

**SCHEDULE A**

**Village of Wabamun Fire Services Matters Bylaws for Repeal**

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## LIST OF BYLAWS AND RATIONALE FOR REPEAL

### 1. Village of Wabamun Bylaw No. 13-81: Disaster Bylaw

Parallel Parkland County Bylaws: Bylaw No 2019-21: Municipal Emergency Management

Rationale for repeal: This bylaw is no longer necessary as Parkland County has an equivalent bylaw which can replace it. This will unify emergency management services and harmonise legislation across the county.

Bylaw document: not available

### 2. Village of Wabamun Bylaw No. 11-2019: Fire Control and Permit Bylaw

Parallel Parkland County Bylaws: *Bylaw No. 22-2012: Fire Permit Bylaw*

Rationale for repeal: This bylaw is no longer necessary as Parkland County has an equivalent bylaw which can replace it. This will unify fire services and harmonise legislation across the county.

Bylaw document: available at [Appendix A](#)

### 3. Village of Wabamun Bylaw No. 05-2018: Municipal Emergency Management Bylaw

Parallel Parkland County Bylaws: Bylaw No 2019-21: Municipal Emergency Management

Rationale for repeal: This bylaw is no longer necessary as Parkland County has an equivalent bylaw which can replace it. This will unify emergency management services and harmonise legislation across the county.

Bylaw document: available at [Appendix B](#)

**APPENDIX A:**  
**WABAMUN BYLAW NO. 11-2019: FIRE CONTROL AND PERMIT BYLAW**



**BYLAW NO 11-2019  
 OF THE  
 VILLAGE OF WABAMUN  
 IN THE PROVINCE OF ALBERTA**

**THIS BEING A BYLAW OF THE VILLAGE OF WABAMUN, IN THE PROVINCE OF ALBERTA,  
 AUTHORIZING THE PREVENTION AND CONTROL OF FIRES**

- WHEREAS** Sections 7 and 8 of the *Municipal Government Act* R.S.A. 2000, chapter M-26 ("*Municipal Government Act*") provide that Council may pass Bylaws for the prevention or the extinguishing of fires, the preservation of life and property, the protection of persons from injury or destruction by fire, and provides the Municipality the authority to establish a system of licenses, permits or approvals within Village of Wabamun;
- AND WHEREAS** under the provisions of Section 44 of the *Provincial Offences Procedure Act*, and under the provisions of Section 7 of the *Municipal Government Act*, Council may by Bylaw provide for the payment of Violation Tickets or summons out of court.
- AND WHEREAS** the Council of Village of Wabamun pursuant to the powers granted to it under the *Municipal Government Act* wishes to provide for the prevention, regulation and control of the lighting of fires within Village of Wabamun;
- NOW THEREFORE** the Council of Village of Wabamun duly assembled and under the authority of the *Municipal Government Act*, as amended, hereby enacts as following:

**SECTION 1 - NAME OF BYLAW**

1. This Bylaw may be cited as "the Fire Control and Permit Bylaw".

**SECTION 2 – DEFINITIONS**

1. In this Bylaw:
- a. "Approved Fire Pit" means a barbecue or fire pit that is
    - i. A minimum of three (3) metres clearance from buildings, property lines and combustible materials;
    - ii. Constructed of bricks, cement blocks, heavy gauge metal or other suitable non-combustible material components;
    - iii. Designed for a fire within a non-combustible container provided by Village of Wabamun within a designated public park where burning for cooking and warming is permitted
  - b. Bylaw Enforcement Officer means a Community Peace Officer, Sheriff, Public Officer, RCMP Member or a Village Employee or contractor delegated with the authority to enforce Bylaws of this Village;
  - c. "CAO" means the person appointed as the Chief Administrative Officer of Village of Wabamun;
  - d. "Coal" means the compressed remains of ancient plants utilized as a fossil fuel. For the purposes of this Bylaw "Coal" shall include – but not be limited to – the following types of coal fuels:

- i. Lignite;
  - ii. Sub-bituminous
  - iii. Bituminous; and
  - iv. Anthracite;
- e. "Coal Fired Indoor or Outdoor Appliance" means any device, piece of equipment, stove, furnace, boiler, or burner that uses coal for its fuel.
- f. "Consumer fireworks" are commonly referred to as low hazard fireworks generally used for recreation. Examples include, but are not limited to: showers, golden rain, lawn lights, pinwheels, roman candles, volcanoes, and sparklers. These are classified as type F.1 explosives in the Regulation.
- g. "Council" means the Council of Village of Wabamun as constituted from time to time;
- h. "CSA standard" means the Performance Testing of Solid Fuel-Burning Heating Appliances CAN/CSA-B415.1 standard published by the Canadian Standards Association as amended from time to time.
- i. "Designate" means any person appointed by the Fire Chief to carry out duties under this bylaw;
- j. "Display fireworks" are commonly referred to as high hazard fireworks generally used for public display by trained professionals. Examples include, but are not limited to: rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination, set pieces, pigeons and firecrackers. These are classified as type F.2 explosives in the Regulation.
- k. "EPA standard" means the new source performance standards, title 40, Part 60, Subpart AAA of the Code of Federal Regulations (USA), published by the United States Environmental Protection Agency as amended from time to time.
- l. Explosives Act – means Act - means the Explosives Act, Revised Statutes of Canada, 1985, Chapter E-17, and the Regulations enacted hereunder as amended from time to time
- m. "Fire Ban" means a provincial ministerial order or an order by a member of the Fire Chief's Office, who may, at their discretion, cancel any or all fire permits, prohibiting the lighting or requiring the extinguishment of a fire;
- n. "Fire Chief" means the person appointed as head of the Parkland County's Fire Services Department;
- o. "Fire Chief's Office" means the Fire Chief and other Fire Services members;
- p. "Fire Permit" means a permit issued by the Fire Chief or his designate pursuant to this Bylaw allowing for the setting of outdoor fires, structure fires, incinerator fires, or discharging fireworks within Village of Wabamun;
- q. "Fireworks" means any Fireworks listed in the Explosives Act (Canada) and regulations under the Act.
- r. "Household Garbage" means any discarded material from household activities that may include, but is not limited to: wet organic waste, plastic, rubber, disposable diapers, glossy coloured paper, particle board, and other materials that when burned give off offensive odours and visible smoke.
- s. "Incinerator Fire" means a fire that is confined within a non-combustible structure, container or barrel with openings covered with a heavy gauge metal screen having a mesh size not larger than thirteen (13) millimetres, but does not include any industrial or commercial type incinerator that is required to be licensed under the Alberta Environmental Protection and Enhancement Act regulations;
- t. "Municipal Tag" means a tag or similar document issued by the Village pursuant the *Municipal Government Act* that alleges a bylaw offence and provides a person with the opportunity to pay an amount to the Village in lieu of prosecution for the offence;
- u. "Occupant" means any person other than the registered owner who is in possession of the property, including, but not restricted to, a lessee, licensee, tenant or agent of the owner.
- v. "Open burning" is defined as "the burning of any matter in such a manner that products of combustion resulting from the burning are emitted directly into the ambient (surrounding outside) air without passing through an adequate stack, duct or chimney."

