed)

This permit is subject to cancellation for any breach of the National Fire Code- Alberta Edition or any of the following special precautions required as a condition of this permit.

SPECIAL CONDITIONS AND PRECAUTIONS:

- 1) The handling and discharge of fireworks shall conform to NRCan 2010, "Display Fireworks Manual"
- 2) The maximum windspeed for discharging fireworks is 40 km/h
- 3) 10 Litre pressurized water, or a 3a:60BC fire extinguisher must be kept near the firing site when fireworks are handled
- 4) Restricted access to the danger zone shall be maintained at all times

A diagram of the discharge/display site is to be completed on the back of this page.

Date

Signature of Safety Codes Officer / Card No.

Signature of Applicant

Address

* Fireworks Supervisors Card No./Expiry Date