

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 678, 2006

BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF:

FIRE PROTECTION and INCIDENT CONTROL SERVICES

The Municipal Government Act, R.S.A. 2000 Chap. M-26 as amended, provides that the Council of a Municipality may pass a Bylaw for:

- the safety, health and welfare of people, and the protection of people and property, and
- for services provided by or on behalf of the Municipality; and

the Council of the Municipality of Crowsnest Pass wishes to:

- establish and maintain fire protection service within the Municipality, and
- to provide for the efficient operation of such a fire service; and

the Council of the Municipality of Crowsnest Pass wishes to:

- regulate the use and setting of outdoor fires within lands not under the direct jurisdiction of the department of the Government of Alberta responsible for Forest Protection.

Therefore; the Council of the Municipality of Crowsnest Pass, duly assembled, enacts as follows:

NAME OF BYLAW

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

DEFINITIONS

2.1 In this Bylaw:

- (a) “Apparatus” means any fire department vehicle provided with machinery, devices, equipment or materials for the mitigation of an emergency situation as well as vehicles used to transport fire fighters or supplies.
- (b) “CAO” means the Designated Officer appointed by Council to the position of Chief Administrative Officer of the Municipality.
- (c) “Council” means the Council of the Municipality of Crowsnest Pass.
- (d) “Dangerous Goods” means those products or substances which, when in transit are regulated by the *Dangerous Goods Transportation Act and Regulations*, and when used or stored are regulated under the *Safety Codes Act and Regulations*.
- (e) “Designated Officer” means a Designated Officer of the Municipality whose authority includes inspections under this Bylaw and enforcement of the Municipality’s Bylaws and includes the Municipality’s CAO.
- (f) “Equipment” means any tools, contrivances, devices or materials used by the Fire Department to combat an Incident or other emergency.
- (g) “False Alarm” means any notification to the Fire Department or Member respecting the existence of an emergency that poses danger to life or property when such a condition, circumstance or event is in fact not in existence.
- (h) “Fire” means any combustible material in a state of combustion.
- (i) “Fire Chief” means the Member appointed as head of a Fire Department who is also a Safety Codes Officer pursuant to the *Safety Codes Act* and includes any person designated to act in his/her absence.

DEFINITIONS – cont'd

- (j) “Fire Department” means one of the four departments established by this Bylaw and includes any person duly appointed to a Fire Department.
- (k) “Fire Department Property” means all property owned or controlled by the Municipality and designated for use by the Fire Department, regardless of the source of the property.
- (l) “non-certified Fire Detection System” means a system which provides some early detection of products of combustion, usually as part of a building security system, which does not meet the requirements of the *Safety Codes Act*, but which may give early warning of a possible fire in a building to the building occupants and the Fire Department.
- (m) “Fire Hazard” means any condition, circumstance or event where the possibility of Fire is increased.
- (n) “Fire Inspector” means an individual appointed as a Fire Inspector who also is a Safety Codes Officer pursuant to the *Safety Codes Act*.
- (o) “Fire Permit” means a document issued pursuant to this Bylaw, on a form as set out in Schedule A, B or C as required.
- (p) “Fire Pit” means an outdoor receptacle that meets the following specifications:
 - i) a required minimum of 5 metres clearance, measured to the nearest fire pit edge to buildings, property lines or other combustible material;
 - ii) the fire pit edge does not exceed 0.6 metres in height when measured from the surrounding grade to the top of the pit opening;
 - iii) the fire pit does not exceed 1 metre in width or diameter when measured between the widest points or outside edges;
 - iv) the fire pit installation has enclosed sides made from bricks, concrete blocks, heavy gauge metal or other materials acceptable to a Safety Codes Officer having jurisdiction; and
 - v) a spark arrestor screen with openings no larger than 1.25 centimetres, and constructed of non-combustible mesh, is used to cover the fire pit opening, at all times when a fire is present, in a manner which will contain and reduce the hazards of airborne sparks and embers.
- (q) “Fire Protection” means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, rescue from entrapment or dangerous goods response, training, or other staff development.
- (r) “Illegal Fire” means any Fire that is in contravention of this Bylaw.
- (s) “Incident” means a Fire or any other situation where there is a danger or possible danger to life or Property and to which the Fire Department has responded.
- (t) “Member” means any person who is a duly appointed member of the Fire Department, including a part-time member or Officer, and includes the Fire Chief and Fire Inspector.
- (u) “Municipality” means the Municipal Corporation of the Municipality of Crownsnest Pass in the Province of Alberta and, where the context requires, means all land situated within the corporate boundaries of the Municipality.
- (v) “Officer” means a Member appointed as a Deputy Fire Chief, Captain, Lieutenant or Training Officer.

