

**MUNICIPALITY OF JASPER**  
**BYLAW #189**

**BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO PROVIDE FOR DELIVERY OF STRUCTURAL FIRE PROTECTION AND EMERGENCY SERVICES.**

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**WHEREAS** the Council of the Municipality of Jasper wishes to provide for the safety and security of Jasper residents and visitors;

**AND WHEREAS** the Council of the Municipality of Jasper wishes to provide Structural Fire Protection Service within the Municipality, and provide for the operation of such a service, all pursuant to the laws of the Province of Alberta and the Agreement for the Establishment of Local Government in Jasper dated June 13<sup>th</sup>, 2001;

**AND WHEREAS** the Council of the Municipality of Jasper wishes to regulate the use and setting of fires within the Town of Jasper;

**NOW THEREFORE** the Council of the Municipality of Jasper in the Province of Alberta, duly assembled, enacts:

**1. CITATION**

- 1.1 This Bylaw may be cited as the "Jasper Fire Department Bylaw 2015."
- 1.2 Municipality of Jasper Bylaw #085, the "Jasper Fire Department Bylaw 2006", is hereby repealed.

**2. DEFINITIONS**

- 2.1 In this Bylaw:
  - 2.1.1 "*Apparatus*" shall mean any vehicle provided with machinery, devices, equipment or materials for firefighting, as well as any vehicles used for transporting firefighters or supplies.
  - 2.1.2 "*Brigade Member*" shall mean a member of the Jasper Volunteer Fire Brigade as defined herein.
  - 2.1.3 "CAO" shall mean the Chief Administrative Officer of the Municipality of Jasper
  - 2.1.4 "*Contained Fire*" shall mean a Fire which is totally confined within a non-combustible structure or container and which is ventilated in such a manner as to preclude the escape of combustible materials including ash.
  - 2.1.5 "*Council*" shall mean the Council of the Municipality of Jasper.
  - 2.1.6 "*Emergency Medical Services*" shall mean services provided by the ambulance service under contract to the Municipality of Jasper for the provision of ambulance services, such services provided by paramedics and emergency services technicians certified pursuant to the *Ambulance Services Act* (Alberta).
  - 2.1.7 "*Emergency Services*" shall mean services provided by the Jasper Fire Department with respect to Fires or Incidents.
  - 2.1.8 "*Equipment*" shall mean any tools, contrivances, devices or materials used by the Fire Department to combat fire or respond to an incident or other emergency.

- 2.1.9 *"False Alarm"* shall mean any notification to the Fire Department or any Member in respect of a condition, circumstance or event containing an imminent serious danger to Persons or property wherein such a condition, circumstance or event is in fact not in existence.
- 2.1.10 *"Fire"* shall mean any combustible material in a state of combustion, a situation where a Fire or explosion is imminent or any other situation presenting a Fire or a danger or possible danger to life or Property from Fire.
- 2.1.11 *"Fire Chief"* shall mean the person appointed by the CAO as head of the Fire Department.
- 2.1.12 *"Fire Department"* shall mean the Department established by this Bylaw and includes any person duly appointed to the Fire Department by the CAO or by the Fire Chief.
- 2.1.13 *"Fire Department Property"* shall mean all Property owned or controlled by the Municipality and designated for use by the Fire Department, regardless of the source of that Property.
- 2.1.14 *"Fire Permit"* shall mean a document allowing an Outdoor Fire at a specified location, for a specified period, with such conditions as may be attached by Council, and issued by the Fire Chief at the direction of Council.
- 2.1.15 *"Fire Pit"* shall mean a ground-level construction with enclosed sides made from brick, concrete, stone, clay, heavy gauge metal or other suitable non-combustible material enclosing a depth not greater than .45 meters, a width, length or diameter not greater than .75 meters, and which is surrounded by not less than 0.3 meters of non-combustible material.
- 2.1.16 *"Fire Protection"* shall mean all aspects of Fire safety, including but not limited to, Fire prevention, firefighting or suppression, pre-Fire planning, Fire inspection, Fire investigation, public education and information, training or other staff development, advising, and responding to requests for Fire Protection including legitimate emergencies and false alarms.
- 2.1.17 *"Fire Protection Charge"* shall mean a charge equal to any or all costs incurred by the Fire Department in providing Fire Protection.
- 2.1.18 *"Fireworks"* shall mean the fireworks listed in Class 7, Division 1 and Class 7, Division 2 of the Explosives Act (Canada) and regulations under that Act, but shall not include Christmas crackers and caps for toy guns.
- 2.1.19 *"Incident"* shall mean a situation or occurrence which is not a Fire but which presents a danger or possible danger to life or Property and to which the Fire Department responds.
- 2.1.20 *"Incident Charge"* shall mean a charge equal to any or all costs incurred by the Fire Department in responding to an Incident which is not a Fire but which presents a danger real or imagined to life or Property.
- 2.1.21 *"Jasper Volunteer Fire Brigade"* shall mean the organization of that name present in the Municipality of Jasper and registered as such pursuant to the *Societies Act* (Alberta).
- 2.1.22 *"Lease"* shall mean a lease for the use or occupation of land in Jasper National Park of Canada;
- 2.1.23 *"Leaseholder"* shall mean a grantee or a Person or other legal entity holding a valid lease or licence of occupation with the federal Crown for the use or occupation of land in Jasper National Park, and shall mean Canadian National Railway with respect to lots or land parcels held by Canadian National Railway, and shall mean Jasper National Park of Canada with respect to lots or land parcels held by the Crown.
- 2.1.24 *"Licence of Occupation"* shall mean a licence for the use or occupation of land in Jasper National Park of Canada;
- 2.1.25 *"Member"* shall mean any person who is a duly appointed Member of the Fire Department, and includes the Fire Chief.
- 2.1.26 *"Municipality"* shall mean the physical area of the Municipality of Jasper as defined in the Agreement for the Establishment of Local Government in Jasper, June 13<sup>th</sup>, 2001 or the municipal entity of the same name as the context requires.
- 2.1.27 *"Municipal Offence Ticket"* shall mean a municipal offence ticket issued pursuant to the *Provincial Offences Procedures Act* (Alberta);
- 2.1.28 *"Officer"* shall mean a person duly appointed as the Fire Chief or as the Deputy Fire Chief, and includes a person duly appointed to act temporarily in the place of the Fire Chief or the Deputy Fire Chief.

- 2.1.29 "*Outdoor Fire*" shall mean any Fire not contained within a building or structure and shall include Fire involving humus soil, piles of coal, farm produce, waste, bush, grass, seed, straw or any Fire that has escaped or spread from a building, structure, machine or vehicle and any Fire set for the purpose of thawing frozen ground.
- 2.1.30 "*Outdoor Fireplace*" shall mean:
- 2.1.30.1 a commercially-obtainable free-standing fire container constructed of non-combustible material and comprising a firebox equipped with an integral chimney and raised above ground level on a base or;
- 2.1.30.2 a permanent structure constructed of stone or brick and comprising a firebox and chimney, with or without an attached barbeque grill area.
- 2.1.31 "*Person*" shall mean an individual, society, partnership or corporation, or in the case of a vehicle, the lessee, registered owner, and/or his agents or insurance provider;
- 2.1.32 "*Policy*" shall mean the policy duly established by the Council of the Municipality of Jasper.
- 2.1.33 "*Property*" shall mean any real or personal Property, which, without limiting the generality of the foregoing, includes land and structures.
- 2.1.34 "*Recreational Fire*" shall mean a Fire which is set for the purpose of cooking, obtaining warmth or viewing for pleasure and which is:
- 2.1.34.1 fuelled by propane or natural gas and contained within a commercially obtained propane or natural gas barbeque; or
- 2.1.34.2 on land leased by the Municipality or its agents and used for recreational purposes, and confined to a non-combustible container supplied by the Municipality and approved by the Fire Chief, such Fire to be fuelled only with seasoned wood, charcoal or coal; or
- 2.1.34.3 on the property of a Lessee and which is contained in a Fire Pit, Outdoor Fireplace, commercially obtained outdoor barbeque, or other structure approved by the Fire Chief, and which provides not less than 2.5 meters clearance from buildings, property lines and combustible material except where otherwise approved by the Fire Chief; and is fuelled only with seasoned wood, charcoal or coal.
- 2.1.35 "*Running Fire*" shall mean a Fire burning without being under proper or any control of any Person.
- 2.1.36 "*Security Charge*" shall mean a charge equal to any or all costs incurred by the Fire Department after it has responded to an incident, when the integrity of the property is vulnerable to theft, vandalism or other unlawful acts, and when there is a need for the Fire Department to keep the property secure.
- 2.1.37 "*Senior Member*" shall mean the member who, among any particular group of members present at any particular time and place, holds the most senior rank in the Jasper Volunteer Fire Brigade.
- 2.1.38 "*Structure Fire*" shall mean a fire confined to and within any building, structure, machine or vehicle which will or is likely to cause the destruction of or damage to such building, structure, machine or vehicle, excluding an incinerator Fire.
- 2.1.39 "*Training Fire*" shall mean a fire set by the Fire Chief or his designate for the purpose of training members or members of the general public.
- 2.1.40 "*Violation Ticket*" shall mean a violation ticket issued pursuant to the *Provincial Offences Procedures Act* (Alberta).
- 2.1.41 Words importing the masculine gender only include the feminine gender whenever the context so requires and vice versa.
- 2.1.42 Words importing the singular shall include the plural and vice versa whenever the context so requires.
- 3. FIRE CHIEF**
- 3.1 The Fire Chief shall be appointed by the CAO in consultation with the Jasper Volunteer Fire Brigade, and shall report to and be responsible to the CAO.

- 3.2 The Fire Chief has complete responsibility and authority over the Fire Department, subject always to the direction and control of the CAO, and in particular, shall carry out all fire protection activities and such other activities as directed, including but not limited to:
- 3.2.1 rescue;
  - 3.2.2 emergency medical aid, except for ambulance services and emergency medical services;
  - 3.2.3 pre-fire planning;
  - 3.2.4 fire prevention;
  - 3.2.5 disaster planning;
  - 3.2.6 emergency response to chemical spills posing or likely to pose an immediate danger to the health and well being of residents or visitors in the Municipality; and
  - 3.2.7 preventative patrols and inspections.
- 3.3 The Fire Chief appointed, designated and engaged pursuant to this Bylaw shall be a safety codes officer as described in the *Safety Codes Act* (Alberta) and the *Fire Code* (Alberta) and shall enforce the provisions of the *Safety Codes Act* (Alberta) and the *Fire Code* (Alberta) within the Municipality.
- 3.4 The Fire Chief, subject to the direction and control of the CAO, may establish rules, policies and committees necessary for the proper organization and administration of the Fire Department including, but not limited to:
- 3.4.1 use, care and protection of Fire Department Property;
  - 3.4.2 conduct and discipline of Officers and Members of the Fire Department pursuant to the provisions of the constitution of the Jasper Fire Department Operations Manual;
  - 3.4.3 efficient and safe operations of the Fire Department; and
  - 3.4.4 training of the Deputy Fire Chief and Members of the Fire Department.
- 3.5 The Fire Chief, or in his absence the Deputy Fire Chief, or in the absence of both the Fire Chief and the Deputy Fire Chief, the highest-ranking Member present at a Fire or an Incident:
- 3.5.1 shall have control, direction and management of any Fire Department Apparatus, Equipment or personnel assigned to a Fire or an Incident and, where a Member is in charge, he shall continue to act until relieved by the Fire Chief, the Deputy Fire Chief, or a higher ranking Member;
  - 3.5.2 may, at his discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him; and
  - 3.5.3 may request peace officers to enforce restrictions on persons entering within the boundaries of the limits outlined in Section 3.5.2 herein.
- 3.6 The Fire Chief, or in his absence the Deputy Fire Chief, or in the absence of both the Fire Chief and the Deputy Fire Chief, the highest-ranking member present at a Fire or an Incident, is empowered to undertake all reasonable actions he deems necessary in order to directly or indirectly combat, control or deal with a Fire or an Incident, including:
- 3.6.1 passing through or over buildings or Property adjacent to a Fire or an Incident and causing Members of the Fire Department and the Apparatus and Equipment of the Fire Department to enter or pass through or over the buildings or Property;
  - 3.6.2 causing a building, structure or object to be pulled down, demolished, or otherwise removed; and
  - 3.6.3 commandeering and authorizing payment for the possession or use of any equipment required, in his sole judgement, to combat, control or deal with a Fire or an Incident.
- 3.7 The Fire Chief may compel assistance from officials and employees of the Municipality as he deems necessary in order to discharge his duties and responsibilities with respect to Fires and Incidents.
- 3.8 Regulations, rules or policies made pursuant to Section 3.4 of this Bylaw shall not be inconsistent with the legislation and regulations of the Province of Alberta and with the *Canada National Parks Act*.
- 3.9 The limits of the jurisdiction of the Fire Chief, Officers and Members of the Fire Department will extend to the area and boundaries of the Municipality and no part of the fire Apparatus or Equipment shall be used beyond the limits of the jurisdiction except:

- 3.9.1 with the express authorization of a written contract or agreement authorized by Council and providing for the supply of Fire Protection outside the Municipality's boundaries; or
- 3.9.2 in accordance with approved Policy.
- 3.10 The Fire Chief shall have all authority necessary to ban the starting and maintaining of all Fires including all Recreational Fires and including all fireworks in the Municipality of Jasper and shall do so upon:
  - 3.10.1 request of competent authorities in the Province of Alberta; or
  - 3.10.2 upon request of the Superintendent of Jasper National Park of Canada.
- 3.11 The Fire Chief may, at any reasonable time, enter any building, structure or land in the Municipality of Jasper for the purpose of carrying out a fire prevention inspection on that land.
- 3.12 The Fire Chief may order that any alterations, renovations or repairs that are necessary to prevent fire be made to any building, structure or place in the Municipality of Jasper.

#### **4. APPOINTMENT, POWERS AND RESPONSIBILITIES OF MEMBERS**

- 4.1 Jasper Volunteer Fire Brigade members shall be Members of the Jasper Fire Department.
- 4.2 The CAO shall enter into an agreement with the Jasper Volunteer Fire Brigade for the provision of firefighting personnel.
- 4.3 Jasper Volunteer Fire Brigade members shall be appointed in accordance with:
  - 4.3.1 the Jasper Volunteer Fire Brigade hiring policies, which policies shall be approved by the CAO, and
  - 4.3.2 the Jasper Fire Department Operations Manual.
- 4.4 Members shall, during a Fire or an Incident, report to and be responsible to, the Fire Chief.
- 4.5 Each Member shall, subject to the control and authority of the Fire Chief and to the provisions of this Bylaw, have the authority and power to:
  - 4.5.1 extinguish or control Fire;
  - 4.5.2 enter onto any Property for the purpose of extinguishing or controlling Fire;
  - 4.5.3 enter into operations to preserve life and Property; and
  - 4.5.4 take reasonable measures to 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.

#### **5. APPOINTMENT, POWERS AND RESPONSIBILITIES OF DEPUTY FIRE CHIEF**

- 5.1 The Deputy Fire Chief shall be appointed by the Fire Chief, subject to the direction and control of the CAO.
- 5.2 The Deputy Fire Chief shall report to, and be responsible to, the Fire Chief.
- 5.3 Subject to the direction and control of the Fire Chief and to the provisions of this Bylaw, the Deputy Fire Chief shall have the authority and power to:
  - 5.3.1 undertake any and all actions within the powers and authorities of Members;
  - 5.3.2 undertake any and all actions within the powers and authorities of the Fire Chief when duly appointed to act temporarily in the place of the Fire Chief or during a Fire or an Incident when the Fire Chief is absent or incapacitated; and
  - 5.3.3 undertake such action or actions as fall within the powers and authorities of the Fire Chief when so directed by the Fire Chief.

#### **6. FIRE PROTECTION AND INCIDENT CHARGES**

- 6.1 Upon providing Fire Protection or other services within or outside the Municipality's boundaries, the Municipality may in its absolute discretion levy:

- 6.1.1 a Fire Protection Charge to the owner or occupant of a Property in respect of which Fire Protection services have been provided;
  - 6.1.2 a Fire Protection Charge to a Person causing or contributing to the Fire with respect to which Fire Protection services have been provided;
  - 6.1.3 an Incident Charge to the owner or occupant of a Property with respect to which the Fire Department has responded to an Incident; or
  - 6.1.4 an Incident Charge to a Person causing or contributing to the Incident with respect to which the Fire Department has responded.
- 6.2 The schedule of fees for Fire Protection Charges and Incident Charges shall be as set out in Schedule "A".
- 6.3 A Fire Protection Charge and an Incident Charge shall be paid within sixty (60) days of being levied.
- 6.4 Collection of unpaid Fire Protection Charges and unpaid Incident Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Municipality is entitled to on the Property in respect of which the indebtedness was incurred, and failing payment such unpaid Fire Protection Charges and Incident Charges shall be a municipal account due and payable by the owner of a Property or the lessee of a land parcel with respect to which such Fire Protection Charges and Incident Charges were incurred, and shall be recovered in the same manner as other municipal fees and taxes.
- 6.5 The owner of a Property or the lessee of a land parcel to which Fire Protection is provided is liable for Fire Protection Charges incurred, and the Municipality may add to the tax roll of a parcel of land all unpaid Fire Protection Charges and Incident Charges.
- 6.6 Notwithstanding Section 6.5 herein, Council may establish by policy exemptions from Fire Protection Charges and Incident Charges.
- 6.7 The owner of a property is liable for Security Charges from the time that an Incident is completed until he takes control of the Property from the Fire Department and the cost thereof shall be paid to the Municipality, and failing payment such cost shall be a municipal account due and payable by the owner of the property with respect to which such Security Charges were incurred, and shall be recovered in the same manner as other municipal fees and taxes.

## **7. PERMITS**

- 7.1 No Person may ignite in the Municipality of Jasper or allow to be ignited in the Municipality of Jasper an Outdoor Fire unless that Person is in possession of a valid Fire Permit as described herein.
- 7.2 The Fire Chief may, on approval of the CAO, issue a permit to allow an Outdoor Fire within the Town of Jasper.
- 7.3 No Person may ignite or discharge Fireworks within the Municipality of Jasper or allow Fireworks to be ignited or discharged within the Municipality of Jasper unless that Person is in possession of a valid Fireworks Permit as described herein.
- 7.4 The Fire Chief may, with approval of the CAO and with approval of the Superintendent of Jasper National Park of Canada, issue a permit to allow the discharge of Fireworks within the Municipality of Jasper, and may attach to that permit such conditions as are necessary for the safe discharge of Fireworks and such conditions as are necessary to specify the time, location and duration of the Fireworks discharge.

## **8. NOTICE**

- 8.1 Any notice provided for in this Bylaw shall be in writing.
- 8.2 Service of any notice provided for in this Bylaw shall be made as follows:
  - 8.2.1 personally upon the Person to be served; or
  - 8.2.2 by mailing the copy to the Person to be served by double registered mail or certified mail to the last known post office address of the Person to be served, and service shall be deemed to be effected at the time the copy is delivered by an official of the post office to the Person to be served or to any Person receiving it on his behalf;
  - 8.2.3 where the Property is not occupied, by mailing the notice by double registered mail or certified mail to the mailing address noted on the Municipality's tax roll for that Property, and service shall be deemed to be effected at the time the copy is delivered by an official of the post office to the Person to be served or to any Person receiving it on his behalf; or
  - 8.2.4 as directed by the Court.

**9. APPEAL**

- 9.1 A Person who considers himself aggrieved by a written order given pursuant to this Bylaw may appeal the direction to the Council, under the terms prescribed by the *Municipal Government Act*.

**10. INTERFERENCE WITH DUTIES**

- 10.1 No Person shall obstruct the CAO or any person authorized by the CAO to inspect Property or to perform any work necessary to remedy a condition, from performing his duties under this Bylaw.

**11. OFFENCES**

- 11.1 No Person shall:

- 11.1.1 impede, obstruct or hinder the Fire Chief or the Deputy Fire Chief, or a Member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the Deputy Fire Chief, or the Member in charge at any Fire or Incident;
- 11.1.2 damage or destroy fire department apparatus or equipment;
- 11.1.3 at a Fire or an Incident, drive a vehicle over any equipment without permission of the Fire Chief or the Deputy Fire Chief or the Member in charge;
- 11.1.4 at an Incident, enter the boundaries or limits of an area prescribed in accordance with Section 3.5 herein unless he has been authorised to enter by the Fire Chief or the Deputy Fire Chief or the Member in charge;
- 11.1.5 obstruct a Member from carrying out any function or activity related in any way to Fire protection;
- 11.1.6 falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia, or other trappings for the purpose of such false representation;
- 11.1.7 obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for fire-fighting purposes or other connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes;
- 11.1.8 light any Fire including an Outdoor Fire or Structure Fire unless that Person is the holder of a subsisting Fire Permit unless:
  - (a) the Fire is a Recreational Fire;
  - (b) the Fire is a Contained Fire; or
  - (c) the Fire is a Training Fire.
- 11.1.9 permit an Outdoor Fire or a Structure Fire except when such Fire is allowed under this Bylaw;
- 11.1.10 fail to report a Fire that is not a Recreational Fire, a Contained Fire or a Fire set by a member for the purpose of training Members;
- 11.1.11 either directly or indirectly, personally or through an agent, servant, or employee kindle a Fire or allow a Running Fire on any land with respect to which he is not the holder of a Lease or a Licence of Occupation, or allow a running fire to pass across the boundaries of said land;
- 11.1.12 light a Fire without first taking sufficient precautions to ensure that the Fire will be kept under control at all times;
- 11.1.13 light a fire when weather conditions are conducive to creating a Running Fire;
- 11.1.14 fail to take reasonable steps to control a Fire for the purpose of preventing it from becoming a Running Fire or from spreading outside the boundaries of his Lease or Licence of Occupation;
- 11.1.15 deposit, discard or leave any burning matter or substance where it might ignite other materials and cause a Fire;
- 11.1.16 conduct any activity that might reasonably be expected to cause a Fire unless that Person exercises reasonable care to prevent the Fire from occurring;
- 11.1.17 knowingly make a false statement in a Fire Permit application;
- 11.1.18 use a Fire to burn:

- (a) manure, food waste, or animal carcasses;
- (b) material that will result in the production of dense black smoke including but not limited to insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics or creosoted wood;
- (c) herbicides, pesticides, or other toxic materials or substances.

11.1.19 conduct any activity that involves the use of Fire where smoke from the Fire will impede visibility of the vehicular and pedestrian traffic on any road or street or on any highway as defined in the *Highway Traffic Act*, R.S.A. 1980 c.H-7;

11.1.20 light a Fire or burn any material contrary to federal, provincial or municipal legislation or regulations;

11.1.21 use a Fire to burn normal waste which results from the operation of a household or commercial business or occupation and which shall include paper, rags, lawn and hedge clippings, packaging materials, and waste from the preparation of food;

11.1.22 leave a Fire unattended except when reporting an uncontrolled Fire; or

11.1.23 fail to extinguish a Fire when it is no longer required.

11.2 No Person shall be in possession of more than 250 litres of fuel or other flammable liquid unless:

11.2.1 the fuel or liquid is stored in the tank of a vehicle and that tank is a component of the fuel system of the vehicle;

11.2.2 the fuel or liquid is stored in a tank that is a component of the heating system of a building;

11.2.3 the fuel or liquid is being carried in a vehicle intended for the transportation of fuel or flammable liquid;

11.2.4 the fuel or liquid is stored in an underground and above ground tank intended for the storage of fuel or flammable liquid; or

11.2.5 the Fire Chief has authorized the possession of and means of storage of such fuel or flammable liquid.

11.3 Where Property does not comply with this Bylaw or a Person contravenes this Bylaw, the Municipality may pursue its enforcement alternatives in accordance with any Act, or common law right, including issuance of an order to remedy contraventions, remedying contraventions by the Municipality, adding amounts to the tax roll, and pursuing injunctions pursuant to the *Municipal Government Act* (Alberta).

## 12. PENALTIES

12.1 Any Person who:

12.1.1 violates any provision of this Bylaw;

12.1.2 suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw;

12.1.3 neglects to do or refrains from doing anything required to be done by the provisions of this Bylaw; or

12.1.4 does any act or thing or omits any act or thing, thus violating any provision of this Bylaw;

is guilty of an offence under this Bylaw and upon conviction is liable to a fine of not less than \$250.00 and not more than \$2500.00 as specified in Schedule B herein.

## 13. MISCELLANEOUS

13.1 Nothing in this Bylaw shall be construed to give the Fire Department or the Fire Chief control or authority respecting ambulance services.

13.2 Nothing in this Bylaw shall be construed so as to prevent Council from entering into agreements for the provision of Fire Protection services within or outside the boundaries of the Municipality of Jasper.

## 14. VIOLATION TICKETS

14.1 Violation tickets will be issued in the following fashion and will have force and effect as follows:



- 14.1.1 A Bylaw Enforcement Officer, the Fire Chief and the Deputy Fire Chief are hereby authorized and empowered to issue a Municipal Offence Ticket to any Person where there are reasonable and probable grounds to believe that Person has contravened any provision of this Bylaw.
- 14.1.2 A Municipal Offence Ticket may be issued to a Person:
- (a) personally; or
  - (b) by mailing a copy to such Person at his last known post office address.
- 14.2 Municipal Offence Tickets shall be in a form approved by the CAO and shall state:
- 14.2.1 the name of the Person;
  - 14.2.2 the offence;
  - 14.2.3 the appropriate penalty for the offence as specified in Schedule “B” herein;
  - 14.2.4 that the penalty shall be paid within thirty (30) days of the issuance of the Municipal Offence Ticket; and
  - 14.2.5 any other information as may be required by the Municipality.
- 14.3 Where an offence to this Bylaw continues for more than one day, the Bylaw Enforcement Officer may issue one Municipal Offence Ticket for each day the offence continues.
- 14.4 Where a Municipal Offence Ticket is issued pursuant to this Bylaw, the Person to whom the Municipal Offence Ticket is issued may, in lieu of being prosecuted for the offence, pay to the Municipality the penalty specified in the Municipal Offence Ticket.
- 14.5 Nothing in this Bylaw shall prevent a Bylaw Enforcement Officer from immediately issuing a Violation Ticket for the mandatory court appearance of any Person who contravenes any provision of this Bylaw.
- 14.6 If the penalty specified in the Municipal Offence Ticket is not paid within the prescribed time period, then a Bylaw Enforcement Officer may issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act.
- 15. SEVERANCE**
- 15.1 If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.
- 16. COMING INTO EFFECT**
- 16.1 This Bylaw shall come into effect upon the date of the third reading thereof.

**GIVEN FIRST READING THIS 21 DAY OF JULY 2015**

**GIVEN SECOND READING THIS 4 DAY OF AUGUST 2015**

**GIVEN THIRD AND FINAL READING THIS 18 DAY OF AUGUST 2015**

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Mayor

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Chief Administrative Officer

**SCHEDULE A: Fire Protection Charges**

Emergency and Incident Responses:

	Rescue vehicle and crew	\$615.00/hr
	Pumper truck and crew	\$615.00/hr
	Ladder truck and crew	\$615.00/hr
	Command vehicle and crew	\$182.00/hr
Alarm Responses	First, Second and Third false-alarm occurrence in any 6-month period	N/C
	Subsequent false-alarm occurrences in any 6-month period	\$200.00
Incident/Scene Security	Crew charge	\$100.00 hr/ per person
Fire investigation services (on request)		\$100.00 / hr
Occupant load calculation and permit (on request)		\$50.00
Fireworks discharge permit		\$10.00
File search and letter response (on request)		\$100.00
Fire safety seminar		\$25.00
Plus GST		

**SCHEDULE B: Specified Penalties**

Section	Offence	
11.1.1	impede, obstruct or hinder the Fire Chief or the Deputy Fire Chief, or a Member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the Deputy Fire Chief, or the Member in charge at any Fire or Incident.	\$2500
11.1.2	damage or destroy Fire Department Apparatus or Equipment.	\$2500
11.1.3	at a Fire or an Incident, drive a vehicle over any Apparatus or Equipment without permission of the Fire Chief or the Deputy Fire Chief or the Member in charge.	\$2500
11.1.4	at an Incident, enter the boundaries or limits of an area prescribed in accordance with Section 3.5 herein unless he has been authorised to enter by the Fire Chief or the Deputy Fire Chief or the Member in charge.	\$500
11.1.5	obstruct a Member from carrying out any function or activity related in any way to Fire protection.	\$500
11.1.6	falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia, or other trappings for the purpose of such false representation.	\$250
11.1.7	obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for fire-fighting purposes or other connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes.	\$250
11.1.8	light any Fire including an Outdoor Fire or Structure Fire unless that Person is the holder of a subsisting Fire Permit.	\$250.
11.1.9	permit an Outdoor Fire or a Structure Fire except when such Fire is allowed under this Bylaw.	\$250
11.1.10	fail to report a Fire that is not a Recreational Fire, a Contained Fire or a Fire set by a member for the purpose of training Members.	\$250
11.1.11	either directly or indirectly, personally or through an agent, servant, or employee kindle a Fire or allow a Running Fire on any land in respect of which he is not the holder of a Lease or a Licence of Occupation, or allow a Running Fire to pass across the boundaries of said land.	\$500
11.1.12	light a Fire without first taking sufficient precautions to ensure that the Fire will be kept under control at all times.	\$250
11.1.13	light a fire when weather conditions are conducive to creating a Running Fire.	\$250
11.1.14	fail to take reasonable steps to control a Fire for the purpose of preventing it from becoming a Running Fire or from spreading outside the boundaries of his Lease or Licence of Occupation.	\$250
11.1.15	deposit, discard or leave any burning matter or substance where it might ignite other materials and cause a Fire.	\$250
11.1.16	conduct any activity that might reasonably be expected to cause a Fire unless that Person exercises reasonable care to prevent the Fire from occurring.	\$250
11.1.17	knowingly make a false statement in a Fire Permit application.	\$500
11.1.18	use a Fire to burn prohibited substances.	\$250
11.1.19	conduct any activity that involves the use of Fire where smoke from the Fire will impede visibility of the vehicular and pedestrian traffic on any road or street or on any highway as defined in the <i>Traffic Safety Act, R.S.A. 2000</i> .	\$250
11.1.20	light a Fire or burn any material contrary to federal, provincial or	

municipal legislation or regulations.	\$250
11.1.21 use a Fire to burn normal waste which results from the operation of a household or commercial business or occupation.	\$250
11.1.22 leave a Fire unattended except when reporting an uncontrolled Fire.	\$250
11.1.23 fail to extinguish a Fire when it is no longer required.	\$250
11.2 Possess more than 250 litres of fuel or other flammable liquid in contravention of this Bylaw.	As per Alberta Fire Code
Any other offence in contravention of this Bylaw.	\$250