- w. "Outdoor Fire" means any fire other than that defined as an incinerator fire, structure fire, or smudge fire, and shall include, but not be limited to:
  - i. Fires involving humus, wood, soil, farm produce, bush, grass, feed, straw, coal;
  - ii. Any fire that has escaped or spread from a building, structure, machine, vehicle or incinerator;
  - iii. An incinerator fire without the required metal screen; or
  - iv. A smudge fire without the required metal screen
- x. "Outdoor Wood Boiler" (also known as Outdoor Wood Fired Hydronic Heater, Wood Stove or Outdoor Wood Furnace) means a fuel burning device designed to burn wood and other approved solid fuels such as coal; that the manufacturer specifies for outdoor installation and heats fluid, typically water and antifreeze mixture for distribution typically through pipes to heat building space.
- y. "Owner" means:
  - i. The person as registered on title at the Land Titles Offices;
  - ii. A person who is recorded as the owner of the property on the assessment roll of the Village
  - iii. A person who has purchased or otherwise acquired the property, whether purchased or otherwise acquired from the owner or from another purchase, and has not become the registered owner thereof;
  - iv. A person controlling the property under construction; or
  - v. A person who is the occupant of the property under a rental agreement, lease, license, or permit.
- z. "Peace Officer" means a person appointed as a peace officer under Section 7 of the *Peace Officer Act*;
- aa. "Person" means an individual and includes a firm, partnership, joint venture, proprietorship, corporate, association, society and any other legal entity;
- bb. "Portable Appliance" means any appliance sold or constructed for the purpose of cooking food in the out of doors.
- cc. "Prohibited Debris" means any flammable debris or waste material that when burned, may result in the release to the atmosphere of dense smoke, offensive odours or toxic air contaminants, pursuant to *Activities Designation Regulation (AR 276/2003)*;
- dd. "Property" means any lands, buildings, structures or premises, or any personal property located thereupon, within the municipal boundaries of the Village.
- ee. "Restricted Burn Area" means an area within Village of Wabamun that has special burning restrictions as designated by the Fire Chief, or his designate;
- ff. "Running Fire" means a fire burning without being under the proper control of any Person;
- gg. "Smudge Fire" means a fire set for the purpose of protecting livestock from insects or for protecting garden plants from frost;
- hh. "Solid fuel" refers to various types of solid material that are used as fuel to produce energy and provide heating, usually released through combustion. Solid fuels include, but are not limited to: wood, charcoal, peat, coal, Hexamine fuel tablets, and pellets made from wood, corn, wheat, rye and other grains.
- ii. "Solid Fuel Appliances" means any fireplace or wood heater that burns wood, coal, or any other nongaseous or non-liquid fuels, or any similar device burning any solid fuel, used for aesthetic or space-heating purposes in a private residence or commercial establishment,
- jj. "Specified Penalty" means a penalty specified in Schedule "A" which may be paid in response to a Violation Ticket or Municipal Tag, for an alleged offence of any section of this Bylaw;
- kk. "Structure Fire" means a fire confined to and within any building, structure, machine or vehicle, which will, or is likely to cause the destruction of or damage to such building, structure, machine or vehicle.
- ll. "Village" means Village of Wabamun;

mm. "Violation Ticket" means a ticket issued for an offence committed against any of the provisions of this Bylaw pursuant to Part 2 of the *Provincial Offences Procedure Act* R.S.A. 2000, Chapter P-34.

### SECTION 3 – POWERS OF THE FIRE CHIEF OR HIS DESIGNATE

1. Where an emergency or a potential emergency exists, the Fire Chief or his designate shall be empowered to suspend all structural fires, incinerator fires, outdoor fires, any camping fire lit for cooking or warming purposes or the discharging of fireworks within municipal boundaries for such a period of time and on such conditions as may be determined by the Fire Chief or his designate

