

**SUMMER VILLAGE OF WHITE SANDS  
SPECIAL COUNCIL MEETING AGENDA  
February 24<sup>th</sup>, 2018  
9:00 AM  
White Sands Hall, #8 Front St.**

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1. Call to Order
2. Additions to Agenda
3. Minutes
  - a. Adoption of the Minutes of the Regular Summer Village of White Sands Council Meeting held on February 1<sup>st</sup>, 2018 2-6
4. Financial
  - a. Bank Reconciliation as of January 31<sup>st</sup>, 2018 7
  - b. Statement of Revenue & Expenses as of January 31<sup>st</sup>, 2018 8
  - c. Accounts Payable none
5. Administration/Current Concerns
  - a. Draft Monthly Maintenance Schedule 9-14
  - b. Policy V: Subdivision and Development Appeal Board 15
  - c. Council/Staff Reports verbal
6. Correspondence
  - a. none
7. Bylaws
  - a. Assessment Review Board Bylaw 163-18 (1<sup>st</sup> Reading) 16-19
  - b. "Fire" Bylaw 164-18 (1<sup>st</sup> Reading) 20-37
  - c. Land Use Bylaw Amendment Public Hearing 38-42
8. Additions
9. In-Camera Session
10. Next Meeting Date
11. Adjournment

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE SUMMER VILLAGE OF WHITE SANDS COUNCIL  
HELD ON FEBRUARY 1, 2018  
TOWN OF STETTLER BOARD ROOM**

**Present:** Mayor Lorne Thurston  
Councillor Bill Sanchuck  
Councillor Carl Cornelssen  
Chief Administrative Officer Graham Scott  
Development Officer Leann Graham  
Office Administrator Laurie Tait

**Absent:** None

1. **Call to Order:** Mayor Thurston called the Council Meeting to order at 9:00 a.m.
2. **Agenda Additions/Approval**

**Motion 18:02:01** Moved by Councillor Cornelssen to approve the agenda as presented.

MOTION CARRIED  
Unanimous

Mayor Thurston with the mutual consent of Council varied the order of the agenda to consider Additions 7(a) – Land Use Bylaw amendment (1<sup>st</sup> Reading).

7. **Bylaws** (a) **162-18 re: Land Use Bylaw Amendment**

Development Officer Graham explained that Bylaw 162-18 is to amend Land Use Bylaw 153-15:

**Part One: General**

**1.3 Definitions**

Add “Exterior Wall” means a wall with one side on the exterior of the building finished with materials including but not limited to stucco, siding, brick or stone. The exterior wall is constructed in a way to provide load bearing capabilities and protection from the outside elements including moisture protections and insulation.

Revise “Floor Area” means for residential buildings, the total area of all floors on a building measured from the outside of exterior walls including a basement as well as all cantilevers, but excluding floor areas of lofts, cellars, attached garages, sheds, carports, or open porches, balconies or decks in all residential buildings.

Add “Main Floor Area” means for residential buildings, the total area of the main floor of a building measured from the outside of the exterior walls.

Add “Porch” means a covered area (open or enclosed) adjoining an entrance to a dwelling, a porch is not considered a part of a total floor area.

Revise “Ready to Move (RTM) Dwelling” means a dwelling with a minimum width of 7.3 meters (24 feet), a minimum main floor area of 92.9 square meters (1000 square feet) and a maximum height of 7.75 meters (25.4 feet). An RTM must have a completed main floor area constructed off site prior to transportation to the property. Dwellings are transported to the site and assembled to create a permanent dwelling unit and conform to the CSA A-277 Standard for Ready To Move Homes.

**Part Two : Development Permits**

2.3 Permission for Development:

Revise 9 (c) To give security in the amount of 5% of the project value, as determined by the safety codes valuation of construction value per ft<sup>2</sup> as amended from time to time, for each dwelling unit to ensure that the terms of the agreement under this section are carried out:

(i) Detached Dwelling - 50% refunded at completion of foundation, 50% refunded upon completion of permanent siding, roofing, windows and doors to dwelling lock-up.

(ii) RTM – 50% refunded at installation on foundation, 50% refunded upon completion of project including proof of final inspection.

**Schedule C: Land Use District Regulations**

Residential District R1

2(ii) RTMs shall be placed on a permanent foundation or basement. RTMs shall only be allowed on parcels greater than 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) or more and must have minimum width of 7.3 meters (24 feet).

(9)Maximum Building Height

(a) Detached Dwelling – 7.75 m (25.42 ft) above finished grade with a maximum of two stories; excepting on parcels larger than 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) or more, where the maximum height shall be 10.00 m (32.81 ft) above finished grade with a maximum of two stories and a walkout basement;

(b) RTM - 7.75 m (25.4 ft) above finished grade with a maximum of two stories.

(10)Minimum Main Floor Area

(a)Detached Dwelling - 92.9 m<sup>2</sup> (1000 ft<sup>2</sup>)

(b) RTM - 92.9 m<sup>2</sup> (1000 ft<sup>2</sup>)

**Motion 18:02:02**

Moved by Councillor Sanchuck that the Summer Village of White Sands Council give first reading to Bylaw 162-18 as presented.

MOTION CARRIED  
Unanimous

Development Office Graham left the meeting at 9:30 a.m.

3. **Adoption of Minutes**

- (a) Minutes of the Regular Council Meeting held on December 15, 2017

**Motion 18:02:03**

Moved by Councillor Cornelssen that the Minutes of the Regular Council Meeting held on December 15, 2017 be approved as presented.

MOTION CARRIED  
Unanimous

(b) Business Arising from the December 15, 2017 Council Meeting

- a. Dust Control – Councillor Sanchuck will confirm with contractor whether a review of selected roads will be completed.
- b. R.V. Permits outstanding – working on collection.

4. Financial

(a) Bank Reconciliation as of December 31, 2017

**Motion 18:02:04**

Moved by Councillor Sanchuck that the Summer Village of White Sands Council approve that Financial Item 4(a) be accepted for information.

MOTION CARRIED  
 Unanimous

(b) Statement of Revenue & Expenses as of December 31, 2017

**Motion 18:02:05**

Moved by Councillor Cornelssen that the Summer Village of White Sands Council approve that Financial Item 4(b) be accepted for information.

MOTION CARRIED  
 Unanimous

(c) Accounts Payable as of January 25, 2018

**Motion 18:02:06**

Moved by Councillor Sanchuck that Accounts Payable in the amounts of \$15,272.40, \$8,475.50, \$2,241.63 & \$8,820.15 for the period ending January 25, 2018 for a total amount of \$34,809.68 having been paid, be accepted as presented.

MOTION CARRIED  
 Unanimous

5. Administration/Current Concerns

(a) Assessment Services

CAO G. Scott informed Council that he has received the submission from Municipal Property Consultants (2009) Ltd. for their Assessment Services for the years 2019-2023.

<u>Assessment Year</u>	<u>Annual Rate Per Parcel</u>
2019	\$25.50/parcel
2020	\$25.50/parcel
2021	\$25.50/parcel
2022	\$26.00/parcel
2023	\$26.00/parcel

1. The cost per parcel rate will be charged per account per annum.
2. GST will be applied to the above quoted prices.
3. The above quotes are for a complete assessment service for the 2019 to 2023 assessment cycle (January 1 to December 31 annually).
4. If Municipal Property Consultants (2009) Ltd. (MPC) is not awarded an additional five-year extension at the completion of the 2023 assessment cycle, we will be responsible to deliver the completed assessment roll to the Summer Village of White Sands prior to February 28, 2024.

MPC will be responsible in handling all enquiries and the appeal process pertaining to the 2023 assessment year. MPC will cooperate in good faith with the Summer Village of White Sands through a transition period, including the negotiation of fair and reasonable compensation for the ongoing continuity of some assessment services in the event that the agreement is not extended or renewed.

5. The Summer Village of White Sands will be responsible for the annual lease cost of the CAMALOT computer system at \$1.25 per parcel.
6. Method of payment will be monthly invoices throughout the assessment year unless alternative payment options have been agreed upon.
7. For local Assessment Review Boards Hearings there will be no extra charge unless it is mutually agreed on by MPC and the Summer Village of White Sands. Mileage will be paid to MPC at \$0.55/km for travel to any other destination.

**Motion 18:02:07**

Moved by Councillor Cornelssen that the Summer Village of White Sands accept the submission from Municipal Property Consultants (2009) Ltd. Terry Willoughby, A.M.A.A. for Assessment Services for the Summer Village of White Sands for the Assessment Years 2019 to 2023.

