

PARKLAND COUNTY  
PROVINCE OF ALBERTA

BYLAW 2023-17

BEING A BYLAW TO ESTABLISH AND OPERATE A FIRE DEPARTMENT, THE PREVENTION AND CONTROL OF FIRES, AND AUTHORIZE THE RECOVERY OF RELATED FEES, EXPENSES, AND CHARGES

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, authorizes council to pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

WHEREAS the *Municipal Government Act* provides that a municipality may pass bylaws to regulate, prohibit and impose a system of licenses, permits or approvals and may collect, pursuant to a bylaw, costs and expenses incurred by the municipality for extinguishing fires;

WHEREAS the *Forest and Prairie Protection Act*, RSA 2000, c. F-19, provides that a council of a municipal district is responsible for fighting and controlling all fires within the boundaries of the municipal district, other than areas contained in a forest protection area;

WHEREAS the National Fire Code – 2019 Alberta Edition contemplates that municipalities will regulate the use, sale and storage of fireworks within their jurisdiction;

WHEREAS, Council for Parkland County wishes to establish fire service within the County and provide for the efficient operation of such a service;

WHEREAS, Council for Parkland County wishes to provide for the prevention, regulation, and control of fires within the County;

NOW THEREFORE the Council of Parkland County duly assembled herein enacts the following:

TITLE

1 This Bylaw shall be cited as the "Fire Services Bylaw".

DEFINITIONS

2 The following definitions will apply to the corresponding words in this bylaw:

- (1) "Acceptable Burning Barrel" means an outdoor receptacle that meets the following specifications:
  - (a) a minimum of 3 meters clearance is maintained from any building, property line, or other combustible material when measured from the nearest edge;
  - (b) the opening does not exceed 1 meter in width or diameter when measured between the widest points or outer edges;
  - (c) the receptacle has closed sides made from brick, concrete blocks, heavy gauge metal, or other non-combustible material that is acceptable to the Fire Chief;
  - (d) is not located over underground utility services or below overhead wires; and
  - (e) a spark arrestor mesh screen with openings no larger than 12.5 millimeters that is constructed of expanded metal (or equivalent material) is used to cover the opening in a manner sufficient to contain and reduce the hazards of airborne sparks.
- (2) "Acceptable Fire Pit" means an outdoor receptacle that meets the following specifications:
  - (a) a minimum of 3 meters clearance is maintained from any building, property line, or other combustible material when measured from the nearest fire pit edge in an area free of dry grass, brush, or combustible soil (peat moss);
  - (b) the fire pit height does not exceed 600 millimeters when measured from the surrounding grade to the top of the pit opening;
  - (c) the pit opening does not exceed 1.5 meter in width or in diameter when measured between the widest points or outer edges;
  - (d) is set upon or built into the bare ground or on a non-combustible material such as brick, stone or concrete;

