

VILLAGE OF EMPRESS

BYLAW # 6-2021

A BYLAW OF THE VILLAGE OF EMPRESS, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FOR THE ESTABLISHMENT AND OPERATION OF FIRE PROTECTION SERVICES.

WHEREAS the *Municipal Government Act* R.S.A. 2000 Chapter M-26, as amended, provides that a Council of a Municipality may pass bylaws 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 WHEREAS the Council for the Village of Empress has no local Safety Codes Officer or a Quality Management Plan; the Alberta Safety Codes are enforced by Safety Code Officers for the Special Area Board, a department of Alberta Municipal Affairs, as per the *Safety Codes Act* R.S.A. 2000, Chapter S-1, as amended;

AND WHEREAS the Council for the Village of Empress wishes to regulate the use and setting of fires within the Village;

AND WHEREAS the Council for the Village of Empress wishes to establish and provide for the efficient operation of Fire Protection Services;

NOW THEREFORE, the Council of The Village of Empress, in the Province of Alberta, duly assembled, enacts as follows:

Section 1 SHORT TITLE:

This Bylaw may be cited as the "Fire Bylaw".

Section 2 DEFINITIONS:

In this Bylaw:

- 2.1. "Apparatus" - means any vehicle suitable for land, air, or water use which is provided with machinery, devices, equipment, materials or personnel for Fire fighting, rescue, or other emergency response, as well as vehicles used to transport Fire Fighters or supplies".
- 2.2. "CAO" (Chief Administrative Officer) means that person appointed to the position and title by Council and includes any person appointed by the CAO to act as his/her appointee.
- 2.3. "Community Peace Officer" – means a person employed by the Village and/or the Special Areas Board, appointed as same by the Minister responsible for the Alberta *Peace Officer Act*, 2006, Chapter P-3.5 to enforce Provincial legislation and municipal bylaws.
- 2.4. "Council" - means the Village of Empress Council.
- 2.5. "Equipment" - means any tools, contrivances, devices and materials used by the Fire Department, to combat an Incident or other Emergency.

- 2.6. "False Alarm" – means any notification to the Fire Department or any Member thereof respecting the existence of a condition, circumstance or event containing an imminent serious danger to persons or Property, wherein such a condition, circumstance or event is in fact not in existence.
- 2.7. "Fire" - means the burning of any flammable or combustible material or any combustible material in a state of combustion.
- 2.8. "Fire Chief" - means the Member of a Fire Department who is appointed by the CAO as the head of the Fire Department.
- 2.9. "Fire Department" - means any fire department established by this Bylaw, or under a Fire Protection Agreement, and includes any person duly appointed to the Fire Department by the Fire Chief from time to time.
- 2.10. "Fire Department Property" - means all property owned or controlled by, and designated for use by, the Fire Department, regardless of the source of the property.
- 2.11. "Fire Hazard" - means any condition, circumstance, or event that increases the possibility and/or probability of Fire occurrence.
- 2.12. "Fire Pit" – means an outdoor receptacle acceptable that meets the following specifications:
- 2.12.1 A minimum of 1.5 metre clearance, measured from the nearest fire pit edge is maintained from buildings, property lines, or other combustible material;
 - 2.12.2 The fire pit installation have enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible materials acceptable to the Fire Chief;
 - 2.12.3 The fire pit is not located over any underground utilities or under any aboveground wires and;
 - 2.12.4 Is otherwise acceptable to the Fire Chief.
- 2.13. "Fire Protection Agreement" - means an agreement entered into by the Village with and the Special Areas Board, with a view to ensuring the prevention and control of fires, with respect to land within the Village's boundaries or under the Village's control.
- 2.14. "Fire Protection Charge" – means the charges and fees payable pursuant to Section 12 of this Bylaw
- 2.15. "Fire Protection Services" – means all aspects of Fire safety possibly including but not limited to, fire prevention, fire suppression, firefighting, rescue, pre-fire planning, fire inspection, fire investigation, public education and information, training or other staff development, advising, and responding to a request for fire protection, including legitimate emergencies and False Alarms.
- 2.16. "Fireworks" – means any article defined as a firework or firecracker pursuant to the Canada **Explosives Act** or regulations thereto, as well as the **National Fire Code** and the **Alberta Fire Code**, as amended repealed or replaced from time to time.
- 2.17. "Incident" - means a Fire or a situation where a Fire or an explosion is imminent or any other situation where there is a Fire, a danger or a possible danger to life, property or the environment.
- 2.18. "Incident Commander" - means the Member of the Fire Department who is responsible for the coordination and execution of overall strategy and fire protection tactics involved in combating an Incident.

