

TOWN OF OLDS

BYLAW NO. 2018-28

A BYLAW OF THE TOWN OF OLDS IN THE PROVINCE OF ALBERTA 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:

- a) the safety, health and welfare of people, and the protection of people and property;
- b) services provided by or on behalf of the municipality; and
- c) the enforcement of bylaws;

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;

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

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;

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

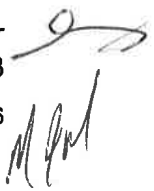
SECTION 1: NAME

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

SECTION 2: DEFINITIONS

2.1 In this Bylaw:

- (a) "**Alberta Fire Code**" means the *Alberta Fire Code 2014*, as amended or repealed and replaced, from time to time;
- (b) "**Apparatus**" means any vehicle provided with machinery, devices, Equipment or materials for firefighting as well as vehicles used to transport firefighters or supplies;
- (c) "**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;

- (d) **“Chief Administrative Officer”** means the Chief Administrative Officer of the Town of Olds or his or her designate;
- (e) **“Consumer Fireworks”** means Fireworks listed as Class F.1 in Part 16 of the *Explosives Regulations* (also known as “low-hazard fireworks”);
- (f) **“Council”** means the Council of the Town of Olds;
- (g) **“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;
- (h) **“Display Fireworks”** means Fireworks listed as Class F.2 in Part 18 of the *Explosives Regulations* (also known as “high-hazard fireworks”);
- (i) **“Enforcement Officer”** means a member of the Royal Canadian Mounted Police, a Community Peace Officer whose appointment includes enforcement of the Town’s Bylaws, or a Bylaw Enforcement Officer appointed by the Town;
- (j) **“Equipment”** means any tools, contrivances, devices or materials used by the Fire Department to combat an Incident or other emergency;
- (k) **“Explosives Act”** means the *Explosives Act*, RSC 1985, c E-17, as amended or repealed and replaced from time to time;
- (l) **“Explosives Regulations”** means the *Explosives Regulations, 2013*, SOR/2013-211, as amended or repealed and replaced, from time to time;
- (m) **“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;
- (n) **“Fire Ban”** means any fire ban, whether municipally or provincially declared, that prohibits fires in all or part of the Town;
- (o) **“Fire Chief”** means the individual appointed by the Chief Administrative Officer as the head of the Fire Department, or his or her designate;
- (p) **“Fire Department”** means the department established by this Bylaw and includes any Member;
- (q) **“Fire Department Property”** means all Property owned or controlled by the Town and designated for use by the Fire Department;
- (r) **“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;
- (s) **“Fire Protection”** means any and all of the services enumerated in subsection 3.1 and any other service provided by the Fire Department with the authorization of Council;
- (t) **“Fire Protection Charges”** means rates, fees and charges payable for, or in connection with, the provision of Fire Protection, as set out in the Rates Bylaw;



- (u) **“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;
- (v) **“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;
- (w) **“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;
- (x) **“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;
- (y) **“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;
- (z) **“Member in Charge”** means the Member in charge of an Incident, determined in accordance with section 6;
- (aa) **“Municipal Tag”** means a notice issued by the Town pursuant to the *Municipal Government Act* that alleges a bylaw offence and provides a person with an opportunity to pay an amount to the Town in lieu of prosecution for the offence;
- (bb) **“Officer”** means a Member appointed by the Fire Chief to a supervisory position within the Fire Department;
- (cc) **“Property”** means any real property or personal property;
- (dd) **“Rates Bylaw”** means the Town’s Rates Bylaw, as amended, or repealed and replaced, from time to time;
- (ee) **“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, waste paper, 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;
- (ff) **“Security Alarm”** means an alarm system intended to detect an unauthorized entry to a premise or to alert people to the commission of an unlawful act or both;
- (gg) **“Special Effect Pyrotechnics”** means Fireworks listed as Class F.3 in Part 17 of the *Explosives Regulations*;



- (hh) **“Town”** means the Town of Olds; and
- (ii) **“Violation Ticket”** means a violation ticket issued pursuant to the *Provincial Offences Procedure Act*, R.S.A. 2000, C. P-34, as amended, and the regulations thereunder.

