

CENTRAL PEACE FIRE & RESCUE COMMISSION

OPERATIONS AND FIRE SERVICES BYLAW

BYLAW No. 02-2016

A BYLAW OF THE CENTRAL PEACE FIRE & RESCUE COMMISSION, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FOR THE ESTABLISHMENT AND OPERATION OF A FIRE SERVICES DEPARTMENT

- A. **WHEREAS:** The Central Peace Fire & Rescue Commission has been established by the Lieutenant Governor in Council under *Alta Reg.* 113/2016 pursuant to the authority of section 535.2(1)(c) of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26;
- B. **WHEREAS:** It is deemed expedient and proper that the Board of Directors of the Central Peace Fire & Rescue Commission pass a Bylaw governing the organizational structure, powers, duties, operation and administration of the Central Peace Fire & Rescue Commission;
- C. **WHEREAS:** The *Alberta Fire Code* 2014, as established by the Fire Technical Council, *Alberta Safety Codes Council* and under the provisions of the *Alberta Safety Codes Act*, provides the Central Peace Fire & Rescue Commission with the authority to establish and provide the municipalities a Quality Management Program under the guidance and control of the *Alberta Safety Codes Council* and direction of the Central Peace Fire & Rescue Commission Board of Directors;
- D. **WHEREAS:** The *Forest and Prairie Protection Act*, RSA 2000, Chapter F-19, as amended, provides for the prevention of prairie or running fires and places responsibility for fighting and controlling fires within a municipal district or a county;
- E. **WHEREAS:** The *Environmental Protection and Enhancement Act*, RSA 2000, Chapter E-12, as amended, provides the guidelines for environmental contamination, Central Peace Fire & Rescue Commission Board of Directors will endeavor to prevent or bring under control the emissions of contaminants and will inform the Department of the Environment of infractions occurring in Member Municipalities;
- F. **WHEREAS:** The Central Peace Fire & Rescue Commission Board of Directors wishes to establish a fire and rescue service within Member Municipalities to provide for efficient operation of such a service for the Town of Spirit River, the Municipal District of Spirit River No. 133 and the Village of Rycroft;

G. AND WHEREAS Councils of the Member Municipalities acknowledge that the provision of medical, fire, and emergency response services is dependent upon a number of factors, including the infrastructure and resources which may be available for such services, competing demands upon such resources, and the geographic size and nature of the Member Municipalities, and that in the result, the Commission is unable to provide medical, fire, and emergency services in the same manner or to the same standards which may be available in other jurisdictions, or to provide such services in the same manner or to the same standards in all areas of the Member Municipalities, or to all people within the Member Municipalities.

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors of the Central Peace Fire & Rescue Commission of the Province of Alberta, duly assembled, enacts as follows:

SECTION 1 - NAME OF BYLAW

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

NOW THEREFORE BE IT ENACTED as a Bylaw of the Board of Directors of the Central Peace Fire & Rescue Commission as follows:

SECTION 2 - DEFINITIONS

In this Bylaw,

2.1 “*Act*” shall mean the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended.

2.2 “*Apparatus*” means any vehicle provided with machinery, devices, equipment or materials for emergency use, as well as any vehicles used for transporting firefighters or supplies.

2.3 “*Approved Outdoor Burning Appliances*”, are those outdoor burning appliances used for recreational or cooking purposes. Those appliances manufactured which bear a CSA or ULC approval label

2.4 “*Assistant Fire Chief*” means the person(s) appointed by the Manager/Fire Chief pursuant to Section 7.4 of this Bylaw.

2.5 “*Board*” shall mean the Board of Directors of the Central Peace Fire & Rescue Commission.

2.6 “*Chair*” shall mean the chairperson of the Board of the Central Peace Fire & Rescue Commission.

2.7 “*Controlled Burn Notifications*” shall mean a supervised controlled burn for brush piles, grass, and old buildings etc.

2.8 “*Commission*” shall mean the Central Peace Fire & Rescue Commission.