- 2.19. "Member" - means any person who is a duly appointed member of the Fire Department, including a part-time member, volunteer, or Officer.
- 2.20. "Occupant" – means the owner or renter
- 2.21. "Officer" - means a Member appointed as the Fire Chief or Designate to a supervisory position within the Fire Department.
- 2.22. "OG" (Operational Guidelines) - means the guidelines as approved by Council resolution and as such guideline may be amended, revised or replaced from time to time that provides the basis for Fire Protection Services.
- 2.23. "Outdoor Fireplace" – means a receptacle that meets the following specifications:
- 2.23.1 A minimum of 1 metre clearance measured from the nearest fireplace edge is maintained from buildings, property lines, or other combustible material;
 - 2.23.2 The fireplace is constructed of materials such as bricks or rocks that are heat and flame resistant;
 - 2.23.3 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;
 - 2.23.4 The fireplace chimney is equipped with a regulation screen designed to contain and reduce the hazards of airborne sparks;
 - 2.23.5 The base of the fire burning area is not less than .3 metres above the surrounding grade;
 - 2.23.6 The fire chamber does not exceed 1.83 metres (6 feet) in width, and is at least .46 metres (1 ½ feet) but not more than .75 metres (2 ½ feet) in depth; and is otherwise acceptable to the Fire Chief.
 - 2.23.7 Clay fire pots are not required to meet these regulations, but should have a layer of gravel or sand in the bottom to prevent the fire from burning through the bottom of the pot. They should always be placed away from combustible materials.
 - 2.23.8 Commercial freestanding outdoor fireplaces enclosed in mesh must meet the installation guidelines listed above.
- 2.24. "Practice" - means a gathering of the Members scheduled by the Fire Chief or designated Officer, and at which training in Fire Protection Services is conducted.
- 2.25. "Property" - means any real or personal property, which, without limiting the generality of the foregoing, includes land, equipment, products, vehicles and structures.
- 2.26. "RCMP" – means the Royal Canadian Mounted Police, and any RCMP officer regardless of where they're posted.
- 2.27. "Recreational Fire" – means a Fire for recreational purposes and is confined to a non-combustible container, such as a Fire Pit as per 2.12; or Outdoor Fireplace as per 2.22, which is set for the purpose of cooking, obtaining warmth or viewing for pleasure. Such Fire may only be fueled with seasoned wood, charcoal, coal, natural gas or propane,
- 2.28. "Running Fire" – means a Fire burning without being under proper or any control of any person.

- 2.29. "Special Areas Board" – means the Special Areas Board, a department of Alberta Municipal Affairs, that governs the Special Areas of Alberta as per the **Special Areas Act**, R.S.A. 2000, Chapter S-16, as amended;
- 2.30. "Structure Fire" – means a Fire confined to and within any building, structure, machine or vehicle which will or is likely to cause the destruction of or damage to such building, structure, machine or vehicle, excluding an Incinerator Fire.
- 2.31. "Village" – means the Village of Empress and the area within its boundaries.
- 2.32. "Violation Tag" – means a tag or similar document issued pursuant to the **Municipal Government Act**, R.S.A. 2000, Chapter M-26, as amended or repealed and replaced from time to time, and any Regulations there under.
- 2.33. "Violation Ticket" – means a ticket issued pursuant to Part 2 of the **Provincial Offences Procedure Act**, R.S.A. 2000, Chapter P-34, as amended, or repealed and replaced from time to time, and any Regulations there under.

Section 3 FIRE DEPARTMENT:

- 3.1. Council hereby establishes the Empress Fire Department for the purpose of:
- 3.1.1 Providing Fire Protection Services;
 - 3.1.2 Preventing, combating and extinguishing Fires and Incidents;
 - 3.1.3 Investigating the cause and origin of Fires and Incidents;
 - 3.1.4 Preserving life and Property and protecting persons and Property from injury or destruction by Fire or Incident;
 - 3.1.5 Operating Apparatus and Equipment for the purpose of extinguishing Fires or Incidents and preserving Life and Property;
 - 3.1.6 Fulfilling obligations under approved Fire Protection Agreements;
 - 3.1.7 Providing public education about Fire safety;
 - 3.1.8 Carrying out Fire inspections and prevention patrols;
 - 3.1.9 Pre-Fire and emergency planning and Practice
 - 3.1.10 Providing initial first response to medical incidents; and
 - 3.1.11 Providing rescue services.

And each shall be performed by the Empress Fire Department to the level of service adopted by Council, which shall not be inconsistent with the legislation and regulation of the Province of Alberta.

- 3.2. The Fire Department shall develop Operation Guidelines that are consistent with this Bylaw and the legislation and regulations of the Province of Alberta, for approval by Council.

- 3.3. The Fire Department shall provide fire protection services to the Special Areas Board for the Empress Fire Department response area; as per the Fire Protection Agreement.