DEFINITIONS – cont’d

- (w) “Open Air Fire” means any Fire not contained within a building or structure and shall include Fire involving any combustible or flammable material or any Fire that has escaped or spread from a building, structure, machine or vehicle and any Fire set for the purpose of thawing frozen ground or clearing land.
- (x) “Owner” means the person who has care and control or power of authority or can exercise powers and authority over a building as defined in the Safety Codes Act.
- (y) “Outdoor Fireplace” means an outdoor receptacle that meets the following specifications:
 - i) a required minimum of 5 metres clearance, measured to the nearest fireplace edge to buildings, property lines or other combustible material;
 - ii) the fireplace is constructed of materials such as bricks or rocks that are heat and flame resistant;
 - iii) the fireplace is equipped with a chimney that is not less than 2.5 metres in height when measured from the base of the fire burning area;
 - iv) the fireplace chimney is equipped with a spark arrestor screen with openings no larger than 1.25 centimetres, and constructed of non-combustible mesh, is used to cover the fire pit opening, at all times when a fire is present, in a manner which will contain and reduce the hazards of airborne sparks and embers;
 - v) the base of the fire burning area is not less than 0.3 metres above the surrounding grade; and
 - vi) the fire chamber does not exceed 1.25 metres in width, and is no more than 0.4 metres in height and not more than 0.6 metres in depth.
- (z) “Peace Officer” means *Peace Officer* as defined in *Provincial Offences Procedures Act*.
- (aa) “Property” means any real or personal property that, without limiting the generality of the foregoing, includes vehicles, equipment, land and structures.
- (bb) “Protection Charge” means a fee charged by the Municipality to recover any or all costs incurred by the Fire Department in providing Fire Protection or Incident Control.
- (cc) “Unattended Fire” means a Fire burning without being under proper or any control of any adult person.

FIRE SERVICE

- 3.1 The Council hereby establishes the Crowsnest Pass Fire Departments for the purpose of:
- (a) preventing and extinguishing Fires;
 - (b) investigating the cause of Fires;
 - (c) preserving life and property and protecting persons and property from injury or destruction by Fire or release of any Dangerous Good;
 - (d) providing rescue services in conjunction with the Rescue Department as appropriate;
 - (e) preventing, combating and controlling emergency Incidents;
 - (f) carrying out Fire Inspections and prevention patrols;
 - (g) fulfilling approved agreements with other municipalities or persons with respect to fire protection;
 - (h) operating Apparatus and Equipment for extinguishing Fires or preserving life and Property; and

FIRE SERVICE – cont'd

- (i) Mitigating, through action or arrangement with other responders, incidents relating to Dangerous Good Products; and
- (j) otherwise providing Fire Protection Services.

