



## BIG LAKES COUNTY BYLAW NO. 06-2021

Being a bylaw of Big Lakes County, in the Province of Alberta, for the purpose of providing fire services in Big Lakes County.

**WHEREAS** section 7(a) the Municipal Government Act, R.S.A. 2000, c. M-26 provides that a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

**WHEREAS** section 7(1) the Forest and Prairie Protection Act, R.S.A. 2000, c. F-19 requires Council to fight and control all fires within the boundaries of the County excepting those in a forest protection area by virtue of section 75 of the Municipal Government Act, R.S. A. 2000, c. M-26;

**WHEREAS** the Council of Big Lakes County wishes to continue providing fire services within Big Lakes County and to provide for efficient operation of such fire services;

**NOW THEREFORE**, the Council of Big Lakes County, in the Province of Alberta, duly assembled, does hereby enact as follows:

### SECTION 1 - NAME OF BYLAW

- 1.1 This bylaw may be cited as the "Fire Services Bylaw"

### SECTION 2 – INTERPRETATION

- 2.1 Where there is a conflict between this bylaw and any other bylaw of Big Lakes County, the provisions of this bylaw shall prevail.
- 2.2 In this bylaw wherever the singular is used it also means the plural and wherever the masculine is used it also means the feminine, as the context requires.
- 2.3 Where two or more provisions of this bylaw are at variance, the stricter provision shall prevail.

### SECTION 3 – DEFINITIONS

- 3.1 In this bylaw words and phrases shall be construed as specified hereunder:
  - a. "Alberta Wildfire" shall refer to that branch of Agriculture and Forestry responsible for the Forest and Prairie Protection Act, R.S.A. 2000, c. F-19.
  - b. "Apparatus" means a fire truck, pumper truck, rescue truck, rescue boat, mobile command unit, bush truck, auxiliary truck, dangerous goods unit, tender, or any vehicle provided with machinery, devices, equipment or materials including vehicles used to



## BIG LAKES COUNTY BYLAW NO. 06-2021

- transport any member or supplies for firefighting or any Incident to which Fire Services has responded.
- c. "Approved Small Incinerator" means a container of a type and design approved and registered by Alberta Environment Standards and Approvals Division Air Quality Branch.
  - d. "Burnable debris" means any inflammable waste other than Prohibited Debris.
  - e. "Chief Administrative Officer" (CAO) means that person appointed to the position and title of Chief Administrative Officer by the Big Lakes County Council.
  - f. "Contracted Fire Service" means those private, municipal, Metis, First Nation, or provincial firefighting departments with whom the County has entered into an agreement for the provision of fire protection services within the County.
  - g. "Council" means the Council of Big Lakes County.
  - h. "County" shall mean the jurisdiction of Big Lakes County
  - i. "Dangerous Goods" means those products, substances and organisms described by the Dangerous Goods Transportation and Handling Act, R.S.A, c. D-4 as amended, and the regulations promulgated there under.
  - j. "Dangerous Goods Incident" means a situation where the Fire Service is required to contain, collect, transfer, or provide any other service or action related to Dangerous Goods.
  - k. "Equipment" means any tools, contrivances, devices or materials used by Fire Services to combat an incident or other emergency.
  - l. "False Alarm" means any fire alarm that is activated needlessly, through willful or accidental, human or mechanical error, and to which the Fire Service responds.
  - m. "Fire Control Plan" means a plan which establishes communication and/or operational protocols which are designed to enhance the





## BIG LAKES COUNTY BYLAW NO. 06-2021

safety of firefighting personnel and sets for the procedures relating to mutual assistance.