### SECTION 4 - FIRE PERMITS

1. Fire Permits shall be required under this Bylaw at all times.
2. Council from time to time by resolution may establish a fee for issuing a fire or fireworks permit.
3. An application for a fire permit for an outdoor fire, a structure fire shall be made to a Fire Chief or designate in writing. The Fire Chief or his designate shall receive and consider the application and may refuse issuance of permit on reasonable and probable grounds that a public interest risk exists for the proposed fire.
4. When issuing a fire permit, a Fire Chief or his designate may issue the fire permit unconditionally and/or may impose conditions.
5. Fire Permits issued pursuant to this Bylaw are valid for such period of time as shall be determined and set by the Fire Chief or his designate issuing the permit, but in any case shall not exceed ninety (90) days. The fire permit shall have endorsed thereon the period of time for it is valid.
6. Each application for a fire permit shall contain the following information:
  - a. The name and address of the applicant;
  - b. The legal description or municipal address of the property on which the fire will be set;
  - c. A description of the material the applicant proposes to burn;
  - d. The period of time the fire permit is valid;
  - e. The precautions that will be taken by the applicant to ensure that the proposed fire remains under his or her control;
  - f. The signature of the applicant;
  - g. The signature of the Fire Chief or his designate issuing the fire permit.
7. Where an emergency or a potential emergency exists, the Fire Chief or his designate shall be empowered to suspend all structural fires, incinerator fires, outdoor fires, any outdoor camping fire lit for cooking or warming purpose, or the discharging of fireworks within all or portions of the Village for such a period of time and on such conditions as may be determined by the Fire Chief or his designate.
8. Upon receiving notice of the suspension or cancellation of a fire or fireworks permit, the person concerned shall immediately extinguish any fire set.
9. An application for a permit to discharge Consumer fireworks shall be made to a Fire Chiefs Office in writing. The Fire Chief or his designate shall receive and consider the application and may refuse issuance of permit on reasonable and probable grounds that a public interest risk exists for the proposed fire.
10. An application for a permit to discharge display Fireworks shall be made to a Fire Chiefs Office in writing at least 14 days before the intended date of the fireworks display.
11. The permit application shall include all of the following information:
  - a) the name, address and signature of the person or persons sponsoring the fireworks display;
  - b) the name, certification number and signature of the Fireworks Supervisor;
  - c) the name of the person that is conducting the fireworks display;
  - d) the date and time of the proposed display;
  - e) a detailed description of the proposed display;

- f) the exact location planned for the fireworks display including a diagram of the grounds on which it will be held, showing the point from where the fireworks will be discharged, the location of all highways, railroads, overhead wires and obstructions, buildings and other structures, and the lines behind which the audience will be restrained;
  - g) written consent from the owner of the property on which the fireworks display will be held;
  - h) the manner and place of storage of all fireworks prior to, during and after the display;
  - i) the name and address of the vendor or vendors that supplied all the fireworks used in the fireworks display;
  - j) proof of General Liability Insurance with coverage of at least \$5,000,000 per occurrence in a form acceptable to the Fire Chief or his designate;
  - k) any other information requested by the Fire Chief's office.
12. A permit to sell, offer for sale, store for the purpose of sale, of consumer fireworks shall be obtained from the Village and any approved permit shall be accompanied by a copy of this bylaw.
13. A fire or fireworks permit shall not be transferable.
14. Notwithstanding any provision within this Bylaw the Fire Chief or his designate may issue a fire or fireworks permit at their discretion

#### SECTION 5- EXEMPTIONS

1. A fire permit is not required for the following:
  - a. A barbecue/fire pit that ;
    - i. Is a minimum of three (3) metres clearance from buildings, property lines and combustible materials, or as approved by the Fire Chief's Office is maintained;
    - ii. Is constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible components;
    - iii. Is supervised at all times by a responsible person until such time that it has been extinguished. A fire shall be deemed to include hot ashes and smouldering embers resulting from the fire;
    - iv. Uses only wood, charcoal briquettes, propane or natural gas fuels;
    - v. Has a flame height that does not exceed Ninety (90) cm above the barbecue/fire pit;
  - b. A Portable Appliance.
  - c. A smudge fire in a non-combustible container covered with a heavy gauge metal screen having a mesh size not larger than thirteen (13) millimetres.
  - d. A fire within a non-combustible container provided by the Village within a designated public park where burning for cooking and warming is permitted.
  - e. An incinerator fire in a non-combustible container covered with a heavy gauge metal screen having a mesh size not larger than thirteen (13) millimetres as approved by the Fire Chief, or his designate.
  - f. Any industrial or commercial type incinerator that is required to be licensed under the *Alberta Environmental Protection and Enhancement Act* regulations.
  - g. Those fires that are set for the purpose of training fire fighters.

