

BYLAW #2019-08
VILLAGE OF ACME
IN THE
PROVINCE OF ALBERTA
FIRE DEPARTMENT BYLAW

A BYLAW of the Village of Acme in the Province of Alberta **FOR THE PURPOSE OF PROVIDING FOR THE ESTABLISHMENT AND OPERATION OF FIRE PROTECTION SERVICES** in the Village of Acme.

WHEREAS: The provisions of Section 7 of the *Municipal Government Act*, RSA 2000, Chapter M-26 permits the Council to pass Bylaws for municipal purposes of respecting safety, health, and welfare of people and the protection of people and property;

AND WHEREAS: The *Safety Codes Act*, RSA 2000, c. S-1, enables an accredited municipality to make Bylaws respecting fees for services provided pursuant to the Act and carrying out its powers and duties as an accredited municipality;

AND WHEREAS: The Village of Acme is an accredited municipality under the Safety Codes Act in the Fire Discipline under Fire Accreditation No. J000137

NOW THEREFORE: THE MUNICIPAL COUNCIL OF THE VILLAGE OF ACME, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

SHORT TITLE

This Bylaw may be referred to as the **FIRE DEPARTMENT BYLAW** of the Village of Acme.

SECTION 1 – DEFINITIONS

1.1 In this Bylaw, unless the context otherwise requires:

1.1.1 **“Acceptable Fire Pit”** means an outdoor receptacle that meets the following specifications:

1.1.1.1 A minimum of 2.5 meters clearance, measured from the nearest firepit edge, is maintained from buildings, fences, property lines, or other combustible material;

1.1.1.2 The fire pit installation has enclosed sides made from bricks, concrete blocks, heavy gauge metal, or another non-combustible material; and

1.1.1.3 A spark arrestor mesh screen with openings no larger than 1.25 centimeters and constructed of expandable metal, or equivalent non-combustible material, is used to cover the fire pit opening in a manner sufficient to contain and reduce the hazards or airborne sparks

1.1.2 **“Apparatus”** means any vehicle equipped with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport fire fighters or supplies;

1.1.3 **“CAO”** means the Chief Administrative Officer for the Village of Acme appointed by Council or his/her designate;

- 1.1.4 **“Council”** means the Council of the Village of Acme;
- 1.1.5 **“Dangerous Goods”** means any material or substance that may constitute an immediate or long-term adverse effect to life, health, property or the environment when burned, spilled, leaked or otherwise released from its normal use. It shall include those products, substances and organisms described in the Dangerous Goods Transportation and Handling Act, R.S.A. 2000, c D-4, as amended, and the regulations promulgated there under;
- 1.1.6 **“Equipment”** means any tools, devices, or materials used by the Fire Department to combat an Incident or other emergency;
- 1.1.7 **“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;
- 1.1.8 **“Fire”** means the burning of any flammable or combustible material, or any combustible material in a state of combustion;
- 1.1.9 **“Fire Chief”** means the person selected by a vote of the Acme Fire Department members, (with the vote to be ratified by the Council of the Village of Acme) to be the head of the Acme Fire Department;
- 1.1.10 **“Fire Department”** means the fire department established by Council pursuant to this Bylaw;
- 1.1.11 **“Fire Department Property”** means all property owned or controlled by the Municipality and designated for use by the Fire Department, regardless of the source of the Property;
- 1.1.12 **“Fire Permit”** means a Burn Permit for an “Open Fire” issued by Kneehill County;
- 1.1.13 **“Fire Protection”** means all aspects of fire safety including, but not limited to, fire prevention, firefighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising;
- 1.1.14 **“Gas Fueled Firepit”** means a decorative structure, primarily for outdoor use and display. Some are designed to look like real **fire pits**, however the coals or logs are decorative and the real flame is being produced by natural **gas** or propane (includes gas fueled fire tables, fire bowls and hearths).
- 1.1.15 **“Incident”** means a fire, a situation where an explosion is imminent, a medical emergency (such as a motor vehicle accident) and any other situation where there is danger, or a possible danger to life or property;
- 1.1.16 **“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 combatting an Incident;
- 1.1.17 **“Kneehill County Master Fire Protection Agreement”** means the agreement executed between Kneehill County and the Villages of Kneehill County, for the provision of Fire Protection Services within the borders of Kneehill County, as amended from time to time;
- 1.1.18 **“Member”** means any person who has received the approval of the majority of the Fire Department's Officers to be a volunteer member of the Fire Department;

