



**TOWN OF PEACE RIVER
BYLAW NO. 1833**

Being a Bylaw of the Town of Peace River in the province of Alberta for the purpose of establishing Fire Department Services in and for the Town of Peace River.

WHEREAS, by virtue of the authority of the Municipal Government Act and the Safety Codes Act (RSA 2000 and amendments thereto), the Council of the Town of Peace River may pass bylaws for the prevention, extinguishing and investigation of fires, the preservation of life and property and the protection of persons from injury or destruction by fire, and

WHEREAS, the Council of the Town of Peace River deems it expedient to provide for the efficient operation of an established Fire Department, and

WHEREAS the Town of Peace River is an accredited municipality under the Safety Codes Act in the fire discipline,

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

1. TITLE

This bylaw may be cited as the *"Fire Services Bylaw"*.

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

- a. "Accepted" means acceptable to the Fire Chief.
- b. "Agreement" means an agreement with any municipal, provincial or federal agency or authority, or with private industry for the provision of services by the Fire Department.
- c. "Authority having jurisdiction" means a Safety Codes Officer in the fire discipline exercising authority pursuant to designation of powers and terms of employment in accordance with Section 32 and 33 of the *Safety Codes Act*.
- d. "Apparatus" means any vehicle provided with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport firefighters or supplies.
- e. "Basic response" means the provision of apparatus and the service of nine (9) firefighters for 1.5 hours (13.5 man-hours) in response to fires.
- f. "CAO" means the Chief Administrative Officer of the Town of Peace River.

- g. "Council" means the municipal council of the Town of Peace River.
- h. "Dangerous Goods" means those products or substances, which are regulated by the *Transportation of Dangerous Goods Act*.
- i. "Emergency Unit" means a fire truck, pumper truck, rescue truck, brush truck, dangerous goods unit or other support truck and a tanker.
- j. "Excessive False Alarms" means false alarms in excess of three in a one month period.
- k. "False Alarm" means any fire alarm that is activated needlessly, through wilful or accidental, human or mechanical error, and to which the Fire Department responds.
- l. "Fee for Service" means fees for services rendered by the Fire Department as established in Schedule "A" attached hereto and forming part of this bylaw.
- m. "Fire Chief" means the Fire Chief for the Fire Department of the Town of Peace River,
- n. "Fire Department" means the services as established and organized for the Town pursuant to the provisions of this and other bylaws consisting of, *inter alia*, 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 fire and emergency medical services, including fire stations.
- o. "Fire Permit" means a document as set out in Schedule B, attached hereto and forming part of this bylaw, setting out conditions under which burning may be conducted by persons or businesses.
- p. "Fire Permit Application" means a document as set out in Schedule C, attached hereto and forming part of this bylaw, to gather information for the issuing of a Fire Permit.
- q. "Fire Protection" means all aspects of fire safety including, but not limited to, fire prevention, firefighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.
- r. "Incident" means any situation which may pose a danger or possible danger to life or property, which may require a Fire Department response.

- s. "Incinerator Fire" means a fire that is confined within a non-combustible structure or container that shall conform in all respects with regulations under the Alberta Building and Fire Codes.
- t. "Member" means any person duly appointed or employed as a member of the Fire Department and includes full-time and paid-on-call members.
- u. "NFPA Standard" means a standard of practice adopted by the National Fire Protection Association.
- v. "Open Fire" means any fire which is not an Incinerator Fire, Pit Fire, or Public Park Site Fire.
- w. "Peace Officer" means a member of the Royal Canadian Mounted Police and, for the purposes of this bylaw, a Bylaw Enforcement Officer of the Town of Peace River
- x. "Pit Fire" means a fire, which is totally confined within a non-combustible structure, or container, that has the draft and smoke vents thereof covered with a heavy gauge metal screen having a mesh size not larger than 13 millimetres.
- y. "Public Park Site Fire" means a fire on land owned or leased by the Town or its agents for recreational purposes and is confined to a non-combustible container supplied by the Town, which is set for the purpose of cooking food, obtaining warmth or viewing for pleasure.
- z. "Running Fire" means any fire burning without being under the proper control of any person.
- aa. "Safety Codes Council" means the Safety Codes Council of the Province of Alberta.
- bb. "Safety Codes Officer (Fire)" means a safety codes officer in the fire discipline appointed pursuant to the Alberta *Safety Codes Act*.
- cc. "Violation Ticket" means a ticket issued pursuant to this bylaw or a ticket issued pursuant to Part II or Part III of the *Provincial Offences Procedures Act* (and amendments thereto).