#### SECTION 6 - OFFENCES

1. No person shall light an outdoor fire or a structure fire without a fire permit if a fire permit is required under this Bylaw.
2. No Person shall discharge, or set off any type of fireworks without a permit.
3. No person shall sell any fireworks but Consumer fireworks within Village of Wabamun
4. No person shall sell Consumer fireworks within Village of Wabamun without a permit.
5. No person shall sell Consumer recreational fireworks within the Village to any person under the age of 18 years.

6. Any person who discharges fireworks for the purposes described in this Bylaw is responsible to ensure that it is conducted in a safe manner and conducive with the Explosives Act and regulations.
7. When a fire is lit under the circumstances described in Section 5.1, or as allowed by permit, the owner or occupant of the property or the person having control of the property upon which such fire is lit shall:
  - a. Be liable to prosecution under conviction and/or costs incurred by Village of Wabamun to respond, suppress and extinguish the fire should it become uncontained or un-supervised.
8. No person shall, either directly or indirectly, personally or through an agent, servant or employee ignite a fire and let it become a running fire on any property or allow a running fire to pass from his or her own property to another property.
9. No person shall light an outdoor fire, a structure fire, an incinerator fire, smudge fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times.
10. No person shall place Prohibited Debris into a fire and allow it to burn.
11. No person shall light an outdoor fire, a structure fire, incinerator fire, smudge fire, barbecue/fire pit, or portable appliance not fuelled by propane or natural gas, during a Municipal or Provincial Fire Ban.
12. No person shall light an outdoor fire, a structure fire, incinerator fire, or a barbecue/fire pit fire during a Municipal or Provincial Fire Ban or let it become a running fire on any property, or allow a running fire to pass from his or her own property to another property.
13. No person shall obstruct a Peace Officer, Bylaw Enforcement Officer, Fire Chief or his designate, or Firefighter in the performance of their duties. Obstruction will include, but is not limited to, failure to provide access to property and failure to provide information as to identity of individuals.
14. No person shall install, operate or burn materials in an Outdoor Wood-fired Boiler (OWB) or Coal-Fired Outdoor Appliance.
15. No person shall disclose false information when applying for a fire permit.
16. No person shall allow any fire to give off a dense smoke or offensive odours.
17. No person shall burn household garbage within the Village.
18. Any person who lights a fire for the purposes described in this Bylaw is responsible to ensure that it is conducted in a safe manner
19. No person shall burn materials on any lands in Village of Wabamun where the burnable materials were transported there from another location, Municipality or Jurisdiction. This section does not pertain to wood used for approved fire pits or appliances used for cooking or warming purposes.
20. No burning or fires of any sort are allowed in areas designated as Municipal or Environmental Reserve, or in designated Restricted Burn Areas, without a permit.
21. No "Outdoor Fires" are allowed in restricted burn areas which include Multi-Parcel Subdivisions, Rural Centre Districts, and Industrial Commercial Core. Burning is permitted only in approved fire pits, incinerators, or as otherwise approved and permitted by the Fire Chief, or his designate.
22. No person shall kindle a fire or burn materials in a solid fuel appliance unless the appliance meets the clean burning regulations and emission control standards of the CSA or EPA.

#### SECTION 7 – PENALTIES

1. A person who fails to comply with any provision contained in this Bylaw is guilty of an offence and is liable on a conviction to a fine of not more than \$10,000.00, or to imprisonment to a term of not more than one year, or both.
2. Where a person contravenes this Bylaw, the specified penalty payable is prescribed in Schedule A attached
3. A Peace Officer or Bylaw Enforcement Officer is authorized to enforce this Bylaw under Section 7 of the *Municipal Government Act* and may, under Part 2 of the *Provincial Offences Procedures Act (Alberta)*, issue a violation ticket or Municipal Tag.