- n. "Fire Guardian" a person appointed by Council, who has the responsibility of assessing risk, issuing, or denying of fire permits for the disposal of burnable debris by open fire.
- o. "Fire Permit" grants permission to the permittee under the bylaw to conduct burnable debris burning under conditions set out by the Fire Guardian or designate.
- p. "Fire Protection" means any aspect of emergency response and fire safety, as may be mandated by Council from time to time, including but not limited to, fire prevention, suppression, pre-fire planning, fire investigation, dangerous goods response, public education and information, training or other staff development and advising .
- q. "Forest Protection Area" shall mean a Forest Protection Area as defined in the Forest Protection Area Regulation, Alta. Reg. 149/1999.
- r. "Fire Service" means the firefighting and emergency response service as established and organized for the County pursuant to the provisions of this Bylaw consisting of, inter alia, all persons appointed to the various positions described herein, all equipment, apparatus, materials and supplies used in the operation, maintenance and administration of the firefighting service, including fire stations.
- s. "Fireworks" means the fireworks listed in Alberta Fire Code and the Explosives Act (R.S.C. 1985, c. E-17)
- t. "Highway" has the definition n provided to it in the Highway Traffic Act.
- u. "Incident" means a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger or perceived danger to life, health, or property and to which the Fire Service or a Contracted Fire Service has responded.



## BIG LAKES COUNTY BYLAW NO. 06-2021

- v. "Incident Commander" means the individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.
- w. "Fire Chief" means that person or their designate, appointed by the C.A.O. as head of the Fire Service.
- x. "Member" means any person who is appointed to be a member of the Fire Service by the fire chief and is an employee of the County.
- y. "Open fire" shall mean any fire which is not an Incinerator fire, pit fire, public park site fire and which, without limiting the generality of the foregoing shall include grass fires, forest and brush fires, running fires, structure fires, building fires, wood scrap fires, ground thawing fires and chattel fires.
- z. "Owner" means the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land; and in respect of any property other than land, the person in lawful possession of it.
- aa. "Permit Area" as defined by the Appendix B.
- bb. "Prohibited Debris" has the meaning assigned to it in the Environmental Protection and Enhancement Act, R.S.A. 2000 and shall include but not limited to materials scribed as:
  - a. animal cadavers;
  - b. animal manure;
  - c. chemicals and chemical containers;
  - d. combustible material in automobile bodies;
  - e. combustible material in automobiles;
  - f. household refuse;
  - g. non-wooden material;
  - h. paints and painting materials;
  - i. pathological waste;
  - j. rubber or plastic, or anything containing or coated with rubber or plastic or similar substances;
  - k. tires;



## BIG LAKES COUNTY BYLAW NO. 06-2021

- l. toxic substances;
  - m. used oil; or
  - n. wood or wood products containing substances for the purpose of preserving wood;
- cc. "Public Park Site " means land owned or leased by the County for recreational purpose that is confined in a safe wood campfire, approved by the County.
- dd. "Safe wood campfire" held within a metal, brick, or rock fire wring which is placed on a noncombustible surface at least one meter around, have a responsible person in attendance to keep the fire under control at all times and extinguish before leaving.
- ee. For words not defined in the above noted definitions reference should be made to the Canadian Oxford Dictionary (Second Edition), published by Oxford University Press.

### SECTION 4- JURISDICTION

- 4.1 The limits of the jurisdiction of the Fire Chief, Officers and Members of the Fire Service will extend to the area and boundaries of the County including Provincial Highways within, and no part of the Apparatus shall be used beyond the limits of the County without the express authorization of a written contract or agreement providing for the supply of Fire Services outside the municipal boundaries, unless permission has been granted by the CAO or designate.

### SECTION 5 - ORGANIZATION & ADMINISTRATION

- 5.1 The Fire Service shall consist of a Fire Chief, Deputy Fire Chief, District Fire Chief, Senior Fire Officers, Members, Probationary Members and Junior Members.
- 5.2 The Fire Chief shall be responsible and report to the Director in charge based on the organizational structure of the County.
- 5.3 The Fire Chief shall appoint the required Officers for the Fire Service and additional members as needed for the efficient operation of the Fire Service.