- 2.9 “*Director*” shall mean a person appointed to the Board of Directors of the Commission in accordance with the Board Appointments Bylaw No. 02-2015.
- 2.10 “*Emergency Incident*” means a fire, a situation where a fire or an explosion is imminent or any other situation presenting a fire or possible danger to life, property or the environment and to which the Fire Department has responded. These incidents include transportation accidents, hazardous materials releases or potential releases, medical assists or any life threatening situation.
- 2.11 “*Equipment*” means any tools, contrivances, devices or materials used by the Fire Services Department that may be applied at an emergency incident.
- 2.12 “*Fire Ban*” means a declaration by the Manager/Fire Chief or delegate that a restriction has been placed on the setting of fires, and may be categorized as follows:
- a) “*No Restriction*”
Fire permits are required during fire season for any type of burning, except campfires. Safe campfires are allowed in campgrounds and backcountry, random camping areas or residential properties.
 - b) “*Fire Advisory*”
The fire hazard rating has increased. Fire permits may be restricted. Safe campfires are allowed in campgrounds and backcountry, random camping areas or residential properties, but this level is a warning they may be restricted if the situation doesn’t improve.

On declaring a fire advisory, notification will be advertised through local and area media organizations, Fire advisory issuance can affect all and/ or portions thereof of Commission partner Municipalities.
 - c) “*Fire Restriction*”
Safe campfires are allowed in fire rings in campgrounds and residential properties only. No campfires (or other open flames) or charcoal briquettes are allowed in the backcountry or random camping areas. Gas or propane stoves/barbeques and portable fire pits are allowed.
Fire permits may be suspended or cancelled and no new fire permits will be issued. If the situation continues to worsen, a fire ban will be issued.

On declaring a fire advisory, notification will be advertised through local and area media organizations. Fire restriction issuance can affect all and/ or portions thereof of Commission Member Municipalities.
 - d) “*Fire Ban*”
No campfires (or other open flames) are allowed in campgrounds or backcountry and random camping areas. This include charcoal briquettes. Gas or propane stoves/barbeques and portable propane fire pits are allowed. All fire permits are

suspended or cancelled and no new fire permits will be issued.

- e) On declaring a fire advisory, notification will be advertised through local and area media organizations. Fire ban issuance can affect all and/or portions thereof of Commission partner Municipalities.
- 2.13 “*Fire Department*” means the Fire Services Department established in this Bylaw and includes a Fire Chief, Fire Officer’s, Firefighters and any person duly appointed to the Fire Department by the Manager/Fire Chief pursuant to this Bylaw and performing such functions as are prescribed herein, together with all Equipment and Apparatus, including fire station(s), established to prevent, extinguish, and investigate the cause of fires, to preserve life and property from injury or destruction by fire.
- 2.14 “*Fire Permit*” means a permit issued by the Manager/Fire Chief or designate allowing the setting of Open Outdoor Fires and approved structure fires in accordance with the *Forest and Prairie Protection Act*.
- 2.15 “*Fire Services Officer*” means a person appointed by the Manager/Fire Chief to perform such functions as are set forth in the Standard Operating Procedures.
- 2.16 “*Firefighter*” means a person appointed to perform the duties of a firefighter as described in the Standard Operating Procedures.
- 2.17 “*Fireworks Display Permit*” is the issuance to an accredited person or contractor for the display of commercial fireworks or to the property owner for family/recreational fireworks in accordance with the *Alberta Fire Code 2014* and the *Alberta Safety Codes Act*.
- 2.18 “*Incident Commander*” means that member of the Fire Department in charge of all department resources including staff at a particular Emergency Incident in accordance with the policies and guidelines of the Commission as set out from time to time.
- 2.19 “*Manager/Fire Chief*” means the person as the head of the Fire Services Department within the Commission, with the duties as described in the Standard Operating Guidelines.
- 2.20 “*Member*” or “*Members*” shall mean each of the municipal authorities that form the Commission.
- 2.21 “*Open Outdoor Fire*” means any fire not contained within the confines of an approved outdoor or indoor appliance, building or structure and includes fires burning in humus soil, piles of coal, manure, farm produce, wastes, feed and straw, and means that the fire is a controlled fire under the supervision of the land owner or his adult designate.