4. A notice of form (commonly called a Violation Ticket or Municipal Tag) may be issued by a Peace Officer or Bylaw Enforcement Officer to any Person charged with a breach of any of the provisions of this Bylaw and the hereto-mentioned Acts shall apply in regards to the payment.
5. Where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire, responding to a fire call or incident in the Village, or for the purpose of preserving life or property from injury or destruction by fire or other incident on property within the Village, including any action taken by the Fire Department on a false alarm, the Fire Chief or his designate and the Village CAO may, in respect of any costs incurred by the Fire Department in taking such action, charge these costs to the owner or occupant of the property in respect of which the action was taken.
6. The costs for Fire Department services rendered shall be determined by the Fire Chief or his designate and the CAO. In the event that the owner or occupant shall feel aggrieved by any action taken by the Fire Chief or his designate and the Village CAO pursuant to Section 7.4, he or she shall have a period of thirty (30) days from the date of mailing of the notice to appeal to Council the action. The decision of Council on any such appeal shall be final and binding upon the owner or occupant of the property.
7. In respect of any costs or fees levied or charged under this Bylaw:
  - a. Village of Wabamun may recover such costs or fees as an amount due and owing to Village of Wabamun pursuant to Section 552 of the *Municipal Government Act* R.S.A. 2000, Chapter M-26; and
  - b. In default of payment, where permitted by the *Municipal Government Act* R.S.A. 2000, Chapter M-26 Section 533(1) (c), add the amounts due to the tax roll of the property in question.

#### **SECTION 8 – SEVERABILITY**

1. Should any section or part of this Bylaw be found to have been improperly enacted, for any reason, then such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

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

1. Should any provision of this Bylaw be found invalid, the invalid portion shall be severed and the remaining Bylaw shall be maintained.
2. Village of Wabamun bylaw 08-2014 is hereby repealed.
3. This Bylaw shall come into force and effect on the day of the Third and Final Reading.

**READ A FIRST TIME IN COUNCIL THIS 19<sup>TH</sup> DAY OF MARCH, 2019**

**READ A SECOND TIME IN COUNCIL THIS 19<sup>TH</sup> DAY OF MARCH, 2019**

**READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 19<sup>TH</sup> DAY OF MARCH, 2019**

\_\_\_\_\_  
SIGNED BY THE CEO THIS DATE

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
SIGNED BY THE CAO THIS DATE

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

**SCHEDULE A**

		First Offence	Second Offence	Subsequent Offence
Section 6.1	Light an Outdoor Fire or Structure Fire without a subsisting Fire Permit if required under this Bylaw	\$250	\$750	\$2,000
Section 6.2	Discharge or set off any type of fireworks without a permit	\$500	\$2,000	\$10,000
Section 6.3	No person shall sell any fireworks but Consumer fireworks within Village of Wabamun	\$500	\$2,000	\$10,000
Section 6.4	Sell consumer fireworks within the Village without a permit	\$500	\$2,000	\$10,000
Section 6.5	Sell consumer fireworks within the Village to any person under the age of 18 years.	\$500	\$2,000	\$10,000
Section 6.6	Any person who discharges fireworks for the purposes described in this Bylaw is responsible to ensure that it is conducted in a safe manner and conducive with the Explosives Act and regulations.	\$250	\$750	\$2,000
Section 6.8	Allow any fire to become a Running Fire on any Property not his or her own, or allowing a Running Fire to pass from his or her own Property to the Property of another.	\$500	\$2,000	\$10,000
Section 6.9	Light an Outdoor Fire, a Structure Fire, an Incinerator Fire, Smudge Fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times.	\$500	\$2,000	\$10,000
Section 6.10	Place prohibited debris within a fire and allow it to burn	\$1,000	\$5,000	\$10,000
Section 6.11	Light an Outdoor Fire, a Structure Fire, Incinerator Fire, barbecue/fire pit fire, or discharge Fireworks during a municipal or provincial Fire Ban	\$1,000	\$5,000	\$10,000
Section 6.12	Light an Outdoor Fire, a Structure Fire, Incinerator Fire, a barbecue/fire pit fire, during a municipal or provincial Fire Ban and let it become a Running Fire on any Property not his or her own property, or allow a Running Fire to pass from his or her own property to the property of another.	\$5,000	\$7,500	\$10,000
Section 6.13	Obstruct a municipal constable, Fire Guardian, member of the Fire Chief's Office, or Volunteer Firefighters in the performance of their duties pursuant to this Bylaw	\$2,500	\$7,500	\$10,000
Section 6.14	Install, operate or burn materials in an Outdoor Wood-fired Boiler or Coal-Fired Indoor or Outdoor Appliance	\$1,000	\$5,000	\$10,000

