



FIRE BYLAW

A BYLAW OF THE TOWN OF BASSANO, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF FIRE PROTECTION SERVICES.

WHEREAS the *Municipal Government Act* R.S.A. c.M-26 and regulations as amended, provides that the Council of a Town may pass a Bylaw for the safety, health and welfare of people, and the protection of people and property, and for services provided by or on behalf of the Town;

AND WHEREAS the Council of the Town of Bassano wishes to establish a fire service within the Town and to provide for the efficient operation of such a fire service;

AND WHEREAS the Council of the Town of Bassano wishes to regulate the use and setting of fires;

NOW THEREFORE the Council of the Town of Bassano in the Province of Alberta, duly assembled, enacts as follows:

1. NAME OF BYLAW

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

2. DEFINITIONS

2.1 "Act" means the *Municipal Government Act*, R.S.A. 2000, C-26 as may be amended, repealed and replaced from time to time;

2.2 "Address Number" means the number of a property designed by the Planning and Development Department of the Town, which may include a combination of numbers and/or words.

2.3 "Apparatus" means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters or supplies;

2.4 "Bassano & Rural Fire Area Committee" referred to as the Fire Committee to mean an appointed group of elected officials from the Town and County of Newell and Fire Chiefs that maintain the Department in accordance with the Fire Protection Agreement.

2.5 "Bylaw" means the Town Fire Bylaw No. 885/19 as may be amended from time to time;

- 2.6 “Chief Administrative Officer” or “CAO” means the Chief Administrative Officer of the Town regardless of any subsequent title that may be conferred on that officer by Council or statute, or his/her designate;
- 2.7 “Community Peace Officer” means a Bylaw Enforcement Officer whose services are contracted by the Town for the purpose of enforcement of this Bylaw, also includes a Peace Officer or a member of the Royal Canadian Mounted Police;
- 2.8 “Construction Site” means development of a new primary building and includes exterior renovations to an existing building if the exterior renovations exceed 30 days;
- 2.9 “Consumer Fireworks” means low hazard fireworks designated for recreational use and classified as F.1. by the *Explosives Regulation*. Consumer Fireworks may include Roman Candles, sparklers, fountains, volcanoes, mines and snakes;
- 2.10 “Corporate Limits” means the municipal boundary of the Town shown in Schedule “H”;
- 2.11 “Council” means the Council of the Town;
- 2.12 “Dangerous Goods Product” means those products or substances, which are regulated by the *Transportation of Dangerous Goods Act* and its *Regulations*;
- 2.13 “Department” means the Fire Department established by this Bylaw and includes any person duly appointed to the Fire Department;
- 2.14 “Deputy Fire Chief” means the member appointed as assistant to the Town’s Fire Chief who performs duties and responsibilities of a Fire Chief when designated;
- 2.15 “Designated Officer” means a Designated Officer of the Town whose authority includes inspections or enforcement of Town bylaws and includes the CAO;
- 2.16 “Display Fireworks” means high hazard fireworks designed for professional use and classified as F.2. by the *Explosives Regulation*. Display Fireworks may include Aerial Shells, cakes, Roman Candles, waterfalls, lances, and wheels. The manufacture, storage, handling, transportation, sale and use of display fireworks must meet the regulatory requirements of the *Explosives Regulation*;
- 2.17 “Equipment” shall mean any tools, contrivances, devices or materials used by the Department to combat an Incident or other emergency;
- 2.18 “*Explosives Act*” means the Explosives Act, RSC 1986, c E-17, as may be amended, re-enacted, or replaced from time to time.

- 2.19 “*Explosives Regulation*” means the Explosives Regulation, SOR/2013-211, to the *Explosives Act*, as may be amended, re-enacted, or replaced from time to time.
- 2.20 “False Alarm” means any notification to the Department or Member respecting the existence of a condition, circumstance or event containing an imminent serious danger to life or Property wherein such a condition, circumstance or event is in fact not in existence;
- 2.21 “Fire Alarm System” means a system designed to give early warning of a possible fire in a building to the building occupants and is professionally installed and maintained by professionals;
- 2.22 “Fire Chief” means the individual appointed as Chief Officer of the Department;
- 2.23 “Fire” means any combustible material in a state of combustion;
- 2.24 “Fireworks” means a device containing gunpowder and other combustible chemicals that causes a spectacular explosion when ignited, used typically for display or in celebrations;
- 2.25 “Fireworks Sales Permit” means a document issued pursuant to this Bylaw that authorizes the sale of Consumer Fireworks, on a form set out in Schedule “E”;
- 2.26 “Fire Department Property” means all property (land and buildings) controlled by the Town and designated for use by the Department, regardless of the source of the property;
- 2.27 “Fire Hazard” means any condition, circumstance or event wherein the possibility a risk of Fire is increased;
- 2.28 “Fire Permit” means a document issued pursuant to this Bylaw, on a form set out in Schedule “A” as may be required;
- 2.29 “Fire Protection” means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, rescue or dangerous goods response, training, or other staff development;
- 2.30 “Fire Protection Charge” means fees which may be charged by the Town for Fire Protection Services rendered pursuant to this Bylaw as set out in Section 7 and Schedule “G”;
- 2.31 “Fire Protection Agreement” means the agreement between the Town and the County of Newell for the provision of fire and emergency services dated April 11, 2016, as may be amended, supplemented or replaced from time to time.
- 2.32 “Illegal Fire” means any Fire which is in contravention of this Bylaw;