Section 4 FIRE CHIEF APPOINTMENT AND DUTIES:

- 4.1. The Fire Chief shall be selected by the CAO as per the ***Municipal Government Act*** R.S.A. 2000 Chapter M-26, as amended.
- 4.2. The Fire Chief shall be responsible to the CAO and shall report directly to the CAO on all operational and administrative matters, and may be required to report directly to the CAO on a quarterly basis.
- 4.3. The Fire Chief shall report all Fires and Incidents in a timely manner after completing response to said Fires and Incidents occurring within the Village of Empress municipal boundary to the CAO, with sufficient details and documents to enable the invoicing process to properly occur, and to meet the requirements of the ***Safety Codes Act***, R.S.A. 2000, Chapter S-1, as amended, should there be a possible code violation or enforcement issue, these reports will also be sent the Special Areas Fire Chief and/or his Deputy Fire Chief and/or the RCMP.
- 4.4. The Fire Chief shall report all Fires and Incidents in a timely manner after completing response to said Fires and Incidents occurring outside of the Village of Empress municipal boundary to the Special Areas Fire Chief and/or his Deputy Fire Chief, with sufficient details and documents as per the current Fire Protection Agreement between the Village of Empress and the Special Areas Board.
- 4.5. The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the CAO, to which he or she shall be responsible. In particular, the Fire Chief may direct the Fire Department and its Members to carry out all Fire Protection Service activities and such other fire-related activities as the CAO directs, including but not limited to:
 - 4.5.1 Pre-Fire planning;
 - 4.5.2 Preventative Patrols and Fire Prevention Activities;
 - 4.5.3 Fire suppression activities;
 - 4.5.4 Emergency medical services, excepting ambulance services;
 - 4.5.5 Rescue operations;
 - 4.5.6 Disaster relief; and
 - 4.5.7 Practice and Member training.

Section 5 OFFICER APPOINTMENT AND DUTIES:

- 5.1. Officers shall be appointed at the discretion of the Fire Chief or Designate.
- 5.2. An Officer shall:
 - 5.2.1 Function as an Incident Commander, as required or upon request by the Fire Chief;

- 5.2.2 Assist the Fire Chief in ensuring that all Fire reports, Incident and accident reports, and any and all other reports required by this Bylaw and the legislation and regulations of the Province of Alberta are completed and submitted in a clear, concise, and timely manner;
- 5.2.3 Assist the Fire Chief in establishing rules, requirements, policies, and procedures for the efficient and safe operation of the Fire Department;
- 5.2.4 Assist the Fire Chief in maintaining a liaison with federal and provincial governments and Council on matters relating to the Fire Department;
- 5.2.5 Organize and assume responsibility for Fire Protection Services resources, Apparatus, and Equipment, as required;
- 5.2.6 Provide leadership to Members and develop and implement long-range plans and programs;

Section 6 MEMBER APPOINTMENT:

- 6.1. An individual interested in applying to become a Member of a Fire Department shall complete the application form and will supply the Village of Empress CAO with the following information for administration and insurance purposes:
 - 6.1.1 a signed form (attached as Schedule "A") acknowledging their agreement to comply at all times with the requirements of this Bylaw;
 - 6.1.2 a criminal record check report performed by the Royal Canadian Mounted Police Service;
 - 6.1.3 a Driver's Abstract generated by a Province of Canada within the past thirty (30) days; and;
 - 6.1.4 a photocopy of a valid Canadian driver's license;
 - 6.1.5 Current home address, mailing address, phone number/s;
 - 6.1.6 proof of Canadian citizenship or residency;
 - 6.1.7 a list of previous Fire Department and/or Emergency Medical Services experience and any other volunteering involvement they have been a part of previously; with names and contact numbers for reference checks;
 - 6.1.8 any other information deemed necessary by the Fire Chief and/or CAO, to establish compliance with the requirements established by the Province and the Municipality.
- 6.2. Individuals under the age of eighteen (18) may assist in specific non- emergency functions as Junior Firefighters with written parental consent to do so, and as approved by the Fire Chief.
- 6.3. If a Member's driver's license is suspended for any reason, the Member shall immediately inform the Fire Chief of the Fire Department.
- 6.4. New members will be on probation for the first 12 months.

Section 7 POWERS OF FIRE CHIEF:

- 7.1. The Fire Chief may establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including, but not limited to:
 - 7.1.1 use, care and protection of Fire Department Property;
 - 7.1.2 conduct and discipline of Officers and Members of the Fire Department;
 - 7.1.3 efficient operations of the Fire Department;
 - 7.1.4 training of Officers and Members of the Fire Department;
 - 7.1.5 such rules, regulations and policies shall not be inconsistent with the legislation and regulations of the Province of Alberta.
- 7.2. The Fire Chief may obtain assistance from other members as he or she deems necessary in order to discharge his or her duties and responsibilities under this Bylaw

Section 8 POWERS OF INCIDENT COMMANDERS:

- 8.1. The Incident Commander shall have control, direction and management of any Fire Department apparatus, Equipment or manpower, assigned to an Incident and he or she shall continue to act until relieved by an Officer authorized to do so.
- 8.2. The Incident Commander may at his or her discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him or her.
- 8.3. The Incident Commander may request Peace Officers or RCMP to enforce restrictions on persons entering within the boundaries or limits outlined in Section 8.2.
- 8.4. The Incident Commander is empowered to enter any Property to take all steps he or she deems necessary in order to directly or indirectly combat, control or deal with an Incident, including:
 - 8.4.1 Passing through or over buildings or Property adjacent to an Incident and to causing 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;
 - 8.4.2 Ordering the evacuation of any building or area which is directly or indirectly involved in an Incident.
 - 8.4.3 Causing a building, structure or thing to be pulled down, demolished or otherwise removed; and
 - 8.4.4 Upon extinguishment of a Fire or resolution of an Incident, access, enter, pass through, or over buildings or property adjacent to a fire or Incident, and cause a building, structure or thing to be pulled down, demolished or otherwise removed in accordance with the Safety Codes Act, R.S.A. 2000, Chapter S-1, as amended, and any regulations thereto.