MOTION CARRIED  
Unanimous

(b) Council/Staff Reports

- County of Stettler Housing Authority increase in requisition.
- Water Transfer Station Tour interest.
- Road signs – 40 more have been ordered.
- Truck magnetic signs will be replaced.
- Police funding model to be reworked – letter of support.
- Buffalo Lake Management Team – Prussian Carp have been found in the Red Deer River. Pumping to stabilize the lake level may be required this year.
- Proposed Campsite – written submission will be forwarded and Councillor Sanchuck will present a verbal presentation at the hearing.
- Snow removal on private property. Policy with waiver will be developed.
- Summer Temporary Employment Program – will be applied for.
- Maintenance Contractor – job description to be compiled.
- Snow ridge in Craig's Cove to be moved to lesson spring drainage issues.
- FRIAA FireSmart Program application deadline Feb. 28/18. This program could help with fire lane creation, deadfall clearing, chipping, stump grinding, rail fence and gates.

**Motion 18:02:08**

Moved by Councillor Sanchuck that the Summer Village of White Sands apply for funding through the Forest Resource Improvement Association of Alberta (FRIAA) FireSmart Program for the fire lane creation project.

MOTION CARRIED  
Unanimous

6. Correspondence

(a) Municipal Government Act Amendments – Legislative Checklist

CAO G. Scott informed Council that the Municipal Government Act Amendments – Legislative Checklist, as well as new requirements under the Act that need to be completed are available at [www.municipalaffairs.alberta.ca/1912](http://www.municipalaffairs.alberta.ca/1912). Orientation training has been completed. Public Participation Policy and Code of Conduct are being prepared for review.

(b) Resident Concerned Over Council Decision Not to Sell MR

(c) Investing in Canada Infrastructure Plan

(d) Alberta Builder Licensing Program

CAO G. Scott informed Council that information on the Alberta Builder Licensing Program is available at [www.builderlicensing.alberta.ca](http://www.builderlicensing.alberta.ca).

**Motion 18:02:09**

Moved by Councillor Cornelssen that the Summer Village of White Sands accept Correspondence items 6(a) to 6(d) for information.

MOTION CARRIED  
Unanimous

8. Additions (a) None

9. In-Camera Session (a) None

10. Next Meeting Date Call of the Chair.

11. Adjournment

**Motion 18:02:10**

Moved by Councillor Sanchuck that this Regular Meeting of the Summer Village of White Sands Council be adjourned.

MOTION CARRIED  
Unanimous at 10.55 a.m.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

**SUMMER VILLAGE OF WHITE SANDS  
BANK RECONCILIATION  
As of January 31, 2018**

Net Balance at End of Previous Month	\$ 1,132,238.10
ADD: General Receipts	17,783.48
Interest Earned	1,628.13
Investments Matured	<u>0.00</u>
<b>SUBTOTAL</b>	<b>1,151,649.71</b>
LESS: General Disbursements	11,061.78
Investments	0.00
Returned Cheques	0.00
Bank Charges	<u>0.00</u>
<b>SUBTOTAL</b>	<b><u>11,061.78</u></b>
<b>NET BALANCE AT END OF CURRENT MONTH</b>	<b><u><u>\$ 1,140,587.93</u></u></b>

Balance at End of Month - Bank	1,141,244.01
ADD: Outstanding Deposits	0.00
LESS: Outstanding Cheques	<u>656.08</u>
<b>NET BALANCE AT END OF CURRENT MONTH</b>	<b><u><u>\$ 1,140,587.93</u></u></b>

INVESTMENTS:	0.00
	<u>0.00</u>
<b>SUBTOTAL</b>	<b><u>0.00</u></b>
<b>TOTAL CASH ON HAND AND ON DEPOSIT</b>	<b>\$ 1,140,587.93</b>

THIS STATEMENT SUBMITTED TO SUMMER VILLAGE OF WHITE SANDS THIS  
1st DAY OF FEBRUARY 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

GENERAL RECEIPTS SUMMARY		
Tax	AR	8,637
RV Permits		0
Bldg Permits		55
Holdback		0
GST Refund		7,993
Other		<u>1,098</u>
	Total	17,783

**SUMMER VILLAGE OF WHITE SANDS  
STATEMENT OF REVENUE AND EXPENDITURES  
AS OF JANUARY 31, 2018**

	YTD Actual	Variance	Annual Budget
<b>Revenue</b>			
General Administration	-	9,866.00	9,866.00
Protective Services	-	950.00	950.00
Roads, Streets, Transportation	-	12,033.00	12,033.00
Planning & Development	-	16,200.00	16,200.00
Recreation & Parks	-	-	-
Taxes/Penalties	2,165.37	581,065.63	583,231.00
Other Revenue	-	4,000.00	4,000.00
	<hr/>	<hr/>	<hr/>
<b>Total Revenue</b>	<b>\$ 2,165.37</b>	<b>\$ 624,114.63</b>	<b>\$ 626,280.00</b>
<b>Expenses</b>			
Council & Legislative	-	14,000.00	14,000.00
General Administration	(1,681.24)	68,981.24	67,300.00
Fire Fighting & Preventive	-	40,000.00	40,000.00
Disaster Services	-	500.00	500.00
Ambulance	-	-	-
Bylaw Enforcement	-	3,000.00	3,000.00
Roads, Streets, Transportation	2,505.56	67,377.44	69,883.00
Water Department	-	9,447.00	9,447.00
Garbage Collection & Disposal	201.90	17,182.10	17,384.00
Planning & Development	-	24,500.00	24,500.00
Parks & Recreation	1,211.42	43,688.58	44,900.00
Culture	225.00	8,225.00	8,450.00
Requisitions	-	314,390.00	314,390.00
Contingency	-	12,000.00	12,000.00
	<hr/>	<hr/>	<hr/>
<b>Total Expenses</b>	<b>\$ 2,462.64</b>	<b>\$ 623,291.36</b>	<b>\$ 625,754.00</b>
<b>Surplus/Deficit</b>	<b>\$ (297.27)</b>	<b>\$ 823.27</b>	<b>\$ 526.00</b>



MONTHLY WORK SCHEDULE  
MAINTENANCE – SUMMER VILLAGE OF WHITE SANDS

January

- Keep roads maintained – plowing and graveling (year long)
- 2-3 times per week drive through Village and check (year long)
- Snow removal around shop, hall, transfer site, bottle building, and apply salt and traction aid when required (all winter months) (hand shovel)

February

- As above

March

- As above
- Complete winter projects

April

- Place ad for summer help at employment office
- Start interviews last week of April
- Monitor melting conditions
- Get standing water flowing. Use trash pump where required.

- Monitor water level in sloughs around the Village and transfer water when required.
- Record all water transfers (all summer)
- Begin filling in pot holes and low spots in roads with left over gravel pile. Order more gravel if needed.
- Check over playground equipment, tennis court and b-ball equipment and make necessary repairs or changes.
- Begin power brushing gravel off of mowed areas and back onto road
- Install plug and start catching raw water in tank behind hall/shop (April rain water for May flower pots)
- Clean and prep boat for summer use
- Check over dock and base and make necessary repairs
- Check stair cases for safety issues

## May

- Start orientation of summer staff
- Show them around the Village and area names
- Give them a breakdown of equipment they will be operating, safe handling, and operations and answer any questions
- Supply them with safety equipment as required
- Start cleaning washrooms, bottle and garbage cans every Friday morning
- Mowing will start around the Village – Mowing beaches and accesses when you go by them on your rounds.

- Mowing playgrounds every Friday. Focus of attention as beaches are not active yet.
- Lock up beach access gates
- Re-gravel beach access and blade
- Clean and install swimming buoys and “no wake” buoys
- Prep and install dock and base and secure
- Start brush pick up and hauling to landfill (on-going all summer and fall)
- Attach grapple bucket to tractor and service
- Ensure when hall is rented, extra clean-up is done on picnic tables, sweeping brick pad, raking gravel behind shop/hall, weed whack side hill.
- Monitor summer helper’s activity and assist when required
- Take recyclables to landfill at least every Friday afternoon.

## June

- Towards the middle of the month shift focus from playgrounds to beaches
- Mow playgrounds as go by them
- Mow beaches every Friday
- Start harrowing beaches as often as you are allowed. Beaches get busy around noon so get beach work done first thing in the morning.
- Start weed whacking around beach accesses, playgrounds and washrooms, where ever attention is required.
- Start vegetation spraying around sign post, parking lots and where ever mowers cannot go

## July

- End of June/beginning of July start checking washrooms, barbage and bottle cans on Monday. Restock or empty as required.

## August

- Clean up and organize out buildings where summer equipment is to be stored for winter.

## September

- Remove and store swimming buoys and “no wake” buoys
- Break down dock and base and haul back to the shop to store
- Install approximately 200 gallon ground water to each outdoor washroom. Let sit for 2-3 weeks before emptying.
- Obtain 30-60 yards  $\frac{3}{4}$  crush gravel and cover for road traction material for the winter
- Prep, cover and store boat for winter
- Start organizing around shop for winter

## October

- Empty water tank behind shop and prep for winter
- Move picnic tables in front of hall around the back to allow for snow removal
- Clean out eave troughs on hall and shop
- Start planning your winter projects and discuss with Council and Mayor
- Perform major cleaning inside shop and reorganize.