- (e) is not located over any underground utilities or below overhead wires; and
  - (f) the fire pit has enclosed sides made from brick, concrete blocks, heavy gauge metal, or other non-combustible material that is acceptable to the Fire Chief.
- (3) "Acceptable Fireplace" means an outdoor receptacle that meets the following specifications:
- (a) a minimum of 1 meter clearance is maintained from any building, property line, or other combustible material when measured from the nearest fireplace edge;
  - (b) the fireplace is constructed of materials such as bricks or rocks that are heat and flame resistant;
  - (c) the fireplace is equipped with a chimney that is not less than 2.5 meters in height when measured from the base of the burning area;
  - (d) the fireplace chimney is equipped with a regulation screen designed to contain and reduce the hazards of airborne sparks;
  - (e) the base of the fire burning area is not less than 300 millimeters above the surrounding grade; and
  - (f) the fire chamber does not exceed 1.25 meters in width and is at least 400 millimeters, but not more than 600 millimeters in depth.
- (4) "Apparatus" means any machinery, vehicle, or Equipment operated by or for Fire Services whether that vehicle operates on land, in the air, or on water.
- (5) "Burnable Debris" means the following materials:
- (a) Straw and stubble;
  - (b) grass and weeds;
  - (c) leaves and pruned limbs from shrubs, bushes, and trees;
  - (d) brush and fallen trees on newly cleared property; and
  - (e) wood material from the construction or demolition of buildings that does not contain wood preservatives.
- (6) "Burning Hazard" has the same meaning as in the *Forest and Prairie Protection Act*.
- (7) "Chief Administrative Officer" or "CAO" means the individual who holds the position of Chief Administrative Officer of the County or authorized delegate.
- (8) "Consumer Fireworks" means fireworks which are designed for recreational use and listed as Class F.1, in Part 16 of the *Explosives Regulations*.
- (9) "Council" means the Council of the County.
- (10) "County" means Parkland County.
- (11) "Dangerous Goods" has the same meaning as in the *Dangerous Goods Transportation and Handling Act*.
- (12) "Display Fireworks" means fireworks listed as Class F.2, in Part 18 of the *Explosives Regulations* and refers to fireworks which only professionals licensed under the *Explosives Act* may use.
- (13) "Equipment" means any tools, devices, materials, or supplies used by or for Fire Services to respond to an Incident.
- (14) "False Alarm" means any notification, by whatever means received by Fire Services, respecting the existence of a condition, circumstance, fire or other event containing an imminent, serious danger to Persons or Property, wherein such condition, circumstance, fire or other event does not, in fact, exist.
- (15) "Fire Ban" means an order issued by the Minister responsible for the *Forest and Prairie Protection Act*, or an order issued pursuant to this Bylaw, for the purpose of cancelling all Fire Permits, prohibiting the lighting of, and requiring the extinguishment of all fires within the County.
- (16) "Fire Chief" means the person employed by the County as the Fire Chief, or their designate.
- (17) "Fire Guardian" means an individual deemed to be a fire guardian under the *Forest and Prairie Protection Act*.

- (18) "Fire Services Property" means all real and personal property owned or controlled by the County and designated for use by Fire Services including, but not limited to, Apparatus, Equipment, and fire stations.
- (19) "Fire Hazard" has the same meaning as in the *Forest and Prairie Protection Act*.
- (20) "Fire Permit" means a permit issued by an individual authorized by the County to do so pursuant to this Bylaw, authorizing the setting of a specific type of fire, and includes a fire permit issued by a Fire Guardian pursuant to the *Forest and Prairie Protection Act*.
- (21) "Fire Protection" means any and all of the services enumerated in section 4 of this Bylaw and includes any other service delivered by or for Fire Services that is authorized by Council.
- (22) "Fire Services" means the fire department organized by the County that is led by the Fire Chief that is responsible for carrying out the duties identified in this Bylaw for Fire Protection.
- (23) "Fire Services Charges" means all rates, fees and charges payable for, or in connection with, Fire Services in providing Fire Protection within and outside the County's boundaries as prescribed in the *Fees and Charges Bylaw* in addition to any costs incurred directly by the County.
- (24) "Fireworks" means the pyrotechnics classified as fireworks pursuant to the *Explosives Act* and its Regulations, including Consumer Fireworks, Display Fireworks and special effect pyrotechnics, but does not include firecrackers or explosive devices.
- (25) "Fireworks Permit" means a permit, issued by the Fire Chief, authorizing the sale, purchase, possession, handling, discharge, firing or setting off of Fireworks in the County.
- (26) "Incident" includes a fire, medical, vehicular, or other emergency situation presenting danger or possible danger to life, Property, or the environment, and to which Fire Services has responded.
- (27) "Incinerator" means a device manufactured in compliance with the *Environmental Protection and Enhancement Act*, associated regulations and Alberta's Code of Practice for Small Incinerators, intended to destroy small quantities of easily combustible wastes.
- (28) "Member" means any individual who is appointed as a member of Fire Services.
- (29) "Member in Charge" means the Fire Chief, or in the absence of the Fire Chief, the Fire Services personnel designated as Incident Commander.
- (30) "Nuisance Alarm" means:
- (a) More than one False Alarm on a parcel of land within a calendar year; or
  - (b) A False Alarm from Alarm System where its Alberta Fire Code certification is more than 90 days expired.
- (31) "Occupant" means the Person that is in possession, control or occupation of Property including, but not limited to, the holder(s) of an easement or right-of-way.
- (32) "Owner" means any Person listed on title as the registered owner of Property at the Land Titles Office.
- (33) "Peace Officer" means a peace officer as defined in the *Provincial Offences Procedures Act*, RSA 2000, c P-34.
- (34) "Person" means any individual, firm, partnership, association, corporation, or society.
- (35) "Prohibited Debris" means any material that when burned will result in the release of dense smoke or toxic air contaminants to the atmosphere as outlined in any legislation or bylaw written to protect and enhance the environment and includes but is not limited to materials described as:
- (a) animal manure;
  - (b) chemicals and chemical containers;
  - (c) combustible material in automobiles;
  - (d) household refuse;
  - (e) non-wooden material;
  - (f) paints and painting materials;
  - (g) pathological waste;