Section 9 POWERS OF MEMBERS:

- 9.1. All Fire Members are designated officers within the meaning of the ***Municipal Government Act*** R.S.A. 2000 Chapter M-26, as amended, for the purposes of providing Fire Protection Services to the Village.
- 9.2. Each Member shall have the authority and power to:
 - 9.2.1 Require any able-bodied adult person to assist in extinguishing Fires and to assist in the prevention or spread thereof;
 - 9.2.2 Obtain from every person found on public land or leaving or entering public land that person's name, address and an account of his or her activities and the route of the activities he or she proposes to carry out and the route he or she intends to follow on the public land;
 - 9.2.3 Without a warrant enter on or into any Property except a private dwelling house, for the purpose of discharging his or her duties under this Bylaw;
 - 9.2.4 Without warrant, enter any private dwelling house which is on Fire and proceed to extinguish the Fire or to prevent the spread thereof;
 - 9.2.5 Direct the operations of extinguishing or controlling the Fire or the operations to preserve life and Property;
 - 9.2.6 Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire; and
 - 9.2.7 Prevent the interference with the efforts of persons engaged in the extinguishing of Fires or preventing the spread thereof by regulating the conduct of the public at or in the vicinity of the Fire.

Section 10 HEALTH AND SAFETY:

- 10.1. All Members shall endeavour to perform Fire Protection services in a safe manner, according to this Bylaw and to the training provided, and to know safe working procedures.
- 10.2. All Members shall endeavour to report unsafe conditions and reduce the incidence of unsafe conditions.
- 10.3. All Members have a right to refuse unsafe work.
- 10.4. Every 5 years submit a new drivers abstract to the CAO

Section 11 CONTROL OF FIRE HAZARDS:

- 11.1. If the Fire Chief or Designate finds within the Village's boundaries, on privately owned land or occupied public land, conditions that, in his/her opinion, constitute a Fire Hazard, it 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 Village.
- 11.2. If the Fire Chief or Designate finds that the order it made pursuant to Section 11.1 has not been carried out, a Designated Officer may enter onto the land with any equipment and any person

he/she considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.

- 11.3. If the Fire Chief or Designate believes the situation with the property owners will be confrontational, they will ask RCMP to attend prior to entering the said property. While waiting for RCMP, the Members will stage at safe defensive distance. Once RCMP are on scene, a Designated Officer may enter onto the land with any equipment and any person he/she considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.
- 11.4. The owner or occupant of the land on which work was performed pursuant to Section 11.2 shall, upon demand, pay to the Village a Fire Protection Charge and in default of payment of the Fire Protection Charge, the Village may add the Fire Protection Charge to the tax roll of the said land, which forms a special lien against the land in favour of the Village, from the date it was added to the tax roll.

Section 12 FIRE PROTECTION CHARGES:

- 12.1. Upon the Village issuing an Order or taking steps under Sections 11.1 or 11.2 due to existing uncontrolled fire hazards, or upon the Fire Department providing Fire Protection Services to Property within the Village boundaries, resulting in the Village incurring expenses, fees, wages or charges, the Village may in its sole and absolute discretion charge any or all of the following persons, namely:
 - 12.1.1 The person causing or contributing to the Fire; or
 - 12.1.2 The occupant of the Property;a Fire Protection Charge, and all individuals charged are jointly and severally responsible for payment of the Fire Protection Charge to the Village;
- 12.2. The schedule of fees for Fire Protection Charges is set out in Schedule "C" attached hereto and forming part of this Bylaw.
- 12.3. Without limiting the foregoing, a Fire Protection Charge may be imposed in the event of a number of False Alarms originating from a building alarm system.
- 12.4. A Fire Protection Charge shall be paid within thirty (30) days of being levied, unless a signed repayment agreement is in place..
- 12.5. Collection of unpaid Fire Protection Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Village is entitled to place on the Property in respect of which the indebtedness is incurred.
- 12.6. The owner of a parcel to which Fire Protection is provided is liable for Fire Protection Charges incurred, and the Village may add to the tax roll of a parcel of land all unpaid Fire Protection Charges and interest charges accrued one hundred and twenty (120) days after the Fire Protection Charge has been levied.
- 12.7. For any incident/s that occur outside of the Village boundaries; in surrounding Rural Municipalities and/or Municipal Districts; the Special Areas Board will handle any/all cost recovery, and Village reimbursements for fire protection services rendered.