- 2.22 *“Prohibited Debris”* means any inflammable waste that, when burned may result in release of the dense smoke, offensive odors, or toxic substances, and includes but is not limited to: *Animal manure, pathological waste, Non Wooden materials, and waste material for building or construction sites containing wood preservatives, combustible material in vehicle bodies. Tires, rubber, plastic, or anything containing or coated with rubber, plastic or similar substances, except rubber/plastics attached to shredded scrap steel, used oils, and chemicals.*
- 2.23 *“running uncontrolled”* means a fire burning without being under control of any person or that no person is able to prevent the spread of the limits of such a fire.
- 2.24 *“Safety Codes Accreditation”* as approved by the *Alberta Safety Codes Council* for the Commission to administer a Quality Management Program Fire Discipline for members.
- 2.25 *“Safety Codes Officer”* means a person certified by the *Alberta Safety Codes Council* under the authority of the *Alberta Safety Codes Act*.
- 2.26 *“Safety Codes Officer Certified”* means a person certified under the *Alberta Safety Codes Act* with Designation of Powers to administer the *Alberta Fire Code* and *Alberta Safety Codes Act*.
- 2.27 *“Standard Operating Procedures – (SOP’s)”* means the procedures adopted by the Fire Department concerning Fire, Rescue and other, administrative and operational activities of the Fire Services of the Commission.
- 2.28 *“Vice-Chair”* means the vice-chairperson of the Central Peace Fire & Rescue Commission.

SECTION 3 - OBJECTIVES

- 3.1 The objectives of the Commission are:
- 1) to provide fire protection services to its Members;
 - 2) to provide fire protection services to any additional persons, corporations, organizations or municipalities to whom the Board decides to apply these services;
- 3.2 Without in any way limiting the generality of the foregoing, the Commission may undertake such studies, research, projects or programs and enter into such contracts as may be deemed necessary or desirable in the furtherance of its objectives and to the economic, safety, health and environmental benefits of its Members.

SECTION 4 – MEMBERS AND DIRECTORS

- 4.1 The Members of the Commission include the Town of Spirit River, the Municipal District of Spirit River No. 133, and the Village of Rycroft
- 4.2 Subject to the provisions of the Act, additional municipalities may be considered for membership and any fees or costs to be charged to that municipality shall be determined by the Members at the time of the application for membership in accordance with the Membership Change Bylaw 03-2015
- 4.3 The Members shall determine the formula upon which each Member shall contribute to any operating deficiency of the Commission.
- 4.4 Commission Board members are appointed as specified in Board Appointments Bylaw No. 02-2015.
- 4.5 A Member may at any time revoke the appointment of any of its Directors subject to provisions of the Board Appointments Bylaw 02-2015

SECTION 5 - BOARD MEETINGS AND COMMITTEE MEETINGS

- 5.1 The Board shall meet on, and at such date, time and place as determined by the majority of the Directors, or as may be determined from time to time by the Chairperson.
- 5.2 Notice to a Director on each occasion of the time and place of any regularly scheduled meeting of a Board or a Committee need not be given.
- 5.3 Except as otherwise provided, all Directors must receive notice of any meeting called by the Chairperson before that meeting can occur.
- 5.4 One half of the Directors plus one who are appointed to a Committee must be present for a quorum of that Committee.
- 5.5 Except as otherwise provided, the business of the Board or of a Committee shall only be conducted at a meeting of the Board or Committee at which a quorum is present.
- 5.6 Each Director shall have one vote and all Directors are required to vote unless that Director has a conflict of interest which he or she has declared at that meeting in which case that Director shall abstain from voting on topics in which he or she has declared a conflict of interest.
- 5.7 A vote on any matter before the Board shall not be recorded unless specifically directed by the Chairperson or requested by a Director.