3. FIRE DEPARTMENT

- 3.1 Council does hereby establish a Fire Department, and shall establish levels and scope of service to be determined from time to time.

- 3.2 The department is further authorized to provide:
- a. Disaster emergency response and coordination with other agencies.
 - b. Development & maintain emergency plans
 - c. Fire inspections and investigations in compliance with the Town of Peace River's Quality Management Plan.
 - d. Information and assistance to the citizens of Peace River with fire safety inquiries and concerns; public presentations and events and community service functions.
 - e. Provide training programs for Peace River firefighters; Regional training for area fire departments; and public fire safety programs.
 - f. Purchasing and operating apparatus and equipment for extinguishing fires and providing rescue services.
 - g. Services in accordance with the approved Level of Services Policy.

4. FIRE CHIEF

- 4.1 The Fire Chief shall be appointed by the Council upon the recommendation of the CAO.
- 4.2 The Fire Chief shall be responsible to the Council through the CAO.
- 4.3 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction of the Council, and shall, upon approval of Council, prescribe rules, regulations, policies and standard operating procedures for the on-going organization, operation and administration of the Fire Department, including but not limited to:
- a) the use, care and protection of Fire Department Property
 - b) the appointment, recruitment, conduct, discipline, duties and responsibilities of the members
 - c) the efficient operation of the Fire Department
- 4.4 Regulations, rules or policies made pursuant to Section 4.3 of this bylaw shall not be inconsistent with the legislation or regulations of the Province of Alberta.

- 4.5 The Fire Chief shall, upon the approval of Council, purchase or otherwise acquire equipment, apparatus, materials and supplies required for the operation, maintenance and administration of the services to be used in connection therewith.
- 4.6 The Fire Chief or member in charge at an incident:
- i) is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
 - ii) may, at his discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized by him, and may call upon peace officers to enforce restrictions on persons entering within such boundaries or limits.
 - iii) is empowered to cause the Fire Department to enter on any land or premises, including adjacent land or premises, without warrant to combat, control or deal with an incident in whatever manner he deems necessary to limit injury to persons, loss of life, or damage to property or the environment.
 - iv) may obtain assistance from other officials of the municipality, as he deems necessary in order to discharge his duties and responsibilities at an emergency scene.
 - v) may require persons who are not members to assist in extinguishing a fire, removing furniture, goods or merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident, pursuant to Section 551(3) of the *Municipal Government Act*.
 - vi) is empowered to commandeer privately owned equipment that he may consider necessary to deal with an incident, pursuant to Section 551(3) of the *Municipal Government Act*.
 - vii) is empowered to activate and utilize any mutual aid agreements the Town may have with other municipalities or industry.

5. LIMITS OF JURISDICTION

- 5.1 Except for agreements approved by Council with other municipal, provincial and federal authorities or agencies, if any, or contracted services to industry approved by Council, the limits of jurisdiction of the Fire Chief, officers and members of the Fire Service will extend to the area and boundaries of the Town of Peace River, unless authorized otherwise by Council.

6. CONTROL OF HAZARDS

- 6.1 If the authority having jurisdiction finds within the municipal boundaries on privately owned land or occupied public land conditions that in its opinion constitute a fire hazard, it may, in accordance with the *Alberta Safety Codes Act* or the *Unsightly Premises Bylaw*, order the owner or the person in control of the land on which the fire hazard exists to reduce or remove the hazard within a fixed time.
- 6.2 When the authority having jurisdiction finds that an order has not been complied with it may, in accordance with the *Alberta Safety Codes Act* or the *Unsightly Premises Bylaw*, take whatever action is necessary to ensure compliance with the order.
- 6.3 Pursuant to the *Safety Codes Act*, the expenses incurred in carrying out an order may be placed on the tax roll as an additional tax against the property concerned and that amount forms a lien on the property in favour of the municipality, and is, for all purposes, deemed to be taxes imposed and assessed on the land and in arrears under the *Municipal Government Act* from the date the amount was placed on the tax roll, and that Act applies to the enforcement, collection and recovery of the amount.

7. REQUIREMENT TO REPORT

- 7.1 The owner, or his authorized agent, of any property damaged by fire shall immediately report to the Fire Service particulars of the fires which are satisfactory to the Fire Chief.
- 7.2 The owner, or his authorized agent, of any property, which sustains an accidental or unplanned release of a dangerous goods product, shall immediately report to the Fire Department particulars of the release, which are satisfactory to the Fire Chief.

8. PERMITS

- 8.1 No person shall permit a fire on land owned or occupied by him or under his control within the municipal boundaries of the Town of Peace River except when he is the holder of a subsisting Fire Permit issued pursuant to the Bylaw, unless
- a) the fire has been set by the Fire Department for the purpose of training or controlling hazards.
 - b) the fire is a pit or public park site fire.