		First Offence	Second Offence	Subsequent Offence
Section 6.15	Disclose false information when applying for a Fire Permit	\$1,000	\$5,000	\$10,000
Section 6.16	Allow any fire to give off a dense smoke or offensive odour in a manner which may create a risk to public safety	\$1,000	\$5,000	\$10,000
Section 6.17	Burn household garbage within the village	\$250	\$750	\$10,000
Section 6.18	Fail to burn in a safe manner	\$500	\$2,000	\$10,000
Section 6.19	Burn materials on lands in Village of Wabamun where burnable materials were transported from another location, Municipality or Jurisdiction does not pertain to wood used for approved fire pits or appliances used for cooking or warming purposes.	\$500	\$2,000	\$10,000
Section 6.20	Burn or have a fire in an area designated Municipal Reserve, Environmental Reserve or Restricted Burn Area without a permit	\$500	\$2,000	\$10,000
Section 6.21	Have an Outdoor Fire in a Restricted Burn Area without a permit.	\$1,000	\$5,000	\$10,000
Section 6.22	Kindle a fire or burn materials in solid fuel appliance that does not meet clean burning regulations and emission control standards of the CSA or EPA	\$500	\$7,500	\$10,000

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**APPENDIX B:****WABAMUN BYLAW NO. 05-2018: MUNICIPAL EMERGENCY MANAGEMENT BYLAW**

**BYLAW NO. 05-2018  
OF THE  
VILLAGE OF WABAMUN  
IN THE PROVINCE OF ALBERTA**

A BYLAW of the Village of Wabamun in the Province of Alberta to establish a MUNICIPAL EMERGENCY MANAGEMENT BYLAW"

WHEREAS the Council of the Village of Wabamun is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 (current as of March 25, 2010), to appoint an Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act;

NOW, THEREFORE, The Council of the Village of Wabamun, duly assembled, enacts as follows:

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.
2. In this Bylaw,
  - (a) "Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;
  - (b) "Council" means the Council of the Village of Wabamun;
  - (c) "disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;
  - (d) "Emergency Advisory Committee" means the committee established under this Bylaw;
  - (e) "emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;
  - (f) "Minister" means the Minister charged with administration of the Act;
  - (g) "Municipal Emergency Management Agency" means the agency established under this Bylaw; and
  - (h) "Municipal Emergency Management Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.
3. There is hereby established an Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
4. There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, nor the powers contained in Section 11 of this Bylaw.
5. Council shall
  - (a) by resolution, appoint all members of Council who are not serving as Mayor or Deputy Mayor to serve on the Emergency Management Advisory Committee;
  - (b) provide for the payment of expenses of the members of the Emergency Management Advisory Committee;
  - (c) appoint a Chief Administrative Officer who shall act as the Director of Emergency Management