## November

- Open all beach access gates for winter when the lake freezes over or prior to heavy snow fall
- Start repairing summer equipment, clean and grease
- Order winter fuel once it is blended

## December

## **Mower**

These are semi-industrial machines. They have a lot of power.

Use with care and respect!

Ensure anyone operating the machine knows how to service and care for it before beginning.

Ensure training is provided on the areas that the mower will be used and how to manipulate the terrain to obtain a nicely mowed area.

Training on the safe operation of the mower and it's function must be provided.

The mower is a motor vehicle that will be used on public roads. Rules of the road apply.

## **Village Truck**

Must have a valid driver's license to operate.

Follow the rules of the road while operating.

## SUMMER VILLAGE OF WHITE SANDS

Prepared by: Administration Number: V

Adopted by: White Sands Council Date: 2018 02 24

Title: **Subdivision and Development Appeal Board (SDAB)**

Purpose: To establish a policy for the operation of the Subdivision Development Appeal Board.

Policy Statement: Fees for anyone wishing to be heard by the Subdivision and Development Appeal Board will be charged \$500.00 per appeal.

### Member Remuneration

- Subdivision and Development Appeal Board members will be remunerated at the rate set for Council meeting remuneration in their annual organizational meeting.
- Subdivision and Development Appeal Board members are required to do any hearing preparation, review, research and etc. as a volunteer and on their own time.

## **BYLAW 92-03**

BEING A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS, IN THE PROVINCE OF ALBERTA FOR THE ESTABLISHMENT AND FUNCTION OF AN ASSESSMENT REVIEW BOARD AND GENERAL MATTERS RELATING TO THE PROCEEDINGS THERETO.

WHEREAS, the Municipal Government Act, Chapter M26.1, 1994, and amendments thereto, provides for a municipality to establish an Assessment Review Board and decide on its function.

WHEREAS, the Municipal Government Act, Chapter M26.1, 1994, and amendments thereto, provides for a municipality to determine the proceedings relating to the Assessment Review Board.

NOW THEREFORE, the Municipal Council of the Summer Village of White Sands, duly assembled, enacts as follows:

1. The Assessment Review Board for the Summer Village of White Sands is hereby established.

2. Appointment

Council shall appoint by resolution three members who shall be the three members of the Municipal Council to the Assessment Review Board.

3. Term of Office

The term of appointment of the members of the Assessment Review Board shall be three years from the date of the first organizational meeting held after the election.

4. The Chief Administrative Officer of the Summer Village of White Sands is hereby appointed to act as the clerk of the Assessment Review Board and shall perform those functions as stated in the Municipal Government Act.

5. Proceedings

Prior to the first hearing of the Assessment Review Board, the Board shall, from amongst themselves, appoint a presiding officer.

6. Quorum

A majority of the members of an Assessment Review Board constitutes a quorum.

7. Decision of the Board

A decision of a majority of the members of an Assessment Review Board is the decision of the Assessment Review Board.

8. Filing a Complaint

A complaint may be filed with the Clerk of the Assessment Review Board at the address and within the timelines shown on the Summer Village of White Sands assessment or tax notice. A person wishing to make a complaint about any assessment or tax must do so in accordance with Section 460 of the Municipal Government Act.

9. Withdrawal of Appeal

A complainant may withdraw a complaint at any time prior to the Assessment Review Board Hearing provided that the withdrawal is in writing and is subject to Sections 11 & 12.



10. Fees

- a. The Council of the Summer Village of White Sands hereby requires that a fee of \$50.00 per property be payable by persons wishing to make complaints or to be involved as a party or intervener in a hearing before the Assessment Review Board and for obtaining copies of an Assessment Review Board's decisions and other documents.

11. Refund of Fees

- a. No refund of fees shall be made if the withdrawal is not received at least seven (7) calendar days prior to the Hearing.
- b. If the Assessment Review Board makes a decision in favor of the complainant, the fees paid by the complainant under the Section 11(a) shall be refunded.
- c. If on appeal to the Municipal Government Board a decision is in favor of the complainant the fees paid by the complainant under Section 11(a) shall be refunded.

13. Bylaw No. 67 is repealed in its entirety.

THIS BYLAW shall come into force and effect on final reading thereof.

Read a first time this 5<sup>th</sup> day of April, A.D. 2003.

Read a second time this 5<sup>th</sup> day of April, A.D. 2003.

Read a third time and finally passed this 5<sup>th</sup> day of April, A.D. 2003.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

**SUMMER VILLAGE OF WHITE SANDS**  
**BYLAW NO. 163-18**

BEING A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS, IN THE PROVINCE OF ALBERTA FOR THE ESTABLISHMENT AND FUNCTION OF AN ASSESSMENT REVIEW BOARD AND GENERAL MATTERS RELATING TO THE PROCEEDINGS THERETO.

WHEREAS, the Municipal Government Act, Chapter M26, 2000, and amendments thereto, provides for a municipality to establish an Assessment Review Board and decide on its function.

WHEREAS, the Municipal Government Act, Chapter M26, 2000, and amendments thereto, provides for a municipality to determine the proceedings relating to the Assessment Review Board.

NOW THEREFORE, the Municipal Council of the Summer Village of White Sands, duly assembled, enacts as follows:

1. The Assessment Review Board for the Summer Village of White Sands is hereby established.

2. Appointment

Council shall appoint by resolution three members who shall be the three members of the Municipal Council to the Assessment Review Board.

3. Member Remuneration

Assessment Review Board members will be remunerated at the rate set for Council meeting remuneration in their annual organizational meeting. Assessment Review Board members are required to do any hearing preparation, review, research and etc. as a volunteer and on their own time.

4. Term of Office

The term of appointment of the members of the Assessment Review Board shall be four years from the date of the first organizational meeting held after the election.

5. The Chief Administrative Officer of the Summer Village of White Sands is hereby appointed to act as the clerk of the Assessment Review Board and shall perform those functions as stated in the Municipal Government Act.

6. Proceedings

Prior to the first hearing of the Assessment Review Board, the Board shall, from amongst themselves, appoint a presiding officer.

7. Quorum

A majority of the members of an Assessment Review Board constitutes a quorum.

8. Decision of the Board

A decision of a majority of the members of an Assessment Review Board is the decision of the Assessment Review Board.

9. Filing a Complaint

Prior to submitting a formal complaint, the assessor may be contacted to review issues regarding assessment. If the issue is not resolved with this process, a complaint may be filed with the Clerk of the Assessment Review Board at the address and within the timelines shown on the Summer Village of White Sands assessment or tax notice. A person wishing to

make a complaint about any assessment or tax must do so in accordance with Section 460 of the Municipal Government Act.

10. Withdrawal of Appeal

A complainant may withdraw a complaint at any time prior to the Assessment Review Board Hearing provided that the withdrawal is in writing.

11. Fees

Fees for anyone wishing to be heard by the Assessment Review Board will be charged \$50.00 per appeal.

12. Refund of Fees

- a. No refund of fees shall be made if the withdrawal is not received at least seven (7) calendar days prior to the Hearing.
- b. If the Assessment Review Board decides in favor of the complainant, the fees paid by the complainant under Section 10 shall be refunded.
- c. If on appeal to the Municipal Government Board a decision is in favor of the complainant, the fees paid by the complainant under Section 11 shall be refunded.

13. This bylaw shall come into force on the date of final passing thereof and upon coming into effect Bylaw 92-03 is repealed.

Should a section or part of this bylaw be found to be improperly enacted or ultra vires, for any reasons, 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.

THIS BYLAW shall come into force and effect on final reading thereof.

READ A FIRST TIME this 24<sup>th</sup> day of February, 2018.

READ A SECOND TIME this \_\_\_ day of \_\_\_\_\_, 2018.

READ A THIRD TIME AND FINALLY PASSED this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

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

**SUMMER VILLAGE OF WHITE SANDS**  
**BYLAW NO. 148-15**

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR CONTROL OF FIRES AND THE RECOVERY OF FIRE PROTECTION SERVICE COSTS.

WHEREAS the Municipal Government Act, R.S.A. 2000 C.M-26 as amended, provides that the Council of a Summer Village 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 Summer Village;

AND WHEREAS the Council of the Summer Village of White Sands wishes to regulate and control the use and setting of Fires within the Summer Village;

AND WHEREAS the Council of the Summer Village of White Sands wishes to provide for the recovery of Fire protection service costs incurred by the Summer Village;

NOW THEREFORE, the Council of the Summer Village of White Sands, duly assembled, enacts as follows:

**SECTION 1     NAME OF BYLAW**

- 1.1     This bylaw may be cited as the “Fire Bylaw”.