Section 13 PERMITTED AND PROHIBITED FIRES:

- 13.1. No person shall set, or cause to be set, any Fire within the boundaries of the Village except as otherwise provided for under this Bylaw.
- 13.2. No person shall burn, or cause to be burned, any refuse, waste, junk, garbage, structures, debris or other noxious substance within the boundaries of the Village.
- 13.3. Subject to Section 15 “Fire Bans”, a person may, on property owned or controlled by him or her; set a Recreational Fire, so long as that Recreational Fire is set within a Fire Pit or other structure designed for the purpose of containing the Recreational Fire within a small, controlled area. Such a structure shall include a rock or brick Fire Pit, barrel or stone barbeque.
- 13.4. When a Fire is set in contravention of Sections 13.1 or 13.2, or during a Fire ban pursuant to Section 15 “Fire Bans”, the owner or occupier of the land, or the person having control of the land upon which the Fire is lit shall:
 - 13.4.1 Extinguish the Fire immediately; or
 - 13.4.2 If unable to extinguish the Fire immediately, call 911 to report the fire to the Fire Department as soon as possible.

Section 14 FIREWORKS:

- 14.1. Fireworks must conform to the Explosives Act and Regulations, the National Fire Code, Alberta Fire Code 2014 Section 5.7, Public Lands Act, safety Codes Act, and Occupational Health and Safety Act.
- 14.2. All fireworks manufacturer’s instructions must be followed.
- 14.3. Only Consumer low hazard fireworks designed for recreational use by the public may be discharged by an individual who is not a pyrotechnician.
- 14.4. Written permission issued under 14.2:
 - a) Shall specify the date, time and location on which the fireworks are to be discharged, and
 - b) Is permitted to contain any other terms and conditions the fire department considers necessary to ensure the safe use of fireworks.
- 14.5. No person shall discharge, fire or set off fireworks:
 - a) When a fire ban or fire advisory is in effect,
 - b) In a place or in a manner that creates a danger or constitutes a nuisance to any person or property,
 - c) On a highway, road allowance, public beach or park unless they first obtain written permission from the fire department,
 - d) On privately owned land unless they
 - i) First obtain the written consent of the owner or occupant of that land and the owner or occupant of neighbouring land on which debris might reasonably be expected to fall, and
 - ii) Provide a copy of consent required in 14.4.c)i) to the fire department,;
 - e) In a building or place, unless

- i) The fireworks are specifically designed and clearly marked by the manufacturer for such use, and
- ii) The building or place is acceptable to the fire department,
- f) Within 10 m of any building, tent, trailer, canvas shelter or motor vehicle,
- g) Within 200 m of any place where explosives or flammable liquids or combustible liquids or substances are manufactured or stored,
- h) When the wind velocity exceeds 45 km/hr or when, in the opinion of the fire department, weather conditions create an undue fire hazard.

14.6. Where ground level fireworks are discharged

- a) They shall be positioned out of the firing range or aerial fireworks and in a location where there is no dry grass or combustible material on the ground beneath them, and
- b) The area shall be thoroughly wet down immediately before the fireworks are discharged.
- c) A water source and a portable extinguisher having a rating of not less than 2-A shall be provided and kept in the immediate discharge area.

14.7. Fireworks from which a projectile is discharged shall be set up in such a manner so that when ignited the projectile will go into the air in a vertical direction not more than 15° off the perpendicular.

14.8. The fire department is permitted to require a person to cease the discharging, firing, or setting off of fireworks when considered necessary to do so for safety reasons.

Section 15 FIRE BANS

15.1. The Fire Chief, Deputy Fire Chief or CAO under advisement may, from time to time, prohibit all Fires within the Town including Recreational Fires when, in the discretion of the Fire Chief or CAO, the prevailing environmental conditions give rise to an increased risk of a Fire becoming a Running Fire.

15.2. A Fire ban imposed by the Fire Chief, deputy Fire Chief or CAO under Section 15.1 shall be in force either until the date established by the Fire Chief or CAO in the notice provided to the public pursuant to Section 15.3, or until such time as the Fire Chief or CAO gives notice to the public that the ban has been lifted.

15.3. The Fire Chief, Deputy Fire Chief or CAO shall give notice of the Fire ban in effect by causing the fire hall sign; at the main entrance road to the Village, facing both incoming and outgoing traffic to indicate the level posted. The rating level will also be posted on the Village Facebook page, on Village bulletin boards, in the Village office, and at "That's Empressive", and the Arena.

15.4. When a Fire Ban is in effect, **NO PERSON** shall ignite a Recreational Fire, or cause or allow a Recreational Fire to be ignited on his or her Property or Property under his or her control.

15.5. Gas or propane stoves/barbeques, wood pellet smokers and portable propane fire pits are allowed.

15.6. The Village of Empress shall deal with fire ban rating levels through the following steps:

15.6.1 The Village of Empress will utilize fire ban levels similar to those of Special Areas Board and the Province of Alberta;

15.6.2 The fire ban rating levels will be posted with standardized definitions, reviewed annually by the Village and the Fire Department.