## BIG LAKES COUNTY BYLAW NO. 06-2021

- 5.4 The Fire Service shall comply with all bylaws and policies established by Council.
- 5.5 The Fire Service shall strive to be diverse in both gender and cultural diversity and representative of the communities.
- 5.6 The Fire Service will enact Standard Operating Guidelines to govern their responsibilities.

### **SECTION 6 - FIRE SERVICE**

- 6.1 Council does hereby establish a Fire Service, for the purposes of:
  - a. preserving life and property and protecting persons and property from injury or destruction by fire and other acts of nature;
  - b. preventing and extinguishing fires;
  - c. preventing, combating and controlling incidents;
  - d. providing rescue services;
  - e. conducting preventable patrols, pre-fire planning and fire inspections;
  - f. carrying out agreements made by the County with other Municipalities, Metis, First Nations, or persons;
  - g. community fire prevention, education and life safety awareness;
  - h. other services as directed by Council.

### **SECTION 7 - FIRE SERVICE AUTHORITY**

- 7.1 The Fire Chief or Incident Commander on site of an Incident is empowered to:
  - a. Cause a building, structure, or thing to be pulled down, demolished, or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures, or things.
  - b. Enter premises or property where the Incident occurred and to cause any Member, Apparatus, or equipment of the Service to enter, as is deemed necessary, to combat, control, or mitigate the Incident.
  - c. Establish boundaries or limits at their discretion and restrict persons from entering or remaining within the prescribed boundaries or limits unless authorized to enter or remain by the Incident Commander in charge or the Fire Chief.
  - d. Call upon peace officers, at their discretion, to enforce restrictions of persons entering within the incident boundaries established by the Fire Chief or designate.



## BIG LAKES COUNTY BYLAW NO. 06-2021

- e. Enter, pass through or over buildings or property adjacent to an Incident and to cause Members of the Fire Service to enter or pass over or through buildings or property, where it is necessary to gain access to the Incident or to protect any persons or property.
- f. Obtain assistance from other officials of the County as they deem necessary to discharge his duties and responsibilities under this bylaw and such assistance shall be provided forthwith.
- g. Call upon Contracted Fire Services as necessary to address any Incident.
- h. Is empowered to commandeer privately owned equipment and operators which he considers necessary to deal with an Incident and to authorize payment for that equipment and operators at rates not to exceed those established by the Alberta Road Builders and Heavy Construction Association Equipment Rental Rates Guide or such guidelines as Council may set from time to time.

### SECTION 8 - FIRE PERMIT

- 8.1 For a person to ignite burnable debris upon land owned or occupied by the person or under the person's control within the County permit area, the person must obtain a Fire Permit pursuant to this Bylaw.
- 8.2 This also includes but limited to:
  - a. Fire works
  - b. Exploding targets
- 8.3 A fire permit is required from March 1st till October 31st annually or as determined by the Fire Chief or designate.
- 8.4 Notwithstanding sections 8.1 a fire permit is not required for the following if:
  - a. the fire has been set by the Fire Service for the purpose of training its Members,
  - b. is on land, in a Public Park Site.
  - c. the fire has otherwise been authorized by the Fire Service.
  - d. a safe wood campfire is used for the purposes of cooking or heating, BBQ – charcoal briquettes, propane and natural gas-powered appliances, indoor wood fire.
  - e. approved small incinerator





## BIG LAKES COUNTY BYLAW NO. 06-2021

- 8.5 Any person wishing to obtain a Fire Permit must contact the County Office during normal business hours and arrange for the Fire Guardian or designate to inspect their burnable debris prior to burning.
- 8.6 Upon inspection the Fire Guardian or designate may:
  - a. Require further remediation of the burnable debris to render it safe to burn;
  - b. Refuse a fire permit for the burnable debris due to:
    - i. Safety;
    - ii. Or burnable debris does not comply with this bylaw;
- a. Issue a fire permit for a specified time period with conditions.
- 8.7 Fire permit is nontransferable.
- 8.8 Burning without a permit or expired permit is considered in contravention of this bylaw.
- 8.9 Fire chief or designate may, in its sole and absolute discretion, terminate, suspend or cancel any or all Fire Permits at any time.