- 2.33 “Incident” means a fire or situation where an explosion is imminent or any other situation where there is a danger or a possible danger to life or property, or both, and to which the Department has responded;
- 2.34 “Lane” means a public thoroughfare for vehicles and provides at times primary and secondary means of access to a parcel or parcels or as defines as an alley in the *Highway Traffic Act*.
- 2.35 “Manager of Fire & Emergency Services” means the person employed and appointed by the County of Newell to fulfill that position that may act as a Designed Officer or in another capacity for the Town or Department;
- 2.36 “Member” means the Fire Chief and any member of a Department, including the Fire Chief of a Department or Member of Fire & Emergency Services;
- 2.37 “Owner/Occupant” means the person who has care and control or power of authority or can exercise powers and authority over a building as defined in the *Alberta Fire Code* or the person who is registered under the *Land Titles Act* as owner of the property.
- 2.38 “Outdoor Fire” means any fire other than a fire contained in a Recreational Fire Pit and shall include fires involving humus, soil, farm provide, bush, grass, feed, straw, coal or any fire that has escaped or spread from a building, structure, machine, vehicle or incinerator;
- 2.39 “Property” means any real or personal property, which, without limiting the generality of the foregoing, includes lands and structures;
- 2.40 “Recreational Fire Pit” means any non-combustible device used for recreational burning of seasoned dry wood only and in conformance with the requirements in Schedule “C” hereto;
- 2.41 “Running Fire” means a fire burning without being under the control of any person;
- 2.42 “Structure Fire” means fire confined to and within a building, structure, machine or vehicle which will or is likely to cause the destruction of or damage to such building, structure, machine or vehicle;
- 2.43 “Town” means the Town of Bassano;
- 2.44 “Violation Ticket” means a ticket issued for an offense committed against any of the provisions of the Bylaw and shall be in the form prescribed by the *Provincial Offences Procedure Act*, R.S.A. 2000 c. as may be amended, repealed and replaced from time to time.

3. FIRE SERVICE

3.1 The Council hereby established the Bassano Fire Department for the purpose of:

3.1.1 Preventing and extinguishing Fires;

- 3.1.2 Investigating the cause of Fires as applicable;
- 3.1.3 Preserving life and property and protecting persons and property from injury or destruction by Fire;
- 3.1.4 Providing rescue and related emergency services;
- 3.1.5 Preventing, combating and controlling Incidents;
- 3.1.6 Carrying out preventative inspections and patrols;
- 3.1.7 Fulfilling approved agreements with other municipalities or persons with respect to Fire Protection;
- 3.1.8 Operating Apparatus and Equipment for extinguishing Fires or preserving life and Property;
- 3.1.9 Controlling and mitigating Incidents relating to Dangerous Goods Products; and
- 3.1.10 Otherwise providing Fire Protection services.

4. FIRE CHIEF

- 4.1 The Fire Chief shall be appointed by the council of the town as recommended by the CAO, Member of Fire & Emergency Services and the Fire Committee.
- 4.2 The Fire Chief shall report to the Fire Committee.
- 4.3 The Fire Chief shall have complete responsibility and authority over the Fire Department, subject to the direction of Fire Committee and shall prescribe rules, regulations and procedures for the ongoing organization and administration of the Fire Department, including but not limited to:
 - 4.3.1 The use, care and protection of Fire Department Property;
 - 4.3.2 The appointment, recruitment, training, conduct, discipline, duties and responsibilities of the Members of the Department;
 - 4.3.3 The efficient operation of the Department; and
 - 4.3.4 Other duties and responsibilities as assigned by job description, policy or bylaw.
- 4.4 Regulations, rules or standard operating procedures/guidelines made pursuant to this bylaw shall not be inconsistent with the laws of the Province of Alberta or the Laws of Canada.
- 4.5 The Fire Chief shall:
 - 4.5.1 Perform and carry out such duties and responsibilities pursuant to any *Act* or this Bylaw.
 - 4.5.2 The assistant to the Fire Chief shall be responsible for performing the duties and obligations of the Fire Chief in the absence of the Fire Chief and shall be the Deputy;

- 4.5.3 A Fire Chief may without a warrant enter on any land and premises, except a private dwelling house, for the purpose of discharging his or her duties under this bylaw. A Fire Chief may without a warrant, enter a private dwelling house which is on fire and proceed to fight the fire;
- 4.5.4 Within budget approval and in accordance with any relevant policies, purchase or otherwise acquire Equipment, Apparatus, material or supplies required for the operation, maintenance and administration of the Fire Department to be used in connection therewith; and
- 4.5.5 Keep or cause to be kept, in proper form, records of all business transactions of the Department, including the purchase or acquisition of Equipment, Apparatus, materials or supplies and records of Incidents attended, actions taken in extinguishing Fires, inspections carried out and actions taken on account of inspections or any other records incidental to the operation of the Department.
- 4.6 The Fire Chief, or in his or her absence, the senior Member present (hereinafter referred to as the "Member in Charge") shall have control, direction and management of any Department Apparatus, Equipment or manpower, assigned to an Incident and, there is a Member in Charge, he or she shall continue to act until relieved by the Fire Chief or the Deputy Fire Chief.
- 4.7 The Fire Chief or Member in Charge may, at an Incident, at his or her discretion, establish perimeters and keep persons from entering the area within the prescribe boundaries or limits unless authorized to enter by him or her.
- 4.8 The Fire Chief or Member in Charge may request a Community Peace Officer to enforce restrictions on persons entering within the boundaries or limits outlined in Section 4.7.
- 4.9 The Fire Chief, or any other Member in Charge at an Incident, is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed, if he or she deems it necessary, to prevent the spread of fire to other buildings, structures or things.
- 4.10 The limits of the jurisdiction of the Fire Chief, Deputy Fire Chief, and Members of the Department, as defined in applicable Mutual Aid and Fire Agreements (and specifically the Fire Protection Agreement), will extend beyond the Corporate Limits.
- 4.11 The Fire Chief, and anyone acting in his or her absence, is hereby authorized to take whatever action he or she deems appropriate in the event that an emergency situation or emergency circumstance arises that is not addressed in the Bylaw. In the event that the Fire Chief, or anyone acting in his or her absence, takes action under this clause, the action taken shall be limited to those steps necessary to bring the emergency situation or emergency circumstance under control. Anyone taking action under this clause shall make a full report of the particulars to the CAO and the Fire Committee within 24 hours of the commencement of the action taken.