- (h) rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
  - (i) tires;
  - (j) toxic substances;
  - (k) used oil; or
  - (l) wood or wood products containing substances for the purpose of preserving wood.
- (36) "Property" means any real or personal property.
- (37) "Recreational Fire" means a fire confined within an Acceptable Fire Pit, Acceptable Fireplace, or non-combustible container provided by the County within a designated public park which is lit for the purpose of cooking, obtaining warmth, or viewing for pleasure.
- (38) "Restricted Burn Areas" refers to areas located within a Multi-Parcel Residential Subdivision, Rural Centre, and Industrial Land Use Districts as defined in the County's Land Use Bylaw.
- (39) "Smudge Fire" means a fire, located outside of a Restricted Burn Area, confined to a non-combustible structure or container which is lit for the purpose of protecting livestock from insects or for protecting garden plants from frost.
- (40) "Violation Ticket" means a violation ticket as defined in the *Provincial Offences Procedures Act*.

#### INTERPRETATION

- 3 The headings in this bylaw are for reference purposes only.

#### ESTABLISHMENT AND PURPOSE OF COUNTY FIRE SERVICES

- 4 The County's Fire Services is hereby established for the purpose of:
- (1) preventing and extinguishing fires;
  - (2) investigating the cause of fires in accordance with the quality management plan approved by Council and the Safety Codes Council;
  - (3) preserving life, Property, and the environment, and protecting Persons and Property from injury or destruction by fire;
  - (4) providing rescue services and medical first response;
  - (5) carrying out pre-fire planning and fire inspections in accordance with the quality management plan approved by Council and the Safety Codes Council;
  - (6) enforcing provisions of the *Safety Codes Act*;
  - (7) preventing prairie or running fires and enforcing the provisions of the *Forest Prairie and Protection Act*;
  - (8) fulfilling the requirements of any mutual aid agreements with other municipalities;
  - (9) assisting with emergency management;
  - (10) providing public education and information regarding emergency preparedness and community safety;
  - (11) controlling and mitigating Incidents involving Dangerous Goods; and
  - (12) establishing policy and guidelines for wildfire risk reduction, suppression, and post-fire reclamation;

in accordance with the policies and guidelines established by the County from time to time and all applicable legislation.

#### AUTHORITY AND RESPONSIBILITY OF THE FIRE CHIEF

- 5 Parkland County's CAO shall ensure that a County employee is designated as Fire Chief and assumes the authority and responsibility under this bylaw.
- 6 The Fire Chief shall be responsible for managing the overall delivery of Fire Services, subject to:

- (1) provincial legislation and regulations;
  - (2) this Bylaw;
  - (3) all applicable County policies;
  - (4) the direction of the CAO; and
  - (5) any agreements the County has with other municipalities or other entities, however constituted, that provide Fire Protection in the County.
- 7 The County may negotiate and enter into agreements with the Province of Alberta, other municipalities or other entities, however constituted, for the purchase, joint use, control and management of Fire Services Property, and for the purpose of providing Fire Protection within or outside the County.
- 8 The Fire Chief is authorized to delegate, and to authorize further delegations, of any powers, duties and functions delegated to the Fire Chief by Council under this Bylaw.

