

Town of Picture Butte

Bylaw 859-17

**Fire Protection, Fire Prevention,
Fire Pits and Fireworks**

Town of Picture Butte

Bylaw 859-17

A BYLAW OF THE TOWN OF PICTURE BUTTE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FIRE PROTECTION AND FIRE PREVENTION IN AND FOR THE TOWN OF PICTURE BUTTE;

WHEREAS the Municipal Government Act RSA, 2000, c. M-26, s. 7(a) provides that a Council of a Municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property;

WHEREAS the Municipal Council of the Town of Picture Butte wishes to establish a bylaw for the purpose of fire protection and fire prevention within the Town of Picture Butte;

NOW THEREFORE the Council of the Town of Picture Butte in the Province of Alberta duly assembled enacts as follows:

SECTION 1 TITLE OF BYLAW

- 1.1 This Bylaw may be cited as *the “Town of Picture Butte Fire Protection & Fire Prevention Bylaw”*

SECTION 2 DEFINITIONS

2.1 In this bylaw;

- a. “Apparatus” shall mean any vehicle provided with machinery, devices, equipment or materials for fighting fires, as well as vehicles used to transport firefighters or supplies.
- b. “Chief Administrative Officer” shall mean any person appointed as Chief Administrative Officer for the Town of Picture Butte pursuant to the Municipal Government Act, RSA 2000, c. M-26
- c. “Town” shall mean the Town of Picture Butte
- d. “Council” shall mean the Municipal Council of the Town of Picture Butte
- e. “Dangerous Goods” shall mean a product, substance, or organism included by its nature or by the regulations in any of the classes listed in the Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4.
- f. “Emergency” shall mean a present or imminent event that requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property or the environment.
- g. “Emergency Medical Services” shall mean the provision of pre-hospital emergency medical care including first-medical response by fire department units and transport of patients by ambulance units in accordance with the contract from Alberta Health Services.
- h. “Enforcement Officer” shall mean a Peace Officer or a person appointed by the Chief Administrative Officer to enforce the provisions of this Bylaw.
- i. “Equipment” shall mean any tools, contrivances, devices or materials used by the Fire Department to mitigate an incident or other emergency.
- j. “False Alarm” means any notification to Picture Butte & District Emergency Services respecting the existence of a condition, circumstance or event containing an imminent serious danger to persons or property, where no such condition, circumstance or event exists and the alarm was initiated due to negligence or delinquent action.
- k. “Fire Chief” shall mean the person appointed as manager under the provisions of this Bylaw, or designated delegate and who performs the duties and responsibilities as assigned by this Bylaw.

- l. “Fire Department” shall mean the Picture Butte & District Emergency Services established under this Bylaw.
- m. “First Responder” shall mean those persons who in the course of their normal duties may be the first on the scene of an incident and are trained to recognize that a hazard exists, call for trained personnel and secure the area.
- n. “Fire Protection” shall mean all aspects of fire safety including, but not limited to, fire prevention, firefighting or suppression, rescue, pre-fire planning, fire investigation, public education and information, training or other staff development and advertising.
- o. “Fireworks” shall mean the fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subdivisions 1 and 2 as outlined in Section 14 of the Explosive Regulations (Canada), C.R.C., C.599
- p. “Illegal Fire” shall mean any fire that is set in contravention of this Bylaw.
- q. “Incident” shall mean a fire, a situation where a fire or 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.
- r. “Inspection Officer” shall mean the Fire Chief, Enforcement Officer or any Member with the required certification and directed to undertake inspections.
- s. “Member” shall mean any person appointed as a member of the Picture Butte & District Emergency Services under this Bylaw.
- t. “Member in Charge” shall mean the Member in command of an Incident.
- u. “Municipal Government Act” shall mean the Municipal Government Act, RSA 2000, c. M-26 and any amendments thereto.
- v. “Municipal Ticket” means a form, marked as Schedule “C” and attached hereto and forming part of this bylaw, allowing for voluntary payment to the Town for a fine amount established by this bylaw.
- w. “Mutual Aid Agreement” shall mean an agreement between the Town and other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment.
- x. “Non-Emergent Service” shall mean any requested service provided by the Fire Department where no Emergency or False Alarm exists.
- y. “Officer” shall mean a Member appointed by the Fire Chief or Designate to supervisory position within the Fire Department.
- z. “Open Fires” shall mean any Fire which is not contained within a Fire Pit, an outdoor fireplace, a stationary barbeque, or an incinerator approved by Alberta Environment, and includes but is not limited to the following:
 - i. Fire for the burning of weeds, grass, leaves, brush or any other plant matter.
 - ii. Fire related to recreational uses in an area that has not been designated for recreational fire by the Town; and
 - iii. Any fire set for the purpose of thawing frozen ground.
- aa. “Property” shall mean any real or personal property, including but not limited to land and structures.
- bb. “Qualified Personnel” shall mean a person in possession of a Fireworks Supervisor Card issued pursuant to the Explosives Act (Canada), R.S.C., 1985, c. E-17 and the Fire Code Regulation (Alberta) A/R 118/2007.
- cc. “Safety Codes Act” shall mean the Safety Codes Act, RSA 2000, c. S-1 and any amendments thereto.
- dd. “Safety Codes Officer” shall mean an individual designated as a Safety Codes Officer in accordance with the Safety Codes Act, RSA 2000, c. S-1 with designation-of-powers for the accredited municipality.