- 1.1.19 **“Municipality”** means the municipal corporation of the Village of Acme, in the Province of Alberta, and where the context requires, means all lands situated within the corporate boundaries of the Village of Acme;
- 1.1.20 **“Municipal Tag”** means a written notice, on a form approved by the CAO issued by a Peace Officer, to advise a person that a violation of this Bylaw has occurred and that, by payment of a specified amount for the offence within a set time period, that person will avoid prosecution for the offence.
- 1.1.21 **“Officer”** refers to a Lieutenant, Deputy Chief, or Captain selected in accordance with the provisions and eligibility requirements outlined in the Acme Fire Department Standard Operating Guidelines;
- 1.1.22 **“Open Fire”** means any fire which is not contained within an appropriate fire pit, and outdoor fireplace, a stationary barbeque, or an incinerator approved by Alberta Environment and includes, but is not limited to:
- 1.1.22.1 Fire for the burning of weeds, grass, leaves, brush or any other plant matter;
- 1.1.22.2 Fire related to recreational uses in an area that has not been designated for recreational fire by the Municipality; or
- 1.1.22.3 And fire set for the purpose of thawing frozen ground;
- 1.1.23 **“Peace Officer”** means any member of the RCMP, Special Constable, Community Peace Officer or Bylaw Enforcement Officer
- 1.1.24 **“Portable Campfire Apparatus”** means a free standing fireplace that burns liquid or gaseous fuel designed to provide ambiance and heat. The flame is usually open to the elements but may have grating to assist with cooking food.
- 1.1.25 **“Property”** means any real or personal property including, but not limited to, land and structures;
- 1.1.26 **“Provincial Offences Procedures Act”** means *the Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time.
- 1.1.27 **“Provincial Violation Ticket”** means a ticket issued pursuant to Part 2 of *the Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended, and any regulations thereunder.
- 1.1.28 **“Recreational Fire”** means a confined fire for the purpose of cooking, obtaining warmth, or viewing for pleasure. A recreational fire may only be fueled with seasoned wood, or charcoal.
- 1.1.29 **“Refuse or Waste”** means;
- 1.1.29.1 All animal or vegetable matter including materials resulting from the handling, preparation, cooking, consumption, an storage of food;
- 1.1.29.2 Broken dishes, tins, glass, rags, cast-off clothing, waste paper, cardboard, sawdust, food containers, plastic, grass cuttings, shrubbery and tree pruning’s, weeds, garden waste, manure, tree stumps, roots, turf, earth, furniture, major household appliances, discarded auto parts, or such waste as

may accumulate as a result of building construction, renovation, repair, or demolition; and/or

1.1.29.3 Any waste referred to in the Environmental Protection and Enhancement Act, R.S.A. 200, c. E-12, as amended, and all regulations promulgated thereunder.

1.1.30 **“Remedial Order”** means an order as described in Section 545 or Section 546 of the *Municipal Government Act*.

1.1.31 **“Scene”** means the area beyond or surrounding an incident, in which emergency vehicles or personnel are located.

SECTION 2 – FIRE DEPARTMENT

2.1 Council hereby establishes the Village of Acme Fire Department for the purpose of:

2.1.1 providing Fire Protection Services;

2.1.2 preventing, combating and extinguishing fires and/or incidents;

2.1.3 investigating the cause and origin of fires and/or incidents;

2.1.4 preserving life and property and protecting persons and property from injury or destruction by fire or incident;

2.1.5 operating apparatus and equipment for the purpose of extinguishing fires or;

2.1.6 incidents and preserving life and property;

2.1.7 fulfilling obligations under approved Fire Protection Agreements;

2.1.8 providing public education about fire safety;

2.1.9 carrying out fire inspections and prevention patrols;

2.1.10 pre-fire and emergency planning and practice;

2.1.11 providing initial first response to medical incidents; and

2.1.12 providing rescue services.