SECTION 3: FIRE PROTECTION

3.1 Council hereby establishes the Fire Department for the purpose of:

- (a) preventing and extinguishing fires;
- (b) preserving life, Property, environment and protecting persons and Property from injury or destruction by fire, natural disasters and Dangerous Goods;
- (c) providing rescue services;
- (d) providing emergency medical response, excluding ambulance services;
- (e) responding to and mitigating Incidents, including, without restriction, motor vehicle collisions;
- (f) 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;
- (g) administrating Fire Permit approvals, occupancy levels and compliance inspections to ensure the Alberta Fire Code requirements are met and adhered to;
- (h) responding to, and mitigating Dangerous Goods Incidents, and/or retaining third parties to provide assistance with such Incidents, when necessary; and
- (i) 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.

SECTION 4: FIRE CHIEF

4.1 The Fire Chief shall be appointed by, and report to, the Chief Administrative Officer.

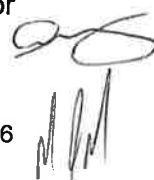
4.2 The Fire Chief may, subject to the Council approved budget, appoint as many Members and Officers as the Fire Chief deems required for the operation of the Fire Department.

4.3 The Fire Chief shall supervise the Officers and Members.

4.4 The Fire Chief has complete responsibility and authority over the Fire Department, and the delivery of Fire Protection, subject to:

- (a) this Bylaw;
- (b) all applicable Town policies and guiding documents;
- (c) the direction the Chief Administrative Officer; and
- (d) the direction of Council.

4.5 The Fire Chief is authorized to delegate, to a Member or Officer, any powers, duties or functions of the Fire Chief under this Bylaw.



SECTION 5: MEMBERS

- 5.1 Every Member shall, unless the Fire Chief or Member in Charge has specified otherwise, have the authority and power to:
- (a) extinguish or control any fire,
 - (b) perform the operations necessary to preserve life and Property;
 - (c) enter onto any Property for the purpose described in subsections (a) or (b); and
 - (d) regulate the conduct of the public in and around the vicinity of any place where a Member is performing the activities described in subsections (a) or (b).

SECTION 6: AUTHORITY AND RESPONSIBILITY FOR INCIDENTS

- 6.1 The Member in Charge in respect of an Incident shall be determined in accordance with the following:
- (a) the Fire Chief shall be the Member in Charge;
 - (b) 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;
 - (c) 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.
- 6.2 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 subsection 6.1, to assume the role of Member in Charge in respect of the Incident.
- 6.3 The Member in Charge shall have control, direction and management of any Apparatus, Equipment or human resources assigned to an Incident.
- 6.4 The Member in Charge at the site of an Incident is empowered to:
- (a) order persons in a building to vacate the building and not re-enter the building unless authorized by the Member in Charge;
 - (b) establish a perimeter around the site and prevent persons from entering the perimeter;
 - (c) request Enforcement Officers' assistance to prevent persons from entering a building or established perimeter;
 - (d) 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;
 - (e) cause any Member, Apparatus or Equipment to enter on any Property, including adjacent Property, to combat, control or deal with the Incident;
 - (f) request that any able-bodied, adult persons who are not Members assist in extinguishing fires and to assist in the prevention and spread thereof;
 - (g) authorize payment for the possession or use of any Equipment for the purpose of fighting a fire or mitigating an emergency;

- (h) direct the operations necessary to extinguish or control a fire, or to preserve life and Property; and
- (i) 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.

SECTION 7: REQUIREMENT TO REPORT

- 7.1 The owner of any Property damaged by fire shall immediately report the particulars of such fire to the Fire Department.
- 7.2 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.
- 7.3 Any person who has spilled or released any Dangerous Good shall immediately report particulars of such spill or release to the Fire Department.

SECTION 8: PERMITTED AND PROHIBITED FIRES

- 8.1 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.
- 8.2 A Fire Permit is not required under this Bylaw for:

- (a) an Approved Fire; or
- (b) 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:

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

- 8.3 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.
- 8.4 This Bylaw does not apply to a fire lit for the purpose of training Members.

SECTION 9: FIRE PERMIT

- 9.1 An application for a Fire Permit shall be submitted to the Fire Chief, in writing, in the form approved by the Town.
- 9.2 A person who submits an application for a Fire Permit shall pay any applicable fee set out in the Rates Bylaw.