### **SECTION 9 - PROHIBITIONS-GENERAL**

- 9.1 No person, firm, or corporation shall:
  - a. Impede, obstruct, or otherwise hinder a member of the fire Service or any other person assisting or acting under the direction of the Fire Chief or an Incident Commander.
  - b. Damage or destroy Fire Service Apparatus or equipment.
  - c. Drive any Big Lakes County apparatus and/or equipment without permission of the Incident Commander.
  - d. Obstruct a member from carrying out duties imposed by this bylaw.
  - e. Falsely represent themselves as a member or wear or display a badge, cap, button, insignia, or other paraphernalia for the purposes of such misrepresentation.
  - f. Obstruct or otherwise interfere with access roads, 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, stand pipe, sprinkler system, cistern, or other body of water designate d for firefighting purposes;





## BIG LAKES COUNTY BYLAW NO. 06-2021

- g. Part in an area designated for firefighting parking only, or park in a designated fire lane.

### SECTION 10 - PROHIBITIONS ON BURNING

- 10.1 Any fire permitted or allowed under this bylaw shall be contained to a reasonable size so that the fire, or any embers, sparks or smoke emanating there from do not endanger any person or property or cause any objectionable effect on nearby property or highway or on developed property within the County permit area.
- 10.2 In the case of those geographical area falling within a Forest Protection Area, a permit must be issued by Alberta Wildfire prior to burning.
- 10.3 No person, firm or corporation shall:
  - a. light any fire within County permit area without the authority of and within the conditions of a Fire Permit issued as outlined in Section 8 of this bylaw;
  - b. deposit, discard or leave any burning matter of substance where it might ignite other material and cause a fire;
  - c. conduct any activity that involves the use of fire that might reasonably be expected to cause a fire unless the person exercises reasonable care to prevent the fire from occurring;
  - d. burn prohibited debris.

### SECTION 11 - FIRE CONTROL ORDERS

- 11.1 For the purposes of fire control orders, the fire chief or designate, may issue a fire control order after consultation with the Director in charge which may:
  - a. Amend, suspend, or cancel any fire permits issued by the County, or
  - b. Prohibit the lighting or require the extinguishing of any open fire set in the permit area.
- 11.2 A fire control order made pursuant to this section shall be immediately published at least twice a day for not less than 2 consecutive days by electronic media and/or print media as deemed appropriate by the fire chief to bring the control order to the attention of the public.
- 11.3 The public notice shall include:



## BIG LAKES COUNTY BYLAW NO. 06-2021

- a. The duration of the fire control order;
  - b. What types of open fires the control orders affects;
  - c. The authorization of the control order;
  - d. The area the fire control order affects.
- 11.4 The fire control order may be amended from time to time, suspended, or cancelled by the fire chief or designate.
- 11.5 For the permit area affected by a fire control order issued under this section, every fire permit holder may be required to immediately proceed to extinguish every open outdoor fire lit by them or under their authority and every fire located on land occupied or owned by them at their expense.

### **SECTION 12 - REQUIREMENT TO REPORT**

- 12.1 The owner, or his authorized agent, of any property damaged by fire shall immediately report to the Fire Service particulars of the fire to the satisfaction of the fire chief.
- 12.2 The owner, or his 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 to the Fire Service particulars of the release to the satisfaction of the fire chief.