- 5.8 The Chairperson or Vice-Chairperson shall conduct any meetings of the Board. If both the Chairperson and Vice-Chairperson are absent from that meeting, the Directors present shall appoint one of the Directors present to chair the meeting.
- 5.9 The agenda for all meetings of the Board shall be prepared by the Manager/Fire Chief, the Chairperson or the Vice-Chairperson.
- 5.10 Directors, at the discretion of the Chair of a meeting of the Board or Committee shall be entitled to speak more than once on any matter before the Board or Committee and the mover of any question before the Board or Committee shall be entitled to close the debate on any matter.
- 5.11 With respect to motions before the Board, the following shall apply:
- 1) General - no seconder required;
 - 2) Referral or Deferral - debatable;
 - 3) Tabling – non-debatable;
 - 4) Amending - no seconder required;
 - 5) Reconsideration - must be made by vote on prevailing side of original motion at the same meeting or by notice of motion;
 - 6) Notice of Motion - in writing prior to distribution of Agenda or by proper waiving of Rules of Procedure by verbal notice at a meeting for the next meeting.
- 5.12 In the event that a question shall arise as to the rules of procedure to be followed at a meeting of the Board or a Committee and if the procedure to be followed has not been otherwise dealt with by any of the Bylaws of the Board, "*Roberts Rules of Order*" shall apply to such question.
- 5.13 Any motion to waive a rule of procedure established by Bylaw of the Board or, in the absence of a Bylaw, "*Roberts Rules of Order*", shall require an affirmative vote of two-thirds of all Directors in attendance at that meeting.
- 5.14 The Board and each Committee thereof shall cause minutes to be kept of each Board or Committee meeting. Any Director may request minutes of any Committee meeting and he or she shall be provided with a copy of said Minutes, once adopted by the Committee.
- 5.15 The first meeting of all of the Directors in each year held after October 31 in that year, shall be considered the annual organizational meeting of the Board.

SECTION 6 - CHAIRPERSON AND VICE-CHAIRPERSON

- 6.1 The Commission Chairperson and Vice Chairperson of the Board of Directors are appointed as specified in the Board Appointment Bylaw No. 02-2015.
- 6.2 In the absence of the Chairperson, the Vice-Chairperson shall preside at all regular and special meetings of the Board.
- 6.3 The Chairperson shall be an ex-officio member of all Standing or Ad Hoc Committees established by the Board from time to time, in addition to any other Directors appointed to these Committees.

SECTION 7 – MANAGER/ FIRE CHIEF AND OTHER OFFICIALS

- 7.1 The office of the Manager/Fire Chief is hereby established.
- 7.2 The Manager/Fire Chief shall act as the Chief Administrative Officer of the Commission as defined in the *Municipal Government Act*
- 7.3 The administrative duties and responsibilities of the Manager/Fire Chief shall be in accordance with Commission Policy No. POL-03-2016, as amended.
- 7.4 In the absence of the Manager/Fire Chief, the Assistant Chief(s) shall assume the duties and responsibilities of the Manager/Fire Chief.
- 7.5 The Manager/Fire Chief shall appoint such other officials as deemed necessary from time to time to serve the needs of the Commission and shall define the duties and responsibilities of any such official so appointed. This shall be ratified by the Commission.
- 7.6 The Board may by resolution, appoint the Chief Administrative Officer of any of its Members or a representative to act for the Manager/Fire Chief in regards to his/her administrative duties to the Board, if the Manager/Fire Chief is either unable to temporarily perform his/her administrative duties or has ceased to act as the Manager/Fire Chief.
- 7.7 In the absence of any appointment of a designate, the Board may by resolution appoint a Fire Chief to act for the Manager/Fire Chief in regard to performing any of his/her non-administrative duties, if the Manager/Fire Chief is unable to temporarily perform his/her duties or has ceased to act as the Manager/Fire Chief.

SECTION 8 - COMMITTEES

- 8.1 The Board may establish Standing or Ad Hoc Committees from time to time.
- 8.2 The Chairperson shall be entitled to attend all Committee meetings in an ex-officio capacity.
- 8.3 Meetings of any Committees formed shall be held on such day, time and place as may be determined from time to time by either the Chair of the Committee or a majority of Directors appointed to that Committee. All Directors of a Committee must have notice of a Committee meeting before the meeting can occur.