5. POWERS OF MEMBERS

- 5.1 Each Member shall have the authority and power to:

- 5.1.1 Perform work relating to the extinguishing or controlling of an Incident or the operation to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling an Incident, at the discretion of the Fire Chief; and
- 5.1.2 Prevent 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 any Incident.

6. POWERS OF OFFICERS

- 6.1 Officers in charge of an incident shall have the authority and power to:
 - 6.1.1 Commandeer the use of any Equipment for the purposes of responding to, extinguishing, controlling, or fighting an Incident or for the purpose of preserving life or Property;
 - 6.1.2 Perform work relating to the extinguishing or controlling of Fires or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Incident;
 - 6.1.3 Prevent interference with the efforts of persons engaged in the extinguishing of Fires and preventing the spread thereof by regulating the conduct of the public at or in the vicinity of any incident.

7. FIRE PROTECTION CHARGES

- 7.1 Where the Fire Department has taken action for the purpose of extinguishing a fire or responding to a call, Incident, or False Alarm, within the Corporate Limits, the Town may in its sole and absolute discretion charge:
 - 7.1.1 Any person causing or contributing to the Fire; Incident or False Alarm; or
 - 7.1.2 The owner or occupant of the Property;

A Fire Protection Charge, and all individuals charged are jointly and severally responsible for the Fire Protection Charge; or
 - 7.1.3 In its sole and absolute discretion, the Town may charge any person causing or contributing to a Fire or Incident, or the owner or occupant of the Property where an Incident occurred, a Fire Protection Charge equivalent to the actual insurance proceeds recovered for such Fire Protection Charge or may reduce a Fire Protection Charge that has already levied the amount of actual insurance proceeds recovered for such Fire Protection Charge.
- 7.2 The schedule of fees for Fire Protection Charges are defined in Schedule "G".
- 7.3 Fire Protection Charges shall be paid within 30 days of being levied.

- 7.4 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 a lien, which the Town is entitled to on the Property in respect of which the indebtedness is incurred.
- 7.5 The owner of a parcel to which Fire Protection is provided is liable for Fire Protection Charges incurred, and the Town may add to the tax roll of the parcel of land all unpaid Fire Protection Charges.

8. CONTROL OF FIRE HAZARDS

- 8.1 If the Fire Chief finds on privately owned land or occupied public land within the Corporate Limits, any condition that is in his or her opinion constitutes a Fire Hazard he or she may direct the owner, occupant 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 Fire Chief in consultation with the CAO.
- 8.2 If the Fire Chief finds that the clean-up or remediation measures he or she in consultation with the CAO directed pursuant to Section 8.1 has not been carried out, a Designated Officer or a Community Peace Officer may enter onto the lands with any equipment and any person it considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.
- 8.3 The owner or occupant of the land on which work was performed pursuant to Section 8.2 shall, upon demand, pay to the Town a Fire Protection Charge or fee, and in default of payment of the Fire Protection Charge or fee, the Town may add the Fire Protection Charge or fee to the tax roll of the said land, which forms a special lien against the land in favor of the Town, from the date it was added to the tax roll.

9. REQUIREMENT TO REPORT

- 9.1 The owner or occupant of any Property containing a Dangerous Goods Product, which sustains an accidental or unplanned release of dangerous goods, shall immediately report to the Fire Department particulars of the release. The owner or occupant of the Property shall provide such information regarding the release as the Fire Chief may require.

10. FIRE PERMITS

- 10.1 No person shall ignite or cause to be ignited any of the following without a permit:
- (i) Outdoor fire,
 - (ii) High hazard fireworks, or
 - (iii) A fire within a Recreational Fire Pit.
- 10.2 An application for a Fire Permit shall be made at the Town Office in writing on the form prescribed in Schedules "A", "B", "C", and "D", as appropriate. The CAO, Fire Chief or, in their absence, the Deputy Fire Chief shall receive and consider the application and, after having done so, he or she may, in his or her absolute discretion, issue to the applicant a Fire Permit.

- 10.3 Each application for a Fire Permit must be accompanied by the appropriate fee and must contain information set out in Schedule "A", "B", "C", and "D", as appropriate. A Fire Permit is not transferrable.
- 10.4 When issuing any Fire Permit, the CAO, Fire Chief or, in their absence, the Deputy Fire Chief may impose conditions considered appropriate.
- 10.5 A Recreational Fire Pit Permit issued pursuant to this Bylaw is valid indefinitely unless the Recreational Fire Pit is altered or moved, or unless the Recreational Fire Pit Permit is suspended or cancelled pursuant to the provisions of this Bylaw.
- 10.6 The CAO, Fire Chief or, in their absence, the Deputy Fire Chief may, in his or her absolute discretion, suspend or cancel any Fire Permit at any time. A Fire Permit may be suspended or cancelled as follows:
- (i) By advising a permit holder in person or by telephone, in which case the Fire Permit will be suspended or cancelled effective immediately or such later date as specified in the notice;
 - (ii) By delivering a notice to the permit holder by facsimile transmission or by e-mail, in which case the Fire permit will be suspended or cancelled effective 24 hours after transmission of the notice or such later date as specified in the notice;
 - (iii) By delivering a notice to the permit holder by regular mail, in which case the Fire Permit will be suspended or cancelled effective 5 days from the date such notice is mailed or such later date as specified in the notice.