**SECTION 2     DEFINITIONS**

- 2.1     In this Bylaw:

- a.     “Council” means the Council of the Summer Village of White Sands.
- b.     “Chief Administrative Officer” shall have the same meaning as in the Municipal Government Act, R.S.A. 2000, C.M.-26, as amended or repealed and replaced from time to time.
- c.     “Designated Officer” means a Designated Officer of the Summer Village of White Sands whose authority includes inspections and enforcement of Summer Village of White Sands bylaws.
- d.     “Fire” means any combustible material in a state of combustion.
- e.     “Fireworks” are any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation. This includes “Firecrackers”.
- f.     “Fire Department” means the Fire Department of the Town of Stettler and/or any other Fire or emergency service organization providing assistance to the Summer Village in the suppression of a Fire, whether pursuant to the terms of an aid agreement or on an ad hoc basis.
- g.     “Fire Department Property” means all Property owned or controlled by, and designated for use by, the Fire Department, regardless of the source of the Property.
- h.     “Fire Hazard” means any condition, circumstance or event wherein the possibility of Fire is increased.
- i.     “Fire Protection Services” 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, training or other staff development and advising.

- j. "Fire Protection Charge" means any or all costs incurred by the Summer Village as a result of the provision of Fire Protection Services within the Summer Village under Sections 5 or 6 of this bylaw.
- k. "Illegal Fire" means any Fire which is in contravention of this bylaw.
- l. "Incident" means a Fire or a situation where an explosion is imminent or any other situation where there is a danger or possible danger to life or Property and to which the Fire Department has responded.
- m. "Member" means any person who is a duly appointed Member of the Fire Department, including a part-time Member or volunteer Officer.
- n. "Officer" means a Member appointed or acting in the capacity of Fire Chief or Deputy Fire Chief of a Fire Department.
- o. "Peace Officer" means a Bylaw Enforcement Officer appointed by the Summer Village to enforce the Summer Village Bylaws and includes a member of the Royal Canadian Mounted Police, a Community Peace Officer and a Special Constable.
- p. "Property" means any real or personal Property which, without limiting the generality of the foregoing, includes land and structures.
- q. "Recreational Fire" means a Fire set in a controlled setting for the exclusive purpose of providing light, warmth, or the cooking of small food items.
- r. "Running Fire" means a Fire which has escaped its confinement or which is burning not being under proper or any control of any person.
- s. "Summer Village" means the Municipal Corporation of the Village of White Sands in the Province of Alberta and, where the context requires, means all land situated within the corporate boundaries of the Summer Village.
- t. "Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended, or repealed and replaced from time to time, and any regulations thereunder.
- u. "Alberta Fire Code" means the *Alberta Fire Code 1997* as amended, or repealed and replaced from time to time.
- v. "Authority having jurisdiction" in compliance with the Alberta Fire Code means an "Officer" of a "Fire Department" as defined in Bylaw 90-02.
- w. "Fireworks" means fireworks as defined in the Alberta Fire Code and includes both High and Low hazard varieties.
- x. "High Hazard" means High hazard fireworks as defined in the Alberta Fire Code.
- y. "Low Hazard" means all fireworks not classified as High hazard under the Alberta Fire Code.

### **SECTION 3 POWERS OF MEMBERS OF A FIRE DEPARTMENT**

3.1 Each Member and Officer shall have the authority and power to:

- a. Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire.

- b. 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 Fire.

#### **SECTION 4 POWERS OF OFFICERS OF A FIRE DEPARTMENT**

- 4.1 Each Officer shall have the authority and power to:
  - a. Commandeer and authorize payment for the possession or use of any equipment for the purposes of fighting the Fire.
  - b. Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire.
  - c. 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 Fire.

#### **SECTION 5 FIRE PROTECTION CHARGES**

- 5.1 Fire Protection Charges incurred by the Summer Village, directly or indirectly, as a result of providing Fire Protection Services within the Summer Village's boundaries may be recovered by the Summer Village from:
  - a. Any person causing or contributing to the Fire; or
  - b. The owner or occupant of any Property benefiting from the Fire Protection Services, if the person responsible for causing the fire, or the cause of the fire, is unknown;

And the above are jointly and severally liable for the Fire Protection Charge.

- 5.2 The schedule of fees for Fire Protection Charges shall be as set out in Schedule "A" attached hereto and forming part of this bylaw.
- 5.3 Fire Protection Charges shall be paid within sixty (60) days of being levied.
- 5.4 Collection of unpaid Fire Protection Charges may be undertaken by civil action in the court of competent jurisdiction, and any civil action does not invalidate any lien which the Summer Village is entitled to on the Property in respect of which the indebtedness is incurred.
- 5.5 The owner of a parcel to which Fire Protection Services are provided is liable for Fire Protection Charges incurred, and the Summer Village may add unpaid Fire Protection Charges to the tax roll of the parcel of land for which the services were provided.

#### **SECTION 6 CONTROL OF FIRE HAZARDS**

- 6.1 If the Council finds within its municipal boundaries on privately owned land or occupied public land conditions that in its opinion constitute a Fire Hazard, it may order the owner or the person in control of the land on which the Fire Hazard exists to reduce or remove the Fire Hazard within a fixed time and in a manner prescribed by the Summer Village.
- 6.2 If the Council finds that the order it made pursuant to Section 6.1 has not been carried out, the Chief Administrative Officer or Designated Officer may enter onto the land with any equipment and any person Council considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.

- 6.3 The owner or occupant of the land on which work was performed pursuant to Section 6.2 shall, upon demand, pay to the Summer Village a Fire Protection Charge, and in default of payment of the Fire Protection Charge, the Summer Village may add the Fire Protection Charge to the tax roll of the said land, which forms a special lien against the land in favor of the Summer Village, from the date it was added to the tax roll.

## **SECTION 7 PERMITTED AND PROHIBITED FIRES**

Any person is guilty of an offence if he or she:

- 7.1 sets or permits to set, any Fire within the boundaries of the Summer Village except as otherwise provided for under this bylaw.
- 7.2 burns or permits to be burned, any refuse, waste, junk, garbage, structures, debris or other noxious substance within the boundaries of the Summer Village.
- 7.3 has in his/her possession, sells, offers for sale, gives away or otherwise distributes, discharges, fires or sets off Firecrackers, unless acceptable to the Authority having jurisdiction, any other pyrotechnic device on any property within the boundaries of the Summer Village of White Sands.
- 7.4 discharges, fires or sets off Fireworks within the boundaries of the Summer Village of White Sands unless he/she holds a permit for that purpose issued by the Authority having jurisdiction.
- a. The Authority having jurisdiction may when issuing a permit, include any specific conditions that, in the opinion of the Authority having jurisdiction, are appropriate given the nature of the activity to which the permit applies and the prevailing environmental conditions.
  - b. It is a condition of all Fireworks Permits issued by the Authority having jurisdiction that, the applicant, in submitting the application, expressly acknowledges that he or she has read the entire document and its terms and conditions, and expressly agrees to indemnify and save the Summer Village of White Sands harmless from any loss or damage including personal injury, death and property damage, that may arise from the storage, handling and detonation of fireworks, and such losses shall include cost incurred by the Summer Village of White Sands including solicitor-own client costs, on a full indemnity basis.
  - c. It is a condition of all Fireworks Permits issued by the Authority having jurisdiction that the Permit may be cancelled at any time, by the posting of a Notice of Cancellation on all community bulletin boards, and by any other means the Authority having jurisdiction deems appropriate, when in the opinion of the Authority having jurisdiction the prevailing environmental conditions warrant and/or weather conditions create an undue fire hazard.
  - d. It is a condition of all Fireworks Permits issued by the Authority having jurisdiction that the Permit is automatically cancelled for safety reasons during periods of time when the fire hazard is considered "High", as posted on the fire hazard sign entering the Summer Village from the east, or when a Fire Ban is in force as per Section 8; enacted in accordance with the Summer Village of White Sands Fire Ban Policy.
- 7.5 Subject to Section 8, a person may, on Property owned or controlled by him, set a Recreational Fire, so long as that Recreational Fire is set within a Fire pit or other structure designed for the purpose of containing that Recreational Fire within a small, controlled area. Such a structure shall include a rock or brick Fire pit, barrel or stone barbeque.
- 7.6 When a Fire is set in contravention of Section 7.1, 7.2 or 7.3 or during a Fire ban

pursuant to Section 8.1, the owner or occupier of the land, or the person having control of the land upon which the Fire is lit shall:

- (1) extinguish the Fire immediately, or
- (2) if unable to extinguish the Fire immediately, report the Fire to the Fire Department as soon as possible.