8.2 Persons wishing to obtain a Fire Permit shall submit a Fire Permit Application, as per Schedule "B", attached hereto and forming part of this bylaw. The Fire Chief shall consider the application and may, in his sole and absolute discretion:

- a) refuse to grant a permit
- b) grant a permit without terms or conditions
- c) grant a permit upon such terms or conditions as he deems appropriate.

8.3 Fire Permits are not transferable.

8.4 Permits issued pursuant to this bylaw shall be valid for such period of time as determined by the authority having jurisdiction, and that time period shall be endorsed on the permit itself.

8.5 A permit may be extended, provided it has not expired.

9. **RECOVERY OF COSTS**

9.1 The Town may recover costs incurred by the Municipality for the provision of:

- a. services in excess of the basic response
- b. response under the Mutual Aid Agreement
- c. Services, materials, supplies or equipment, plus fifteen per cent (15%).

9.2 Where the Fire Department has taken any action whatsoever in responding to an incident within or outside of the Town, or for the purpose of preserving life or property from injury or destruction by fire or other incident within or outside the Town, including such action taken by the Service on a false alarm, the Fire Chief may, in respect of any costs incurred by the department in taking such action, charge any costs so incurred to the person who cause the fire or to the owner or occupant of the land or premises in respect of which the action was taken.

9.3 Fees for services rendered are hereby established in Schedule "A", attached hereto and forming part of this bylaw. Schedule "A" may be amended or altered by resolution of Council from time to time as deemed necessary.

9.4 Council may decide to set fees for any services provided by the Fire Department, and such fees shall be due and payable upon receipt of such services. Any person or corporation assessed for such fees may appeal to Council to waive, consider or vary such fee as the Council sees fit.

- 9.5 Where the cost or fee is not paid upon demand of the Town, then in default of payment, such cost or fee may be charged against the property as taxes due and owing in respect of that property, as authorized under Section 553(1)(g) of the *Municipal Government Act*.

10. OFFENCES

- 10.1 Any person who ignites, fuels, supervises, maintains or permits any fire within the municipal boundaries of the Town of Peace River without a valid Fire Permit as required by this bylaw is guilty of an offence, unless:

- a) the fire is a pit or public park site fire confined within a non-combustible structure or container, that has the draft and smoke vents thereof covered with a heavy gauge metal screen having a mesh size no larger than thirteen (13) millimeters, and ventilated in such a manner as to preclude the escape of combustible materials, including ash, which fire is ignited for the purpose of cooking or obtaining warmth. Such structure or container shall be a minimum of three (3) meters from any combustible structure or material. Such fires shall be fuelled only with seasoned wood, charcoal, coal, natural gas or propane, or
- b) the fire has been set by the Fire Department for training purposes, or
- c) the fire has otherwise been authorized by the authority having jurisdiction.

- 10.2 When a fire is lit under the circumstances described in Section 10.1 when such fire is not permitted pursuant to this bylaw the owner or occupier of the property upon which the fire is lit shall immediately extinguish the fire, or where he is unable to extinguish the fire, report the fire to the Fire Department.

- 10.3 No person shall, either directly or indirectly, personally or through an agent, servant or employee kindle a fire and let it become a Running Fire on any property not his own or allow Running Fire to pass from his own property to that of another.

- 10.4 No person shall:

- a) light any fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times
- b) light any fire when the weather conditions are conducive to the creation of a Running Fire

- c) fail to take reasonable steps to control a fire for the purpose of preventing it from becoming a Running Fire or from spreading onto property other than his own
- d) leave any fire burning unattended at any time
- e) deposit, discard or leave any burning matter or substance where it might ignite materials and cause a fire
- f) conduct any activity that involves the use of fire that might reasonably be expected to cause a fire, unless he exercises reasonable care to prevent the fire from occurring
- g) provide false, incomplete or misleading information to the Municipality or to the authority having jurisdiction on or with respect to a Fire Permit Application
- h) interfere with the efforts of persons authorized by this Bylaw to extinguish fires or preserve life or property
- i) interfere with or damage Fire Department equipment or apparatus required to extinguish fires or preserve life or property
- j) interfere with operation of a fire hydrant
- k) falsely represent himself as a member of the Fire Department, or wear or display any Fire Department uniform, cap, badge or other insignia for the purpose of such false representation.
- l) operate an incinerator
- m) operate any device fired by used oil except where such a device meets the requirements of the Canadian Standards Association and the Alberta Fire Code.