### **SECTION 13 - OFFENCES & PENALTIES**

- 13.1 Where a person, firm, or corporation:
- a. fails to obtain a fire permit as required under this Bylaw;
  - b. or obtains a fire permit but fails to follow the provisions of this Bylaw or the conditions included in such Permit; and
  - c. violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of these sections, or who neglects to do, or refrains from doing anything required to be done by any provision of these sections, or who does any act, or thing or omits any act or thing thus violating any provisions of these sections shall be deemed to be in contravention of this bylaw. and subject upon summary conviction to the fines outlined under the





## BIG LAKES COUNTY BYLAW NO. 06-2021

- provincial fines of "Specified Penalties Under the Forest and Prairie Protection Act." Payment may be made at a location determined by the County;
- d. who contravenes or allows any other person to contravene any of the terms, conditions, or provisions of this bylaw not addressed under the provincial fines of "Specified Penalties Under the Forest and Prairie Protection Act" shall be deemed to be in contravention of this bylaw and upon summary conviction subject to a fine not less than Five Hundred Dollars (\$500.00). Payment may be made at a location determined by the County.

### SECTION 14 - RECOVERY OF COSTS

- 14.1 In the event the County directs resources, including fire services, to respond to, to suppress, to extinguish, to control or to contain any fire, hazardous materials or other incidents within the County, including any such action taken by fire services on a false alarm, the CAO may grant approval to the County to charge any costs and expenses incurred by the County (including as described in Appendix "A" to this Bylaw in taking such action to:
  - a. The owner or the occupant of the land to which the services were provided.
  - b. The person that is in control of the land to which the services were provided.
  - c. The person who ignited, maintained, or allowed the fire, or otherwise caused or created the need for the services.
  - d. The person to whom any Fire Permit was issued, in the case of a fire.
- 14.2 In respect to the fees or charges described in Appendix "A":
  - a. The County may recover such fees or charges as a debt due and owing to the County; or
  - b. In the case of action taken by Fire Services in respect of land within the County, where the fees or charges are not paid upon demand by the County, the amount levied and unpaid shall be charged against the land upon which the fire was started as taxes due and owing in respect of that land.
- 14.3 This section 14 shall be without limitation to the County's right to charge fees on a cost recovery basis for any other service provided by the Fire Service in accordance with any policy or other bylaw Council may pass from time to time.



## BIG LAKES COUNTY BYLAW NO. 06-2021

- 14.4 Notwithstanding Section 14 .1 and 14.2, Council may waive or reduce the fees otherwise payable hereunder upon request based on financial circumstances and/or insurance coverage.

### SECTION 15 - SEVERABILITY

- 15.1 Should any section of this bylaw be declared invalid by any competent Alberta court, then such section or part shall be regarded as severable from the rest of the bylaw and the bylaw remaining after such severance shall be effective and enforceable.

### SECTION 16 - REPEAL AND COMING INTO FORCE

- 16.1 Upon final passing of this Bylaw, Bylaw No. 24-2020 is hereby repealed.
- 16.2 This Bylaw shall come into full force and effect upon final signature.

This by-law comes into effect upon final signing.

Read a first time this 28<sup>th</sup> day of April, 2021

Read a second time this 28<sup>th</sup> day of April, 2021

Read a third time this 12<sup>th</sup> day of May, 2021



Reeve



Chief Administrative Officer



Date of Final Signature





**Appendix "A"**  
**Fire Protection Service Fees**

1. Fire and Emergency Apparatus will be billed for at the current Alberta Transportation Rates except for mutual aid apparatus, which will be billed for at the responding agency's mutual aid rate.
2. Any other fire related costs including, but not limited to, heavy equipment, private water haulers, specialty equipment and investigation costs, may be billed at the County's costs for providing the service.



# BIG LAKES COUNTY BYLAW NO. 06-2021



## Appendix "B" Fire Permit Map





G.I.S. DEPARTMENT

Projection: UTM Zone 11 North  
Datum: NAD 83

Units: Metres  
Scale: 1:200,000



Created By: FireChief  
Created: 4/19/2021

Contact: Big Lakes County  
PH: (780) 523 - 5955  
FX: (780) 523 - 4227

# Big Lakes County "Permit Area"