11. FIREWORKS

- 11.1 No person shall sell Fireworks without first obtaining a Fireworks Sales Permit.
- 11.2 An application for a Fireworks Sales Permit shall be made at the Town Office in writing on the form prescribed in Schedule "E". The CAO shall receive and consider the application and, after having done so, he or she may, in his or her absolute discretion, issue to the applicant a Fireworks Sales Permit.
- 11.3 Fireworks Sales Permits shall only be issued for the sale and storage of Consumer Fireworks.
- 11.4 Each application for a Fireworks Sales Permit must be accompanied by the appropriate fee and must contain information set out in Schedule "E" appropriate. A Fireworks Sales Permit is non-transferrable.
- 11.5 Without limiting the foregoing, all persons engaged in the sale, storage, handling, or transportation of fireworks shall comply with the *Explosives Act* and the *Explosives Regulation*.
- 11.6 No person shall use any Consumer Fireworks within the Corporate Limits of the Town.
- 11.7 No person shall use any Display Fireworks within the Corporate Limits of the Town without first receiving a Fireworks Display Permit as set out in Schedule "D".

12. FIRE BAN

12.1 Notwithstanding any provision in this or any other Bylaw, the Fire Chief may upon receiving input from the CAO, Manager of Fire & Emergency Services, Fire Committee or council, declare a Fire Ban on burning of any kind within the Town. In the absence of the CAO and the Fire Chief, the Mayor, acting on the recommendation of the County of Newell Fire Chiefs, the Fire Committee or council (collectively) may also declare a Fire Ban within the Corporate Limits.

12.1.1 Three categories of Fire Bans may be implemented:

- (i) A Fire Advisory - Fires are allowed but public warning advising of extreme caution is issued. This level is a warning and may be upgraded to a Fire Restriction or Fire Ban if conditions do not improve.
- (ii) A Fire Restriction - No fires except for approved gas or propane cooking appliances or portable propane fire pits or campfires in designated fire sites within approved campgrounds.
- (iii) A Fire Ban - No fire, except for approved gas or propane cooking appliances.

12.2 When determining whether to declare a Fire Ban, Fire Restriction, or Fire Advisory, consideration shall be given to the following factors:

- (i) Levels of recent precipitation,
- (ii) Future weather forecasts,
- (iii) Water shortages or restrictions,
- (iv) Availability of firefighting crews, equipment and apparatus,
- (v) The overall fire danger including fire load, abundance of ground fuels, and fine fuel moisture content, and
- (vi) The amount of or increase in recent outside fires.

12.3 The Town authorizes the CAO, Fire Chief, or Mayor (in the absence of the CAO and Fire Chief) the authority to remove any Fire Ban when conditions warrant, taking into account the considerations in Section 12.2 above.

12.4 When a Fire Ban is in effect, any person who contravenes the ban may be subject to the fines of doubled the amount established within this Bylaw.

12.5 When a Fire Ban is declared, the Fire Ban will be advertised locally and posted on the Alberta Fire Ban website.

13. RECREATIONAL FIRE PITS

13.1 A Person may build, ignite, or allow a fire on a Premises in a Recreational Fire Pit as long as that Person ensures that the fire is contained in a Recreational Fire Pit that:

- (i) Is constructed of non-combustible material;
- (ii) Has an open flame that does not exceed 1 meter at its widest point;

- (iii) Does not have walls which exceed 0.75 meters in height measured from the floor of the Recreational Fire Pit to the top of the wall of the Recreational Fire Pit excluding any chimney;
- (iv) Is set upon or built into the bare ground or a non-combustible material such as brick or stone;
- (v) Is situated at least 4 meters from any house, garage or similar structure including wooden decks, porches and similar amenity space attached to a structure measured from the part of the Recreational Fire Pit which is closest to the structures or amenity space;
- (vi) Is situated at least 4 meters from any other combustible material measured from the part of the Fire Pit which is closer to the combustible material; and
- (vii) Is not located directly under any tree or overhanging branches.

13.2 Notwithstanding subsection (13)(v), a Person may build, ignite or lite a fire in a Portable Fire Receptacle on the wooden deck as long as that Person ensures that:

- (i) A non-combustible material such as brick or stone is placed between the Portable Fire Receptible and the wooden deck; and
- (ii) The Portable Fire Receptacle is situation at least 4 meters from any house, garage, similar structure or other combustible material, measured from the part of the receptacle which is closest to the structure or combustible material.

13.3 Every person who builds, ignites or allows a fire in a Recreational Fire Pit must ensure that:

- (i) A means of extinguishing the fire is kept on hand at all times while the fire is burning;
- (ii) The flames from the fire do not exceed 1 meter in height at any time;
- (iii) The fire is not left unsupervised at any time;
- (iv) The fire is extinguished completely, leaving only cold ashes, prior to leaving the fire; and

13.4 If in the opinion of a Fire Chief or Designated Officer, a fire poses a danger or does not comply with the requirements of this Bylaw, that Fire Chief or Designated Officer may extinguish the fire and take any other steps that Fire Chief or Designated Officer deems necessary to ensure that the fire and site of the fire no longer pose a danger or contravene the requirements of this bylaw.