## **SECTION 8 FIRE BANS**

- 8.1 The Chief Administrative Officer may, from time to time, prohibit all Fires within the Summer Village, including Recreational Fires when, in the discretion of the Chief Administrative Officer, the prevailing environmental conditions give rise to an increased risk of a Fire becoming a Running Fire.
- 8.2 A Fire ban imposed by the Chief Administrative Officer under Section 8.1 shall be in force either until the date established by the Chief Administrative Officer in the notice provided to the public pursuant to Section 8.3, or until such time as the Chief Administrative Officer gives notice to the public that the ban has been lifted.
- 8.3 The Chief Administrative Officer shall give notice of the Fire ban in effect by causing signs to be posted at the entrance road to the Summer Village.
- 8.4 When a Fire ban is in place, no person shall ignite a Recreational Fire, or cause or allow a Recreational Fire to be ignited on his Property or Property under his control.

## **SECTION 9 GENERAL OFFENCES**

- 9.1 Any person is guilty of an offence if he or she:
  - a. contravenes any provision(s) of this bylaw.
  - b. deposits, discards or leaves any burning matter or substance where it might ignite other material and cause a Fire.
  - c. provides false, incomplete or misleading information to the Summer Village or the Fire Department on or with respect to a Fire.
  - d. impedes, obstructs, or hinders a Member or Officer of a Fire Department, or other person assisting or acting under the direction of the Officer or Member in charge at any Incident.
  - e. damages or destroys Fire Department Property.
  - f. 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.
  - g. at an Incident drives a vehicle over any Fire Department Property without the permission of the Officer or Member in charge.
  - h. obstructs or otherwise interferes with access roads or streets or other approaches to any 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.
  - i. obstructs a Member from carrying out any function or activity related in any way to the provision of Fire Protection Services.
  - j. either directly, or indirectly, personally or through an agent, servant or



employee kindles a Fire prohibited under this bylaw, or lets it become a Running Fire, or allows a Running Fire to pass from his or her own Property to the Property of another.

- k. lights a Recreational Fire without taking sufficient measures to keep the Recreational Fire under control at all times.
- l. lights a Recreational Fire when he/she knows or ought reasonably to know that the environmental conditions are conducive to create a Running Fire, notwithstanding that no Fire ban is in place pursuant to Section 8.1.
- m. conducts an activity that involves the use of flame or heated materials that might reasonably be expected to cause a Fire unless that person exercises reasonable care to prevent the Fire from occurring.
- n. sets a Recreational Fire, where smoke from that Recreational Fire will impede visibility of vehicular traffic and pedestrian traffic on any highway as defined in the Traffic Safety Act, R.S.A. 2000, Chapter T-6, as amended, or repealed and replaced from time to time.
- o. lights any fire on lands owned or controlled by the Summer Village except with the Summer Village's express written consent. Such consent, if granted by the Summer Village must be to a person who is a property owner, and shall also make that person responsible for the supervision of the fire as well as the complete clean-up/restoration of the affected area to the satisfaction of the Summer Village. The clean-up/restoration of the area affected by the fire shall be completed within a reasonable amount of time following the extinguishment of the fire (generally considered to be the day immediately following the fire).

Should the Summer Village, at its sole discretion, determine that it must perform any clean-up/restoration following a fire (whether the fire was consented to or otherwise not), the person determined responsible for the fire shall in addition to any penalties in accordance with Schedule "B" also be responsible to reimburse the Summer Village for all costs incurred by the Summer Village to satisfactorily clean-up/restore the affected area.

Whether or not the person who is determined to have caused a fire on lands owned or controlled by the Summer Village is a property owner, the property owner(s) to whom such person is an occupant or a guest shall be jointly and severally responsible and liable for all clean-up/restoration costs incurred by the Summer Village.

Notwithstanding the aforementioned, and given limited firefighting capabilities within the Summer Village, the Summer Village of White Sands considers that all non-consented fires on lands owned or controlled by the Summer Village create an emergency situation in which there is imminent danger to public safety as defined under the provisions of the Municipal Government Act (MGA). And further that all fire related emergency situations require the immediate extinguishment of such fire and a responsible effort to clean-up/restore the affected area for public safety purposes. Therefore, any resulting firefighting and clean-up/restoration costs incurred by the Summer Village can be applied against the property taxes of jointly and severally responsible property owners and collected in a like manner under the provisions of the MGA.

## **SECTION 10 PENALTIES**

### **10.1 Any person who:**

- a. Violates any provision of this bylaw;
- b. Suffers or permits any act or thing to be done in contravention of or in violation

of any provision of this bylaw;

- c. Neglects to do or refrains from doing anything required to be done by the provisions of this bylaw, or
- d. Does any act or thing or omits any act or thing, thus violating any provision of this bylaw;

is guilty of an offense under this bylaw, and upon a conviction, is liable to a fine as set out at Schedule "B" of this bylaw.

10.2 Any person who commits a second or subsequent offence under this Bylaw within twelve (12) months of committing a first offence under this Bylaw, is liable to an increased penalty as set out in Schedule "B" here in and in default of payment of any penalty, to imprisonment for up to six (6) months.

10.3 The amount of a monetary Penalty for an Offence as set out in Schedule "B" may be amended by resolution of Council from time to time.

**SECTION 11 VIOLATION TICKETS**

11.1 The Chief Administrative Officer, Designated Officer or a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended, or repealed and replaced from time to time, to any person the Chief Administrative Officer, Designated Officer, or Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.

**SECTION 12 LIABILITY**

12.1 The Chief Administrative Officer, Designated Officer, Peace Officers, and the Officers and Members of any Fire Department are not liable for loss or damage caused by anything said or done or omitted to be done in the performance or intended performance of their functions, duties or powers unless the circumstances constitute dishonesty, gross negligence or willful misconduct.

**SECTION 13 GENERAL**

13.1 This bylaw shall come into force on the date of final passing thereof and upon coming into effect Bylaw 90-02 is repealed.

13.2 Should a section or part of this bylaw be found to be improperly enacted or ultra vires, for any reasons, 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.

READ A FIRST TIME this 26<sup>th</sup> day of February, 2015.

READ A SECOND TIME this 26<sup>th</sup> day of February, 2015.

READ A THIRD TIME AND FINALLY PASSED this 26<sup>th</sup> day of February, 2015.

\_\_\_\_\_  
Mayor

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

**SCHEDULE "A"**  
**FIRE PROTECTION CHARGES**

1. Incurring Under Section 5:

The full costs incurred by the Summer Village directly in providing Fire Protection Services, or incurred indirectly by the Summer Village as a result of the provision of Fire Protection Services within the Summer Village by a Fire Department, or a portion thereof as determined by Council, in its sole discretion.

2. Incurring Under Section 6:

The full costs incurred by the Summer Village in issuing and enforcing an order issued under Section 6, including any legal costs incurred, or a portion thereof as determined by Council in its sole discretion.

**SCHEDULE "B"**  
**PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>1st OFFENCE</b>	<b>2<sup>ND</sup> OFFENCE</b>	<b>3<sup>RD</sup> &amp; SUBSEQUENT OFFENCES</b>
7.1	Setting Illegal Fire	\$200.00	\$400.00	\$800.00
7.2	Burning refuse, waste, junk, garbage, structures or debris	\$250.00	\$500.00	\$1000.00
7.3	Using Firecrackers or permitting use of Firecrackers	\$500.00	\$1000.00	\$2000.00
7.4	Discharging fireworks without a permit or with a permit that has been cancelled	\$500.00	\$1000.00	\$2000.00
7.4	Permitting the discharge of fireworks without a permit or in a manner contrary to the permit or its conditions	\$500.00	\$1000.00	\$2000.00
8.4	Burning Recreational Fire when Fire ban in place	\$500.00	\$1000.00	\$2000.00
9.1(a)	Contravening provision of bylaw (where no other specific fine imposed)	\$200.00	\$400.00	\$800.00
9.1(b)	Depositing, discarding, leaving or burning matter or substance	\$100.00	\$200.00	\$400.00
9.1(c), (d)	Providing false, incomplete, misleading information; Impeding, obstructing, hindering Member or Officer	\$200.00	\$400.00	\$800.00
9.1(e)	Damage, destroy Fire Department Property	\$400.00	\$800.00	\$1600.00
9.1(f)	Falsely represent self as Member of Fire Department	\$300.00	\$600.00	\$1200.00
9.1(g)	Drive over Fire Department Property	\$200.00	\$400.00	\$800.00
9.1(h)	Obstruct access	\$200.00	\$400.00	\$800.00
9.1(i)	Obstruct Member	\$200.00	\$400.00	\$800.00
9.1(j)	Allowing Fire to become Running Fire	\$300.00	\$600.00	\$1200.00
9.1(k)	Failing to keep Recreational Fire under control	\$200.00	\$400.00	\$800.00
9.1(l)	Lighting Recreational Fire when condition conducive to creating Running Fire	\$200.00	\$400.00	\$800.00
9.1(m)	Failing to use reasonable care in use of flame or heated materials	\$150.00	\$300.00	\$600.00
9.1(n)	Impeding vehicular and pedestrian traffic by smoke	\$100.00	\$200.00	\$400.00
9.1(o)	Lighting Fire on Summer Village land	\$150.00	\$300.00	\$600.00

**SUMMER VILLAGE OF WHITE SANDS**  
**BYLAW NO. 164-18**

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR CONTROL OF FIRES AND THE RECOVERY OF FIRE PROTECTION SERVICE COSTS.