Each shall be performed by the Village of Acme Fire Department to the level of service adopted by Council, in the Acme Fire Department Operating Guidelines, which shall not be inconsistent with the legislation and regulation of the Province of Alberta or the Kneehill County Master Fire Protection Agreement.

SECTION 3 – FIRE CHIEF APPOINTMENT AND DUTIES

3.1 The Fire Chief shall be selected by a vote of the members (excluding Probationary and Junior Members) of the Acme Fire Department (in accordance with the provisions and eligibility requirements outlined in the Acme Fire Department Standard Operating Guidelines), subject to the ratification of Council.

- 3.2 The Fire Chief shall be responsible to the CAO and may be required to report directly to the CAO on a quarterly basis or as per the discretion of the CAO.
- 3.3 The Fire Chief has complete responsibility and authority over the Fire Department.
- 3.4 The Fire Chief will ensure that the Acme Fire Department is at all times compliant with the requirements and provisions set out in the Kneehill County Master Fire Protection Agreement.

SECTION 4 – OFFICER APPOINTMENT AND DUTIES

- 4.1 Deputy Chiefs shall be selected by a vote of the members (excluding Probationary and Junior Members) of the Acme Fire Department (in accordance with the provisions and eligibility requirements outlined in the Acme Fire Department Standard Operating Guidelines).
- 4.2 Captains and Lieutenants, and any other officers later identified, shall be selected by the Fire Chief in agreement with the Deputy Fire Chiefs, (in accordance with the provisions and eligibility requirements outlined in the Acme Fire Department Standard Operating Guidelines).
- 4.3 An Officer shall:
 - 4.3.1 function as an Incident Commander, as required or upon request by the Fire Chief;
 - 4.3.2 assist the Fire Chief in ensuring that all fire reports, incident and accident reports, and any and all other reports required by this Bylaw, the Kneehill County Master Fire Agreement, and the legislation and regulations of the Province of Alberta are completed and submitted in a clear, concise, and timely manner;
 - 4.3.3 assist the Fire Chief in establishing rules, requirements, policies, and procedures for the efficient and safe operation of the Fire Department;
 - 4.3.4 assist the Fire Chief in maintaining a liaison with federal and provincial governments and Council on matters relating to the Fire Department;
 - 4.3.5 organize and assume responsibility for Fire Department resources, apparatus, and equipment, as required; and
 - 4.3.6 provide leadership to Members and develop and implement long-range plans and programs.

SECTION 5 – MEMBER APPOINTMENT

- 5.1 An individual interested in becoming a Member of the Acme Fire Department shall be eligible for consideration if he or she:
 - 5.1.1 has met the requirements set out in the Fire Department's Standard Operational Guidelines, and any provincial Occupational Health and Safety program or training;
 - 5.1.2 has received the approval of the majority of the Fire Department's Officers following a probationary period; and
 - 5.1.3 has demonstrated that he or she is in a reasonable physical condition to perform the duties required of a

Member by the Fire Department.

- 5.2 An individual interested in applying to become a Member of the Acme Fire Department shall supply the Fire Chief with the following:
- 5.2.1 a photocopy of a valid Alberta driver's license; and
 - 5.2.2 any other information deemed necessary by the Fire Chief to establish compliance with the requirements of the Province, the Municipality, and the Kneehill County Master Fire Protection Agreement.
- 5.3 Individuals under the age of eighteen (18) may assist in specific non-emergency functions with written parental consent to do so, and as approved by the Fire Chief as per Acme Fire Department Standard Operating Guidelines.
- 5.4 If a Member's driver's license is suspended for any reason, the Member shall immediately inform the Fire Chief.

SECTION 6 – POWERS OF FIRE CHIEF

- 6.1 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:
- 6.1.1 use, care, and protection of Fire Department Property;
 - 6.1.2 conduct and discipline of Officers and Members of the Fire Department;
 - 6.1.3 efficient operations of the Fire Department; and
 - 6.1.4 training of Officers and Members of the Fire Department.
- Such rules, regulations and policies shall be consistent with the legislation and regulations of the Province of Alberta and the provisions of the Kneehill County Master Fire Protection Agreement.
- 6.2 The Fire Chief may obtain assistance from other Village of Acme officials as he or she deems necessary in order to discharge his or her duties and responsibilities under this Bylaw.