14. CIVIC ADDRESSING

- 14.1 For the purpose of maintaining public safety, every legally registered parcel of land within the Town that is bordered by identifiable roads, shall be designated an Address Number by the Town.
- 14.2 The owner of a property shall cause the Address Number assigned to the property to be displayed, at all times, at a location plainly visible from the roadway to which the property is addressed.
- 14.3 The owner of a property which has access to a lane shall, in addition to complying with Section 14.2, cause a rear address to be displayed when the property has a rear garage, or shed, or fence within 15.0 meters of the back lane. The rear Address Number shall meet the same display requirements as the front address number.
- 14.4 The owner of a property located in an industrial or commercial district as designated in the Town’s Land Use Bylaw, shall cause the Address Number assigned to the property to be displayed, at all times, at the front property line adjacent to the main entrance of the property.
- 14.5 The Address Number in rural areas shall be affixed in a conspicuous place, either:
- (i) On a sign adjacent to the driveway at the property line, or
 - (ii) On the main or paper delivery box.
- 14.6 All Address Numbers required to be displayed pursuant to this Bylaw shall be displayed, at all times, in a conspicuous manner so as to be plainly visible from the adjacent roadway or lane, as the case may be.
- 14.7 The owner of a property shall maintain the Address Number in good condition and shall not cause, allow, or permit the visibility, as required pursuant to this Bylaw to be obstructed.
- 14.8 The Address Number required to be displayed pursuant to this Bylaw shall be on a contrasting background. The minimum size of the characters shall be as follows:

Distance of Building Setback from Adjacent Curb Line	Minimum Character Size
0-15 Meters (0-49.2 feet)	10 cm (4 inches)
15-20 meters (49.2 – 65.6 feet)	15 cm (6 inches)
Greater than 20 meters (65.6 feet +)	20 cm (8 inches)

- (i) Address Number signs shall have a surface of no more than 0.3 square meters (3.30 square feet).
 - (ii) For multi-dwellings, one Address Number sign not exceeding 1 square meter (10.76 square feet) in area shall be allowed on each property.
- 14.9 No person shall display or permit the displaying of any Address Number of a property other than the number assigned by the Town.
- 14.10 No person shall remove, deface, obliterate or destroy the Address Number placed upon or affixed to any property in accordance with this Bylaw, except during the demolition or exterior

renovation of a building. During demolition or exterior renovations, a temporary Address Number shall be posted in a visible location on the property.

- 14.11 The owner of a parcel of land which is a construction site, and for which a structure is being erected shall ensure that a temporary Address Number is displayed at all times in a conspicuous manner so as to be plainly visible from the adjacent roadway or lane, as the case may be.

15. OFFENCES

15.1 No person shall:

- (i) Contravene any provision(s) of this Bylaw;
- (ii) Deposit, discard or leave any burning matter or substance where it might ignite other material or cause a Fire;
- (iii) Provide false, incomplete or misleading information to the Town or the Fire Department on or within respect to a Fire, Incident or Fire Permit application;
- (iv) Impede, obstruct, or hinder a Member of the Fire Department, or other person assisting or acting under the direction of the Fire Chief or the Member in Charge at any incident;
- (v) Damage or destroy Fire Department Apparatus, Equipment or Fire Department Property without proper authorization;
- (vi) Falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation;
- (vii) At an Incident, drive a vehicle over, or otherwise damage any Fire Department Apparatus or Equipment without the permission of the Fire Chief or the Member in Charge;
- (viii) Obstruct or otherwise interfere with access roads or streets or other approaches to any incident, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes;
- (ix) No person, other than the employee of Town's Public Works Department, his or her designate, or a member of the Fire Department, shall use a fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving permission from the CAO or an official of the Town's Public Works Department or the Fire Department;
- (x) At an Incident, enter the boundaries or limits of an area prescribed in accordance with Section 4.7 unless he or she has been authorized to enter by the Fire Chief or the Member in Charge;
- (xi) Obstruct a Member from carrying out any function or activity related in any way to Fire Protection;

- (xii) Allow an Outdoor Fire to be lit, unless that person is the holder of a subsisting Fire Permit or the Fire has been set by a Member for the purpose of training Members;
- (xiii) Use burning barrels/incinerators in Town;
- (xiv) Permit a fire to burn when a Fire is set in contravention of this Bylaw;
- (xv) Either directly, or indirectly, personally or through an agent, servant or employee kindle a Fire or let it become a Running Fire on any land not his or her own property or allowing a Running Fire to pass from his or her own property to the property of another;
- (xvi) Cause or allow to be set a Fire without first taking sufficient precautions to ensure that the Fire can be kept under control at all times;
- (xvii) Cause or allow to be set a Fire when the weather conditions are conducive to create a Running Fire;
- (xviii) Fail to take reasonable steps to control a Fire for the purpose of preventing it from becoming a Running Fire or from spreading onto property other than his or her own;
- (xix) Conduct an activity that involves the use of fire, open flames, explosives, flammable/combustible devices, appliances, equipment or ignition sources that might reasonably be expected to cause a Running Fire, unless he or she exercises reasonable care to prevent the Running Fire from occurring.
- (xx) Conduct an activity that involves the use of Fire that might reasonably be expected to be a nuisance or annoyance to a neighbor.
- (xxi) Conduct any activity that involves the use of a Fire, where smoke from the Fire will impede visibility of vehicular traffic or pedestrian traffic on any Highway as defined in the *Traffic Safety Act*, R.S.A. 2000, c. T-6, as amended;
- (xxii) Cause or allow to be set Fire on lands owned or controlled by the Town except with the Town's express written consent or in specifically designated or approved areas;
- (xxiv) Deposit, discard or leave any burning material or substance where it might ignite other materials and cause a Running Fire or Structure Fire.
- (xxv) Use a Fire to burn prohibited debris as defined by Alberta Environment and Parks without first obtaining a permit from Alberta Environment and Parks.
- (xxvi) Make inoperative a building's fire alarm system, without first notifying the Fire Chief, unless the system is required to be made inoperative for maintenance or testing.