#### **AUTHORITY AND RESPONSIBILITY OF MEMBERS**

- 9 Members are responsible to the Fire Chief for the performance of their duties pursuant to this Bylaw and applicable County policies.

#### **AUTHORITY AND RESPONSIBILITY OF THE MEMBER IN CHARGE**

- 10 The Member in Charge at an Incident shall have control, direction and management of all Apparatus, Equipment and human resources assigned to that Incident until relieved by another Member authorized to take over.
- 11 The Member in Charge shall take action as deemed necessary for preserving life and Property and protecting Persons and Property from injury or destruction by fire or other emergency and is authorized to:
- (1) enter, pass through or over buildings, structures or Property whether adjacent or in proximity to an Incident and to cause staff or Apparatus to enter or pass through or over the building, structure or Property without permission;
  - (2) establish boundaries or limits and keep Persons from entering the area within the prescribed boundaries or limits unless authorized to enter by the Member in Charge;
  - (3) request Peace Officers to enforce restrictions on Persons entering within the boundaries or limits outlined in section 11(2);
  - (4) cause a building, structure or thing to be pulled down, demolished or otherwise removed;
  - (5) secure human resources and Equipment which they consider necessary to manage an Incident;
  - (6) secure and/or commandeer privately owned Equipment which they consider to deal with an Incident and authorize payment for use of the Equipment;
  - (7) require any adult Person who is not a Member, to assist in:
    - (a) extinguishing a fire or preventing the spread thereof;
    - (b) removing furniture, goods and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same; and
    - (c) demolishing a building or structure at or near the fire or other Incident.

#### **APPOINTMENT AND POWERS OF FIRE GUARDIANS**

- 12 Council delegates its authority to appoint Fire Guardians under the *Forest and Prairie Protection Act* to the Fire Chief in accordance with section 203 of the *Municipal Government Act*.
- 13 Unless otherwise limited by the Fire Chief, Fire Guardians shall have the authority and power to:
- (1) exercise all powers prescribed for Fire Guardians under the *Forest and Prairie Protection Act*;

- (2) issue Fire Permits in accordance with this Bylaw and impose any conditions on the Permit that the Fire Guardian considers appropriate, in their sole discretion, given the nature of the fire and prevailing circumstances, location and environmental conditions;
- (3) suspend or cancel a Fire Permit at any time; and
- (4) refuse to issue a Fire Permit where, in the opinion of the Fire Guardian, there is a risk to the public in relation to the proposed fire.

#### PERMITTED AND PROHIBITED FIRES

- 14 No Person or Occupant or Owner of a property shall burn or allow to be burned any Prohibited Debris.
- 15 No Person or Occupant or Owner of a property shall allow a fire to create dense smoke or offensive odours that creates a risk to public safety.
- 16 Subject to section 19 of this Bylaw, no Person or Occupant or Owner of a property shall light or cause to be lit a fire or allow any fire on any land in an Industrial Land Use District as defined in the County's Land Use Bylaw.
- 17 No Person or Occupant or Owner of a property shall light or cause to be lit a fire or allow any fire on land unless the Person holds a valid and subsisting Fire Permit, or the fire is exempt from the requirement for a Fire Permit under this Bylaw.

- 18 Notwithstanding section 17 of this Bylaw, Fire Permits are not required under this Bylaw for the following activities:

- (1) a fire in an Acceptable Burning Barrel;
- (2) a Recreational Fire;
- (3) a Smudge Fire; or
- (4) a fire lit for religious or ceremonial purposes;

provided that:

- (a) only clean fuel is used such as natural gas, propane, dry wood, or charcoal;
- (b) a means, acceptable to the Fire Chief, of controlling or extinguishing the fire is available on the Property and within reasonable distance from the fire;
- (c) the fire is kept under control and supervised at all times by a responsible adult Person until such time that the fire has been completely extinguished; and
- (d) flame height does not exceed 1 meter above the structure or container.