FIRE CHIEF

- 4.1 Council appoints the Fire Chiefs.
- 4.2 The Fire Chiefs report to the CAO.
- 4.3 The Fire Chiefs have complete responsibility and authority over their respective Fire Department, subject to the direction of Council and the CAO and shall prescribe rules, regulations and procedures for the ongoing organization 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, training, conduct, discipline, duties and responsibilities of the Members of the Fire Department;
 - (c) the efficient operation of the Fire Department;
 - (d) other duties and responsibilities as assigned by job description, policy or Bylaw.
- 4.4 Regulations, rules or standard operating procedures made pursuant to this Bylaw shall not be inconsistent with Municipal Policies and Procedures and the laws of the Province of Alberta.
- 4.5 The Fire Chief shall:
 - (a) within budget approval and in accordance with any relevant policies, purchase or otherwise acquire Equipment, Apparatus, materials or supplies required for the operation, maintenance and administration of the Fire Department;
 - (b) keep or cause to be kept, in proper form, records of all business transactions of the Fire Department, including the purchase or acquisition of Equipment, Apparatus, materials or supplies and records of Fires attended, actions taken in extinguishing Fires, inspections carried out and actions taken on account of inspections or any other records incidental to the operation of the Fire Department;
- 4.6 The Fire Chief, or in his or her absence, the senior Member present shall have control, direction and management of any Fire Department Apparatus, Equipment or manpower, assigned to an Incident and, where a Member is in charge, he or she shall continue to act until:
 - (a) relieved by the Fire Chief or the Deputy Fire Chief, or
 - (b) command is transferred to another suitably qualified member, or
 - (c) the response, mitigation, cleanup and investigation of an incident are completed.
- 4.7 The Fire Chief or Member in charge may, at an Incident, at his or her discretion, establish perimeters and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him or her.
- 4.8 The Fire Chief or Member in charge may request a Peace Officer to enforce restrictions on persons entering within the boundaries of limits outlined in Section 4.7.

FIRE CHIEF – cont'd

- 4.9 The Fire Chief or Member in charge, at an Incident, is empowered to enter private property and to take all steps he or she thinks necessary in order to directly or indirectly combat, control or deal with an Incident, including, but not limited to:
- (a) pass through or over buildings or Property whether adjacent or otherwise, to an Incident and remain in or on the building or Property and to cause Members of the Fire Department and the Apparatus and Equipment of the Fire Department to enter or pass through or over the building or Property and remain in or on the building or Property;
 - (b) cause the building, structure or thing to be wholly or partially pulled down, demolished, modified or otherwise removed.
- 4.10 The limits of the jurisdiction of the Fire Chief, Officers and Members of the Fire Department will extend to the area and boundaries of the Municipality of Crowsnest Pass and no part of the fire Apparatus shall be used beyond the limits of the Municipality unless a written agreement is in place for supplying services outside the Municipality of Crowsnest Pass.
- 4.11 The Fire Chief, and anyone acting in his/her absence, is hereby authorized to take whatever action he or she deems appropriate in the event that an emergency situation or emergency circumstance arises, within a respective response area, which is not provided for in this Bylaw. In the event that the Chief, or anyone acting in his absence, takes action under this clause, the action taken shall be limited to those steps necessary to bring the emergency situation or emergency circumstance under control. Anyone taking action under this clause shall make a full report of the particulars to the CAO within 24 hours of the commencement of the action taken.

POWERS OF FIRE MEMBERS

- 5.1 Each Member shall have the authority and power to:
- (a) perform work relating to the extinguishing or controlling of the Incident or the operations to preserve life and Property and enter onto any Property for the purpose of controlling the Incident, at the discretion of the Fire Chief;
 - (b) prevent any interference with the efforts of persons engaged in the control of an Incident;

POWERS OF OFFICERS

- 6.1 Officers in charge of an Incident shall have the authority and power to:
- (a) commandeer the use of any Equipment , including persons trained in its operation, for the purposes of controlling the incident or for the purpose of preserving life or property;
 - (b) perform work relating to the controlling the Incident or the operations to preserve life and Property and enter onto any Property for the purpose of controlling the incident;
 - (c) prevent interference with the efforts of persons engaged in the controlling an Incident or preventing the spreading potential damage by regulating the conduct of the public at or in the vicinity of any Incident.

PROTECTION CHARGES

7.1 Upon providing Fire Suppression or Incident Control Services on Property within or outside the Municipality's boundaries, the Municipality in its sole and absolute discretion may charge:

- (a) the person causing or contributing to the Fire; or
- (b) the owner or occupant of the Property;

a Protection Charge, and all individuals identified are jointly and severally responsible for the Protection Charge;

7.2 The schedule of fees Protection Charges shall be as set out in Schedule C of this Bylaw or any amendments thereto or replacements thereof.