SECTION 7 – POWERS OF INCIDENT COMMANDERS

- 7.1 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.
- 7.2 The Incident Commander may at his or her discretion establish boundaries or limits at the incident or scene. The Incident Commander shall then have control to allow or disallow entrance or exit to and from the scene or incident.
- 7.3 The Incident Commander may request Enforcement Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 7.2.
- 7.4 The Incident Commander is empowered to enter any property (without a warrant) and to take all steps he or she deems necessary in order to directly or indirectly combat, control, or deal with an incident including:

- 7.4.1 passing through or over buildings or property adjacent to an incident, and direct 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;
- 7.4.2 ordering the evacuation of any building or area which is directly or indirectly involved in an incident; and
- 7.4.3 causing a building, structure, or thing to be pulled down, demolished, or otherwise removed.

SECTION 8 – POWERS OF MEMBERS

- 8.1 Each Member shall have the authority and power to:
 - 8.1.1 require any able-bodied adult person to assist in extinguishing fires and to assist in the prevention or spread thereof;
 - 8.1.2 commandeer and authorize payment for the possession or use of any equipment for the purposes of fighting an active fire or incident;
 - 8.1.3 obtain from every person found entering or leaving the scene, that person's name, address, and an account of his or her activities regarding the fire or incident;
 - 8.1.4 without a warrant, enter onto or into any property, except a private dwelling house, for the purpose of discharging his or her duties under this Bylaw;
 - 8.1.5 without warrant, enter any private dwelling house which is on fire, or which seems to be on fire, and proceed to extinguish the fire or prevent the spread thereof;
 - 8.1.6 assume the role of Incident Commander until such time as an Officer is available to relieve command; and
 - 8.1.7 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 or incident.

SECTION 9 – REQUIREMENT TO REPORT

- 9.1 The owner of any Property damaged by Fire shall, either personally or by agent, immediately report the particulars of the Fire to the Fire Department in a manner set out and in accordance with the Safety Codes Act RSA 2000, c. S-11 as amended.
- 9.2 The owner of any Property upon where Dangerous Goods have been spilled or released shall, either personally or by agent, immediately report particulars of such spill or release to the Fire Department.

SECTION 10 – CONTROL OF FIRE HAZARDS

- 10.1 If the CAO or Enforcement Officer finds within the Village's boundaries, on privately owned land or occupied public land, conditions that in its 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.

- 10.2 If Council finds that the order it made pursuant to Section 10.1 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.
- 10.3 The owner or occupant of the land on which work was performed pursuant to Section 10.2 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 favor of the Village from the date it was added to the tax roll.
- 10.4 The owner or occupant of the land on which work was performed pursuant to Section 10.2 may also be guilty of an offence and liable for a fine as per Schedule "B" of this Bylaw.

SECTION 11 – FIRE PROTECTION CHARGES

- 11.1 Upon the Village issuing an order or taking steps under Sections 10.1 or 10.2, or upon the Fire Department providing Fire Protection Services to a property within or outside the boundaries of the Village may in its sole and absolute discretion charge any or all of the following persons, namely:
- 11.1.1 the person causing or contributing to the Fire; or
- 11.1.2 the owner or occupant of the property which is the subject of the Order or Fire Protection Services.
- All individuals charged are jointly and severally responsible for payment of the Fire Protection Charge to the Village.
- 11.2 The schedule of fees for Fire Protection Charges are set out in Schedule "A" attached hereto and forming part of this Bylaw.
- 11.3 A Fire Protection Charge may be imposed in the event of a False Alarm.
- 11.4 Should the situation warrant, a Fire Protection Charge may be imposed as per Schedule "A" in addition to a Penalty charged per Schedule "B".
- 11.5 The Fire Department, after reasonable efforts to collect the Fire Protection Charge, may request assistance from the Village to collect the Fire Protection Charge.
- 11.6 A Fire Protection Charge shall be paid within thirty (30) days of being levied.
- 11.7 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.
- 11.8 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.