- 19 This Bylaw does not apply to:

- (1) an outdoor fire lit by Fire Services for training or preventive control purposes;
- (2) an outdoor fire that is a flare stack used in the petroleum industry;
- (3) an outdoor fire prescribed by regulations under the *Forest and Prairie Protection Act*; or
- (4) a fire confined to an incinerator regulated under the *Environmental Protection and Enhancement Act*.

#### FIRE PERMITS

- 20 An application for a Fire Permit shall be made on the form adopted by the County.
- 21 Upon receipt of an application for a Fire Permit, the Fire Guardian may, at their discretion, refuse to issue a Fire Permit or issue a Fire Permit with conditions.
- 22 A Fire Permit shall only be valid for the time period expressly indicated on the Permit, as determined by the Fire Guardian issuing the Permit, having regard for the nature and purpose of the fire and prevailing circumstances and environmental conditions.
- 23 A Fire Guardian may terminate, suspend, or cancel a Fire Permit at any time.
- 24 Upon receiving notification of termination, suspension, or cancellation of the Fire Permit, the Fire Permit holder shall immediately extinguish any fire set pursuant to the Fire Permit.

25 A Fire Permit is not transferable.

26 Every Person who sets a fire under authority of a Fire Permit shall:

- (1) comply with all terms or conditions of the Fire Permit;
- (2) keep the permit at the site of the fire;
- (3) produce and show the Permit to a Fire Guardian, Fire Chief, a Member, or a Peace Officer upon request;
- (4) have a responsible Person in attendance at the fire at all times;
- (5) keep the fire under control;
- (6) not allow smoke or sparks to drift or otherwise create a nuisance or hazard to neighboring Property, Persons or roadways;
- (7) extinguish the fire before expiration of the Permit or upon cancellation of the Permit; and
- (8) be responsible for costs as a result of all actions taken by the County when called upon to extinguish such fire.

#### FIRE PERMIT TYPES AND ELIGIBLE TIMEFRAMES

27 Fire Permits are divided into two types of permits:

- (1) Outdoor Fire Permit - which is a permit for the ignition and burning of a single material pile smaller than 3 metres in diameter and 2 metres high measured at its widest and tallest points; and
- (2) Major Burn Permits - which is a permit for the ignition of one or more concurrent outdoor fires or a single material pile that exceeds 3 metres in diameter and 2 metres in height measured at its widest and tallest points.

28 Within Restricted Burn Areas, an Outdoor Fire Permit is only permitted between December 1 and March 31. At the sole discretion of the Fire Chief, Outdoor Fire Permits may be granted outside of this timeframe having regard for the nature and purpose of the fire, prevailing circumstances and environmental conditions, or where the Property is larger than 4 Hectares.

29 Major Burn Permits are not permitted in Restricted Burn Areas.

#### FIRE RESTRICTION

30 The Fire Chief may, from time to time, prohibit the issuance of any new Fire Permits or Fireworks Permits and suspend all active Fire Permits and Fireworks Permits when, in the opinion the Fire Chief, the prevailing environmental conditions give rise to an increased risk of a fire running out of control.

31 A Fire Restriction imposed pursuant to section 31 shall remain in force until either the date provided in the notice of the Fire Restriction or until such time as the Fire Chief provides notice to the public that the Fire Restriction is no longer in effect.

32 Notice of a Fire Restriction shall be provided to the public. Notice may be in the form of signage, through a public service message on the local radio stations, or by any other means which the Fire Chief determines is appropriate for the purpose of informing the public of the Fire Restriction.

33 When a Fire Restriction is in place:

- (1) **no Fire Guardian shall issue a Fire Permit;**
  - (2) **the Fire Chief shall not issue any Fireworks Permits;**
- from the date of issuance of the Fire Restriction.