16. PENALTIES

16.1 Any person who:

- (i) Violates any provision of this Bylaw;
- (ii) Suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw;

- (iii) Neglects to do or refrain from doing anything required to be done by the provisions of this Bylaw; or
- (iv) Does any act or thing or omits any act or thing, thus violating any provision of this Bylaw;

Is guilty of an offence under this Bylaw, and upon a conviction, is liable to a fine set out in Schedule "F" of this Bylaw.

17. LIABILITY

- 17.1 Members 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 unless the Member was dishonest, grossly negligent or guilty of willful misconduct.

18. GENERAL PROVISIONS

- 18.1 The burning of structures, controlled or otherwise shall not be permitted in the Town.
- 18.2 This Bylaw does not apply to any Industrial or Commercial type incinerator that is required to be licensed under the *Environmental Protection and Enhancement Act*, R.S.A. 2000 c. E-12.
- 18.3 Every provision of this Bylaw is separate and independent from all other provisions and, if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain in force and effect.
- 18.4 Nothing in this Bylaw forces or compels the Town, its employees or agents, to enforce every breach of this Bylaw. The Town may take into consideration any practical concerns, including but not limited to the nature and extent of the breach or contravention, any financial or budgetary considerations, or the availability of personnel or human resources.
- 18.5 Should a section or part of the Bylaw be found to be improperly enacted, unenforceable or *ultra vires*, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.
- 18.6 Summons violation tickets may be issued, and voluntary payments may be made pursuant to Part 2 of the *Provincial Offences Procedure Act* R.S.A 2000 c P-34 as may be amended, re-enacted or replaced from time to time in respect of an alleged contravention of a provision of the Bylaw or any amendments thereto.
- 18.7 If a summons of offence notices under Part 2 or Part 3 of the *Provincial Offences Procedure Act* R.S.A. -2000 c P-34 is issued in respect of an alleged contravention of a provision of this Bylaw and any amendments thereto, the specified penalty payable upon conviction in a court of competent jurisdiction shall be as specified in Schedule "F" to this Bylaw.

19. EFFECTIVE DATE AND READINGS

- 19.1 This Bylaw shall take effect on the date of 3rd and final reading.
- 19.2 Read a first time this 19 day of March 2019.

19.3 Read a second time this _____ day of _____, 2019

19.4 Read a third and final time this _____ day of _____, 2019

TOWN OF BASSANO

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
APPLICATION FOR A BURNING PERMIT

NAME: _____

ADDRESS: _____

ADDRESS OF PROPERTY FOR WHICH APPLICATION IS REQUESTED: _____

This permit is good for the burning of dried wood, leaves or grass only.

\$20.00 Application Fee Paid Yes No

Issue Date: _____

Burn Date: _____

Expiry Date: _____

Burning Permits expire within 72 hours of the burn date.

If the following conditions are not adhered to at all times the BURNING PERMIT may be withdrawn and the fire extinguished.

- Size of lot shall be .35 acres (15,246 square feet) or larger,
- Burning piles shall be no closer than 15 meters (50 feet) to a building or structure,
- Burning is restricted to daylight hours,
- Burning is to be supervised at all times by a reasonable person over the age of eighteen (18) years,
- A sufficient supply of water to extinguish the fire if conditions are such that a fire would become uncontrollable,
- Burning piles shall be no larger than 1.5 meters in diameter and 0.6 meters in height,
- There shall be no burning at night. Fires must be fully extinguished.
- No burning when winds are conducive to create a running fire.
- **BEFORE BURNING** – call the Bassano Fire Department at 403-633-1540

Penalties

Violation of the Town of Bassano Fire Services Bylaw #885/19 could result in a fine as defined in Schedule "E".

If the Fire Department is called to a property where the Fire is out of control, the permit holder may be charged a fee for the response.

On signature of this permit by the applicant, the Town of Bassano is indemnified from any civil or criminal action resulting from damage by fire due to the applicant not adhering to the listed conditions.

Signature of Applicant: _____

Signature of Issuer: _____

Copy 1 – Applicant

Copy 2 – Fire Department

SCHEDULE "B"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
APPLICATION FOR A PERMIT TO CONSTRUCT AND OPERATE A RECREATIONAL FIRE PIT

Recreational Fire Permit Number: _____

NAME OF APPLICANT: _____

MAILING ADDRESS: _____

ADDRESS OF PROPERTY AFFECTED: _____

PHONE NUMBER: _____

Application for Fire Pit: _____ Approved Device: _____

This permit is good for the burning of seasoned dried wood only. Burning of grass, leaves, or garbage is strictly prohibited.

Definitions

Fire Pit – A non-commercial appliance or device used specifically for the purpose of burning combustible materials (see Schedule "C").

No person shall construct, erect, locate or use an approved device or a Recreational Fire Pit within the Town until a permit has been obtained from the Fire Chief. No person shall alter such a device for which a permit has been issued without the consent of the Fire Chief.

A person requiring such a permit shall submit drawing and details to the Town Office with the application for a permit. Once the permit is approved the applicant shall keep the device in good condition.

A one-time fee of \$30.00 shall be charged with the application for an approved Recreational Fire Pit.

Penalty

Any person who contravenes the Town of Bassano's Fire Services Bylaw #885/19 is guilty of an offense and upon summary conviction is liable to imprisonment for a term of not more than six months, or to a fine, or to both fine and imprisonment.