WHEREAS the Municipal Government Act, R.S.A. 2000 C.M-26 as amended, provides that the Council of a Summer Village 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 Summer Village;

AND WHEREAS the Council of the Summer Village of White Sands wishes to regulate and control the use and setting of Fires within the Summer Village;

AND WHEREAS the Council of the Summer Village of White Sands wishes to provide for the recovery of Fire protection service costs incurred by the Summer Village;

NOW THEREFORE, the Council of the Summer Village of White Sands, duly assembled, enacts as follows:

**SECTION 1     NAME OF BYLAW**

- 1.1     This bylaw may be cited as the “Fire Bylaw”.

**SECTION 2     DEFINITIONS**

2.1     In this Bylaw:

- a.     “Council” means the Council of the Summer Village of White Sands.
- b.     “Chief Administrative Officer” shall have the same meaning as in the Municipal Government Act, R.S.A. 2000, C.M.-26, as amended or repealed and replaced from time to time.
- c.     “Designated Officer” means a Designated Officer of the Summer Village of White Sands whose authority includes inspections and enforcement of Summer Village of White Sands bylaws.
- d.     “Fire” means any combustible material in a state of combustion.
- e.     “Fireworks” are any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation. This includes “Firecrackers”.
- f.     “Fire Department” means the Fire Department of the Town of Stettler and/or any other Fire or emergency service organization providing assistance to the Summer Village in the suppression of a Fire, whether pursuant to the terms of an aid agreement or on an ad hoc basis.
- g.     “Fire Department Property” means all Property owned or controlled by, and designated for use by, the Fire Department, regardless of the source of the Property.
- h.     “Fire Hazard” means any condition, circumstance or event wherein the possibility of Fire is increased.
- i.     “Fire Protection Services” 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, training or other staff development and advising.

- j. "Fire Protection Charge" means any or all costs incurred by the Summer Village as a result of the provision of Fire Protection Services within the Summer Village under Sections 5 or 6 of this bylaw.
- k. "Illegal Fire" means any Fire which is in contravention of this bylaw.
- l. "Incident" means a Fire or a situation where an explosion is imminent or any other situation where there is a danger or possible danger to life or Property and to which the Fire Department has responded.
- m. "Member" means any person who is a duly appointed Member of the Fire Department, including a part-time Member or volunteer Officer.
- n. "Officer" means a Member appointed or acting in the capacity of Fire Chief or Deputy Fire Chief of a Fire Department.
- o. "Peace Officer" means a Bylaw Enforcement Officer appointed by the Summer Village to enforce the Summer Village Bylaws and includes a member of the Royal Canadian Mounted Police, a Community Peace Officer and a Special Constable.
- p. "Property" means any real or personal Property which, without limiting the generality of the foregoing, includes land and structures.
- q. "Recreational Fire" means a Fire set in a controlled setting for the exclusive purpose of providing light, warmth, or the cooking of small food items.
- r. "Running Fire" means a Fire which has escaped its confinement or which is burning not being under proper or any control of any person.
- s. "Summer Village" means the Municipal Corporation of the Village of White Sands in the Province of Alberta and, where the context requires, means all land situated within the corporate boundaries of the Summer Village.
- t. "Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended, or repealed and replaced from time to time, and any regulations thereunder.
- u. "Alberta Fire Code" means the *Alberta Fire Code 1997* as amended, or repealed and replaced from time to time.
- v. "Authority having jurisdiction" in compliance with the Alberta Fire Code means an "Officer" of a "Fire Department" as defined in Bylaw 90-02.
- w. "Fireworks" means fireworks as defined in the Alberta Fire Code and includes both High and Low hazard varieties.
- x. "High Hazard" means High hazard fireworks as defined in the Alberta Fire Code.
- y. "Low Hazard" means all fireworks not classified as High hazard under the Alberta Fire Code.

### **SECTION 3 POWERS OF MEMBERS OF A FIRE DEPARTMENT**

3.1 Each Member and Officer shall have the authority and power to:

- a. Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire.

- b. 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 Fire.

#### **SECTION 4 POWERS OF OFFICERS OF A FIRE DEPARTMENT**

- 4.1 Each Officer shall have the authority and power to:
  - a. Commandeer and authorize payment for the possession or use of any equipment for the purposes of fighting the Fire.
  - b. Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire.
  - c. 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 Fire.

#### **SECTION 5 FIRE PROTECTION CHARGES**

- 5.1 Fire Protection Charges incurred by the Summer Village, directly or indirectly, as a result of providing Fire Protection Services within the Summer Village's boundaries may be recovered by the Summer Village from:
  - a. Any person causing or contributing to the Fire; or
  - b. The owner or occupant of any Property benefiting from the Fire Protection Services, if the person responsible for causing the fire, or the cause of the fire, is unknown;

And the above are jointly and severally liable for the Fire Protection Charge.

- 5.2 The schedule of fees for Fire Protection Charges shall be as set out in Schedule "A" attached hereto and forming part of this bylaw.
- 5.3 Fire Protection Charges shall be paid within sixty (60) days of being levied.
- 5.4 Collection of unpaid Fire Protection Charges may be undertaken by civil action in the court of competent jurisdiction, and any civil action does not invalidate any lien which the Summer Village is entitled to on the Property in respect of which the indebtedness is incurred.
- 5.5 The owner of a parcel to which Fire Protection Services are provided is liable for Fire Protection Charges incurred, and the Summer Village may add unpaid Fire Protection Charges to the tax roll of the parcel of land for which the services were provided.

#### **SECTION 6 CONTROL OF FIRE HAZARDS**

- 6.1 If the Council finds within its municipal boundaries on privately owned land or occupied public land conditions that in its opinion constitute a Fire Hazard, it may order the owner or the person in control of the land on which the Fire Hazard exists to reduce or remove the Fire Hazard within a fixed time and in a manner prescribed by the Summer Village.
- 6.2 If the Council finds that the order it made pursuant to Section 6.1 has not been carried out, the Chief Administrative Officer or Designated Officer may enter onto the land with any equipment and any person Council considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.

- 6.3 The owner or occupant of the land on which work was performed pursuant to Section 6.2 shall, upon demand, pay to the Summer Village a Fire Protection Charge, and in default of payment of the Fire Protection Charge, the Summer Village may add the Fire Protection Charge to the tax roll of the said land, which forms a special lien against the land in favor of the Summer Village, from the date it was added to the tax roll.

## **SECTION 7 PERMITTED AND PROHIBITED FIRES**

Any person is guilty of an offence if he or she:

- 7.1 sets or permits to set, any Fire within the boundaries of the Summer Village except as otherwise provided for under this bylaw. (see Section 7.5)
- 7.2 burns or permits to be burned, any refuse, waste, junk, garbage, structures, debris or other noxious substance within the boundaries of the Summer Village.
- 7.3 has in his/her possession, sells, offers for sale, gives away or otherwise distributes, discharges, fires or sets off Firecrackers, unless acceptable to the Authority having jurisdiction, any other pyrotechnic device on any property within the boundaries of the Summer Village of White Sands.
- 7.4 discharges, fires or sets off Fireworks within the boundaries of the Summer Village of White Sands unless he/she holds a permit for that purpose issued by the Authority having jurisdiction.
- a. The Authority having jurisdiction may when issuing a permit, include any specific conditions that, in the opinion of the Authority having jurisdiction, are appropriate given the nature of the activity to which the permit applies and the prevailing environmental conditions.
  - b. It is a condition of all Fireworks Permits issued by the Authority having jurisdiction that, the applicant, in submitting the application, expressly acknowledges that he or she has read the entire document and its terms and conditions, and expressly agrees to indemnify and save the Summer Village of White Sands harmless from any loss or damage including personal injury, death and property damage, that may arise from the storage, handling and detonation of fireworks, and such losses shall include cost incurred by the Summer Village of White Sands including solicitor-own client costs, on a full indemnity basis.
  - c. It is a condition of all Fireworks Permits issued by the Authority having jurisdiction that the Permit may be cancelled at any time, by the posting of a Notice of Cancellation on all community bulletin boards, and by any other means the Authority having jurisdiction deems appropriate, when in the opinion of the Authority having jurisdiction the prevailing environmental conditions warrant and/or weather conditions create an undue fire hazard.
  - d. It is a condition of all Fireworks Permits issued by the Authority having jurisdiction that the Permit is automatically cancelled for safety reasons during periods of time when the fire hazard is considered "High", as posted on the fire hazard sign entering the Summer Village from the east, or when a Fire Ban is in force as per Section 8; enacted in accordance with the Summer Village of White Sands Fire Ban Policy.
- 7.5 Subject to Section 8, a person may, on Property owned or controlled by him, set a Recreational Fire, so long as that Recreational Fire is:
- a. set a minimum of 3 meters from buildings, property lines, or any combustible material, and
  - b. within a Fire pit or other structure designed for containing that Recreational Fire within a small, controlled area. Such a structure shall have enclosed sides made



from bricks, concrete blocks, or heavy gauge metal.

c. Equipped with a mesh screen with openings no larger than 12.5mm

7.6 When a Fire is set in contravention of Section 7.1, 7.2 or 7.3 or during a Fire ban pursuant to Section 8.1, the owner or occupier of the land, or the person having control of the land upon which the Fire is lit shall:

- (1) extinguish the Fire immediately, or
- (2) if unable to extinguish the Fire immediately, report the Fire to the Fire Department as soon as possible.