34 When a Fire Restriction is in place, no Person shall:

- (1) ignite any fire unless the fire is exempt from requiring a permit; or
- (2) sell, purchase, handle, discharge, fire or set off Fireworks within the County.

## FIRE BAN

- 35 The Fire Chief may prohibit all fires in the County when, in the opinion the Fire Chief, the prevailing environmental conditions give rise to an increased risk of a fire running out of control.
- 36 Fire Bans may be established and declared for the entire County or portions of the County.
- 37 A Fire Ban imposed pursuant to section 35 shall remain in force until either the date provided in the notice of the Fire Ban or until such time as the Manager provides notice to the public that the Fire Ban is no longer in effect.
- 38 Notice of a Fire Ban shall be provided to the public. Notice may be in the form of signage, through a public service message on the local radio stations, or by any other means which the Fire Chief determines is appropriate for the purpose of informing the public of the Fire Ban.
- 39 Subject to section 40, when a Fire Ban is in place, no Person shall ignite any fire or discharge fireworks, whether or not the Person is the holder of a Fire Permit, and shall immediately extinguish any fire lit once the Person knows or ought reasonably to know of the Fire Ban.
- 40 During a Fire Ban a Person may, subject to the requirements of this Bylaw, and unless the notice of the Fire Ban provides otherwise, use a barbeque that burns propane, natural gas, or wood pellets, provided that the barbeque is used for the purpose of cooking or obtaining warmth and is used on private Property or in a public area that has been approved by the County for the use of such barbecues.

## FIREWORKS PERMIT

- 41 No Person shall distribute, offer for sale, store, sell, use, discharge, fire or set off Fireworks within the County unless they hold a valid Fireworks Permit.
- 42 An application for a Fireworks Permit shall be made on the form adopted by the County as may be amended from time to time.
- 43 On receipt of an application for a Fireworks Permit, the Fire Chief may, in their sole discretion:
  - (1) refuse to grant a Fireworks Permit; or
  - (2) grant a Fireworks Permit with terms and conditions as the Fire Chief deems appropriate.
- 44 No Person under the age of 18 years shall apply for a Fireworks Permit or purchase Fireworks.
- 45 No Person shall sell, purchase, possess, handle, discharge, fire or set off Fireworks in a manner that is contrary to the terms and conditions of a Fireworks Permit.
- 46 Any Person selling, purchasing, possessing, handling, discharging, firing or setting off Fireworks shall produce the Fireworks Permit upon request by a Fire Guardian, the Chief Administrative Officer, the Fire Chief, a Peace Officer or Member.
- 47 The Chief Administrative Officer, Fire Chief, a Fire Guardian, or a Peace Officer may revoke any Fireworks Permit issued pursuant to this Bylaw:
  - (1) for reasons of non-compliance with the National Fire Code - Alberta Edition, the *Explosives Act*, National Resources Canada Regulations this Bylaw or the terms and conditions of the Permit;
  - (2) due to changes in environmental conditions; or
  - (3) for any reason, at their sole discretion, that may present a risk to life, Property, or the environment.

## FIREWORKS VENDOR PERMITS AND RESPONSIBILITIES

- 48 A retail vendor wishing to sell fireworks to persons in Parkland County shall obtain an annual Fireworks Vendor Permit from Fire Services.
- 49 The sale, purchase, possession, storage, and handling of Fireworks shall at all times be carried out in compliance with the *Explosives Act*, Natural Resources Canada Explosives Regulations, National Fire Code and National Building Codes, Alberta Editions, and with an acceptable Fire



Safety Plan as mandated and outlined by Natural Resources Canada Explosive Regulations and the National Fire Code and National Building Codes, Alberta Edition.