Signature of Applicant

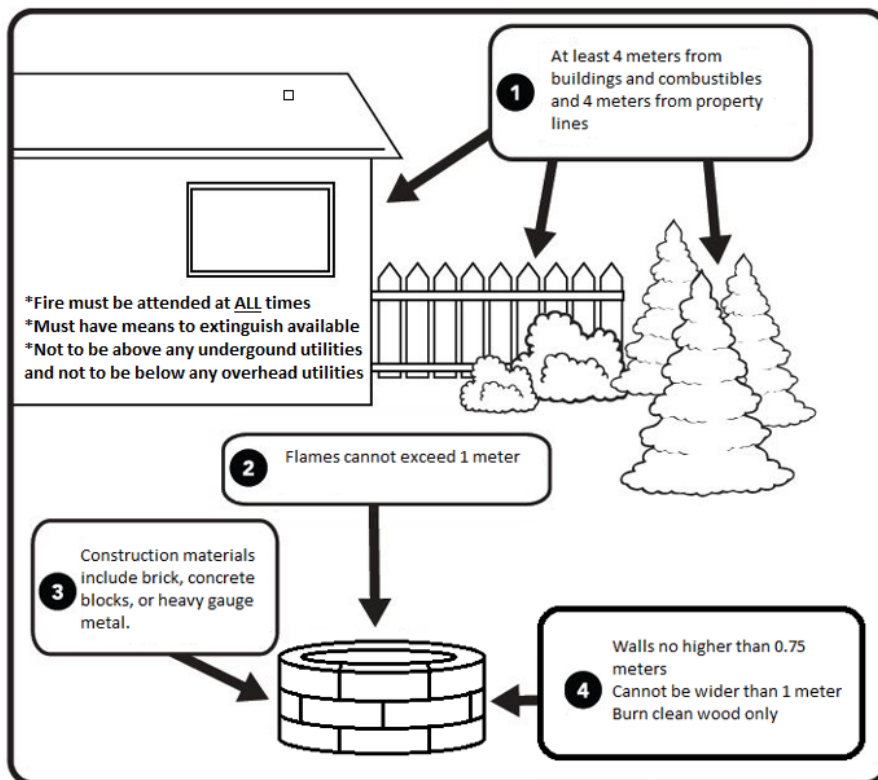
Signature of Fire Chief

Signature of CAO

Date of Permit Issuance

SCHEDULE "C"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
RECREATIONAL FIRE PIT REGULATIONS

1. A Recreational Fire Pit shall not be located directly under an overhead line and must meet the following minimum standards:
 - i. Is constructed of non-combustible material;
 - ii. Has an open flame that does not exceed 1 meter at its widest point;
 - iii. Does not have walls which exceed 0.75 meters in height measured from the floor of the Recreational Fire Pit to the top of the wall of the Recreational Fire Pit excluding any chimney;
 - iv. Is set upon or built into bare ground or a non-combustible material such as brick or stone;
 - v. Is situated at least 4 meters from any house, garage or similar structure including wooden decks, porches and similar amenity space attached to a structure measured from the part of the Recreational Fire Pit which is closed to the structures or amenity space.
 - vi. Is situated at least 4 meters from any other combustible material measured from the part of the Fire Pit which is closer to the combustible material;
 - vii. Is not located directly under any tree or over hanging branches;
 - viii. Is not located directly above any underground utilities and not be below any overhead utilities; and
 - ix. Only permitted to burn clean, dry wood.



SCHEDULE "D"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
APPLICATION FOR FIREWORKS DISPLAY PERMIT

This permit is for the discharge of high hazard fireworks only.

Permit Number: _____

NAME OF APPLICANT: _____ PHONE No. _____

ADDRESS: _____

REPRESENTING: _____

The applicant is hereby authorized to handle, discharge, fire, set off or display high hazard fireworks on:

_____ at _____
(date and time) (specific location where fireworks will be displayed)

within the Province of Alberta.

This permit is subject to cancellation for any breach or any of the following conditions or precautions required as a condition of this permit.

CONDITIONS AND PRECAUTIONS:

A diagram of the discharge/set-off/display site must accompany this application.

A \$75.00 fee shall be charged with the application for a high hazard fireworks display permit.

Penalty

Any person who contravenes the Town of Bassano's Fire Services Bylaw #885/19 is guilty of an offense and upon summary conviction is liable to imprisonment for a term of not more than six months, or to a fine or to both fine and imprisonment.

Signature of Applicant

Signature of Fire Chief

Signature of CAO

Date of Permit Issuance

Fireworks Supervisor Card No. & Expiry Date

SCHEDULE "E"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
APPLICATION FOR FIREWORKS SALES PERMIT

This permit is for sale of consumer fireworks only.

Permit Number: _____

NAME OF APPLICANT: _____ PHONE No. _____

ADDRESS: _____

REPRESENTING: _____

The applicant is hereby authorized to store and sell consumer fireworks on:

(specific location where fireworks will be stored and sold)

within the Province of Alberta.

The applicant is required to adhere to the provisions of the Explosives Act, RSC 1986, c E-17, as may be amended, re-enacted, or replaced from time to time for proper storage and sale.

The applicant must have a copy of this permit available at all times.

This permit is subject to cancellation for any breach or any of the following conditions or precautions required as a condition of this permit.

CONDITIONS AND PRECAUTIONS:

A \$75.00 fee shall be charged with the application for a Fireworks Sales Permit. The Fireworks Sales Permit is valid for one calendar year (January 1 – December 31) and must be renewed annually.

Penalty

Any person who contravenes the Town of Bassano's Fire Services Bylaw #885/19 is guilty of an offense and upon summary conviction is liable to imprisonment for a term of not more than six months, or to a fine or to both fine and imprisonment.