- 9.3 Upon receipt of a completed application for a Fire Permit, and the fee contemplated by subsection 9.2, the Fire Chief may, in his or her discretion:
- (a) refuse to issue a Fire Permit; or
 - (b) issue a Fire Permit, with or without conditions.
- 9.4 A Fire Permit may include any terms and conditions that that the Fire Chief deems advisable for the safe conduct of the fire.
- 9.5 A Fire Permit is not transferrable from one person to another or from one location to another.
- 9.6 The Fire Chief may suspend or revoke a Fire Permit if, in the opinion of the Fire Chief, acting reasonably:
- (a) 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
 - (b) the suspension or revocation of the Fire Permit is necessary or desirable for the protection of persons or Property.
- 9.7 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.
- 9.8 Every person who sets a fire under the authority of a Fire Permit shall:
- (a) keep the Fire Permit at the site of the fire;
 - (b) produce the Fire Permit to a Member or Enforcement Officer upon demand; and
 - (c) ensure that the fire is supervised, at all times, by a responsible adult, until the fire is fully extinguished.
- 9.9 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.

SECTION 10: FIREWORKS: FIREWORKS PERMIT

- 10.1 No person shall purchase, possess, handle, discharge, fire or set off Fireworks within the Town unless they hold a valid Fireworks Permit.
- 10.2 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.
- 10.3 A person who submits an application for a Fireworks Permit shall pay any applicable fee set out in the Rates Bylaw.
- 10.4 Upon receipt of a completed application for a Fireworks Permit, and the fee contemplated by subsection 10.3, the Fire Chief may, in his or her discretion:
- (a) refuse to issue a Fireworks Permit; or
 - (b) issue a Fireworks Permit, with or without conditions.
- 10.5 No person shall apply for a Fireworks Permit, and no Fireworks Permit shall be issued:
- (a) 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

- (b) 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.

10.6 No person under the age of eighteen (18) years shall apply for, or be issued, a Fireworks Permit.

10.7 A Fireworks Permit shall include:

- (a) the time(s) and date(s) for which the Fireworks Permit is valid; and
- (b) the location(s) where the Fireworks may be discharged;

which shall constitute terms and conditions of the Fireworks Permit.

10.8 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.

10.9 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.

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

- (a) 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
- (b) the suspension or revocation of the Fireworks Permit is necessary or desirable for the protection of persons or Property.

10.11 The person to whom a Fireworks Permit is issued shall:

- (a) ensure that no fire or other damage occurs as a result of Fireworks or Fireworks debris;
- (b) in the event that a fire occurs, extinguish the fire immediately or contact the Fire Department without delay;
- (c) ensure that no Fireworks debris or other waste is left behind after the Fireworks are discharged;
- (d) ensure that:
 - (i) 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;
 - (ii) 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
 - (iii) all Alberta Fire Code and Fireworks Permit requirements regarding the discharge of Fireworks are complied with.



- 10.12 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.

SECTION 11: FIREWORKS: FIREWORKS SALES PERMITS

- 11.1 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.
- 11.2 An application for a Fireworks Sales Permit shall be submitted to the Fire Chief, in writing, in the form approved by the Town.
- 11.3 A person who submits an application for a Fireworks Sales Permit shall pay any applicable fee set out in the Rates Bylaw.
- 11.4 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:
- (a) refuse to issue a Fireworks Sales Permit; or
 - (b) issue a Fireworks Sales Permit, with or without conditions.
- 11.5 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.
- 11.6 All requirements for Fireworks sales found in the Alberta Fire Code are deemed to constitute terms and conditions of any Fireworks Sales Permit.
- 11.7 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 contravene any term of condition of a Fireworks Sales Permit.
- 11.8 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.
- 11.9 The Fire Chief may suspend or revoke a Fireworks Sales Permit if, in the opinion of the Fire Chief, acting reasonably:
- (a) 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
 - (b) the suspension or revocation of the Fireworks Sales Permit is necessary or desirable for the protection of persons or Property.

SECTION 12: FIRE BANS

- 12.1 The Fire Chief may impose a Fire Ban within the Town of Olds at the Fire Chief's discretion.
- 12.2 A Fire Ban imposed pursuant to subsection 12.1 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.
- 12.3 Notice of a Fire Ban shall be provided to the public by posting in the local newspaper, on the Town website and social media, or by any additional or alternate means that the Fire Chief considers appropriate in the circumstances.