- 15.6.3 The Village of Empress will regularly follow the Fire Ban rating posted by the Special Areas Board, unless a decision is made locally to post a different level of rating.
- 15.6.4 When the Special Areas Board changes the fire ban rating level, OR at any other time, the Fire Chief can advise the Village of what level to post.
- 15.6.5 The Village of Empress will sign up on the Alberta Fire Ban Website www.albertafirebans.ca and update the fire ban rating level posted for the Village whenever the rating is changed. The rating level will also be posted on the Village Facebook page, on Village bulletin boards, in the Village office, and at "That's Empressive", and the Arena Restaurant Bulletin board.
- 15.6.6 The Fire Chief will make his recommendation on the need to request a fire ban order or lift a fire ban adjustment based on inputs from the fire department members, local weather conditions & humidity levels (rainfall amounts and/or snow coverage).
- 15.6.7 When a fire ban or restriction is in effect, any person who contravenes the ban or restriction may be subject to cost recovery measures as established within this bylaw and/or the fire ban policy.

Section 16 APPEAL:

- 16.1. A person who considers himself or herself aggrieved by a written order given pursuant to this Bylaw may appeal the direction to the Council, under terms prescribed by the ***Municipal Government Act***, R.S.A. 2000, Chapter M-26 as amended.

Section 17 INTERFERENCE WITH DUTIES:

- 17.1. No person shall obstruct the Fire Chief or any other person authorized to inspect Property or to perform any work necessary to remedy a condition, from performing his or her duties under this Bylaw.

Section 18 OFFENCES:

- 18.1. No person shall:
 - 18.1.1 Contravene any provision of this Bylaw;
 - 18.1.2 Impede, obstruct or hinder a Member, or other person assisting or acting under the direction of a Member;
 - 18.1.3 Damage or destroy Fire Department Property or Equipment;
 - 18.1.4 At an Incident, drive a vehicle over any Apparatus or Equipment without permission from the Fire Chief or Incident Commander;
 - 18.1.5 Obstruct a Member from carrying out any function or activity related in any way to Fire Protection;
 - 18.1.6 Obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated or intended to be used for Fire Protection or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern, or other body of water designated or intended to be used for Fire Protection;

- 18.1.7 Light an Outdoor Fire or Structure Fire unless;
 - 18.1.7.1 the Fire is a Recreational Fire; or
 - 18.1.7.2 the Fire has been set by a Member for the purpose of training Members
- 18.1.8 Permit an Outdoor Fire or Structure Fire to be lit upon lands that are owned or occupied by that person, or under that person's control except when such a Fire is allowed under this Bylaw.
- 18.1.9 When a Fire is set under the circumstances described in Section 18.1.8 the owner or occupier of the land or the person having control of the land upon which the Fire is lit shall:
 - 18.1.9.1 Extinguish the Fire immediately; or
 - 18.1.9.2 If unable to extinguish the Fire immediately, call 911 to report the Fire to the Fire Department.
- 18.1.10 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 that of another.
- 18.1.11 Light a Fire without first taking sufficient precautions to ensure that the Fire can be kept under control at all times;
- 18.1.12 Light a Fire when the weather conditions are conducive to creating a Running Fire;
- 18.1.13 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 or her own;
- 18.1.14 Deposit, discard or leave any burning matter or substance where it might ignite other materials and cause a Fire;
- 18.1.15 Conduct any activity that involves the use of Fire that might reasonably be expected to cause a Fire unless that person exercises reasonable care to prevent the Fire from occurring;
- 18.1.16 Knowingly providing false, incomplete or misleading information about a Fire;
- 18.1.17 Use a Fire to burn:
 - 18.1.17.1 Material that will result in the production of dense black smoke, including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, or other materials or creosoted wood; or
 - 18.1.17.2 Herbicides, pesticides or other toxic materials or substances;
- 18.1.18 Conduct any activity that involves the use of a fire, where smoke from the Fire may impede visibility of the vehicular traffic on any Highway as defined in the **Traffic Safety Act**, R.S.A. 2000 Chapter T-6, as amended; or
- 18.1.19 Light a Fire on lands owned or controlled by the Village except with the Village's express written consent or if a Recreational Fire, in a fireplace or campfire pit provided by the Village for that purpose.

Section 19 PENALTIES:

19.1. Any person who:

- 19.1.1 Violates any provision of this Bylaw;
- 19.1.2 Suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw;
- 19.1.3 Neglects to do or refrains from doing anything required to be done by the provisions of this Bylaw; or
- 19.1.4 Does any act or thing or omits any act or thing, thus violating any provision of this Bylaw;

is guilty of an offence under of this Bylaw, and upon a conviction, is liable to a penalty as set out in Schedule "B" attached hereto and forming a part of this Bylaw.