- ee. “Security Alarm” shall mean an alarm system intended to detect an unauthorized entry to a premise or to alert people to the commission of an unlawful act or both.
- ff. “Violation Ticket” means a violation ticket as defined in the Provincial Offences Procedure Act. R.S.A 2000, c. P-34.

SECTION 3 ESTABLISHMENT OF FIRE DEPARTMENT

- 3.1 Council hereby establishes the Picture Butte & District Emergency Services with such facilities and equipment deemed by Council to be adequate for the following:
 - a. preventing and extinguishing fires;
 - b. investigating the cause of fires;
 - c. preserving life and property and protecting persons and property from injury or destruction of fire
 - d. acting as first responders preserving life and property and protecting persons from injury or destruction by Dangerous Goods, or Industrial incidents;
 - e. providing rescue services
 - f. providing emergency medical services
 - g. preventing, combating and controlling incidents;
 - h. carrying out fire inspections and prevention patrols; and
 - i. entering into agreements with other municipalities or persons for the joint use, control and management of fire extinguishing.

SECTION 4 JURISDICTION

- 4.1 The limits of the jurisdiction of the Fire Department, the Fire Chief and Members shall extend to the area and boundaries of the Town of Picture Butte and those service areas established by Town Council or by agreement.
- 4.2 No apparatus or equipment shall be used beyond the limits of the Town of Picture Butte without the express authorization provided within a Mutual Aid Agreement, fire services agreement, external contract, or direct consent from the Fire Chief.

SECTION 5 FIRE CHIEF

- 5.1 The Fire Chief shall be appointed by and be responsible to Council as defined by the process outlined in the Picture Butte & District Emergency Services policies.
- 5.2 The Fire Chief shall be responsible to Council through the Chief Administrative Officer or designate.
- 5.3 The Fire Chief may appoint Officers as he or she deems required for the operation of the fire department and subject to the fire department’s approved organization chart and operating budget. Officers shall be supervised by the Fire Chief or designate.
- 5.4 The Fire Chief may appoint additional Members to the Fire Department as he or she deems required for the proper and efficient operation of the Fire Department. These Members shall be supervised by the Fire Chief or designate and other Officers in accordance with the Fire Department’s organizational chart.
- 5.5 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Chief Administrative Officer or designate, and in particular, may carry out all Fire Protection activities and such other activities as directed in the approved annual budget included but not limited to:
 - a. rescue;
 - b. emergency medical services, including ambulance services;
 - c. pre-fire planning including inspections and building familiarization;
 - d. prevention and public awareness events; and
 - e. fire inspections.

- 5.6 Subject to the ratification by Council, the Fire Chief may establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including, but not limited to:
- a. use, care and protection of Fire Department Property;
 - b. training, conduct and discipline of Members and Officers; and
 - c. efficient operations of the Fire Department.
- 5.7 The Fire Chief or designate, or in his absence, Member in Charge, shall have control, direction and management of any Fire Department apparatus, equipment or human resources assigned to an incident; where as a Member in Charge, shall continue to act until relieved by a Member authorized to do so.
- 5.8 The Fire Chief or the Member in Charge, who is at the site of an incident or other emergency, may at his or her discretion:
- a. order persons in a building to vacate the building and not re-enter the building unless authorized by the Fire Chief or the Member in Charge;
 - b. establish a perimeter around the site and prevent persons from entering the perimeter;
 - c. request enforcement officers assistance to prevent persons from entering building or establish a perimeter;
 - d. cause a building, structure or any other property to be pulled down, demolished or otherwise removed so as to prevent the spread of fire or hazard to other building, structures or property; and
 - e. cause any Member, fire apparatus, or equipment to enter on any Property, including adjacent Property to combat, control or deal with the Incident.