#### **FIREWORKS USE AND DISCHARGE**

- 50 No Fireworks shall be used or discharged within Restricted Burn Areas having a lot size less than 4 hectares.
- 51 No Fireworks shall be discharged without a valid Fireworks Permit.
- 52 No Person shall discharge Consumer Fireworks except:
- (1) New Year's Eve: from 6:00 P.M. December 31 to 1:00 A.M. January 1; and
  - (2) Canada Day: from 8:00 P.M. to 11:59 P.M. July 1.
- 53 No Person shall sell Consumer Fireworks within the County, except on the 14 days immediately preceding New Year's Day and Canada Day.
- 54 No Person shall discharge any Consumer Fireworks in such a manner as might create a danger or constitute a nuisance to any Person or Property, or to do or cause or allow any unsafe act or omission at the time and place for the discharging of any Fireworks.
- 55 No Person shall discharge any Consumer Fireworks in or into any building, doorway, or automobile.
- 56 No Person shall, without a Fireworks Permit, discharge any Consumer Fireworks in or on or into any park, County lands, highway, street, lane, square or other public place.

#### **FIRE AND DANGEROUS GOODS INCIDENT REPORTING REQUIREMENTS**

- 57 The Owner or Occupant of any Property damaged by fire must immediately report the particulars of the fire to the Fire Chief.
- 58 The Owner or Occupant of any Property containing Dangerous Goods, which sustains an accidental or unplanned release of the Dangerous Goods, must immediately report the particulars of the release to applicable government organization(s) as required by legislation or regulation, as well as to the Fire Chief.

#### **SERVICE FEES AND CHARGES**

- 59 The County may establish and levy fees and charges for services in accordance with the *Fees and Charges Bylaw*.

#### **FIRE SERVICES CHARGES**

- 60 Upon Fire Services providing Fire Protection on a parcel of lands, the County may, in its sole and absolute discretion, charge Fire Services Charges to any or all of the following Persons:
- (1) the Person or Persons causing or contributing to the fire;
  - (2) the Occupant of the parcel of land on which Fire Protection was provided;
  - (3) the Owner of the parcel of land on which Fire Protection was provided;
  - (4) the Person with control over the parcel of land on which Fire Protection was provided, which may include, without restriction, a Property manager; and
  - (5) the Person or Persons who requested Fire Protection;

and all Persons charged are jointly and severally liable for payment of the Fire Services Charges to the County.

- 61 Fire Services Charges shall be paid within 30 days of receipt of an invoice.
- 62 Collection of unpaid Fire Services Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the County is entitled to on the parcel of land in respect of which the indebtedness is incurred.
- 63 Without limiting section 60, the Owner of a parcel of land within the County to which Fire Services is provided is liable for Fire Services Charges incurred and the County may add to the

tax roll of the parcel of land all unpaid Fire Services Charges, which forms a special lien against the parcel of land in favour of the County from the date the amount was added to the tax roll, in accordance with the *Municipal Government Act*.

- 64 Notwithstanding sections 60 - 62, the County may elect to recover Fire Services Charges from Persons responsible for those charges pursuant to the *Forest and Prairie Protection Act*.
- 65 A Person who has damaged or destroyed any Apparatus, Equipment or Fire Services Property shall, in addition to any penalty imposed to in this Bylaw, be liable for, and pay upon demand, all costs incurred by the County to repair or replace the Apparatus, Equipment or Fire Services Property in question.

#### INSPECTION AND ENFORCEMENT

- 66 Where a parcel of land does not comply with this Bylaw or a Person contravenes this Bylaw, the County may pursue its enforcement alternatives in accordance with this Bylaw, any enactment, or any common law right, including issuing an order to remedy contraventions or dangers, remedying contraventions or dangers by the County, adding amounts to tax rolls and pursuing injunctions pursuant to the *Municipal Government Act*.
- 67 The Fire Chief is authorized to carry out inspections of land and structures, issue orders, remedy conditions and contraventions, and enforce this Bylaw in accordance with the *Municipal Government Act* and the *Safety Codes Act*.