SECTION 9 – FINANCIAL REPORTS AND BANKING

- 9.1 The Board shall cause to be kept proper books of account and records and such books of account and records together with all papers and other documents relating to the Commission shall be kept at the office of the Commission. All Directors of the Commission shall be entitled to inspect and examine the books of account and records after reasonable notice being given to the Manager/Fire Chief or Chairperson.
- 9.2 The Board shall appoint an auditor who shall be a member of either the *Institute of Chartered Accountants* or the *Institute of Certified Management Accountants* in Alberta and who shall audit the accounts and affairs of the Commission in accordance with the requirements of the Act.
- 9.3 The Board shall cause minutes to be made and books to be provided for the purpose of recording all resolutions passed by and of all proceedings of any meeting of the Board or of any Committee and shall cause to be recorded the names of all persons present at such meetings.
- 9.4 The Board shall ensure at all times that the requirements of the Act and any other relevant governing legislation relating to its operation, budgeting, expenditures, delivery of reports, financial statements and information to the Directors and the Members of the Commission are met.
- 9.5 The Board shall from time to time appoint a bank or banks as banker or bankers of the Commission and the Board shall designate those officials and Directors who are authorized to sign cheques on behalf of the Board.

SECTION 10 – HONORARIA AND EXPENSES FOR BOARD OF DIRECTORS

- 10.1 The Board shall from time to time by policy adoption designate the remuneration payable to the Chairperson, Vice-Chairperson, and Directors and provide for the reimbursement of expenses incurred in the course of their duties as Directors.

SECTION 11 – AMENDMENTS

- 11.1 Upon fourteen (14) days clear notice of motion and a two-thirds majority vote of the Directors, this bylaw may be amended from time to time.

SECTION 12 – POWERS

- 12.1 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident, shall have control, direction, and management of any fire service, apparatus, equipment, or personnel assigned to an incident and, where a fire department member is in charge, he/she shall continue to act until relieved by an officer authorized to do so.
- 12.2 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident is empowered to cause a building, structure or thing be pulled down, demolished, or otherwise removed if he/she deems it necessary to prevent the spread of fire to other buildings, structures or things.
- 12.3 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident is empowered to enter a premises or property where the incident occurred and to cause any fire department member, apparatus, or equipment of the fire department to enter, as he/she deems necessary, in order to combat, control, or deal with the incident.
- 12.4 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident shall, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter.
- 12.5 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the fire service and the apparatus and equipment of the fires service to enter or pass through or over the building or property, where it is deemed necessary to gain access to the incident or to protect any persons or property.
- 12.6 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident may obtain assistance from other employees of the Town of Spirit River, the Municipal District of Spirit River No. 133, and/or the Village of Rycroft as he/she deems necessary in order to discharge his/her duties and responsibilities under this Bylaw, and those employees shall provide such assistance forthwith.
- 12.7 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident may request Peace Officers to enforce restrictions on persons entering within the boundaries or limits as outlined in Section 12.4.
- 12.8 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident, may request persons who are not members of the fire department to assist in support activities.
- 12.9 The Manager/Fire Chief, Fire Officer or the fire department member in command at an incident is empowered to commandeer privately owned equipment which he/she considers necessary to deal with an incident.

SECTION 13 – FEES

- 13.1 The Board shall establish by a Bylaw, of the fees to be charged by the Commission for services provided and shall be entitled to levy fees differently to separate classes of persons, corporations or entities receiving services.
- 13.2 The Board may amend any Bylaw establishing fees at any time.