SECTION 6 POWERS OF MEMBERS

- 6.1 Each person duly appointed by the Fire Chief is a Member of the Fire Department by virtue of his or her appointment.
- 6.2 Every Member shall have the authority and power to:
- a. extinguish or control any Fire;
 - b. perform the operations necessary to preserve life and property;
 - c. enter onto any Property for the purpose described in clauses (a) or (b); and;
 - d. regulate the conduct of the public in and around the vicinity of any place where a Member is performing the activities described in clauses (a) or (b);
- 6.3 The Fire Chief, or his designate shall have the authority to:
- a. compel any able bodied, adult persons who are not Members to assist in extinguishing fires and to assist in the prevention and spread thereof;
 - b. enter into a closed area without a permit or written permission for purposes of controlling or mitigating a Fire or Incident;
 - c. without a warrant, enter onto any land or premises, except a building used as a dwelling, for the purpose of discharging duties under this Bylaw;
 - d. without a warrant, enter any private dwelling house which is on fire and proceed to extinguish the Fire or to prevent the spread thereof;
 - e. without a warrant, enter any private dwelling to rescue an individual whose life is in imminent danger;
 - f. direct the operations necessary to extinguish or control the Fire, or to preserve life and Property; and
 - g. regulate the conduct of the public in an around the vicinity of any place where a Member is performing the activities necessary to extinguish or control the fire or to preserve life or Property.

SECTION 7 FIRE HYDRANTS

- 7.1 No person, other than Members or employees of the Town, shall, without prior approval from the Fire Chief, affix any tool, hose or other device to any fire hydrant or fire hydrant valve.
- 7.2 No person shall, without prior approval from the Fire Chief, paint any fire hydrant, or any portion thereof.
- 7.3 Any fire hydrant taken out-of-service for any reason shall be communicated to both the Town and the Fire Chief, and any records of maintenance and testing shall be shared between the Town and Fire Department.

SECTION 8 CONTROL OF FIRE HAZARDS

- 8.1 In accordance with the Safety Codes Act, accredited Safety Codes Officers with designation-of-powers from the municipality shall be given access at reasonable hours to both public and private property for the purpose of investigating an unsafe condition, accident or fire to determine its cause and make recommendations related to safety.
- 8.2 If, in the opinion of an Inspection Officer there exists a fire hazard on land within the Town, whether private or public, the Inspection Officer may order the owner or person in control of the said land to reduce or remove the hazard within the time and in the manner prescribed by the Inspection Officer.
- 8.3 In the event of non-compliance with an order made pursuant to Section 8.2, the Inspection Officer may enter onto the land with any equipment and human resources necessary to eliminate or reduce the fire hazard.
- 8.4 The owner or person in control of the land on which work was performed pursuant to section 8.3 shall, upon receipt of written demand by the Town, reimburse the Town for the cost of the work performed.
- 8.5 If payment is not received within 30 days of the issuance of the demand pursuant to section 8.4, the Town shall add the cost of the work performed to the tax roll of the said land, and cause a corresponding lien to be registered against the land at the Land Titles Office.

SECTION 9 REQUIREMENTS TO REPORT

- 9.1 The owner or authorized agent of any property damaged by the fire shall immediately report to the Fire Department particulars about the fire which is satisfactory to the Fire Chief and failure to do so is an offence.
- 9.2 The owner or authorized agent of any property containing dangerous goods shall immediately report to the Fire Department the particulars regarding any accidental or unauthorized release of such dangerous goods and failure to do so is an offence.
- 9.3 Any person who has spilled or released any dangerous good shall immediately report particulars of such spill or release to the Fire Department and failure to do so is an offence.

SECTION 10 OPEN FIRES

- 10.1 No person shall cause an open fire in an open area to be ignited or allow an open fire to continue burning in an open area within the Town.
- 10.2 Any person who fails to comply with any of the provisions of subsection 10.1 herein is guilty of an offence.
- 10.3 Subsection 10.1 shall not apply to fires set by the Fire Department for training purposes or as a backfire
- 10.4 Any member, Peace Officer or Employee of the Town may extinguish an illegal fire using whatever apparatus or procedure that the Member may deem appropriate or necessary to extinguish an illegal fire.
- 10.5 The costs of controlling or extinguishing any illegal fire shall be recovered from the person causing the illegal fire under the provisions of the Municipal Government Act.

SECTION 11 RESPONDING TO FALSE ALARMS

- 11.1 The Town may charge a fee for an emergency service provided by the Fire Department that responds to a False Alarm, as set out in the Town's Schedule of Fees, where such emergency service responds to:
- a. more than one False Alarm at the same building within the same calendar year;
 - b. more than one False Alarm from the same alarm system within the same calendar year;
 - c. more than one False Alarm from the same parcel of land within the same calendar year where there is more than one building on that parcel of land.
- 11.2 Where the Fire Department responds to any alarm that is the result of a Security Alarm being routed to the Fire Department the Town may charge a fee for an emergency service as set out in the Town's Schedule of Fees.
- 11.3 Where the Fire Department responds to an alarm as set out in subsection 11.2 and the Business Owner, Property Owner, or Property Manager does not provide access to the interior of the building within 15 minutes of the arrival of the Fire Department, the Town may charge, in addition to the False Alarm fee set out in Schedule "A", a standby fee as set out in the Town's Schedule of Fees until access is provided to the interior of the building.
- 11.4 Where a Business Owner, Property Owner or Property Manager has installed a lock-box, he/she shall immediately notify the Fire Chief of such lock box and provide a key or code if required.
- 11.5 If a Business Owner, Property Owner or Property Manager has installed a lock-box in an accessible location at the building and if that lock-box contains current keys or codes to provide access to the building, a person or key holder does not have to be present to satisfy the access requirements as set out in subsection 11.3.
- 11.5 If the Fire Department is dispatched to respond to an alarm, but is notified that the alarm is a False Alarm before a vehicle leaves a fire station, and if, as a consequence, only one vehicle responds to the False Alarm to re-set that alarm system, the fee set out in the Town's Schedule of Fees for that response shall be reduced by 50%. The 50% fine reduction shall apply to fire alarms and not to a Security Alarm routed to the Fire Department.
- 11.6 The fees provided for in this section shall be charged to a Property Owner. Failure to pay such fees identified in section 11 shall result in such fees being applied to the appropriate tax roll.

SECTION 12 CONTRACTS & AGREEMENTS

- 12.1 The Town may, by Council approval:
- a. enter into a written contract providing the supply of Fire Protection services outside the municipal boundaries of the Town with another municipality;
 - b. enter into mutual aid agreements with other surrounding municipalities;
 - c. upon request, supply Fire Protection services outside the municipal boundaries of the Town.

SECTION 13 FIRE PITS, OUTDOOR FIREPLACES, and STATIONARY & PORTABLE BARBEQUES

- 13.1 For the enjoyment of dwelling residents use of fire pits, outdoor fireplaces and stationary barbeques may be permitted.
- 13.2 The use of fire pits, outdoor fireplaces and stationary barbeques may be restricted or prohibited during a fire ban.
- 13.3 Fire pits, outdoor fireplaces and stationary barbeques that burn combustible material shall:

- a. be located in a rear yard with a minimum of 3.4 meters (10 feet) clearance from buildings, property lines and combustible materials, or as approved by the Fire Chief;
 - b. be constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible components.
 - c. have a spark arrestor mesh screen of 1.30 centimeters (.50 inches) expand metal (or equivalent) to contain sparks over the fire at all times;
 - d. be the sole responsibility of the owner or tenant of the property;
 - e. be supervised at all times by a responsible adult person over the age of eighteen (18) until such time as the fire has been completely extinguished. For the purpose of this clause, a fire shall be deemed to include any hot ashes and smoldering embers resulting from the fire;
 - f. only burn wood, charcoal briquettes, propane or natural gas; and
 - g. have flames no higher than ninety (90) cm or three (3 feet) above the fire pit or barbeque fire box.
- 13.4 During a fire ban, the only fires permitted shall be in portable barbeques which burn propane or natural gas.
- 13.5 Except during a fire ban, fires are permitted within Town owned outdoor fireplaces and fire pits located within public areas.
- 13.6 Any person that fails to comply with any of the provisions of Section 13 herein is guilty of an offence.