19.2. No person found guilty of an offence pursuant to this Bylaw shall be liable to imprisonment.

Section 20 VIOLATION TAGS AND TICKETS:

- 20.1. Where a RCMP and/or Peace Officer has reasonable grounds to believe that a provision of this Bylaw has been contravened, that RCMP and/or Peace Officer is authorized and empowered to issue a Violation Tag to any person who the RCMP and/or Peace Officer has reasonable grounds to believe is responsible for the contravention.
- 20.2. A Violation Tag issued pursuant to this Bylaw shall be in a form approved by the CAO and may be delivered to the Person reasonably believed to have contravened this Bylaw by means of actual service upon the person or by mailing a copy to the Person at his or her address as it appears on the Village's tax roll.
- 20.3. Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Village, the penalty specified on the Violation Tag within ten (10) business days if delivered by actual service to the person and within fourteen (14) business days if served by mail.
- 20.4. Where a Violation Tag has been issued and the specified penalty not paid within the prescribed time, the right of the Person named on the Violation Tag to pay the penalty in lieu of prosecution shall expire and the RCMP and/or Peace Officer is authorized to issue a Violation Ticket pursuant to Part 2 of the ***Provincial Offences Procedure Act***, R.S.A. 2000, c. P-34, as amended, or repealed and replaced from time to time, to any person the RCMP and/or Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 20.5. A RCMP and/or a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person whom the RCMP and/or a Peace Officer has reasonable grounds to believe has contravened or is responsible for a contravention of any provision of this Bylaw regardless of whether a Violation Tag has first been issued. Nothing in the Bylaw shall prevent a RCMP and/or a Peace Officer from immediately issuing a Violation Ticket.
- 20.6. The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount provided for in Schedule "B" of this Bylaw in respect of that provision.

- 20.7. Where any Person contravenes the same provision of this Bylaw twice within one twelve (12) month period, the specified penalty payable in respect of the second such contravention shall be double the amount provided for in Schedule "B" of this Bylaw.
- 20.8. Where any Person contravenes the same provision of this Bylaw three or more times within one twelve (12) month period, the specified penalty payable in respect of the third and subsequent such contravention shall be triple the amount provided for in Schedule "B" of this Bylaw.

Section 21 ENFORCEMENT:

- 21.1. A RCMP, Community Peace Officer, Police Officer; or any other law enforcement officer in the Province of Alberta and/or the Province of Saskatchewan, may enforce the herein bylaw and issue violation tags and/or tickets within the Village of Empress; as per the bylaw and attached schedules;
- 21.2. Where Property does not comply with this Bylaw or a person contravenes this Bylaw, the Village may pursue its enforcement alternatives in accordance with any Act, or common law right, including but not limited to the issuance of an order to remedy the contravention by the Village, adding amounts to the tax roll, and pursuing injunctions pursuant to the ***Municipal Government Act***, R.S.A. 2000, Chapter M-26 as amended.

Section 22 NOTICE:

- 22.1. Any Notice provided for in this Bylaw shall be in writing.
- 22.2. Service of any Notice provided for in this Bylaw may be made as follows
- 22.2.1 Personally upon the person to be served; or
- 22.2.2 By mailing the copy to the person to be served by registered mail or certified mail to the last known post office address of the person to be served and service shall be deemed to be effected at the time the copy is delivered by an official of the post office to the person to be served or to any person receiving it on his or her behalf;
- 22.2.3 Where the Property is not occupied, by mailing the notice by registered mail or certified mail to the mailing address noted on the Village's tax roll for that Property, and service shall be deemed to be effected at the time the copy is delivered by an official of the post office to the person to be served or to any person receiving it on his or her behalf; or
- 22.2.4 As directed by the Court

Section 23 LIABILITY:

- 23.1. The CAO, Officers, Members and Peace Officers are not liable for loss or damage caused by anything said or done or omitted and to be done in the performance or intended performance of their functions, duties or powers unless the circumstances constitute dishonesty, gross negligence or willful misconduct.

Section 24 GENERAL:

- 24.1. Should any section or part of this Bylaw be found to be improperly enacted, or outside the Municipality's jurisdiction, for any reason, then such section or part will be regarded as being severed and the remaining sections will remain effective and enforceable.
- 24.2. This Bylaw will function in conjunction with the Village's Operational Guidelines, and the Village's Occupational Health and Safety program.
- 24.3. Where the singular and/or masculine are herein used, the plural and feminine should also be inferred where appropriate.
- 24.4. Bylaw 12-61 is repealed upon final reading of this Bylaw.
- 24.5. Read a first time this 18th day of April, 2021.
- 24.6. Read a second time this 20th day of May, 2021.
- 24.7. Read a third time this 17 day of June, 2021.