SECTION 14- FIRE SERVICES

- 14.1 The Commission does hereby establish the Fire Services Department.
- 14.2 For greater clarity and without limiting the services which may be provided, the Commission hereby authorizes the Fire Services Department, to provide the Members with services for the purpose of:
- 1) preventing and extinguishing fires;
 - 2) performing basic rescues, medical care, medical first response, care and control of dangerous goods incidents;
 - 3) investigating the cause and origin of fires in accordance with the *Alberta Fire Code 2014* and Quality Management Plan, as approved by the *Alberta Safety Codes Council*;
 - 4) preserving life, property and protecting the environment;
 - 5) preventing and extinguishing non-permitted ground cover fires or running uncontrolled fires and enforcing the provisions of the *Forest and Prairie Protection Act*;
 - 6) enforcing the provisions of the *Alberta Fire Code 2014* and *Alberta Safety Codes Act* and its regulations;
 - 7) carrying out prevention patrols, pre-fire planning and fire inspections in accordance with the Accredited Safety Codes Council Quality Management Program;
 - 8) entering into mutual aid agreements with other municipalities, agencies or persons to provide assistance in controlling an emergency incident subject to approval of the Board;
 - 9) purchasing and operating Apparatus and Equipment for preservation of lives and property: and
 - 10) Response to fires, motor vehicle collisions; utility emergencies; fire alarms, and transportation incidents and other emergencies at a level prescribed by the *Level of Service policy No.POL-02-2016*.
- 14.3 The Commission may be divided into districts with emergency response buildings and services so located as deemed necessary by the Manager/Fire Chief for the provision of Fire Protection and other emergency services as he/she deems appropriate.
- 14.4 Regulations, rules, or policies made under the bylaw shall not be inconsistent with the legislation and regulations of the Province of Alberta.

SECTION 15 - RESCUE AND EXTRICATION SERVICES

- 15.1 The level of Fire Services as defined by the policy, adopted by Board Motion # 11-137, establishes the appropriate department(s) to deal with rescue and extrication incident(s).
- 15.2 Response to emergency calls, or the dispatch of a Fire and Rescue Service by 911 for fire, rescue, medical or traffic control assistance at an incident, an invoice from the Commission for services rendered, may be issued to recover costs according to the fees for services Bylaw as amended.

SECTION 16 - FIRE PREVENTION/INSPECTION

- 16.1 The Manager/Fire Chief may establish a fire prevention program within the Member Municipalities including but not limited to:
- 1) preventative fire inspections of properties or structures in accordance with the *Alberta Fire Code 2014* and the Quality Management Plan approved by the *Alberta Safety Codes Council*;
 - 2) review of designs, plans, specifications and processes to ensure conformity with the *Alberta Safety Codes Act*, or *Alberta Fire Code 2014* or Quality Management Program as amended from time to time;
 - 3) preparation of pre-fire plans; and
 - 4) dissemination of fire prevention information to the general public.
- 16.2 The Manager/Fire Chief, subject to the direction of the Commission Board and approval by the Minister as defined in the *Municipal Government Act*, RSA 2000 c M-26, as amended, may enter into agreements with other municipalities or accredited agencies to provide fire inspection and investigation services.

SECTION 17 - INVESTIGATIONS

- 17.1 The *Alberta Fire Safety Codes Officer* and/or delegated *Alberta Certified Safety Codes Officer* shall investigate the cause and origin of a dollar loss amount within said officer's jurisdiction, in accordance with the Quality Management Plan and requirements set forth by the *Alberta Safety Codes Act*.
- 17.2 If the person investigating an incident as described in Section 17.1 has information that indicates a fire is or may be incendiary in origin or has resulted in loss of life, the RCMP, Manager/Fire Chief and Fire Commissioners Office shall be advised of the incident immediately.
- 17.3 The Manager/Fire Chief, subject to the direction of the Board and approval by the Minister as defined in the *Municipal Government Act*, RSA 2000 c M-26, as amended, may enter into agreements and/or requests with other municipalities or private services to provide temporary assistance providing fire and rescue services as well as fire investigation and inspection services.

SECTION 18 - FIRE GUARDIANS

- 18.1 Upon the recommendation of the Manager/Fire Chief, the Board shall annually appoint persons to be Fire Guardians in accordance with the *Forest and Prairie Protection Act*.
- 18.2 Fire Guardians who are appointed in accordance with *Section 2.18* may issue, to an applicant, a Fire Permit in accordance with the *Forest and Prairie Protection Act*.
- 18.3 A Fire Permit described in 18.2 shall be in a form approved by the Manager/Fire Chief.