SECTION 12 – FIRE PITS AND OPEN FIRES

- 12.1 The Fire Chief or CAO may issue Fire Ban Orders and when issued, every person shall:
- 12.1.1 immediately extinguish every "Open Fire" (even if a valid permit has been issued from Kneehill County) and "Recreational Fire" lit by them or under their authority and every fire located on land occupied or owned by them within the Municipal boundaries affected by the Fire Ban Order; and
 - 12.1.2 refrain from lighting an outdoor fire, structure fire, incinerator fire, smudge fire, barbeque/fire pit, or portable appliance not fueled by propane or natural gas, during a municipal Fire Ban.
- 12.2 No person shall:
- 12.2.1 conduct any outdoor burning unless the burning is supervised at all times by a responsible adult as least eighteen (18) years of age until such a time that the fire has been extinguished and the burning is conducted in a safe manner;
 - 12.2.2 burn anything within a distance of two and one half (2.5) meters of any structure or combustible material (this includes the use of gas fueled firepits or portable campfires);
 - 12.2.3 conduct or cause to be conducted any burning in a park or any other property owned or operated by the Village of Acme, unless such burning occurs in a container provided by the Village of Acme for that purpose;
 - 12.2.4 conduct any burning or light an outdoor fire when weather conditions such as high winds are conducive to a fire readily escaping onto land other than their own;
 - 12.2.5 conduct any burning or light an outdoor fire unless confined within a fire pit or enclosure no more than three (3) feet in diameter and covered by a fire grate;
 - 12.2.6 allow any fires they conduct or light to exceed three (3) feet above the fire pit/enclosure;
 - 12.2.7 burn any refuse, waste, treated wood, or anything other than clean, seasoned wood or charcoal;
- 12.3 It shall not be an offence for the Fire Department to conduct any burning for the purpose of fire prevention or training except when a Fire Ban is in effect, unless written permission is obtained from the CAO.
- 12.4 Fire Permits are not required for personal fire pits that meet the previously specified criteria.

SECTION 13 – FIRE PERMITS

- 13.1 Anyone wishing to set an "Open Fire" within the Village of Acme must first obtain a Burn Permit from Kneehill County.
- 13.2 The Municipality shall attach such conditions to a Fire Permit issued pursuant to section 13.1 as are necessary to comply with the Safety Codes Act RSA 2000, c. S-1, as amended, and this Bylaw.
- 13.3 No person shall permit, suffer, or allow an Open Fire upon land owned, occupied, or under control of that person within the Village of Acme without having obtained a valid Fire Permit from Kneehill County.
- 13.4 A Fire Permit holder shall ensure that any Fire authorized by the said Fire Permit is kept under the control of

a responsible adult at least eighteen (18) years of age and shall make reasonable efforts to secure the area surrounding the fire from entry by unauthorized persons.

13.5 Any person responsible for a Fire that:

13.5.1 is deemed by the Fire Chief or Delegate, in his or her sole discretion, to present danger to the public or to adjacent property; or

13.5.2 is required to be extinguished, controlled, or otherwise serviced by the Fire Department;

shall, by demand by the Municipality, reimburse the Municipality forthwith for any costs incurred in relation to the fire.

13.6 The Chief of the Village of Acme Fire Department shall have absolute authority over each and every fire, regardless of type, lit within the Village of Acme. As such; the Fire Chief has the absolute authority to require that a fire be extinguished immediately. Anyone who fails to comply with an order issued by the Village of Acme Fire Chief is guilty of an offense as per Schedule B – Rates and Fees attached to and forming part of this bylaw.

SECTION 14 – PROHIBITIONS

14.1 No person shall impede, obstruct, abuse, or in any way hinder a Fire Chief, Incident Commander, or any Officer or Member the Fire Department at any incident or at any time during the execution of their duties assigned by this Bylaw.

14.2 No person shall interfere, obstruct, or in any way hider Fire Department equipment or apparatus in the execution of duties assigned by this Bylaw.

14.3 No person shall place or leave in place, any vehicles, article, thing, or matter in such a manner as to interfere with free access or approach to any fire hydrant or service connection.

14.4 No person shall move any fire hose or drive a vehicle over any fire hose at any fire without permission of the Fire Chief.