10.5 No person shall use a fire to burn:

- a) manure
- b) any animal carcass or part thereof
- c) material that will result in the production of dense black smoke including, but not limited to, insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, household plastic, rubber materials or creosote wood
- d) household refuse
- e) herbicides, pesticides or any other toxic materials.
- f) Treated or painted lumber
- g) Lumber products containing glue or resin
- h) Wet or unseasoned wood
- i) Corrugated cardboard

10.6 No person shall possess, store, offer for sale or discharge any fireworks without the written authorization of the Fire Chief, pursuant to Sections 5.7.1.7 and 5.7.1.8 of the Alberta Fire Code.

10.6.1 Notwithstanding Section 10.6, the Fire Chief may authorize the discharge of fireworks for a community event, provided the applicant possesses a fireworks supervisor card issued pursuant to the "Explosives Act" and its regulations, published by Natural Resources Canada.

11. FALSE ALARMS

11.1 Alarm systems shall be maintained in accordance with established national and/or provincial standards, and as established in the Alberta Fire Code.

11.2 Penalties for excessive false alarms shall be as set forth in Schedule "D".

12. EMERGENCY ACCESS REQUIREMENT

12.1 All commercial, industrial, institutional buildings and all residential apartment buildings over four (4) units shall be equipped with a secure key box at the main entrance to the building and the building owner shall provide the fire department with a key to same. The box shall contain all keys necessary for the fire department to gain access to all areas of the structure in the event of an emergency.

13. PENALTIES

13.1 A person who contravenes or fails to comply with any of the requirements of this bylaw is guilty of an offence and subject to penalties as established in Schedule "D", attached hereto and forming part of this bylaw.

13.2 Schedule "D" may be amended by resolution of Council from time to time as deemed necessary.

14. VIOLATION TICKETS

14.1 Nothing in the Bylaw shall prevent a Bylaw Enforcement Officer from issuing a Violation Ticket under Part II or Part III of the Provincial Offences Procedures Act for the mandatory court appearance or a voluntary payment ticket to any person who contravenes any provision of this Bylaw.

14.2 A Bylaw Enforcement Officer may, at his discretion, issue a voluntary payment ticket in the amount of \$250.00, in lieu of a mandatory court appearance.

15. IN FORCE DATE

15.1 This Bylaw shall come into full force and effect upon third and final reading thereof and repeals Bylaws 1557 and 1606.

Read a first time this 10th day of January, 2011.

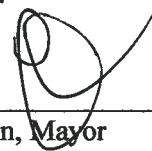


Lorne Mann, Mayor



Renate Bensch, A/CAO

Read a second time this 14th day of February, 2011.

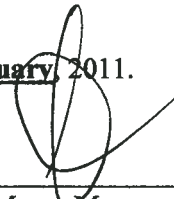


Lorne Mann, Mayor



Renate Bensch, A/CAO

Read a third and final time this 14th day of February, 2011.



Lorne Mann, Mayor



Renate Bensch, A/CAO

Peace River Fire Department
Schedule "A" Bylaw No. 1833

Fee for services shall apply for fire department response or services rendered:

Permits:

- 1) (a) Fire Burning Permits
maximum duration 7 days.....\$10.00 per permit
- (b) Fire Department response to non-permitted open fire..... \$500.00 per hour
- 2) Fire Works:
 - (a) High Hazard – Discharge of fireworks
(Must have approval of Fire Chief) \$100.00
 - (b) Fire Department Standby on scene of fireworks display Included in 2(a) fee
- 3) Occupant Load Determination per certificate \$50.00

Services:

- 4) (a) Provide Security for fire scenes under investigation..... \$45.00 per hour plus subsistence (if required)
 - (b) Provide Fire Watch for in Buildings where fire alarm system is not functional or operative because of mechanical problems \$31.00 per hour
 - (c) Fire Department response to False Fire Alarm more than 2 alarms to a building within a 6 month period \$300.00 per response
 - (d) Filling of Air Cylinders for:
 - a. Small Cylinder – Fire Department \$10.00
 - b. Small Cylinder – Industry \$15.00
 - c. Large Cylinder – All \$40.00
 - (e) Water Flow Testing and Results or Reports:
 - d. Field Testing and Report \$100.00
 - e. Report from Existing Files \$35.00
 - (g) Fire Department response to non permitted fire as defined by Section 2.2 (s) \$500 per hour
 - (h) File searches \$35.00 per hour
 - (i) Fire Fighter Training Course(s) Cost plus 15% administration fee
- 5) **Dangerous Goods Response:**
- (a) Class "B" hazardous materials