## **SECTION 8 FIRE BANS**

8.1 The Chief Administrative Officer may, from time to time, prohibit all Fires within the Summer Village, including Recreational Fires when, in the discretion of the Chief Administrative Officer, the prevailing environmental conditions give rise to an increased risk of a Fire becoming a Running Fire.

8.2 A Fire ban imposed by the Chief Administrative Officer under Section 8.1 shall be in force either until the date established by the Chief Administrative Officer in the notice provided to the public pursuant to Section 8.3, or until such time as the Chief Administrative Officer gives notice to the public that the ban has been lifted.

8.3 The Chief Administrative Officer shall give notice of the Fire ban in effect by causing signs to be posted at the entrance road to the Summer Village.

8.4 When a Fire ban is in place, no person shall ignite a Recreational Fire, or cause or allow a Recreational Fire to be ignited on his Property or Property under his control.

## **SECTION 9 GENERAL OFFENCES**

9.1 Any person is guilty of an offence if he or she:

- a. contravenes any provision(s) of this bylaw.
- b. deposits, discards or leaves any burning matter or substance where it might ignite other material and cause a Fire.
- c. provides false, incomplete or misleading information to the Summer Village or the Fire Department on or with respect to a Fire.
- d. impedes, obstructs, or hinders a Member or Officer of a Fire Department, or other person assisting or acting under the direction of the Officer or Member in charge at any Incident.
- e. damages or destroys Fire Department Property.
- f. 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.
- g. at an Incident drives a vehicle over any Fire Department Property without the permission of the Officer or Member in charge.
- h. obstructs or otherwise interferes with access roads or streets or other approaches to any 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.

- i. obstructs a Member from carrying out any function or activity related in any way to the provision of Fire Protection Services.
- j. either directly, or indirectly, personally or through an agent, servant or employee kindles a Fire prohibited under this bylaw, or lets it become a Running Fire, or allows a Running Fire to pass from his or her own Property to the Property of another.
- k. lights a Recreational Fire without taking sufficient measures to keep the Recreational Fire under control at all times.
- l. lights a Recreational Fire when he/she knows or ought reasonably to know that the environmental conditions are conducive to create a Running Fire, notwithstanding that no Fire ban is in place pursuant to Section 8.1.
- m. conducts an activity that involves the use of flame or heated materials that might reasonably be expected to cause a Fire unless that person exercises reasonable care to prevent the Fire from occurring.
- n. sets a Recreational Fire, where smoke from that Recreational Fire will impede visibility of vehicular traffic and pedestrian traffic on any highway as defined in the Traffic Safety Act, R.S.A. 2000, Chapter T-6, as amended, or repealed and replaced from time to time.
- o. lights any fire on lands owned or controlled by the Summer Village except with the Summer Village's express written consent. Such consent, if granted by the Summer Village must be to a person who is a property owner, and shall also make that person responsible for the supervision of the fire as well as the complete clean-up/restoration of the affected area to the satisfaction of the Summer Village. The clean-up/restoration of the area affected by the fire shall be completed within a reasonable amount of time following the extinguishment of the fire (generally considered to be the day immediately following the fire).

Should the Summer Village, at its sole discretion, determine that it must perform any clean-up/restoration following a fire (whether the fire was consented to or otherwise not), the person determined responsible for the fire shall in addition to any penalties in accordance with Schedule "B" also be responsible to reimburse the Summer Village for all costs incurred by the Summer Village to satisfactorily clean-up/restore the affected area.

Whether or not the person who is determined to have caused a fire on lands owned or controlled by the Summer Village is a property owner, the property owner(s) to whom such person is an occupant or a guest shall be jointly and severally responsible and liable for all clean-up/restoration costs incurred by the Summer Village.

Notwithstanding the aforementioned, and given limited firefighting capabilities within the Summer Village, the Summer Village of White Sands considers that all non-consented fires on lands owned or controlled by the Summer Village create an emergency situation in which there is imminent danger to public safety as defined under the provisions of the Municipal Government Act (MGA). And further that all fire related emergency situations require the immediate extinguishment of such fire and a responsible effort to clean-up/restore the affected area for public safety purposes. Therefore, any resulting firefighting and clean-up/restoration costs incurred by the Summer Village can be applied against the property taxes of jointly and severally responsible property owners and collected in a like manner under the provisions of the MGA.

## **SECTION 10 PENALTIES**

### **10.1 Any person who:**

- a. Violates any provision of this bylaw;
- b. Suffers or permits any act or thing to be done in contravention of or in violation of any provision of this bylaw;
- c. Neglects to do or refrains from doing anything required to be done by the provisions of this bylaw, or
- d. Does any act or thing or omits any act or thing, thus violating any provision of this bylaw;

is guilty of an offense under this bylaw, and upon a conviction, is liable to a fine as set out at Schedule "B" of this bylaw.

10.2 Any person who commits a second or subsequent offence under this Bylaw within twelve (12) months of committing a first offence under this Bylaw, is liable to an increased penalty as set out in Schedule "B" here in and in default of payment of any penalty, to imprisonment for up to six (6) months.

10.3 The amount of a monetary Penalty for an Offence as set out in Schedule "B" may be amended by resolution of Council from time to time.

**SECTION 11 VIOLATION TICKETS**

11.1 The Chief Administrative Officer, Designated Officer or a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended, or repealed and replaced from time to time, to any person the Chief Administrative Officer, Designated Officer, or Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.

**SECTION 12 LIABILITY**

12.1 The Chief Administrative Officer, Designated Officer, Peace Officers, and the Officers and Members of any Fire Department are not liable for loss or damage caused by anything said or done or omitted to be done in the performance or intended performance of their functions, duties or powers unless the circumstances constitute dishonesty, gross negligence or willful misconduct.

**SECTION 13 GENERAL**

13.1 This bylaw shall come into force on the date of final passing thereof and upon coming into effect Bylaw 148-15 is repealed.

13.2 Should a section or part of this bylaw be found to be improperly enacted or ultra vires, for any reasons, 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.

READ A FIRST TIME this 24<sup>th</sup> day of February, 2018.

READ A SECOND TIME this \_\_\_ day of \_\_\_\_\_, 2018.

READ A THIRD TIME AND FINALLY PASSED this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

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

**SCHEDULE "A"**  
**FIRE PROTECTION CHARGES**

1. Incurring Under Section 5:

The full costs incurred by the Summer Village directly in providing Fire Protection Services, or incurred indirectly by the Summer Village as a result of the provision of Fire Protection Services within the Summer Village by a Fire Department, or a portion thereof as determined by Council, in its sole discretion.

2. Incurring Under Section 6:

The full costs incurred by the Summer Village in issuing and enforcing an order issued under Section 6, including any legal costs incurred, or a portion thereof as determined by Council in its sole discretion.