#### FIRE DEPARTMENT BUILDING ACCESS AND LOCK BOXES

- 68 A building that incorporates the fire protection equipment, elevator control, or door access outlined in section 69 shall provide a key box constructed, keyed, and located in a manner acceptable to Fire Services containing a set or sets of keys or devices required to be used in an emergency.
- 69 A fire department key box shall be installed and Parkland County Fire Services provided with keys and devices in conformance with section 68 in a building equipped with
- (1) Any fire alarm or sprinkler system which transmits a signal to the Fire Service, except those located within single family residential dwellings;
  - (2) A fire alarm system whose control features, including those for emergency voice communication systems, are located behind a locked panel;
  - (3) A fire alarm system in which manually operated devices require a key or device in order to be reset;
  - (4) A fire alarm system in which the electrical circuit breaker is located within a locked panel or room;
  - (5) An automatic sprinkler system in which the main control valve is locked in the open position;
  - (6) An automatic sprinkler system in which the main control valve is located within a locked room or enclosure;
  - (7) Firefighting standpipe and water supply connections in a locked room or area;
  - (8) A key-operated elevator control feature that will permit exclusive use of elevators by firefighting personnel only;
  - (9) A key-operated elevator control feature that will switch selected elevators to operate on emergency power;
  - (10) Stairway doors that have been locked on the stairway side in conformance with the National Building Code (Alberta Edition); or
  - (11) Locked access doors to a roof provided for firefighting purposes.
- 70 Keys or devices provided in conformance with section 68 shall be affixed to a key ring or rings and identified with tags indicating their function.
- 71 The key box shall be installed on the exterior wall of the building in proximity to the principal entrance.

## GENERAL PENALTY PROVISION

**72** A person who contravenes this Bylaw by:

- (1) Doing any act or thing which the Person is prohibited from doing; or
  - (2) Failing to do any act or thing the Person is required to do;
- is guilty of an offence.

**73** Any Person who is convicted of an offence pursuant to the Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000) and in default of payment of any fine imposed to a period of imprisonment not exceeding six (6) months.

## VIOLATION TICKETS AND PENALTIES

**74** Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, the Peace Officer may commence proceedings against the Person by issuing a violation ticket pursuant to the Provincial Offences Procedures Act, RSA 2000, c. P-24.

**75** Where there is a specified penalty listed for an offence in Parkland County's *Fees and Charges Bylaw*, that amount is the specified penalty for the offence.

**76** Where there is a minimum penalty listed for an offence in Parkland County's *Fees and Charges Bylaw*, that amount is the minimum penalty for the offence.

**77** This section does not prevent any Peace Officer from issuing a violation ticket requiring a Court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, RSA 2000, c. P-24 or from laying an Information in lieu of a violation ticket.

**78** The levying and payment of any fine or the imprisonment of any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges, or costs from which that Person is liable under the provisions of this Bylaw or any other Bylaw.

**79** The County can exercise discretion in the application of this Bylaw and its contents as defined in Section 529 of the Municipal Government Act.

**80** If the complainant fails to supply evidence to a Parkland County representative on any issue within this Bylaw, the County may elect not to investigate the complaint.

**81** A Peace Officer may use discretion, mediation and provide increased awareness and education in lieu of applying violation tickets and penalties.

**82** All violation tickets issued by the County and heard by the Court are to be supported by witness statements and may require court attendance by the complainant to validate facts. The final decision to proceed with a specified penalty will be at the discretion of the Court, when the matter is heard, and will be based on supporting evidence.

## FALSE INFORMATION

**83** No person shall provide false or misleading information to any Peace Officer, or County employee.

## INTERFERENCE WITH A PEACE OFFICER

**84** No person shall interfere with or obstruct a Peace Officer in the exercise of their powers and duties pursuant to this bylaw.

## SEVERABILITY

**85** Should any provision of this bylaw be deemed invalid then such invalid provision will be severed from this bylaw and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.

**86** Bylaw 22-2012 and Bylaw 2016-24 are hereby repealed effective December 31, 2023.

**EFFECTIVE DATE**

87 This bylaw shall come into force and take effect on January 1, 2024.

READ A FIRST TIME this 24<sup>th</sup> day of October, 2023.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

READ A THIRD TIME and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

SIGNED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

PROPOSED