SECTION 14 FIREWORKS

- 14.1 Subject to the exceptions set out in the following, no person shall discharge any fireworks within the corporate limits of the Town.
- 14.2 The Fire Department may permit qualified personnel to ignite fireworks and conduct fireworks displays upon receiving and approving a completed Display Fireworks Application, as found in Schedule "B" of this Bylaw. The Fire Chief may impose, at the sole discretion of the Fire Chief, such conditions and restrictions on their use and display as may be appropriate. Such conditions and restrictions might address:
- a. hours of the day;
 - b. days of the week;
 - c. height of display and type of fireworks used;
 - d. geographic location requirements for notification of affected residents; and
 - e. safety.
- 14.3 All fireworks shall be stored, used and ignited in accordance with the provisions of the Explosives Act (Canada) R.S.C., 1985, c. E-17, Alberta Safety Code RSA, 2000, Chapter S-1, and the current Alberta Fire Code and their regulations and in accordance with those conditions determined solely by the Town.
- 14.4 Any person that fails to comply with any of the provisions of Section 14 is guilty of an offence.
- 14.5 The Fire Chief, or designate, may require a person to cease discharging, firing or setting off fireworks when considered necessary to do so for reasons of safety, as outlined in the Alberta Fire Code and the Alberta Safety Codes Act, or for non-compliance of this bylaw.

SECTION 15 FIRE BANS

- 15.1 The Fire Chief may impose a complete or partial fire ban within the Town at his/her discretion. When a fire ban is imposed, the Town shall post the fire ban information on the Town's website and provincial fire ban website detailing the conditions of the fire ban.

- 15.2 No person shall start or allow a fire on private or public property within the Town at any time while a complete fire ban is in place.
- 15.3 The Fire Chief or designate, a Member or an Enforcement Officer may direct a person to extinguish any fire when a fire ban is in place.
- 15.4 A person who fails to comply with an order issued pursuant to subsection 15.3 is guilty of an offence and the Fire Department may extinguish the fire.

SECTION 16 RECOVERY OF COSTS

- 16.1 The Fire Department will provide such fire suppression and life-saving rescue services as outlined in this Bylaw within the municipal boundaries of the Town of Picture Butte at no charge to the citizens of the Town of Picture Butte.
- 16.2 Where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire, responding to a fire call, false alarm or incident for the purpose of preserving life or property from injury or destruction by fire or other incident, the Fire Chief may:
- a. in respect of any cost incurred in taking such action, charge any cost so incurred to the person who commits arson or deliberately commits criminal action that leads to an emergency situation and is convicted of such; or
 - b. in respect of any action taken on railway rights of way, charge any cost so incurred to the company or its agent; or
 - c. in respect of any action taken to mitigate or control a hazardous materials or dangerous goods incident, charge any cost so incurred to the company or its agent.
- 16.3 Notwithstanding subsection 16.1, an owner or occupant of land shall not be charged for costs incurred due to a False Alarm unless such owner or occupant is responsible for such False Alarm.
- 16.4 The costs and fees to be charged by the Fire Department for services rendered pursuant to this Bylaw are as set out in the Town of Picture Butte's Schedule of Fees.
- 16.5 In respect of any costs or fees levied or charged under this Bylaw:
- a. the Town may recover such costs or fees as a debt due and owing to the Town; and;
 - b. in default of payment, where permitted by the Municipal Government Act, add the amounts to the tax roll of a parcel of land.
- 16.6 The Fire Department may charge for the provision of Non-Emergent Services as outlined in the Town's Fees and Rates Policy.

SECTION 17 OFFENCES

- 17.1 No person shall damage or destroy Fire Department apparatus, equipment or supplies.
- 17.2 No person shall falsely represent themselves as a Member or wear or display any Fire Department badge, cap, insignia or other paraphernalia for the purpose of such representation.
- 17.3 No person shall:
- a. cause any open or illegal fire in the Town of Picture Butte contrary to any provision of this Bylaw; or
 - b. provide false, incomplete or misleading information to the Fire Department on or with respect to an incident, fire or fire related information; or
 - c. interfere with the efforts of any persons authorized to extinguish fires or preserve life or property or in the carrying out of other duties imposed by this Bylaw; or
 - d. at an incident, impede, obstruct or hinder a Member or other person assisting or acting under the direction of the Member in Charge; or

- e. at an incident, drive a vehicle or any apparatus without the permission of the Member in charge; or
- f. impede, obstruct or hinder a Member from carrying out duties imposed by this Bylaw; or
- g. burn or be responsible for the burning of any garbage or refuse; or
- h. allow any fire to give off dense smoke or any offensive odor in a manner which relates nuisance to neighboring persons and property; or
- i. allow any fire to burn out of control so as to threaten or cause damage to adjacent property; or
- j. light an open fire or a structure fire; or
- k. fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto land other than his/her own; or
- l. deposit, discard or leave any burning matter or substance in a place where it might ignite other matter and result in a fire.