SECTION 19 - REQUIREMENT TO REPORT

- 19.1 The Owner, occupant, or authorized agent of any property damaged by fire which incurs a dollar loss amount within Member Municipalities shall immediately report details of the fire to the fire department, or *Alberta Safety Codes Officer*, within the jurisdiction that the property is located.
- 19.2 A Fire Department which responds to an incident, or is made aware of a fire within its area of jurisdiction, in which a life is lost, the Incident Commander shall report the incident to the RCMP, the Manager/Fire Chief and the Fire Commissioners Office immediately. If a person suffers injury requiring medical attention, or in which property is damaged or destroyed, the Officer in Charge shall report the incident to the Manager/Fire Chief as soon as possible.
- 19.3 A person conducting the investigation or reporting the incident as described in Section 17.1 must be an *Alberta Certified Safety Codes Officer*. A completed investigation report shall be forwarded to the Manager/Fire Chief with an Incident Report and all relevant information relating to the incident or as requested by the Manager/Fire Chief. A Provincial Fire Report shall be submitted to the Fire Commissioners Office within thirty (30) days of incident occurrence as required by provincial law.
- 19.4 Fees for services rendered shall be approved for re-imburement or payment by the Manager/Fire Chief. Costs expended for investigation services will be recovered as per fee for service Bylaw.
- 19.5 The Owner or authorized agent of any property containing a dangerous good(s) product which sustains an accidental or unplanned release of the dangerous good(s) product shall immediately report particulars of the release to the Manager/Fire Chief.

SECTION 20 - BURNING REGULATIONS

- 20.1 Open fires are not permitted within the Members area except in accordance with this Bylaw or a Burning Bylaw as may be established by the Board.
- 20.2 All recreational fires set for the purposes of cooking, warmth or recreation in an Approved Outdoor Burning Appliance or open pit must be supervised by an adult, a minimum age of eighteen (18) years old.
- 20.3 Smudge fires for the purpose of protecting livestock from insects or for protecting garden plants from frost without discomfort to the surrounding occupants, shall be confined within a non-combustible containment that is set on land of one (1) acre or more in area.
- 20.4 Fires may be set by the Fire Department for the purpose of training firefighters, or control burning, or by the Members for the purposes of ground thawing operations.
- 20.5 Open fires are permitted with issuance of a Fire Permit during the period of January 1st through to December 31st, providing the burn does not contravene the *Alberta Environmental Protection Act* and the burn is not running uncontrolled to cause harm to people or property. The Manager/Fire Chief reserves the right to revoke a Fire Permit or place burning restrictions when conditions deem it necessary.
- 20.6 Fire Permits may be issued in accordance with *Forest and Prairie Protection Act* as amended by persons authorized and appointed Fire Guardians by the Central Peace Fire and Rescue Commission.
- 20.7 Controlled *Burn Notifications* for persons or parties implementing controlled burns for example: brush piles, grass, old buildings etc., are required to notify the Manager/Fire Chief or designate to inform the Manager/Fire Chief or designate of their intent to conduct a controlled burn, providing the burn does not contravene the *Alberta Environmental Protection Act* The Manager/Fire Chief or designate reserves the right to deny the controlled burn and/or place restrictions when conditions deem it necessary.
- 20.8 The Controlled *Burn Notification* shall not be allowed to burn *prohibited debris* such as: Animal manure, pathological waste, Non Wooden materials, and waste material for building or construction sites containing wood preservatives, combustible material in vehicle bodies. Tires, rubber, plastic, or anything containing or coated with rubber, plastic or similar substances.
- 20.9 Notwithstanding any other provision of this Bylaw, the Manager/Fire Chief may declare a Fire Ban and place any restriction on the setting or continued burning of any type of fire as he/she deems necessary at his/her sole discretion.