7.3 When more than two false alarms are received by a fire department, from a building equipped with either:

- a) a fire alarm system installed in compliance with the Alberta Building Code, or
- b) a non-certified fire detection system as described in 2.1(l),

within a calendar year a Protection Charge will be levied against the property for the third and each subsequent alarm in each year.

7.4 Anyone who is recipient of a Protection Charge under Schedule C of this bylaw may, within 21 calendar days of receipt of an invoice, appeal such a charge to the CAO for consideration by Council.

7.5 A Protection Charge for fire suppression on real property will commence two hours after the Fire Department has commenced fire suppression activities.

Notwithstanding the foregoing, single family residences would be exempt from this charge.

Protection Charges shall be paid within 30 days of being levied.

7.6 Collection of unpaid Protection Charges may be undertaken by civil action in a Court of competent jurisdiction, and any civil action does not invalidate any lien that the Municipality is entitled to on the Property in respect of which the indebtedness is incurred.

7.7 The owner of a parcel to which Fire Suppression or Incident Control is provided is liable for Protection Charges incurred, and the Municipality may add to the tax roll of the parcel of land all unpaid Protection Charges.

CONTROL OF FIRE HAZARDS

8.1 If the Fire Chief finds within the Municipality boundaries on privately owned land or occupied public land any condition that in his opinion constitutes a Fire Hazard he may order the owner or the person in control of the land on which the Fire Hazard exists to reduce or remove the Fire Hazard within a fixed time and in a manner prescribed by the Chief.

8.2 If the Fire Chief finds that the order he/she made pursuant to Section 8.1 has not been carried out, a Designated Officer may enter onto the land with any equipment and any person it considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.

8.3 The owner or occupant of the land on which work was performed pursuant to Section 8.2 shall, upon demand, pay to the Municipality a Protection Charge, and in default of payment of the Protection Charge, the Municipality may add the Protection Charge to the tax roll of the said land, which forms a special lien against the land in favour of the Municipality, from the date it was added to the tax roll.

REQUIREMENT TO REPORT

- 9.1 The owner or occupant of any Property containing a Dangerous Goods Product where an accidental or unplanned release of dangerous goods occurs shall immediately report to the Fire Department particulars of the release. The owner or occupant of the property shall provide such information regarding the release as the Fire Chief may require.

FIRE PERMITS

- 10.1 No person shall ignite any of the following without a permit:
- Open-air fire
 - A fire within a fire pit / outdoor fireplace or approved device that is not the subject of an existing permit
- 10.2 An application for a Fire Permit shall be made to the appropriate Fire Chief or, in his/her absence, the Deputy Fire Chief in writing on the form prescribed in Schedule A or B, as appropriate. The Fire Chief or, in his absence, the Deputy Fire Chief shall receive and consider the application and, after having done so, he or she may, in his or her absolute discretion, issue to the applicant a Fire Permit.
- 10.3 Each application for a Fire Permit must be accompanied by the appropriate fee and must contain information set out in Schedule "A". A Fire Permit is not transferable.
- 10.4 A person to whom any Fire Permit has been issued under Section 10.1 shall, at all times, keep at least one person over the age of 18 years in place to continuously supervise the Fire. For the purpose of this clause, a Fire shall include, but not be limited to, any hot ashes or smouldering embers resulting from the Fire.
- 10.5 When issuing any Fire Permit, the Fire Chief or, in his absence, the Deputy Fire Chief may impose conditions considered appropriate.
- 10.6 A Fire Permit issued pursuant to this Bylaw is valid for such period of time as shall be determined and set by the Fire Chief or, in his or her absence, the Deputy Fire Chief and endorsed on the Fire Permit, unless sooner suspended or cancelled pursuant to the provisions of this Bylaw.
- 10.7 The Fire Chief or, in his or her absence, the Deputy Fire Chief, may extend the period of time for which the Fire Permit is valid, provided the Fire Permit has not expired.
- 10.8 The Fire Chief or, in his or her absence, the Deputy Fire Chief may, in his or her absolute discretion, suspend or cancel any Fire Permit at any time. A Fire Permit may be suspended or cancelled as follows:
- a) by broadcasting a notice on a local radio station, or;
 - b) by publishing a notice in a newspaper that circulates in the municipality, or
 - c) by advising a permit holder in person or by telephone, or;
 - d) by delivering a notice by facsimile transmission or by e-mail, or;
 - e) by delivering a notice by regular mail.
- In the event that notification is provided by radio broadcast, newspaper publication, in person or by telephone, the Fire Chief or the Deputy Fire Chiefs, as the case may be, shall confirm the notification by delivering a copy by facsimile transmission or by regular mail.
- 10.9 Upon issuing a suspension or cancellation notice pursuant to Section 10.7, the fire permit being the subject of the notice is suspended or cancelled effective the date stipulated in the notice. This applies, for the duration of the ban, to all permits for fire pits / outdoor fireplaces and approved devices as well.

SECTION 11 **OFFENCES**

11.1 No person shall:

- (a) contravene any provision(s) of this Bylaw;
- (b) deposit, discard or leave any burning matter or substance where it might ignite other material and cause a Fire;
- (c) provide false, incomplete or misleading information to the Municipality or the Fire Department on or with respect to a Fire or Fire Permit application;
- (d) impede, obstruct, or hinder a Member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the Member in charge at any Incident;
- (e) damage, dispose of, or destroy Fire Department Apparatus, Equipment or Property without proper authorization;
- (f) falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation;
- (g) at an Incident drive a vehicle over any Fire Department Apparatus, Appliances, Hose or Equipment without the permission of the Fire Chief or the Member in charge;
- (h) obstruct or otherwise interfere with access roads or streets or other approaches to any Incident, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes;
- (i) at an Incident, enter the boundaries or limits of an area prescribed in accordance with Section 4.7 unless he or she has been authorized to enter by the Fire Chief or the Member in charge;
- (j) obstruct a Member from carrying out any function or activity related in any way to Fire Protection;
- (k) cause or allow an Open Air Fire to be lit, unless that person is the holder of a subsisting Fire Permit or the Fire has been set by a Member for the purpose of training Members;
- (l) permit a fire to burn when a Fire is set in contravention of Section 10.1.
- (m) either directly, or indirectly, personally or through an agent, servant or employee kindle a Fire on any land not his or her own property or allowing a Fire to pass from his or her own property to the property of another;
- (n) light a Fire without first taking sufficient precautions to ensure that the Fire can be kept under control at all times;
- (o) light a Fire when the weather conditions are conducive to create an out of control Fire;
- (p) fail to take reasonable steps to control a Fire for the purpose of preventing it from becoming out of control or from spreading onto property other than his or her own;
- (q) conduct an activity that involves the use of Fire that might reasonably be expected to be a nuisance or annoyance to a neighbour;

SECTION 11 **OFFENCES – cont’d**

- (r) conduct any activity that involves the use of a Fire, where smoke from the Fire could be reasonably expected to impede visibility of vehicular traffic or pedestrian traffic on any Highway as defined in the *Traffic Safety Act*;
- (s) light a Fire on lands owned or controlled by the Municipality except with the Municipality’s express written consent or in specifically designated or approved areas;

PENALTIES

12.1 Any person who:

- (a) violates any provision of this Bylaw;
- (b) suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw;
- (c) neglects to do or refrains from doing anything required to be done by the provisions of this Bylaw; or
- (d) does any act or thing or omits any act or thing, thus violating any provision of this Bylaw;

is guilty of an offence under this Bylaw, and upon a conviction, is liable to a fine as set out in “Schedule C” of this Bylaw.

LIABILITY

13.1 Members are not liable for loss or damage caused by anything said or done or omitted to be done in the performance or intended performance of their functions, duties or powers unless the Member was dishonest, grossly negligent or guilty of wilful misconduct.

GENERAL

14.1 This Bylaw shall come into force on the date of final passing thereof and upon coming into effect Bylaw No. 163-1984 and amendments thereto are repealed.

14.2 Should a section or part of this Bylaw be found to be improperly enacted or *ultra vires*, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

14.3 Summons Violation Tickets may be issued by a Peace Officer or Designated Officer and voluntary payments may be made pursuant to the *Provincial Offenses Procedures Act* in respect of an alleged contravention of a provision of this bylaw and any amendments thereto.

14.4 If a Summons of Offence Notice under the *Provincial Offenses Procedure Act* is issued in respect of an alleged contravention of a provision of this bylaw, and any amendments thereto, the specified penalty payable upon conviction in a court of competent jurisdiction shall be as specified in schedule “C” to this bylaw.

READ a first time this 4th day of April, 2006.

CARRIED UNANIMOUSLY

READ a second time this 16th day of May, 2006.

CARRIED

READ a third time and finally passed this 16th day of May, 2006.

CARRIED

JOHN IRWIN

Mayor

ORIGINAL SIGNED

GORDON O. LUNDY

Chief Administrative Officer

SCHEDULE "A"

MUNICIPALITY OF CROWSNEST PASS - BYLAW NO. 678, 2006

APPLICATION FOR AN OPEN AIR FIRE PERMIT

NAME:

ADDRESS:

ADDRESS OF PROPERTY FOR WHICH APPLICATION IS REQUESTED:

This permit is good for the burning of dried wood, leaves or grass only.

\$10.00 Application Fee Paid: Yes _____ No _____

Issue Date: _____ **Burn Date:** _____

Expiry Date: _____

If the following conditions are not adhered to at all times the Burning Permit may be withdrawn and the fire extinguished.

- Size of lot shall be .35 acres or larger.
- Burning piles shall be no closer than 50 feet to a building or structure.
- Burning is restricted to daylight hours.
- Burning is to be supervised at all times by a responsible person over the age of eighteen years.
- A sufficient supply of water to extinguish the fire if conditions are such that a fire would become uncontrollable.
- Burning piles shall be no larger than 5 feet in diameter and 2 feet in height.
- Contact the Fire Chief in your area before burning.

Signature of Applicant: _____

Signature of Issuer: _____

Penalties: Violation of Municipality of Crowsnest Pass Fire Bylaw No. 678, 2006 could result in a fine of up to \$200.00.

If the Fire Department is called to a property where the fire is out of control the permit holder may be charged a fee for the response.

On signature of this permit by the applicant the Municipality of Crowsnest Pass is indemnified from any civil or criminal action resulting from damage by fire due to the applicant not adhering to the listed conditions.

Copy 1 - Applicant

Copy 2 - Fire Department

SCHEDULE "B"

MUNICIPALITY OF CROWSNEST PASS - BYLAW NO. 678, 2006

**APPLICATION FOR A FIRE PERMIT TO CONSTRUCT AND OPERATE AN OUTDOOR
BURNING DEVICE**

Applicant: _____ Phone No. Bus. _____

Mailing Address: _____ Phone No. Res. _____

Address of Property Affected:

Application for a: Fire Pit / Outdoor Fireplace _____ Approved Device _____

Fee Paid: Yes _____ No _____

Definitions:

Approved Device - A device or appliance specifically made for the purpose of containing an outdoor heating or cooking fire, fuelled by clean non-treated wood, which bears a proper approval label from the Underwriters Laboratory of Canada, Canadian Standards Association or such other approving agency as designated by the **Fire Chief**. In all cases the device or appliance shall meet the requirements of all legislation, codes and regulations pertaining to such devices or appliances.

Fire Pit / Outdoor Fireplace- A non-commercial outdoor appliance or device used specifically for the purpose of burning clean, non-treated wood for the purposes of heating or cooking outdoors. See Bylaw 376, 1996 for further details.

No person shall construct, erect, locate or use an approved device or a fire pit / outdoor fireplace within the Municipality of Crowsnest Pass until a permit has been obtained from the **Fire Chief**. No person shall alter such device for which a permit has been issued without the consent of the **Fire Chief**.

A person requiring such a permit shall submit drawings and details to the **Fire Chief** with the application for a permit. Once the permit is approved the applicant shall keep the device in good condition.

A one-time fee of \$20.00 shall be charged with the application for an approved burning device.

Penalty:

Any person who contravenes Municipality of Crowsnest Pass Bylaw No. 678, 2006 is guilty of an offence and upon summary conviction liable to imprisonment for a term of not more than six months, or to a fine of up to two hundred (\$200.00) dollars, or to both fine and imprisonment.

Signature of Applicant

Fire Chief

Date Permit Issued

SCHEDULE "C"

| <u>Offence</u> | <u>Penalty</u> | <u>Early Payment</u> | <u>Second or Subsequent Offence Within 1 Year</u> | <u>Section Subsection</u> |
|---|----------------|--------------------------|---|-------------------------------|
| Failure to report an accidental or unplanned release of a dangerous goods product | \$200.00 | \$150.00 | \$500.00 | |
| Contravene any provisions of this bylaw not otherwise in this schedule | \$100.00 | \$ 75.00 | \$200.00 | |
| Deposit, discard or leave any burning matter or substance where it might ignite other material and cause a fire | \$ 50.00 | \$ 35.00 | \$100.00 | |
| Provide false, incomplete or misleading information to the Municipality or the Fire Department on or with respect to a Fire or Fire Permit application | \$200.00 | \$150.00 | \$500.00 | |
| Impede, obstruct, or hinder a Member of the Fire Department, or other person assisting or acting under the direction of the Fire Chief or the Member in charge at any Incident | \$200.00 | \$150.00 | \$500.00 | |
| Damage or destroy Fire Department apparatus, equipment or Fire Department property | \$200.00 | \$150.00 | \$500.00 | |
| Falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation | \$200.00 | \$150.00 | \$500.00 | |
| At an incident drive a vehicle over any Fire Department apparatus or equipment without the permission of the Fire Chief or the Member in charge | \$200.00 | \$150.00 | \$500.00 | |
| Obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes | \$200.00 | \$150.00 | \$500.00 | |
| At an incident, enter the boundaries or limits of an area prescribed in accordance with Section 4.7 unless he or she has been authorized to enter by the Fire Chief or the Member in charge | \$200.00 | \$150.00 | \$500.00 | |
| Obstruct a Member from carrying out any function or activity related in any way to Fire Protection | \$500.00 | \$350.00 | \$1,000.00 | |
| Allow an open air fire to be lit, unless that person is the holder of a permit for a fire pit or outdoor fire place or the fire has been set by a Member for the purpose of training Members | \$ 50.00 | \$ 35.00 | \$100.00 | |
| When a fire is set in contravention of Section 10.1 | \$ 50.00 | \$ 35.00 | \$100.00 | |

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 678, 2006

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|---|----------|----------|----------|
| Either directly, or indirectly, personally or through an agent, servant or employee kindle a fire or let it become a running fire on any land not his or her own property or allow a running fire to pass from his or her own property to the property of another | \$100.00 | \$ 75.00 | \$200.00 |
| Light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times | \$100.00 | \$ 75.00 | \$200.00 |
| Light a fire when the weather conditions are conducive to create an out of control fire | \$100.00 | \$ 55.00 | \$200.00 |
| Fail to take reasonable steps to control a fire for the purpose of preventing it from becoming out of control or from spreading onto property other than his or her own | \$100.00 | \$ 75.00 | \$200.00 |
| Conduct an activity that involves the use of fire that might reasonably be expected to be a nuisance or annoyance to a neighbour | \$ 50.00 | \$ 35.00 | \$100.00 |
| Conduct any activity that involves the use of a fire, where smoke from the fire will impede visibility of vehicular traffic and pedestrian traffic on any Highway as defined in the <i>Traffic Safety Act</i> . | \$100.00 | \$ 75.00 | \$200.00 |
| Light a fire on lands owned or controlled by the Municipality except with the Municipality's express written consent or in specifically designated or approved areas | \$100.00 | \$ 75.00 | 200.00 |

FIRE PROTECTION CHARGE

Protection Charge for services rendered as per the requirements of Bylaw 678, 2006 \$300.00 per hour per fire engine and 4 firemen