**SCHEDULE "B"**  
**PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>1st OFFENCE</b>	<b>2<sup>ND</sup> OFFENCE</b>	<b>3<sup>RD</sup> &amp; SUBSEQUENT OFFENCES</b>
7.1	Setting Illegal Fire	\$200.00	\$400.00	\$800.00
7.2	Burning refuse, waste, junk, garbage, structures or debris	\$250.00	\$500.00	\$1000.00
7.3	Using Firecrackers or permitting use of Firecrackers	\$500.00	\$1000.00	\$2000.00
7.4	Discharging fireworks without a permit or with a permit that has been cancelled	\$500.00	\$1000.00	\$2000.00
7.4	Permitting the discharge of fireworks without a permit or in a manner contrary to the permit or its conditions	\$500.00	\$1000.00	\$2000.00
8.4	Burning Recreational Fire when Fire ban in place	\$500.00	\$1000.00	\$2000.00
9.1(a)	Contravening provision of bylaw (where no other specific fine imposed)	\$200.00	\$400.00	\$800.00
9.1(b)	Depositing, discarding, leaving or burning matter or substance	\$100.00	\$200.00	\$400.00
9.1(c), (d)	Providing false, incomplete, misleading information; Impeding, obstructing, hindering Member or Officer	\$200.00	\$400.00	\$800.00
9.1(e)	Damage, destroy Fire Department Property	\$400.00	\$800.00	\$1600.00
9.1(f)	Falsely represent self as Member of Fire Department	\$300.00	\$600.00	\$1200.00
9.1(g)	Drive over Fire Department Property	\$200.00	\$400.00	\$800.00
9.1(h)	Obstruct access	\$200.00	\$400.00	\$800.00
9.1(i)	Obstruct Member	\$200.00	\$400.00	\$800.00
9.1(j)	Allowing Fire to become Running Fire	\$300.00	\$600.00	\$1200.00
9.1(k)	Failing to keep Recreational Fire under control	\$200.00	\$400.00	\$800.00
9.1(l)	Lighting Recreational Fire when condition conducive to creating Running Fire	\$200.00	\$400.00	\$800.00
9.1(m)	Failing to use reasonable care in use of flame or heated materials	\$150.00	\$300.00	\$600.00
9.1(n)	Impeding vehicular and pedestrian traffic by smoke	\$100.00	\$200.00	\$400.00
9.1(o)	Lighting Fire on Summer Village land	\$150.00	\$300.00	\$600.00



# Public Hearing Agenda for Bylaw 162-18 (Land Use Bylaw Amendments)

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*Held at 11:00 a.m. on Saturday February 24<sup>th</sup>, 2018  
at the White Sands Hall, #8 Front St.*

## **1. Call to Order**

- 1.1 Lorne Thurston, Mayor of the Summer Village of White Sands, to chair this Public Hearing.
- 1.2 The Chair declares the meeting open, noting the time.

## **2. Introductions**

- 2.1 The Chair welcomes all participants and introduces the Councillors and officials in attendance.

## **3. Purpose of Public Hearing**

- 3.1 The purpose of the Public Hearing is to allow all interested parties to address Council on the proposed Land Use Bylaw amendments.

## **4. Public Hearing Procedure**

- 4.1 The Chair will state the Rules of Conduct that will be followed during the Public Hearing.
  - a) Written submission(s) shall be tabled first and read into the record.
  - b) The public hearing is the opportunity for the public to comment on the proposed bylaw only.
  - c) Participants wishing to speak to this bylaw must give their name for the record.
  - d) Anyone wishing to support or oppose the amendment will be given the opportunity to speak up to 5 minutes.
  - e) Councillors may ask questions of the speakers after each presentation for clarification purposes, or direct questions to other presenters.
  - f) There will be no debating between participants / presenters allowed.
  - g) During question period, any questions from the floor shall be addressed through the Chair.

## **5. Overview Presentation**

- 5.1 The Chair will call on either Leann Graham, Development Officer or Graham Scott, CAO of the Summer Village to go through the Land Use Bylaw amendments.

## **6. Written Submissions**

The Chair will call for any Written Submissions:

- in support of the proposed bylaws, and
- in opposition to the proposed bylaws.

## **7. Verbal Presentation**

The Chair will call for any Verbal Presentations (up to 5 minutes per speaker):

- in support of the proposed bylaws, and
- in opposition to the proposed bylaws.

## **8. Question Period**

The Chair asks if there are any questions from Councillors and the general public.

## **9. Adjourn Public Hearing**

The Chair declares the public portion of the Public Hearing closed, noting the time.

**NOTICE OF SPECIAL COUNCIL MEETING & PUBLIC HEARING**

**SUMMER VILLAGE OF WHITE SANDS BYLAW 162-18**

**FEBRUARY 24, 2018**

**SUMMER VILLAGE OF WHITE SANDS HALL**

Pursuant to Section 606 of the Municipal Government Act, the Council of the Summer Village of White Sands gives notice that they have given First Reading to:

1. Bylaw 162-18 – Amendment to Land Use Bylaw 153-15

Anyone affected by the Land Use Bylaw Amendment may make written submissions before 12:00 p.m., Wednesday, February 21, 2018 to Graham Scott, CAO, Box 280, Stettler, AB T0C 2L0 or [gscott@stettler.net](mailto:gscott@stettler.net).

The Public Hearing for the Land Use Bylaw Amendment will be held on Saturday, February 24, 2018 at 11:00 a.m. at the Summer Village of White Sands Hall at 8 Front Street, White Sands, Alberta.

The Public Hearing will be a part of a Special Meeting of Council for the Summer Village of White Sands.

Copies of the proposed By-law are available at the Town of Stettler Office during office hours, Monday to Friday, 8:30 a.m. to 4:30 p.m., or online at [www.summervillageofwhitesands.ca](http://www.summervillageofwhitesands.ca).



## **BYLAW 162.18**

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS, PROVINCE OF ALBERTA TO AMEND BYLAW NO. 153-15 OF THE SAID VILLAGE.

WHEREAS pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto.

THE MUNICIPAL COUNCIL OF THE SUMMER VILLAGE OF WHITE SANDS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. That Part 1, Subsection 1.3 - Add **“Exterior Wall”, “Main Floor Area”, and “porch”** Definitions as follows:

**“Exterior Wall”** means a wall with one side on the exterior of the building finished with materials including but not limited to stucco, siding, brick or stone. The exterior wall is constructed in a way to provide load bearing capabilities and protection from the outside elements including moisture protections and insulation.

**“Main Floor Area”** means for residential buildings, the total area of the main floor of a building measured from the outside of the exterior walls.

**“Porch”** means a covered area (open or enclosed) adjoining an entrance to a dwelling, a porch is not considered a part of a total floor area.

2. That Part 1, Subsection 1.3 - Revise **“Floor Area”, and “Ready to Move (RTM) Dwelling”**, Definitions as follows:

**“Floor Area”** means for residential buildings, the total area of all floors on a building measured from the outside of exterior walls including a basement as well as all cantilevers, but excluding floor areas of lofts, cellars, attached garages, sheds, carports, or porches, balconies or decks in all residential buildings.

**“Ready to Move (RTM) Dwelling”** means a dwelling with a minimum width of 7.3 meters (24 feet), a minimum main floor area of 92.9 square meters (1000 square feet) and a maximum height of 7.75 meters (25.4 feet). An RTM must have a completed main floor area constructed off site prior to transportation to the property. Dwellings are transported to the site and assembled to create a permanent dwelling unit and conform to the CSA A-277 Standard for Ready To Move Homes.

3. That Part 2, Subsection 2.3 (9)(c) of Bylaw 153-15 shall be and is hereby amended as follows:

To give security in the amount of 5% of the project value, as determined by the safety codes valuation of construction value per ft<sup>2</sup> as amended from time to time, for each dwelling unit to ensure that the terms of the agreement under this section are carried out:

- (i) Detached Dwelling - 50% refunded at completion of foundation, 50% refunded upon completion of permanent siding, roofing, windows and doors to dwelling lock-up.
- (ii) RTM – 50% refunded at installation on foundation, 50% refunded upon completion of project including proof of final inspection.

4. That Schedule C, Residential District R1, Subsection 2(ii) – shall be and is hereby amended as follows:

RTMs shall be placed on a permanent foundation or basement. RTMs shall only be allowed on parcels greater than 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) or more and must have minimum width of 7.3 meters (24 feet).

5. That Schedule C, Residential District R1, Subsection 9 – shall be and is hereby amended as follows:

- (a) Detached Dwelling – 7.75 m (25.42 ft) above finished grade with a maximum of two stories; excepting on parcels larger than 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) or more, where the maximum height shall be 10.00 m (32.81 ft) above finished grade with a maximum of two stories and a walkout basement;
- (b) RTM - 7.75 m (25.4 ft) above finished grade with a maximum of two stories.

6. That Schedule C, Residential District R1, Subsection 10 – shall be and is hereby amended as follows:

- (a) Detached Dwelling - 92.9 m<sup>2</sup> (1000 ft<sup>2</sup>)
- (b) RTM - 92.9 m<sup>2</sup> (1000 ft<sup>2</sup>)

7. That this Bylaw shall take force and effect upon the date of final passing thereof.

READ a first time this 1st day of February A.D. 2018.

NOTICE OF PUBLIC HEARING: Mailed to every land owner within the Summer Village of White Sands on \_\_\_\_\_

Public Hearing held \_\_\_\_\_.

READ a second time this \_\_\_ day of \_\_\_\_\_, A.D. 2018.

READ a third time and finally passed this \_\_\_ day of \_\_\_\_\_, A.D. 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO