

BYLAW 2192-25

Being a bylaw of the Town of Stettler in the Province of Alberta, for the purpose of establishing Fire Services in and for the Town of Stettler.

Whereas the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, provides that a Council of a Municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and for services provided by or on behalf of the Municipality; and

Whereas the Emergency Management Act, R.S.A. 2000, E- 6.8, as amended, provides additional powers to a municipality to enable it to carry out and enforce the provisions of the Emergency Management Act within its boundaries; and

Whereas, the Town of Stettler has been accredited by the Safety Codes Council in the Fire Discipline; and

Whereas the Council of the Town of Stettler wishes to establish fire services within the Town of Stettler and to provide for efficient operation of such fire services;

Now therefore, the Council of the Town of Stettler in the Province of Alberta, duly assembled, hereby enacts as follows:

Section 1 – Name of Bylaw

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

Section 2 – Definitions

2.1 "Acceptable Fire Pit" means an outdoor receptacle that meets the following specifications:

- i. A minimum of 3 meters clearance, measured from the nearest fire pit edge is maintained from building, property lines, or other combustible material;
- ii. The fire pit height does not exceed 0.6 meters when measured from the surrounding grade to the top of the pit opening;
- iii. The fire pit shall not have an open flame area exceeding 1 meter at its widest point;
- iv. The fire pit is set upon or built into the bare ground or on a non-combustible material such as brick, stone, or concrete;
- v. The fire pit installation has enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible materials;
- vi. The fire pit is equipped with a mesh screen with opening no larger than 1.25 centimeters designed to contain and reduce the hazards of airborne sparks;
- vii. The fire pit is not located over any underground utilities or under any above ground wires; and
- viii. The firepit is not located in the front yard of a residence.

2.2 "Acceptable Portable Fire Receptacle" means a commercially manufactured outdoor portable fire receptacle that is fully enclosed by wire mesh.

2.3 "Acceptable Fireplace" means an outdoor receptacle that meets the following specifications;

- i. A minimum of 3 meters clearance, measured from the nearest fire pit edge is maintained from building, property lines, or other combustible material;
 - ii. The fireplace is constructed of materials such as bricks or rocks that are heat and flame resistant;
 - iii. The fireplace is equipped with a chimney that is not less than 2.5 meters in height when measured from the base of the fire burning area;
 - iv. The fireplace chimney is equipped with a regulation screen designed to contain and reduce the hazards of airborne sparks;
 - v. The base of the fire burning area is not less than 0.3 meters above the surrounding grade; and
 - vi. The fire chamber does not exceed 1.25 meters in width, and at least 0.4 meters but not more 0.6 meters in depth.
- 2.4 "Apparatus" means a fire truck, pumper truck, rescue truck, mobile command unit, brush truck, tender, or other vehicle designated by the Town Fire Chief. Also see Emergency Unit.
- 2.5 "Awareness Level" mean that responders will recognize risks and hazards, secure the area and call for trained assistance.
- 2.6 "Chief Administrative Officer" or "CAO" means that person appointed to the position and title by the Municipal Council of the Town of Stettler and includes any person appointed by the CAO to act as their appointee.
- 2.7 "Council" means the municipal Council of the Town of Stettler.
- 2.8 "Dangerous Goods" means any product, substance, or organism specified in the regulations or included by its nature in any of the classes listed in the regulations under the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, Chapter D-4, as amended.
- 2.9 "Deputy Fire Chief" means the person appointed by the Town of Stettler to assist the Fire Chief in the administration and operation of the fire department, and who may act on behalf of the Fire Chief in their absence or as designate.
- 2.10 "Emergency Unit" means a fire truck, pumper truck, rescue truck, mobile command unit, brush truck, tender, or other vehicle designated by the Fire Chief. Also see Apparatus.
- 2.11 "Equipment" means any tools, contrivances, devices, or materials used by the Fire Department to combat an incident or other emergency.
- 2.12 "False Alarm" means any fire alarm that is set off needlessly, through willful or accidental, human or mechanical error, and to which the Fire Department responds.
- 2.13 "Fire Chief" means the person appointed by the Town of Stettler as the head of the Fire Department, responsible for the overall management, administration, and operation of the department.
- 2.14 "Fire Department" means the Town of Stettler Fire Department, consisting of all persons appointed or recruited to the various positions prescribed herein, all equipment, apparatus, materials, and supplies used in the operation, maintenance and administration of the Town of Stettler Fire Department, including fire stations.
- 2.15 "Fire Permit" mean an approval granted in response to an application in the prescribed form set out by the Fire Department for approval for an Open Fire and

include such information and requirements as may be required by the Fire Department.

- 2.16 "Fire Services" means the services provided by the Fire Department.
- 2.17 "Fireworks, Consumer" means low-hazard fireworks that are designed for recreational use by the general public and are classified as Subdivision 1 of Division 2 of Class 7 (Fireworks) under the Explosives Regulations, 2013. These include items such as fountains, roman candles, sparklers, wheels, and other similar devices that pose a minimal risk when used according to manufacturer instructions.
- 2.18 "Fireworks, Display" (also referred to as High Hazard Fireworks) means high-hazard fireworks that are designed for use by professionals holding a valid Fireworks Operator Certificate issued by Natural Resources Canada, and are classified as Subdivision 2 of Division 2 of Class 7 (Fireworks) under the Explosives Regulations, 2013. These include items such as aerial shells, bombs, and large-scale pyrotechnic effects used in public or professional displays.
- 2.19 "Hazard" means a risk of fire or damage to property and/or persons which may be caused by the burning of any waste and include nuisances.
- 2.20 "Highway" means any public or private thoroughfare, road, or place where vehicles are permitted to travel or be parked. This includes sidewalks, driveways, bridges and even land within highway's right-of-way.
- 2.21 "Incident" means a fire or a situation where a fire or an explosion is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.
- 2.22 "Incinerator" means a non-combustible structure or container that has the drafts and smoke vents thereof covered a regulation screen which is ventilation in such manner as to preclude the escape of combustible materials including burning ash and is used for the purpose of burning burnable debris as regulated in the *Alberta Energy Regulator* and *Alberta's Environmental Protection and Enhancement Act*.
- 2.23 "Incinerator Fire" means a fire that is confined within an Incinerator.
- 2.24 "Member" means any person who is a duly appointed or recruited member of the Fire Department whether that member is full time, volunteer, or paid on call.
- 2.25 "Mutual Aid Agreement" means an agreement between the Town of Stettler and any other municipality, municipalities, fire services, or person for the joint use of Emergency Units and Members in the mitigation of an incident or other emergency.
- 2.26 "Open Fire" means any fire which is not contained in an Acceptable Fire Pit, Acceptable Fireplace, Acceptable Portable Fire Receptacle, Portable Appliance, Public Park Site Fire, or Incinerator and which, without limiting the generality of the foregoing may include grass fires, forest and brush fires, running fires, structure fires, building fires, wood scrap fires, ground thawing fires, and chattel fires.
- 2.27 "Operations Level" means that responders will take defensive action to contain and control the incident and seek assistance from outside agencies equipped to mitigate the incident.
- 2.28 "Peace Officer" means a Bylaw Enforcement Officer appointed by the Town to enforce the Town Bylaws, a member of the Royal Canadian Mounted Police, a Community Peace Officer and/or a Special Constable.
- 2.29 "Person" means any individual, business, partnership, firm, corporation, owner/occupant of a residence, or owner/occupant of a vehicle.

- 2.30 "Portable Appliance" means any appliance sold or constructed for the purpose of cooking food in the out-of-doors.
- 2.31 "Prohibited Debris" means any material that when burned, will result in the release to the atmosphere of dense smoke, offensive odours or toxic air contaminants in accordance with Provincial Statutes and Municipal Bylaws written to protect and enhance the environment, and shall include but are not limited to materials described as:
- i. Animal manure;
 - ii. Chemicals and chemical containers;
 - iii. Combustible material in automobile bodies;
 - iv. Waste materials from building or construction sites. Excluding wooden materials that do not contain wood preservatives;
 - v. Non-wooden materials;
 - vi. Paints and painting materials;
 - vii. Rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
 - viii. Tires;
 - ix. Used oil; or
 - x. Wood or wood products containing substances for the purpose of preserving wood.
- 2.32 "Property" means any real or personal property, which without limiting the generality of the foregoing includes land and structures.
- 2.33 "Public Park Site Fire" means a fire on land owned or leased by the Town of Stettler or its agents for recreational purposes and is confined to either a non-combustible container supplied by the Town of Stettler, or a Portable Appliance, which is set for the purpose of cooking food, obtaining warmth or viewing for pleasure. Such fire may only be fuelled with seasonal wood, charcoal, coal, natural gas, or propane.
- 2.34 "Regulated Occupancy" means the use or intended use of a building or part thereof for the shelter or support of persons, animals, or property, which is classified under Division B, Part 2 of the *Alberta Fire Code*, and is subject to specific fire and life safety requirements based on its occupancy classification (e.g., Group A through Group F). This includes, but is not limited to, residential, business, mercantile, industrial, assembly, care, and detention occupancies as defined by the *Alberta Fire Code*.
- 2.35 "Running Fire" means a fire burning without being under the proper control of any person.
- 2.36 "Suitable Container" or "Enclosed Fire Pit" or "Enclosed Receptacle" means an area or container enclosed on all sides made of non-combustible materials that is a minimum of 30 centimeters in height or depth. The ground around the contained be maintained and kept free of combustibles that could contribute to fire spread.
- 2.37 "Technician Level" means that responders will initiate offensive action to bring the incident under control and to an end.
- 2.38 "Town" means the Town of Stettler.

- 2.39 "Violation Tag" or "Violation Ticket" means a tag or similar document issued by the Town of Stettler pursuant to the *Municipal Government Act, R.S.A. 2000 c. M-26*.

Section 3 – Fire Services and Levels of Service

- 3.1 The Town of Stettler Fire Department will provide fire protection and emergency response services according to the provisions of this Bylaw.
- 3.2 The Fire Department was created to assist those persons within the Town of Stettler in protecting the overall public safety whenever possible when the emergencies listed arise. Town Council and Administration recognize however that emergency response cannot be guaranteed for every emergency incident that arises due to limited resources. Council can expend on emergency services and the difficulty in ensuring staff will be available in enough numbers and with adequate training on a 24-hour basis, to respond to every call for assistance received in a timely and safe manner.
- 3.3 Council recognizes that when a response is provided the level of service of that response may be different for the following reasons:
- a. Adverse weather conditions;
 - b. The location, staffing, and training levels of the emergency response members;
 - c. Multiple of simultaneous emergency events;
 - d. The limited resources that the Town can expend on training emergency personnel and on the purchase of equipment when compared to different types of emergencies for which training and equipment are available.
- 3.4 Town of Stettler Council establishes the following levels of service contained in this Bylaw and such further levels of service or changes amended by Council from time to time:
- 3.4.1 Emergency Responses
- a. Fire and emergency service equipment shall be deployed for all emergencies as where it is deemed that they are required and practical to do so.
 - b. When possible, the Fire Department shall respond to all structure fires, motor vehicle collisions, rescue calls, dangerous good incidents, and wildland fires.
 - c. Members that drive any Apparatus must hold a valid Alberta Drive's License with the proper Class for that unit.
 - d. At no time will any Member respond to a call or operate an Apparatus under the influence of drugs or alcohol.
- 3.4.2 Structural and Wildland Fires
- a. The Fire Department will provide structural and wildland firefighting at the Technician Level.
- 3.4.3 Rescue Calls
- a. The Fire Department will provide extrications for all motor vehicle collisions and rescues at the Technician Level.
 - b. The Fire Department will provide rope rescue at the Technician Level such as Low Slope (Embankment) and High Angle Rescue.

- c. The Fire Department will provide surface ice rescue at the Technician Level.
- d. The Fire department will provide confined space rescue at the Technician Level.
- e. The Fire Department will provide any other rescue services at the Awareness Level and where possible, the Operations Level.

3.4.4 Dangerous Goods

- a. The Fire Department shall provide dangerous good response at the Operations Level.

3.4.5 Medical Emergencies

- a. The Fire Department will not respond to medical emergencies, except in the extreme cases classified under Delta and Echo calls and at the discretion of the Fire Chief or if the Emergency Medical Services Agency is on scene and is requesting fire department assistance, or if no Emergency Medical Service Agency personnel and equipment are available in the Town of Stettler.
- b. At a medical emergency, the Fire Department shall operate at the Medical First Responder (MFR) Level. Only Members trained with a higher level of Emergency Medical Training can provide that additional medical aid if it's within their scop. Those said Members must be registered through the Alberta College of Paramedics.
- c. A Member may be asked to drive an ambulance on behalf of the Emergency Medical Services Agency to the health care facility. That Said, the Member must hold a valid Alberta Class 4, 2, or 1 Drivers License.

3.4.6 Disaster Services Response

- a. In the event that there has been a declaration of a state of local emergency or a disaster, the Fire Department will operate in accordance with the SREMA Emergency Management Plan and under the direction of the SREMA Director of Emergency Management.

3.4.7 Fire Prevention

- a. Investigating the cause of fires in accordance with the Fire Quality Management Plan approved by the Safety Codes Council.
- b. Carrying out, pre-fire planning and fire inspections in accordance with the Town of Stettler Quality Management Plan approved by the Safety Codes Council.

3.4.8 Mutual Aid

- a. Entering into agreements with other municipalities or persons for the joint use, control and management of fire extinguishing apparatus, equipment, and Members.

Section 4 – Fire Chief and Other Authorities

- 4.1 The Fire Chief shall ultimately be responsible to the CAO.
- 4.2 The Fire Chief and Deputy Fire Chief shall preform such functions and have such powers and responsibilities as this Bylaw and the CAO may prescribe from time to time.

- 4.3 The Fire Chief is hereby authorized to take such action as may be necessary for the development of rules, regulations and policies for the ongoing organization and administration of the Fire Department.
- 4.4 The following authorities are hereby delegated to the Fire Chief and Deputy Fire Chief or any Member acting in their position, whereas, acting under these authorities during emergency events are not subject to the direct control and supervision of the CAO;
- a. Empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things;
 - b. Empowered to cause any Member to enter on any land or premises, including adjacent land or premises, to combat, control or deal with the incident in whatever manner the Fire Chief or Deputy Fire Chief, or any Member in charge at an incident, deems necessary;
 - c. Empowered to commandeer such privately owned equipment as he considers necessary to deal with an incident;
 - d. May at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries;
 - e. In an emergency, and on behalf of the Town of Stettler, take whatever action or measures are necessary to eliminate the emergency whether or not such action involves a breach of the provisions of the *Municipal Government Act*, any other enactment, or this Bylaw.
- 4.5 The Fire Chief, Deputy Fire Chief or any Member acting in their position at an incident may request persons who are not Members to assist in extinguishing a fire, moving furniture or other goods from an area at risk of fire, guarding and securing where necessary, and in demolishing a building structure at or near an incident.
- 4.6 The Fire Chief, Deputy Fire Chief or any Member acting in their position is authorized to issue permits, invoices for services provided, and any other document in the name of the Town of Stettler which may be required for the efficient operation of fire services within the Town of Stettler.
- 4.7 The Fire Chief, Deputy Fire Chief or any Member acting in their position will have the authority to close any road within the Town boundaries that is immediately adjacent to an incident or an emergency, or that has been affect by an incident or emergency.
- 4.8 The Fire Chief or Deputy Fire Chief may seek the assistance of any department or official of the Town as it deems necessary to fulfill their duties in this Bylaw.

Section 5 – Use of Green Lights

- 5.1 In accordance with Section 63(1)(h) of the *Alberta Traffic Safety Act*, and for the purpose of identifying responding members of the Fire Department, the Town of Stettler authorizes the use of green flashing lights on private vehicles operated by Members who are responding to a fire or emergency call.
- 5.2 Only members of the Town of Stettler Fire Department who have been approved by the Fire Chief may equip their private vehicle with a green flashing light for use in response to emergency calls.
- 5.3 The green flashing light shall be used solely for the purpose of indicating the driver is a firefighter responding to an emergency call and shall not confer any exemptions from traffic laws or grant any special privileges on public roadways.

- 5.4 Drivers of vehicles displaying a green flashing light must obey all applicable traffic laws and shall exercise due regard for public safety at all times.
- 5.5 The use of a green flashing light:
- a. Does not provide the operator with the authority to exceed speed limits, proceed through red lights or stop signs, or otherwise violate any provision of the *Traffic Safety Act* or its Regulations;
 - b. Is voluntary and is intended to alert other drivers of the responding firefighter's intent and urgency;
 - c. Must be discontinued immediately upon the completion of the emergency response.
- 5.6 Any unauthorized use of green flashing lights, or any use deemed unsafe, misleading, or contrary to this bylaw, may result in the revocation of the member's authorization by the Fire Chief and may be subject to penalty under this, other applicable legislation, and SOG RED A – 040.
- 5.7 The Fire Chief shall maintain a current list of authorized members permitted to use green lights and ensure that all authorized users are informed of the conditions and limitations of their use.

Section 6 – Open Fires

- 6.1 The Fire Chief, Deputy Fire Chief, or designate may issue a permit for an Open Fire in the Town of Stettler where in the their opinion there is no hazard or nuisance to persons or to other properties. Failure to obtain a permit may be subject to a penalty under this Bylaw
- 6.2 This permit is issued by the Town of Stettler Fire Department. The permit to whom a fire permit is given shall:
- a. Pay the associated fee as outlines in Town of Stettler Policy XVII-1(a) Fire Service Fees; and
 - b. Remain in charge, or keep a competent person in charge of the fire; and
 - c. Barricade or otherwise secure the area to limit the entry of unauthorized persons; and
 - d. Have a suitable method of extinguishment available on site; and
 - e. Ensure that the fire or smoke does not create a hazard or nuisance to persons or to other properties; and
 - f. Make sure the fire is completely extinguished before such supervision ends.
- 6.3 The Fire Chief, Deputy Fire Chief, or designate may revoke any permit if the permit holder breaches this bylaw or when, in his opinion, the continuation of burning would constitute a hazard or nuisance to others persons or properties.
- 6.4 No person shall set, permit, or maintain any Open Fire at any time of the year such that the smoke emitted from the fire impairs visibility on a Highway or which, in the sole discretion of the Fire Department, becomes a nuisance, hazard or safety concern on any Highway or Property.
- 6.5 Any person who set, permit, or maintained such an Open Fire shall extinguish the fire immediately upon the order of the Fire Chief.
- 6.6 A person who starts a fire, or who is in charge of a fire shall, where the Fire Department has taken action to extinguish such fire as in the opinion of the Fire Chief, Deputy Fire Chief, or designate the fire is a hazard to persons or property,

shall pay, upon demand, all costs incurred by the Town of Stettler to extinguish the fire.

- 6.7 It is a condition of any fire permit that the holder of such a permit will fully indemnify and save harmless the Town of Stettler, the Fire Department, the Fire Chief, Deputy Fire Chief, or designate from all claims for loss or damage that may arise from said burning.
- 6.8 A permit shall not be required under this Bylaw to conduct:
- a. The cooking of food using a portable appliance; or
 - b. Recreational burning or the cooking of food in Acceptable Fire Pits, Acceptable Fire Receptacles, or Acceptable Fireplaces, provided:
 - i. Only clean fuel is used such as natural gas, dry wood or charcoal in amounts which will be contained within the fire pit or fireplace below the mesh screen;
 - ii. The fire pit or fireplace is not used to burn Prohibited Debris;
 - iii. A means, acceptable to the Fire Department, of controlling or extinguishing the fire is available on the property and within reasonable distance from where the fire occurs; and
 - iv. A responsible adult is present on the property when the fire is burning; or
 - c. Burning in fireplaces in or attached to dwellings as provided by legislations; or
 - d. The fire is a Public Park Site fire in the Town of Stettler owned campground and/or park where fireplaces, stoves, and fire pits are provided by or approved by the Town of Stettler; or
 - e. Burning in an incinerator for which a permit to construct and license to operate has been issued pursuant to the applicable legislation; or
 - f. The fire has been set by the Fire Department for the purpose of training; or
 - g. The fire has been otherwise authorized by the Fire Department.

Section 7 – Fire Ban

- 7.1 Notwithstanding any provisions in this or any other bylaw, the Fire Chief or his designate may declare a complete ban on any burning of any kind in the Town of Stettler.
- 7.2 When determining whether to declare a complete ban on burning, the Fire Chief or his designate may take into consideration any or all of the following:
- a. The air quality index;
 - b. Levels of recent precipitation;
 - c. Water shortage or restrictions;
 - d. Availability of fire fighters and fire fighting equipment; and
 - e. The overall fire danger.
- 7.3 No person shall build, ignite, or allow any kind of fire when a complete ban on burning has been declared by the Fire Chief or his designated and is in effect.

7.4 This fire ban does not apply to:

- a. Fires which are contained in cooking appliances which are fueled by liquid fuel, i.e. Propane, natural gas used in barbecues and stoves; and
- b. CSA approved portable fire pits or fire receptacles which are fueled by natural gas or propane; or
- c. Internal household fire places with an approved spark arrester, i.e. a fine screen used to prevent sparks from leaving the chimney.

7.5 The Fire Chief or his designate may direct a person to extinguish any fire when a fire ban is in place.

7.6 A person who fails to comply with the direction of the Fire Chief or his designate to extinguish a fire during a fire ban is guilty of an offence under this bylaw and the Fire Chief or his designate, as the case may be, may extinguish the fire.

7.7 The person who starts the fire, shall pay, upon demand, all costs incurred by the Town of Stettler when the Fire Department has taken action to extinguish a fire while on fire ban.

Section 8 – Fire Hazards

8.1 If in the opinion of the Fire Chief or his designate, the storage of combustible material or vegetation on a premises poses a fire hazard, the Town of Stettler may issue a Remedial Order to modify the combustible storage or vegetation on the premises to abate the hazard, and the Remedial Order shall include the manner in which the fire hazard may be abated.

Section 9 – Requirement to Report

9.1 The owner or authorized agent of a property damaged by fire shall immediately report the particulars of the fire to the Fire Chief or Deputy Fire Chief in a manner and form satisfactory to the Fire Department.

9.2 The owner or authorized agent of any property containing Dangerous Goods that are the subject of accidental or unplanned release shall immediately report the release to the Fire Chief or Deputy Fire Chief in a manner and form satisfactory to the Fire Department.

Section 10 – Fireworks

10.1 Except as permitted in subsection 10.2, this Section shall apply to the sale and discharge of fireworks and pyrotechnic devices.

10.2 This Section shall not apply to a person who possesses or discharges fireworks commonly used as distress flares.

10.3 Authority

- a. The Fire Department or Peace Officer is permitted to seize, take, remove or cause to be seized, taken or removed any fireworks offered or exposed for sale or being held or used contrary to this bylaw.
- b. Where fireworks are seized in accordance with 10.3(a) above, the Fire Department or Peace Officer shall dispose of them in a safe manner.

10.4 Consumer Fireworks

- a. No person shall ignite, discharge, or detonate any consumer fireworks within the Town of Stettler under any circumstances.

10.5 Display Fireworks

- a. Display fireworks may only be discharged within the Town of Stettler upon receiving written permission from the Fire Chief or their designate.
- b. Any person or organization wishing to discharge display fireworks must:
 - i. Hold a valid Fireworks Operator Certificate (Display Assistant or Display Supervisor) issued by Natural Resources Canada;
 - ii. Submit a Fireworks Display Permit Application to the Town of Stettler at least 14 days in advance of the proposed display date;
 - iii. Provide a detailed site plan including fallout zones and safety perimeters in accordance with the Display Fireworks Manual issued by Natural Resources Canada;
 - iv. Provide written proof of liability insurance in an amount no less than \$2,000,000, naming the Town of Stettler as an additional insured;
 - v. Comply with all applicable provisions of the *Explosives Act*, the *Explosives Regulations, 2013*, and any other federal or provincial legislation;
 - vi. Ensure all federal and provincial transportation, storage, and handling regulations for explosives are followed;
 - vii. Ensure the display is supervised and executed by a certified Fireworks Supervisor.
- c. The Fire Chief may impose additional safety or procedural requirements as deemed necessary.

10.6 Fireworks Sale

- a. No person shall sell, offer to sell or store for the purpose of sale, fireworks unless:
 - i. The seller obtains a Town of Stettler permit to sell fireworks issued by the Fire Department; and
 - ii. The seller holds a valid license or permit issued by Natural Resources Canada under the *Explosives Act and Regulations, 2013*; and
 - iii. The fireworks are displayed and stored in accordance with the Explosives Regulatory Division's federal guidance on storage standards for consumer fireworks in Canada; and
 - iv. The seller complies with all federal, provincial, and municipal regulations concerning the sale, transportation, and storage of firework.
- b. A person who sells fireworks or offers them for sale shall ensure that:
 - i. The manufacture's instructions on the safe use of fireworks are provided with each sale; and
 - ii. Notices acceptable to the Fire Department are posted at the sales outlet outlining the instructions referred to above; and
 - iii. The person purchasing fireworks has a permit or written permission of the authority having jurisdiction of the municipality in which the fireworks will be discharges; and

- iv. A record of each sale is kept on premises where the sale occurs for a period of not less than two years following the sale, and shows:
 - a. The date of sale,
 - b. The name, address and phone number of the purchaser,
 - c. A description of the fireworks sold,
 - d. The date and time the fireworks will be discharged, and
 - e. The location and a description of the site where the fireworks will be discharged.
- v. A person who sells fireworks or offers them for sale shall make available the record to a Peace Officer or the Fire Department upon request.
- c. The Fire Department shall complete an initial inspection during the permit process and may preform annual inspections or inspections as deemed necessary.
- d. The Fire Department may cancel any permit for the sale of fireworks if the permit holder is found to be in contravention of any of the requirements of this bylaw or the *Explosives Act* and its Regulations.
- e. The Town of Stettler reserves the right to prohibit or restrict the sale of fireworks within its boundaries during periods of heightened fire risk or other emergency situations.

10.7 Age Requirements

- a. No person who is under 18 years of age shall purchase, possess, handle, discharge, fire or set off fireworks.
- b. No person shall sell or give fireworks to a person under the age of 18 years.

Section 11 – Recovery of Costs

- 11.1 Where the Fire Department has taken any action whatsoever for the purpose of site inspections for regulated occupancies, requested site inspection, required fire investigations, business inspections, file search, report copies, fire investigations, permit to sell consumer fire works, site inspections, a fire permit, or other related services the fees shall be as outlined in the Town of Stettler Policy XVII-1(a) Fire Service Fees and shall be paid to the Town of Stettler.
- 11.2 Where the Fire Department has extinguished a fire or responded to a call or incident within the Town of Stettler for the purpose of preserving life or property from injury or destruction by fire or other incident, including any such action taken by the Fire Department on a false alarm, the Town of Stettler, may in respect of any costs incurred by the Fire Department in taking such action, and in accordance with Town of Stettler Policy XVII-1(a) Fire Service Fees charge costs to:
 - a. The person who caused the incident; or
 - b. The owner of the land or the person in possession where the incident occurred; or
 - c. The owner of the property where the person in possession and control of property which is the site of the incident if not located on privately owned land.

- 11.3 At the CAOs discretion, made in consultation with the Fire Chief or their designate, the Town of Stettler may, when invoicing for the costs of the Fire Department during an emergency response include charges for the following items:
- a. Replacement foam;
 - b. Meals and refreshments;
 - c. Milage;
 - d. Cleaning and replacement of damaged clothing;
 - e. Fuel;
 - f. Replacement of lost or damaged equipment; and
 - g. Fire investigation costs.
- 11.4 In respect of the fees or charges explained above and outlined in Policy XVII-1 (a) Fire Service Fees:
- a. The Town of Stettler may recover such fees or charges as a debt due and owing to the Town of Stettler; or
 - b. In the case of action taken by the Fire Department in respect of land within he Town of Stettler, where the fees or charges are not paid upon demand by the Town of Stettler, then in default payment, such fees or charges may be charged against the land as taxes due and owing in respect of that land in accordance with Section 553 of the *Municipal Government Act*.

Section 12 – Fire Hydrants

- 12.1 No person other than Members acting on behalf of the Fire Department or employees of the Town of Stettler, shall, without prior approval from the Fire Chief and the Town of Stettler, affix any tool, hose, or other device to any fire hydrant or fire hydrant valve.
- 12.2 Except for the Town's operations department, no personal shall, without prior approval from the Fire Chief and the Town of Stettler, paint any fire hydrant, or any portion of it.

Section 13 – Offences

- 13.1 When a fire is lit or ignited without the appropriate fire permit, and outside the regulations outlined in this Bylaw, the owner or occupier of the property or the person having control of the property upon which such fire is lit shall:
- a. Extinguish the fire immediately; or
 - b. Where they are unable to extinguish the fire immediately, report the fire to the Fire Department through an emergency call.
- 13.2 No person shall either directly or indirectly, personally or through an agent, servant to employee, kindle a fire whether a fire permit was obtained for that fire or whether the fire did not require a fire permit, and allow it to become a running fire on any land, including their own property, or allow a running fire to pass from their property or property under their control, to another property.
- 13.3 No person shall:
- a. Light a fire in an Acceptable Fireplace, Acceptable Fire Pit, or Portable Appliance, Open Fire, Public Park Fire Site Fire without first taking sufficient precaution to ensure that the fire can be always kept under control, this includes leaving said fire unattended;

- b. Permit flames to exceed 1 meter in height;
- c. Fail to comply with the Acceptable Fire Pit, or Acceptable Fire Place specifications;
- d. Burn any Prohibited Debris;
- e. Deposit, discard or leave any burning matter or substance where it might ignite other material and cause a fire;
- f. Conduct any activity that includes the use of fire or that creates potential sources of fire ignition, which might reasonable be expected to cause a running or open fire on another persons property, this includes failing to take reasonable steps to control a fire for the purpose of preventing it from becoming a running fire;
- g. Not abide by the permit conditions for an open fire as outlined in sub section 6.2 and/or on the permit itself;
- h. Provide false, incomplete, or misleading information to the Fire Department on or with respect to a Fire Permit application;
- i. Interfere with the operation of any Member authorized in this Bylaw to extinguish fires or preserve life or property;
- j. Interfere with the operation of any Fire Department equipment or apparatus required to extinguish fires or preserve life or property;
- k. Impede, obstruct or hinder a Member or other person assisting or acting under the direction of the Fire Department during an incident;
- l. Obstruct, hinder, or interfere with the Fire Chief, Deputy Fire Chief, or any Member or Peace Officer in the performance of their duties pursuant to this Bylaw.
- m. Enter past a boundary set by the Fire Chief, Deputy Fire Chief or Member of the Fire Department at an incident;
- n. Willfully damage or destroy Fire Department apparatus, equipment or property;
- o. Allow smoke to cause unreasonable interference with the use and enjoyment of another person's property;
- p. Sell or store fireworks outside of the regulations listed within subsection 10.6(a);
- q. Sell fireworks without following regulations listed within subsection 10.6(b);
- r. Falsely represent themselves as a Fire Department Member or wear or display any uniform, badge, cap, button, insignia, or other paraphernalia for the purpose of such false representation;
- s. Obstruct or otherwise interfere with access roads or streets or other approaches, fire hydrant, Town water inlet or outlet connections on buildings, fire lane, or any other means of access designated for firefighting purposes;
- t. Place or cause to be placed, any matter or thing, as to obstruct or interfere with the operation or use of any fire alarm control panels, manual alarm stations, or any fire detection device or equipment;

- u. Obstruct, prevent or refuse to admit a fire inspector or investigator, to or enter upon any land, premises, yards, or building, for the purpose of inspecting or investigating the same;

Section 14 – Penalties and Enforcement

- 14.1 The Fire Chief, Deputy Fire Chief, Member acting in their position, or a Peace Officer is authorized to enter onto private property at any reasonable time for the purpose of enforcing the provisions of this Bylaw.
- 14.2 A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person who that Officer has reasonable and probable ground to believe has contravened any provision of this Bylaw. A Violation Tag may be issued to such persons:
 - a. Either personally; or
 - b. By mailing a copy to such person at his last known post office address.
- 14.3 Except as otherwise provided herein, every person who contravenes any provisions of this Bylaw is guilty of an offense, and shall be liable on conviction to a fine of not less than one hundred (\$100.00) dollars or more than five thousand (\$5,000.00) dollars.
- 14.4 Every person who contravenes any provisions of this Bylaw as enumerated in Schedule A attached hereto, is guilty of an offence and shall be liable on conviction to the penalty specified therein for such offence.
- 14.5 When a voluntary penalty ticket is issued by a Peace Office for an offence which is not enumerated in Schedule A attached hereto, the monetary penalty shall be the minimum fine that may be imposed under Section 14.3 of this Bylaw.
- 14.6 Where a Violation Tag is not paid within the time specified, a Peace Officer may issue a Violation Ticket pursuant to Part 2 or Part 3 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34.
- 14.7 Nothing in this section shall prevent a Peace Officer from issuing a Violation Ticket for the mandatory court appearance of any person who contravenes any provision of this bylaw.

Section 15 – Indemnity

- 15.1 The Fire Chief, Deputy Fire Chief, or a Member of the Fire Department charged with the enforcement of this Bylaw, acting in good faith and without malice for the municipality in the discharge of their duties, shall not hereby render themselves liable personally and they are hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of their duties.
 - a. Any suit brought against the Fire Chief, Deputy Fire Chief or a Member of the Fire Department, because of an act or omission performed in the enforcement of any provisions of this Bylaw, shall be defended by the Town until final determination of proceedings.

Section 16 – Severability

- 16.1 All sections of this Bylaw are separate and serve-able. Should any section or part of this Bylaw be deemed invalid or inoperative by any court or administrative body for any reason, the remaining sections shall remain valid and in full force and effect.

Section 17 – Repeal

17.1 This Bylaw hereby repeals Bylaw No. 1564-86, Bylaw No. 1636-90, Bylaw No. 1766-97 and all amendment thereto.

READ a first time this 22nd day of July, A.D. 2025.

READ a second time this 22nd day of July, A.D. 2025.

READ a third and finally passed this 22nd day of July, A.D. 2025.

Mayor

Assistant CAO

Schedule A

Section	Infraction	First Offence	Second Offence	Third or Subsequent Offence
5.6	Unauthorized use of a green flashing light	\$250	\$500	\$1,000
6.1	Have an open fire without a permit	\$500	\$750	\$1,000
6.4	Open fire smoke causing hazard	\$500	\$750	\$1,000
6.5	Failure to extinguish an open fire immediately	\$500	\$750	\$1,000
7.3	Burning while on a fire ban	\$800	\$1,500	\$2,400
7.6	Failure to extinguish a fire immediately while on fire ban	\$800	\$1,500	\$2,400
9.1	Failure to report a fire	\$500	\$750	\$1,000
9.2	Failure to report a Dangerous Goods release	\$750	\$1,000	\$2,000
10.4(a)	Ignite, discharge or detonate consumer fireworks	\$500	\$1,000	\$2,000
10.5(a)	Failure to obtain written permission before discharge of display fireworks	\$1,000	\$2,000	\$3,000
10.7(b)	Give or sell fireworks to a person under the age of 18 years	\$250	\$500	\$1,000
12.1	Operate or attach to a fire hydrant without permission	\$1,500	\$2,500	\$5,000
12.2	Paint a fire hydrant	\$250	\$500	\$1,000
13.2	Create a running fire	\$500	\$750	\$1,000
13.3(a)	Leave a fire unattended or take insufficient precautions	\$250	\$500	\$1,000
13.3(b)	Flames exceeding 1 meter	\$250	\$500	\$1,000
13.3(c)	Fail to comply with Acceptable Fire Pit and Acceptable Fire Pit specifications	\$250	\$500	\$1,000
13.3(d)	Burning of Prohibited Debris	\$500	\$750	\$1,000
13.3(e)	Discard or leave burning matter where it may ignite other material	\$500	\$750	\$1,000
13.3(f)	Create potential sources of ignition of fire	\$250	\$500	\$1,000
13.3(g)	Not abide by permit conditions	\$500	\$750	\$1,000
13.3(h)	Provide false information to the Fire Department on a Fire Permit	\$150	\$300	\$600

13.3(i)	Interfere with operations of a Member	\$750	\$1,500	\$2,000
13.3(j)	Interfere with operations of equipment or apparatus	\$750	\$1,500	\$2,000
13.3(k)	Obstruct a Member or other person assisting during an incident	\$750	\$1,500	\$2,000
13.3(l)	Obstruct a Member or Officer in the performance of duties outline in this Bylaw	\$750	\$1,500	\$2,000
13.3(m)	Enter past a boundary set during an incident	\$250	\$500	\$1,000
13.3(n)	Damage Fire Department equipment, apparatus or property	\$750 + the costs to repair or replace	\$1,000 + the costs to repair or replace	\$1,500 + the costs to repair or replace
13.3(o)	Allow smoke to cause interference with the use and enjoyment of a person's property	\$250	\$500	\$1,000
13.3(p)	Sell or store fireworks outside of regulations	\$1,000	\$2,000	\$3,000
13.3(q)	Sell fireworks without following regulations	\$1,000	\$2,000	\$3,000
13.3(r)	Falsely represent themselves as a Member	\$1,000	\$2,000	\$2,500
13.3(s)	Obstruct with road, fire lane, or water access	\$500	\$750	\$1,000
13.3(t)	Obstruct with fire detection devices or equipment	\$500	\$750	\$1,000
13.3 (u)	Obstruct a fire investigator	\$750	\$1,500	\$2,000