SECTION 21 - RECOVERY OF COSTS

- 21.1 Where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire or responding to an Emergency Incident within or outside the Member Municipalities for the purpose of preserving life or property or destruction by fire or other incident on land or property within or outside the specified areas, including any such action taken by the Department on a false alarm, the Commission may, in respect of any costs incurred by the Department in taking such action, charge any costs so incurred by the Department to the person who caused the fire or the owner or occupant of the land or property in respect of which the action was taken.
- 21.2 Persons or parties failing to make a *Burn Notification* with the Fire Department may be subject to a fine or for costs as described in 21.1 of this Bylaw.
- 21.3 Persons or parties failing to make a *Burn Notification* shall be held liable as per section 21.1 of this Bylaw.
- 21.4 The Commission may at their discretion waive payment and charges in extraordinary circumstances.
- 21.5 The schedule of fees to be charged for fire, rescue, dangerous goods or false alarm responses and other services that may be performed by the Commission Fire Department shall be described in Commission fees for services Bylaw, as amended.

SECTION 22 - OFFENCES

- 22.1 Any person who ignites, fuels, supervises, maintains or permits an outdoor open fire to burn uncontrolled within the Member Municipalities without a valid Fire Permit as required by the *Forest and Prairie Protection Act* is guilty of an offence, and
- 22.2 Any person who fails to have sufficient resources to maintain control of his/her outdoor fire is guilty of an offence, and
- 22.3 Any person who lights an outdoor fire when the weather conditions are conducive to a fire running uncontrolled is guilty of an offence, and
- 22.4 Any person who ignites and burns fuels that contravene the *Alberta Environmental Protection Act*, is guilty of an offence, and
- 22.5 Any person who ignites a fire or burns during a Fire Ban which clearly specifies the prohibition of such an ignition is guilty of an offence, and
- 22.6 Any person who ignites a wood burning appliance or other materials for burning outdoors during a Total Fire Ban is guilty of an offence.
- 22.7 Persons who commit any of the following offences are subject to Section 23 Penalties:
- 1) impeding, obstructing or hindering a firefighter, or fire officer of the Fire Department, or other persons assisting or acting under the direction of the Manager/Fire Chief, a Fire Officer, or Incident Commander;
 - 2) damaging or destroying Fire Department Apparatus or Equipment;
 - 3) driving a vehicle over any Equipment, in particular fire hose, at an incident without the permission of the Manager/Fire Chief, a Fire Officer or Incident Commander;
 - 4) obstructing a firefighter from carrying out any function or activity related in any way to fire protection;
 - 5) falsely representing themselves as a Fire Department member or wearing or displaying any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation;
 - 6) obstructing or otherwise interfering with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for firefighting purposes or any connections provided to a fire main, pipe, standpipe, sprinkler system, cistern or other body of water designated for firefighting purposes.

SECTION 23 - PENALTIES

- 23.1 Any person who is guilty of an offence under Section 22, or violates any of the provisions of this Bylaw, or who suffers, or permits, any act or thing to be done in contravention, or in violation of any of the provisions of this Bylaw, or who neglects to do or who refrains from doing anything required to be done by the provisions of this Bylaw, or who does any act or thing or omits any act or thing, thus violating any of the provisions of this Bylaw, shall be deemed to be guilty of an offence under the Bylaw, and upon conviction, is liable to a fine of not less than \$500.00 and not more than \$5,000.00 plus costs. No person found guilty of an offence under this Bylaw shall be liable to imprisonment.

SECTION 24 – INDEMNITY

- 24.1 The Manager/Fire Chief, Fire Officer or the fire service or fire department charged with the enforcement of this Bylaw, who is acting in good faith and without malice for the Member Municipalities in the discharge of his/her duties, shall hereby not render themselves liable personally, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties
- 24.2 Any suit brought against the Manager/Fire Chief, Fire Officer, or member of the fire service, or a fire department, because of an act or omission performed by him/her in the enforcement of any provision of this Bylaw, shall be defended by the Commission and its Member Municipalities until the final determination of the proceedings.

SECTION 25 - SEVERABILITY

- 25.1 Should any Section or part of this Bylaw be found to have been 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 as if the Section found to be improperly enacted had not been enacted as part of this Bylaw.
- 25.2 ENACTED at a meeting of the Board of Directors of the Central Peace Fire & Rescue Commission duly held on the 13 day of Oct., 2016 at which all Directors were present and was unanimously or by a two thirds majority thereof approved.
- 25.3 This Bylaw shall take effect on the date of its final reading.



CHAIRPERSON



MANAGER/FIRE/CHIEF