Signature of Applicant

Signature of Fire Chief

Signature of CAO

Date of Permit Issuance

SCHEDULE "F"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
FEES AND PENALTIES

<u>Section/ Subsection</u>	<u>Offense</u>	<u>Penalty</u>	<u>Second or Subsequent Offense Within 1- Year</u>
9.1	Failure to report an accidental or unplanned release of a dangerous goods product.	\$200.00	\$500.00
11.1 and 11.6	<p>Have in his or her possession, sell, offer for sale, give away or otherwise distribute, discharge, fire or set off fireworks unless that person is the holder of a subsisting Fire Permit for the purposes of a fireworks display or the fireworks have been set by a Member for the purpose of training members.</p> <ul style="list-style-type: none"> • Use, discharge or set-off fireworks within the Corporate Limits (except Display Fireworks in accordance with the Display Fireworks Permit). <p>Sell, offer for sale, give away, or otherwise distribute fireworks without a Fireworks Sales Permit.</p>	\$200.00	\$500.00
11.1	Failure to obtain a Fireworks Permit to sell consumer fireworks.	\$150.00	\$300.00
11.6	Use of consumer fireworks within the Corporate Limits of the Town.	\$150.00	\$300.00
11.7	Failure to obtain a Fireworks Display Permit.	\$150.00	\$300.00
14.2	Address Number location not plainly visibly from the roadway.	\$100.00	\$200.00
14.3	Address Number not displayed, at all times, at a location plainly visible from the lane.	\$75.00	\$150.00
14.5	Address Number in rural areas not affixed in a conspicuous place.	\$75.00	\$150.00

14.6	Address Number not plainly visible from the adjacent roadway or lane.	\$50.00	\$100.00
14.7	Address Number not maintained in good condition or visibility is obstructed.	\$50.00	\$100.00
14.8	Address Number is not on a contrasting background or not in compliance with minimum character size.	\$25.00	\$50.00
14.9	Displaying of an Address Number on a property other than the number currently assigned by the Town.	\$75.00	\$150.00
14.10	Removing, defacing, obliterating or destroying the Address Number.	\$75.00	\$150.00
14.11	Address Number not displayed at the construction site.	\$75.00	\$150.00
15.1	Contravene any provisions of this Bylaw not otherwise in this Schedule.	\$100.00	\$200.00
15.1 (ii) 15.1 (xxiv)	Deposit, discard or leave any burning matter or substance where it might ignite other material and cause a fire.	\$100.00	\$200.00
15.1 (iii)	Provide false, incomplete or misleading information to the Town or the Fire Department on or with respect to a Fire or Fire Permit Application.	\$200.00	\$500.00
15.1 (iv)	Impede, obstruct, or hinder a Member of the Fire Department, or other person assisting or acting under the direction of the Fire Chief or Member in Charge at any incident.	\$250.00	\$500.00
15.1 (v)	Damage or destroy Fire Department apparatus, equipment or Fire Department Property.	\$250.00	\$500.00
15.1 (vi)	Falsely represent themselves as a Member, wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.	\$200.00	\$500.00

15.1 (vii)	At an incident drive a vehicle over any Fire Department apparatus or equipment without the permission of the Fire Chief of the Member in Charge.	\$250.00	\$500.00
15.1 (viii)	Obstruct or otherwise interfere with access roads or streets or other approaches to any incident, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or body of water designated for fire fighting purposes.	\$250.00	\$500.00
15.1 (ix)	No person, other than the employee of the Town of a member of the Fire Department shall use a fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving permission from the CAO.	\$200.00	\$500.00
15.1 (x)	At an incident, enter the boundaries or limits of an area prescribed in accordance with Section 4.7 unless he or she has been authorized to enter by the Fire Chief or the Member in Charge.	\$200.00	\$500.00
15.1 (xi)	Obstruct a member from carrying out any function or activity related in any way to Fire Protection.	\$500.00	\$1,000.00
15.1 (xii)	Allow an Outdoor Fire to be lit, unless that person is the holder of a permit for a Recreational Fire Pit or the fire has been set by a Member for the purpose of training Members.	\$200.00	\$500.00
15.1 (xv)	Either directly, or indirectly, personally or through an agent, servant or employee kindle a fire or let it become a Running Fire on any land not his or her own property of allow a Running Fire	\$500.00	\$1,000.00

	to pass from his or her property to the property of another.		
15.1 (xvi)	Cause or allow to be set fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times.	\$100.00	\$200.00
15.1 (xviii)	Cause or allow to be set a fire when conditions are conducive to create a Running Fire.	\$200.00	\$500.00
15.1 (xx)	Conduct an activity that involves the use of fire that might reasonable by expected to be a nuisance or annoyance to a neighbor.	\$50.00	\$100.00
15.1 (xxi)	Conduct any activity that involves the use of a fire, where smoke from the fire will impede visibility o vehicular traffic and pedestrian traffic on any Highway as defined in the <i>Traffic Safety Act</i> .	\$100.00	\$200.00
15.1 (xxii)	Cause or allow to be set a fire on lands owned or controlled by the Town except with the Town's express written consent or in specifically designated or approved areas.	\$100.00	\$200.00
15.1 (xxvi)	Making inoperative a building's fire alarm system.	\$500.00	\$1,000.00

SCHEDULE "G"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
FIRE PROTECTION CHARGES

Fire Protection Charges may be levied by the Town. Fire Protection Charges will conform to the rates set by Alberta Transportation and are subject to change.

The Town reserves the right to invoice owners of real property within their corporate limits for responses provided by the Fire Department to protect structures, physical improvements, land, etcetera. Revenues received from such responses shall be applied towards the Fire Departments operating costs.

Responding to a Fire or Incident not on a provincial highway.	\$615.00 per apparatus (e.g. pumper, ladder truck, rescue unit) per hour \$185.00 per command vehicle per hour.
Responding to a Fire or Incident on a Provincial Highway	On a cost recovery basis as per Alberta Transportation prescribed rates.
False Alarm Calls (fees reset annually)	<ul style="list-style-type: none"> • First call out \$150 • Second call out \$300 • Third call out \$450

SCHEDULE "H"
TOWN OF BASSANO - FIRE SERVICES BYLAW #885/19
CORPORATE LIMITS BOUNDARY MAP