VILLAGE OF EMPRESS

Carmen Cooper

CHIEF ELECTED OFFICIAL

Debbie Ross

CHIEF ADMINISTRATIVE OFFICER



Empress Fire Department Member Application Form



Instructions			
Complete all information requested and return this application with attached documents to the Village of Empress Fire Department, #6 3rd Ave West, Empress, Alberta, T0J 1E0. Or email all documents to (cao@villageofempress.com). You'll need to provide at minimum; a current Criminal Records Check, Drivers Abstract, and Photo copy of Drivers License. If you have any questions about this application, contact the Fire Chief at 403-928-2537.			
Freedom of Information			
The personal information on this form is for administrative and insurance requirements and its collection is authorized under section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. All personal information collected will be managed in accordance with the privacy provisions of the FOIP Act. If you have any questions regarding the collection of this personal information, please contact the Village of Empress CAO; Debbie Ross at 1-403-565-3839.			
Personal Information			
Last Name:		First Name (Legal):	
		Middle Name:	
Home Address:		Box Number:	Date of Birth (dd/mm/yy)
Home Phone:	Cell Phone:	Cell Service Provider:	
Email:		Social Insurance Number:	
Provincial Health Care Number:		Family Doctor:	
Emergency Contact			
Last Name:		First Name:	
		Home Phone:	
Relationship:	Cell Phone:	Email:	
Drivers License			
Current Drivers License:	Province:	Class:	Expiry Date:
Yes / No			
License Number:		Endorsement / Conditions:	
Employment			
Occupation:		Company / Employer:	
Business Address:		Box Number:	Business Phone:
Supervisor Name:		Supervisor Email:	
Do you have any prior Fire Department or Emergency Services Experience?			
Name of Department:		Dept Location:	
Position / Rank:	Supervisor's Name:	Supervisor's Phone:	
Supervisor Name:		Supervisor Email:	



Empress Fire Department Member Application Form



Do you have any other Volunteer Experience?

Attach a list of current and/or past volunteer experience you may have had with any groups, community clubs, organizations, societies, etc. For each one, please list the name of the group, position held; and a contact name and phone number for reference.

Circle "Yes" or "No" for the questions below and add notes if needed.

1. Do you have any medical condition that would prevent you from being a firefighter?	Yes / No	
2. Do you take any medications?	Yes / No	
3. Do you have any known allergies?	Yes / No	
4. Do you have any known diseases or allergies?	Yes / No	
5. Have you obtained a criminal record check and attached it to this application?	Yes / No	
6. Have you obtained a drivers abstract and attached it to this application?	Yes / No	
7. Have you attached a photo copy of your current drivers license or photo id?	Yes / No	
8. Have you attached a list of any other volunteer positions and a reference for each ?	Yes / No	

Acknowledgement

I hereby certify that all statements on this application are true and complete in all respects and no relevant information has been withheld. I understand that at the discretion of the Fire Chief and/or CAO I may be requested to provide other documents prior to joining. I understand that upon joining the Empress Fire Department; there will be a probationary period of 1 year; and agree to comply to the rules and policies as set in place by the Village of Empress.

Applicant's Name Printed

Date

Applicant's Signature

Witness

Schedule "B"

PENALTIES

SECTION	OFFENCE	MINIMUM PENALTY for First Offence
13.1	Setting Illegal Fire	\$200.00
13.2	Burning refuse, waste, junk, garbage, structures, or debris	\$250.00.
15.4	Burning Recreational Fire when Fire Ban in place	\$200.00
18.1.1, 19	Contravening a provision of Bylaw (where no other specific fine imposed)	\$200.00
18.1.2, 18.1.5 18.1.16	Impeding, obstructing, hindering Member or Officer Providing false, incomplete, misleading information;	\$200.00
18.1.3	Damage, destroy Fire Department Property	\$400.00
18.1.4	Drive over Fire Department Property	\$200.00
18.1.6	Obstruct access	\$200.00
18.1.8	Lighting an Outdoor Fire or Structure Fire in contravention of the Bylaw	\$200.00
18.1.9	Failing to extinguish an illegal Fire or reporting it immediately to the Fire Department	\$150.00
18.1.10 18.1.14	Allowing Fire to become Running Fire	\$300.00
18.1.11	Lighting a Fire without taking sufficient precautions to ensure it can be kept under control at all times	\$150.00
18.1.12	Lighting a Fire when condition conducive to creating Running Fire	\$200.00
18.1.14	Depositing, discarding, leaving, or burning matter or substance	\$100.00
18.1.15	Any conduct involving Fire that might reasonably cause a Fire unless reasonable care to prevent a Fire is used	\$100.00
18.1.17	Use a Fire to burn material that will produce smoke or toxic materials	\$100.00
18.1.18	Impeding Vehicular and pedestrian traffic by smoke	\$100.00
18.1.19	Lighting Fire on Village Land	\$150.00

Schedule “C”**Fire Protection Charges**

(For Empress Fire Department Apparatus/Goods/Service within the Village of Empress Limits)

Apparatus/Goods/Service	Fees
All Fire Apparatus	\$400/each for the First Hour
Engine 1	\$50 per each subsequent hour
Engine 2	\$50 per each subsequent hour
Tender 3	\$50 per each subsequent hour
False Alarm	\$100 per incident at the discretion of the Fire Chief
Mutual Aid provided by other Fire Departments	Billed at the Village's cost
Heavy Equipment work on a fire scene	Billed at the Village's cost