- (d) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Village of Wabamun;
  - (e) approve the Village of Wabamun's emergency plans and programs; and
  - (f) review the status of the Municipal Emergency Management Plan and related plans and programs at least once each year.
6. Council may
- (a) by Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
  - (b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid agreements and/or regional plans and programs.
  - (c) on the recommendation of the Emergency Advisory Committee, appoint one or more Deputy Director(s) of Emergency Management" who shall do those things required of the Director of Emergency Management in that person's absence;
7. The Emergency Advisory Committee shall
- (a) review the Municipal Emergency Management Plan and related plans on a regular basis; and
  - (b) advise Council, duly assembled, on the status of the Municipal Emergency Management Plan and related plans and at least once each year.
8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
- (a) the Director of Emergency Management (C.A.O. of the Village of Wabamun);
  - (b) the Deputy Director of Emergency Management;
  - (c) Administrative Assistant, Clerk and Finance Officer of the Village of Wabamun;
  - (d) the R.C.M.P. Chief or designate or the N.C.O. in Charge from the local detachment;
  - (e) the Fire Chief from Parkland County or designate;
  - (f) the Public Works Foreman of the Village of Wabamun or designate;
  - (g) The Bylaw Enforcement Officer of the Village of Wabamun
  - (h) the FCSS Director of the Village of Wabamun or designate;
  - (i) anybody else who might serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan
9. The Director of the Emergency Management Agency shall
- (a) prepare and co-ordinate the Municipal Emergency Management Plan and related plans for the Village of Wabamun;
  - (b) act as director of emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
  - (c) authorize and co-ordinate all emergency services and other resources required during an emergency; or
  - (d) delegate duties and tasks as necessary to ensure conformance with paragraphs (a), (b), and (c).
10. The power to declare or renew a state of local emergency, the powers specified in Section 11 of this Bylaw, and the requirement specified in Section 14 of this Bylaw, are hereby delegated to the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council. He, she or they may, at any time, when he, she or they are satisfied that an emergency exists or may exist, make a declaration of a state of local emergency.
11. When a state of local emergency is declared, the person[s] making the declaration shall

- (a) ensure that the declaration identifies the nature of the emergency and the area of the Village in which it exists;
  - (b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
  - (c) forward a copy of the declaration to the Minister forthwith.
12. Subject to Section 14, when a state of local emergency is declared, the local authority making the declaration may do all acts and take all necessary proceedings including the following;
- (a) cause the Municipal Emergency Plan or any related plans or programs to be put into operation;
  - (b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
  - (c) authorize or require any qualified person to render aid of a type he or she is qualified to provide;
  - (d) control or prohibit travel to or from any area of the Village;
  - (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate emergency medical, welfare and other essential services in any part of the Village;
  - (f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Village that is or may be affected by a disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
  - (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program;
  - (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of a disaster, or to attempt to forestall its occurrence or to combat its progress;
  - (i) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Village for the duration of the state of emergency;
  - (j) authorize the conscription of persons needed to meet an emergency; and
  - (k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan and related plans or programs, any power specified in Paragraphs (b) through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.
13. When a state of local emergency is declared,
- (a) neither Council nor any member of Council, and
  - (b) no person appointed by Council to carry out measures relating to emergencies or disasters,
- are liable for anything done or omitted to be done in good faith while carrying out a power or duty under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
14. When, in the opinion of the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any two members of Council shall terminate the declaration.
15. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when
- (a) it is cancelled under Section 14;
  - (b) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
  - (c) the Minister cancels the state of local emergency.
16. When a declaration of a state of local emergency has been terminated, the Mayor, or, in his or her absence, the Deputy Mayor or in his or her absence any

two members of Council who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

17. Bylaw No. 02-91 passed on February 4, 1991, dealing with Disaster Services or Emergency Management is hereby rescinded. This Bylaw comes into force on the day it is finally passed.

Read a First time in Council this 17th day of July, 2018

Read a Second time in Council this 17<sup>th</sup> day of July, 2018

Read a Third and Final Time in Council this 21<sup>st</sup> day of August, 2018

Aug 30 2018  
Signed by the CEO this date

Aug 22/2018  
Signed by the CAO this date

CS  
Chief Elected Official

Chief Administrative Officer