- Less than 50 L or 20 kg \$ 75.00
(minimum plus equipment and manpower as required)
- (b) Mitigation of any class material not included in 5(a) above Costs plus 15% plus Fire Department manpower and equipment
- (c) Manpower: (4 Hour Minimum Response)
 - a. DG Specialist \$46.00 per hour
 - b. DG Technician \$41.00 per hour
 - c. DG Operations \$36.00 per hour
 - d. Fire Fighters \$31.00 per hour
- (d) Equipment: (4 Hour Minimum Response)
 - a. Dangerous Goods Unit \$400.00 per hour
 - b. Dangerous Goods Trailer \$75.00 per hour
 - c. Pumper \$300.00 per hour
 - d. Pick-up/Suburban \$150.00 per hour
 - e. Quad \$25.00 per hour
- (e) Dangerous Goods Disposal: Actual Cost + 15%
- (f) Dangerous Goods Transportation permits for Transportation of Dangerous Goods on other than permitted transportation route \$50.00

6) Responses other than Dangerous Goods:

- (a) Equipment:
 - a. Pumper \$400.00 per hour
 - b. Hazmat 1 (rehab/command role) \$400.00 per hour
 - c. Pick-up with Water Tank and Pump \$175.00 per hour
 - d. Pick-up / Suburban..... \$75.00 per hour
 - e. Quad/Bobcat \$25.00 per hour
 - f. Command Trailer \$175.00 per hour
 - g. Jet Boat \$ 175.00 per hour
- (b) Manpower:
 - a. Command Officer \$40.00 per hour
per person
 - b. Fire Fighter \$31.00 per hour
per person
- (c) Medical Co-Response (outside of municipality):
 - a. Vehicle \$75.00 per hour
 - b. Manpower \$ 31.00 per hour
per person

7) Standby:

- (a) Standby for Expositions or Hazardous Situations \$200 per hour plus manpower

8) Fire Inspections

- (a) The Fire Chief, Designated Safety Codes Officer or Member may inspect Property to determine whether the Property complies with the Alberta Fire

Code through the Safety Codes Act, including whether the Property constitutes or conditions on the Property constitute a Fire Hazard. The inspections shall be carried out pursuant to the authority in the Municipal Government Act and the Safety Codes Act, and in accordance with the Town's Uniform Quality Management Plan.

(b) Fire Inspections \$35.00 per hour

(c) Follow up Inspections or Enforcement of "Orders" when owner fails to comply at time of Re-inspection \$55.00 per hour



Schedule "B" Part 1
TOWN OF PEACE RIVER
 Box 6600, Peace River, Alberta T8S 1S4
 Telephone: (780) 624-2574

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FIRE PERMIT APPLICATION

1. Name of Applicant / Company _____

2. Representing _____

3. Address _____

4. Telephone: Bus: _____ Res/Cell: _____

5. Reason Permit Required _____

6. Legal Description of Property _____

7. Location of fire _____

8. Description of material to be burned _____

9. Period of time for which permit is requested to _____

10. Plan's / Specifications attached _____ Max. 7 Days
Yes _____ No _____

11. Written permission of owner/occupier of property _____ Yes _____ No _____

Date _____
Signature of Applicant _____

Schedule "B" Part "2" **FIRE PERMIT**

INFORMATION / INSTRUCTION

1. Unless AUTHORIZED, written permission is required on another person's property.
2. See back of permit for excerpt from By-law.
3. This Fire Permit is NOT VALID unless endorsed by an Authorized Town Rep and may be cancelled at any time.

EFFECTIVE _____ . 20____

Expires _____ . 20____

The above Fire Permit is approved with the following conditions:

1. Wind is less than 16 km per hour.
2. Sufficient adults in attendance to monitor & control burn.
3. Provisions & equipment available to prevent fire spread
4. Other conditions (list):

Date _____ Authorized Town Rep. _____

I have read the above conditions and do hereby sign for the Application and Agreement.

SIGNATURE OF APPLICANT _____

SIGNATURE OF AUTHORIZED TOWN REP. _____

WHITE - Applicant
 Valley Printers 870018

CANARY - Fire Chief

PINK - Office

SCHEDULE "D"

PENALTIES

Fire without permit	\$250.00
Fire without permit & FD response required	\$500.00/hr (minimum one hour)
Fire while permits are suspended	\$250.00
Leave fire unattended	\$250.00
Possess, sell, purchase, discharge fireworks	\$250.00 (first offence)
	\$500.00 (second offence)
	\$1,000.00 (subsequent offence)
Fail to provide lock FD Lock Box	\$250.00
Excessive false alarm response	\$250.00
Interfere with operation of fire hydrant	\$500.00
False representation of FD member	\$250.00