- 12.4 Subject to subsection 12.5, when a Fire Ban is in effect, no person shall start a fire, or permit a fire to be started on Property that the person owns or occupies, regardless of whether the person is the holder of a Fire Permit, and such person shall immediately extinguish any fire that has been started once the person knows or ought reasonably to know of the Fire Ban.
- 12.5 During a Fire Ban imposed pursuant to subsection 12.1, 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.

SECTION 13: FIRE PROTECTION CHARGES

- 13.1 Upon the Fire Department providing Fire Protection, the Town may, in its discretion, charge Fire Protection Charges to any or all of the following persons:

- (a) the person or persons causing or contributing to a Fire or Incident;
- (b) the occupant of the parcel of land on which Fire Protection was provided;
- (c) the owner of the parcel of land on which Fire Protection was provided;
- (d) the person with control over the parcel of land on which Fire Protection was provided, which may include, without restriction, a property manager; and
- (e) the person or persons who requested the Fire Protection;

and all persons charged are jointly and severally liable for payment of the Fire Protection Charges to the Town.

- 13.2 Where the Fire Department has responded to a motor vehicle collision, the Town may, in its discretion, charge Fire Protection Charges to any or all of the following persons, in addition to those persons identified in subsection 13.1:



- (a) the owners of motor vehicles involved in the collision; and
- (b) where the motor vehicle collision has occurred on a provincial highway, the Government of Alberta;

and all persons charged are jointly and severally liable for payment of the Fire Protection Charges to the Town.

- 13.3 Without limiting the generality of subsection 13.1, the Town may charge a fee, set out in the Rates Bylaw, if the Fire Department responds to a Security Alarm that has been routed to the Fire Department, and such fee may be charged to any person who caused or contributed the triggering of the Security Alarm, in addition to those persons identified in subsection 13.1.

- 13.4 Without limiting the generality of subsection 13.1:

- (a) the Town may charge a fee, set out in the Rates Bylaw, when the Fire Department responds to more than two (2) False Alarms originating from the same alarm system or Property within the same calendar year, and such a fee may be charged to any person who caused or contributed to the False Alarm, in addition to those persons identified in subsection 13.1;

- (b) if the Fire Department receives a False Alarm, but is advised that the notification received was a False Alarm before any Fire Department Apparatus has left the fire station and, as a consequence, only one Fire Department Apparatus responds in order to reset the alarm system, the applicable fee payable pursuant to subsection (a) shall be reduced by fifty (50%) percent; and
 - (c) for greater certainty, the fee reduction described in subsection (b) shall apply to False Alarms only, and shall not apply to Security Alarms routed to the Fire Department.
- 13.5 Without limiting the generality of subsection 13.1, where the Fire Department has attended at a Property in response to an alarm, call or notification of any kind, including a False Alarm or Security Alarm, and:
- (a) the Property is not equipped with a Fire Department approved lock-box, in an accessible location on the Property, that contains current keys and/or access codes capable of providing the Fire Department with access to the building; and
 - (b) the owner or occupant of the Property, or other person with control of the Property, does not provide the Fire Department with access to the interior of the building within fifteen (15) minutes of the Fire Department's arrival at the Property;
- the Town may impose a response fee for a single engine Apparatus, as set out in the Rates Bylaw, which fee shall be applied to the period of time from the Fire Department's arrival at the Property until access has been provided to the interior of the building, and such charge shall be payable in addition to any other Fire Protection Charges that may be applicable in the circumstances.
- 13.6 For greater certainty, the rates, fees and charges described in subsections 13.3 to 13.5 are Fire Protection Charges, and subsection 13.1 applies to these rates, fees and charges.
- 13.7 Fire Protection Charges imposed by the Town shall be paid, in full, on or before the due date imposed by the Town.
- 13.8 Collection of unpaid Fire Protection Charges 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.
- 13.9 Without limiting subsection 13.1, the owner of a parcel of land within the Town is liable for Fire Protection Charges 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 Protection Charges that are related to the Fire Department extinguishing fires on the parcel, which forms a special lien against the parcel of land in favour of the Town from the date the amount was added to the tax roll, in accordance with section 553 of the *Municipal Government Act*.

SECTION 14: CONTRACTS/AGREEMENTS

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

SECTION 15: PROHIBITIONS

15.1 No person shall:

- (a) 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;
- (b) conduct any activity that might reasonably be expected to cause a fire, without exercising reasonable care to prevent the fire;
- (c) 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;
- (d) damage, destroy or interfere with the operation of any Apparatus, Equipment or Fire Department Property;
- (e) 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;
- (f) fail to comply with an order given pursuant to this Bylaw to vacate a building; or
- (g) cross any perimeter established, pursuant to this Bylaw, at the scene of an Incident.