14.5 No person other than an employee of the Village of Acme Public Works Department or a Member of the Department shall use any fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving written permission from the Public Works Foreman or Fire Chief.

14.6 No person shall obstruct or otherwise interfere with access roads, or streets, or other approaches to any fire hydrants or bodies of water designated for firefighting purposes.

14.7 Any person who in any way obstructs, prevents, or refuses to admit a Safety Codes Officer, Fire Inspector, or Investigator in, to, or upon any land, premises, yards, or buildings for the purpose of investigating, or who incites or abets such action shall be considered in breach of this Bylaw. The Safety Codes Officer(s) for the Village of Acme shall have all powers as provided for in the Safety Codes Act with reference to the Fire Discipline.

14.8 No person shall willfully or maliciously destroy or injure any property at a fire or any Apparatus or Equipment belonging to the Department.

- 14.9 No person shall falsely represent himself or herself as an employee, a member of, or connected with the Fire Department.
- 14.10 No person shall wear, use, or have in his possession or under his control any official badge, identification, or uniform of the Fire Department except with the express written consent of the Fire Chief.
- 14.11 No person shall falsely state that he or she has the sanction of the Department in soliciting any person, agency, society, or company on any matter.
- 14.12 Any person who refuses to provide or furnish any information required under this Bylaw when requested shall be in breach of this Bylaw.
- 14.13 No person shall allow his or her property, whether owned or occupied, or occupied public land to become a fire hazard through:
- 14.13.1 the accumulation of combustible materials;
 - 14.13.2 lack of maintenance to the property or the structures upon it; or
 - 14.13.3 any contravention of municipal, provincial, or federal regulations.

SECTION 15 – OFFENCES AND PENALTIES

- 15.1 Any person violating a provision of this Bylaw is guilty of an offence and is liable to pay the amount as set out in Schedule "B" – Rates and Fees attached hereto and forming a part of this Bylaw.

SECTION 16 – OBSTRUCTION

- 16.1 No Person shall obstruct, hinder or impede any authorized representative of the Village in the exercise of their powers or duties pursuant to this Bylaw.

SECTION 17 – ENFORCEMENT

- 17.1 A Peace Officer is hereby authorized and empowered to issue a Remedial Order, Municipal Tag and/or Provincial Violation Ticket to any Person, whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 17.2 A Peace Officer may, for the purpose of ensuring that the provisions of this Bylaw are being complied with, enter in or upon any Property, in accordance with Section 542 of the *Municipal Government Act*, to carry out an inspection, enforcement or other action required or authorized by this Bylaw, the *Municipal Government Act*, or other statute.
- 17.3 When exercising their authority to enter onto Property for inspection or enforcement, a Peace Officer shall provide the Owner or Occupant of the Property with reasonable notice as required by the *Municipal Government Act*.
- 17.4 If a Municipal Tag is issued in respect of an offence, the Person receiving the Municipal Tag may pay the fine amount as per the amount specified on the Municipal Tag on or before the required date in order to avoid further prosecution for the offence.

- 17.5 If a Provincial Violation Ticket is issued in respect of an offence, the Person receiving the Provincial Violation ticket may pay the fine amount as per the amount specified on the Violation Ticket on or before the required date in order to avoid further prosecution for the offence.
- 17.6 No Person shall obstruct, hinder or impede any authorized representative of the Village in the exercise of their powers or duties pursuant to this Bylaw.

SECTION 18 – DEEMED SERVED

- 18.1 A Municipal Tag issued by a Peace Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served on the person whom it is addressed:
 - 18.1.1 being personally delivered to the person named on the Municipal Tag; or
 - 18.1.2 upon sending the Municipal Tag by regular mail to the address as is shown on the assessment roll. A Municipal Tag will be considered served after 5 (five) business days upon mailing.
- 18.2 A Remedial Order issued by a Peace Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served on the person whom it is addressed:
 - 18.2.1 being personally delivered to the person named on the Remedial Order; or
 - 18.2.2 upon sending the Remedial Order by regular mail to the address as is shown on the assessment roll. A Remedial Order will be considered served after 5 (five) business days upon mailing; or
 - 18.2.3 upon being posted on a conspicuous place on the property that is in contravention.
- 18.3 A Provincial Violation Ticket issued by a Peace Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served:
 - 18.3.1 on the Person to whom it is addressed pursuant to the Provincial Offences Procedures Act or;
 - 18.3.2 swearing an Information and Complaint against the person; or
 - 18.3.3 by leaving a copy for such person at his/her residence with an individual at the residence who appears to be at least 18 years of age, and such service shall be adequate for the purposes of this Bylaw.
- 18.4 A Provincial Violation Ticket may be served on a Person which is a corporation, either:
 - 18.4.1 by sending it by registered mail to the registered office of the corporation. A Provincial Violation Ticket will be considered served after 5 (five) business days upon mailing; or
 - 18.4.2 by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address, and such service shall be adequate for the purposes of this Bylaw.
- 18.5 This Section does not prevent a Peace Officer from issuing a Provincial Violation Ticket requiring a Court

appearance by the Defendant in accordance with the Provincial Offences Procedures Act.

SECTION 19 – RECOVERY OF ENFORCEMENT COSTS

- 19.1 The expenses incurred by the Village and Fire Department in carrying out enforcement action pursuant to this Bylaw constitutes a debt owing to the Village from the Person responsible for the Bylaw contravention and may be collected by civil action for debt in a court of competent jurisdiction, in accordance with *the Municipal Government Act*.
- 19.2 In the event of the Village carrying out enforcement action pursuant to a Remedial Order, the CAO is responsible for sending a demand for payment of enforcement expenses incurred by the Village to the Owner of the property where the infraction took place and if the Owner fails to pay the enforcement expenses incurred by the Village within the time frame set out in the demand for payment, the CAO shall place the unpaid expense amount onto the tax roll of the subject Property and that amount:
- 19.2.1 is deemed to for all purposes to be a tax imposed under Division 2 of Part 10 of *the Municipal Government Act* from the date it was added to the tax roll; and
- 19.2.2 forms a special lien against the Land in favour of the Village from the date it was added to the tax roll for the Land, in accordance with *the Municipal Government Act*.

SECTION 20 – JURISDICTION

- 20.1 The limits of the jurisdiction of the Fire Chief, Officers, Members, and Apparatus of the Acme Fire Department will extend to the area and boundaries of the Village of Acme and the area and boundaries of the Master Fire Services Agreement executed between the Village of Acme and the County of Kneehill, and no part of the fire apparatus or service shall be used beyond these limits without the express authority of a written contract or mutual aid agreement.

SECTION 21 – LIABILITY

- 21.1 The CAO and his/her designated officers, Village of Acme Enforcement Officers, and the Fire Chief and all Members of the Acme Fire Department are not liable for loss or damage caused by anything said or done, or omitted to be done, in the performance or intended performance of their functions, duties, or powers assigned by this Bylaw, unless the circumstances constitute dishonesty, gross negligence, or willful misconduct.

SECTION 22 – INTERPRETATION

- 22.1 Should any section or part of this Bylaw be found to be improperly enacted, or outside the Village'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.
- 22.2 Should a provision of this Bylaw be in conflict with a provision of the Kneehill County Master Fire Agreement, the provisions of the Kneehill County Master Fire Agreement shall prevail.
- 22.3 Wherever a provision of this Bylaw is at variance with each other, the more restrictive of the two (2) provisions shall apply.

22.4 Wherever a provision of this Bylaw conflicts with a provision of another Bylaw of the Village, the provision of this Bylaw shall apply

SECTION 23 -SEVERABILITY

23.1 If any Section or parts of this Bylaw are found in any court of law to be illegal, or are otherwise invalid and beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

SECTION 24 – GENERAL PROVISIONS

24.1 Where the singular and/or masculine are herein used, the plural and feminine should also be inferred where appropriate.


24.2 If any Section or parts of this Bylaw are found in any court of law to be illegal, or are otherwise invalid and beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

24.2 This Bylaw repeals the following Village of Acme Bylaws:
Bylaw #2018-12 and all amendments thereto.

24.3 This Bylaw shall come into full force and effect upon receiving third and final reading thereto.


READ a first time this 26th day of August 2019.

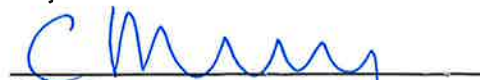


Bruce McLeod
Mayor

Catherine Murray
Chief Administrative Officer

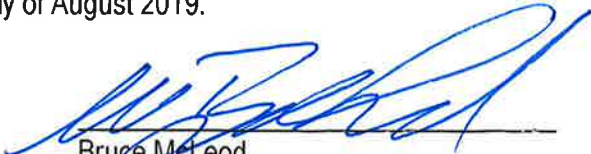
READ a second time this 26th day of August 2019.



Bruce McLeod
Mayor

Catherine Murray
Chief Administrative Officer

MOTION TO PROCEED TO THIRD READING CARRIED UNANIMOUSLY
READ a third and final time and passed this 26th day of August 2019.



Bruce McLeod
Mayor



Catherine Murray
Chief Administrative Officer

SCHEDULE A

FIRE PROTECTION SERVICE FEES

- A.1** Fire and Emergency Apparatus will be billed as per the current Alberta Transportation rates.
- A.2** Any other fire related cost including, but not limited to, heavy equipment, private water haulers, specialty equipment and investigative costs may be billed at the Village's cost for providing the service.

SCHEDULE B

THE VILLAGE OF ACME'S SPECIFIED PENALTIES/FINES

ALL PENALTIES/FINES ARE IN ADDITION TO ANY COSTS INCURRED BY THE VILLAGE OF ACME OR THE ACME FIRE DEPARTMENT, IN RELATION TO THE OFFENCE.

Section	Offence	Fine Fee
11.3	Causing a False Alarm	\$500
12.1	Failure to comply with duly issued fire ban	\$250
12.2.1	Failure to properly supervise a fire	\$150
12.2.2	Failure to ensure a fire is at least 2.5 meters from a structure or combustible material	\$500
12.2.3	Conducting burning in any park or other property owned by the Village of Acme without authorization	\$500
12.2.4	Conducting of burning when weather conditions are conducive to a fire readily spreading	\$500
12.2.5	Failure to use an acceptable burning pit / enclosure	\$500
12.2.6	Conducting a fire that exceeds 3 feet above an acceptable pit/enclosure	\$150
12.2.7	Burning anything except non treated wood, charcoal, natural gas or propane	\$250
13.3	Conducting an 'open fire' without a fire permit duly issued by the Acme Fire Department	\$250
13.4	Failure to have a responsible person supervise an 'open fire'	\$150
13.5	Any person, who is responsible for a fire and deemed by the Fire Chief or delegate to present danger to the public or adjacent property	\$500
13.6	Failure to comply with an order issued by the Fire Chief	\$500
14.1	Impede, obstruct, abuse, or in any way hinder a Fire Chief, Incident Commander, or any Officer or Member of the Fire Department, at any incident or anytime during the execution of their duties assigned by this bylaw	\$500
14.2	Interfere, obstruct, or in any way hinder Fire Department equipment or apparatus, in the execution of duties assigned in this bylaw	\$500
14.3	In any way block a fire hydrant or service connection or an access to a fire hydrant service connection	\$500
14.4	Move any hose or drive a vehicle over any fire hose at any fire without permission of the Fire Chief	\$250
14.5	Unauthorized use of a fire hydrant	\$1000
14.6	Obstruct or otherwise interfere with road and street access or other approaches to any fire hydrants or bodies of water designated for firefighting purposes	\$500
14.7	In any way obstruct, prevent, or refuse to admit a Safety Codes Officer, Fire Inspector, or Investigator in, to or upon any land, premises, yards, or buildings for the purpose of fire investigating	\$500
14.8	Willfully or maliciously destroy or injure any property at a fire or any Apparatus or Equipment belonging to the Department	\$1000
14.9	Falsely represent oneself as an employee, a member of, or connected with the Fire Department	\$150
14.10	In any way have possession or control of any official badge, identification, or uniform of the Fire Department unless with the express written consent of the Fire Chief	\$250
14.11	Falsely state to have the ability to sanction the Department in soliciting any person, agency, society, or company on any matter	\$500
14.12	In any way refuse to provide or furnish any information required under this Bylaw when requested	\$150
14.13	Allowing property to become a fire hazard	\$500