15.2 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.

SECTION 16: OFFENCE AND PENALTIES

16.1 A person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine in an amount not more than \$10,000.

16.2 Without restricting the generality of subsection 16.1 the fine amounts set out in Appendix "A" are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.

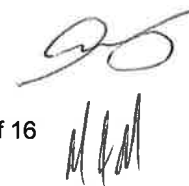
16.3 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, in which it continues, and a person guilty of such an offence is liable to fine in an amount not less than that established by this Bylaw for each such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

SECTION 17: MUNICIPAL TAG

17.1 An Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

17.2 A Municipal Tag may be issued to such person:

- (a) either personally; or
- (b) by mailing a copy to such Person at his last known post office address.

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- 17.3 The Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:
- (a) the name of the person;
 - (b) the offence;
 - (c) the specified penalty established by this Bylaw for the offence;
 - (d) that the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag; and
 - (e) any other information as may be required by the Chief Administrative Officer.
- 17.4 Where a Municipal Tag is issued pursuant to this Bylaw, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified within the time period indicated on the Municipal Tag.

SECTION 18: VIOLATION TICKET

- 18.1 If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then an Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket.
- 18.2 Notwithstanding subsection 18.1, an Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 18.3 Subject to the *Provincial Offences Procedure Act* and the regulations thereunder, if a Violation Ticket is issued in respect of an offence, the Violation Ticket may;
- (a) specify the fine amount established by this Bylaw for the offence; or
 - (b) require a person to appear in court without the alternative of making a voluntary payment.
- 18.4 A person who commits an offence may:
- (a) if a Violation Ticket is issued in respect of the offence; and
 - (b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

SECTION 19: MISCELLANEOUS

- 19.1 This Bylaw shall come into effect upon the final passing thereof.
- 19.2 Each provision of this Bylaw is independent of all other provisions. If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

SECTION 20: REPEAL

20.1 Town of Olds Bylaw No. 01-10, Bylaw No. 2005-06 and all other amendments thereto is repealed.

Read a first time this 14th day of January, 2019.

Read a second time this 14th day of January, 2019.

Received unanimous consent for presentation of third reading this 14th day of January, 2019.

Read a third time this 14th day of January, 2019.



Michael Muzychka,
Mayor



Michael Merritt,
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 24 day of January, 2019



APPENDIX A – SPECIFIED PENALTIES

Offence	Section	Specified Penalty	
		Municipal Tag	Violation Ticket
Failure to report a fire	7.1	\$100	
Failure to report a spill/release of Dangerous Goods	7.2 and 7.3	\$100	
Fire requiring Fire Permit lit without Fire Permit	8.1	\$150	
Failure to comply with requirements applicable to persons who set fire under authority of Fire Permit	9.8	\$250	
Failure to comply with terms and conditions of a Fire Permit	9.9	\$250	
Purchase, possess, handle, discharge, fire or set off Fireworks without a Fireworks Permit	10.1	\$200	
Contravene term or condition of Fireworks Permit	10.8	\$200	
Failure to comply with Fireworks Requirements in Subsection 10.11	10.11	\$200	
Sell, offer for sale or store for the purposes of sale, Fireworks without a Fireworks Sales Permit	11.1	\$200	
Contravene term or condition of Fireworks Sales Permit	11.7	\$200	
Fail to display Fireworks Sales Permit	11.8	\$50	

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Igniting Fire during Fire Ban	12.4	\$350	
Deposit burning matter in location where it may ignite other material and cause fire	15.1(a)	\$250	
Conducting activity that may cause fire without exercising reasonable care to prevent the fire	15.1(b)	\$250	
Impede Member who is carrying out function related to Fire Protection	15.1(c)	\$300	
Damage, destroy or interfere with the operation of Apparatus, Equipment or Fire Department Property	15.1(d)	Cost plus 15% or \$500 Whichever is greater	
Falsely represent oneself as a Member without authorization of Fire Chief	15.1(e)	\$1000	
Failure to comply with order to vacate a building	15.1(f)	\$500	
Cross perimeter established at the scene of an Incident	15.1(g)	\$250	

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