SECTION 18 PENALTIES

- 18.1 A person who fails to comply with or breaches any provision of this Bylaw is guilty of an offence.
- 18.2 If a Municipal Ticket is issued in respect of an offence, the Municipal Ticket will specify the fine amount listed in Schedule "A".
- 18.3 A person who is issued a Municipal Ticket in respect of an offence may pay the fine amount established by this bylaw for the offence at the Town of Picture Butte Office located at 120 – 4th Street North, Picture Butte, Alberta T0K 1V0 and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 18.4 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
 - a. specify the fine amount established by this bylaw for the offence; or
 - b. require a person to appear in court without the alternative of making a voluntary payment; and a person who enters a guilty plea or is found guilty of an offence is liable to a fine in an amount not less than that specified in this bylaw and not exceeding \$10,000.00 and liable to imprisonment for not more than 6 months for non-payment of the fine. Nothing in this Bylaw shall prevent an Enforcement Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

SECTION 19 LIABILITY

- 19.1 The Fire Chief or a Member charged with any duty of this Bylaw, acting in good faith and without malice for the Town in the discharge of their duties, shall not hereby render themselves personally liable and the Fire Chief or Member is 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 the Fire Chief or Member's duties.
- 19.2 Any suit brought against the Fire Chief or a Member, because of an act or omission performed by the Member in the enforcement of any provision of this Bylaw, shall be defended by the Town until final determination of the proceedings. The Fire Chief and any Member will be reimbursed or indemnified against any loss or expense which the Fire Chief or Member may incur as a result of any inquiry relating to, or any action brought or judgment obtained arising out of the Fire Chief or Member's duties. The Town shall not be required to pay any fines or penalties levied or imposed against the Fire Chief or any Member by reason of any conviction or charge for violation of any statute or Bylaw.

SECTION 20 SEVERABILITY

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

SECTION 21 REPEALED

21.1 Town of Picture Butte Bylaw #842/15 and any amendments are hereby repealed.

This Bylaw shall take effect on the day of the final passing thereof.

INTRODUCED AND GIVEN FIRST READING this 27th day of March, 2017.

GIVEN SECOND READING this 27th day of March, 2017.

GIVEN THIRD AND FINAL READING this 27th day of March, 2017.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

Fines

<u>Offence</u>	<u>Section, Subsection or Clause</u>	<u>Fine Amount</u>
Failing to report a fire	9(9.1)	\$150.00
Failing to report a dangerous good spill or release	9(9.2) or 9(9.3)	\$150.00
Having an open fire	10(10.2)	
1 st offence within one (1) year		\$100.00
2 nd offence within one (1) year		\$250.00
3 rd and subsequent offence within one (1) year		\$500.00
Failure to have a permitted fire pit, fire place or barbeque	13(13.6)	\$150.00
Illegally discharging fireworks in Town	14 (14.4)	
1 st offence within one (1) year		\$250.00
2 nd offence within one (1) year		\$500.00
3 rd and subsequent offence within one (1) year		\$750.00
Failure to comply during a Fire Ban	15.4	
1 st offence within one (1) year		\$500.00
2 nd offence within one (1) year		\$750.00
3 rd and subsequent offence within one (1) year		\$1000.00
Damage or Destroy Fire Department Property	17.1	\$1000.00
Impersonating a Member	17.2	\$250.00
Provide false information	17.3(b)	\$250.00
Interfere with a member in carrying out duties under Bylaw	17.3(f)	\$1000.00
Burning of garbage or waste	17.3(g)	\$250.00
Allow a fire to create dense smoke or offensive odor	17.3(h)	\$150.00
Failure to control a fire	17.3(i), 17.3(k)	\$500.00
Deposit, discard or leave burning material/substance	17.3(l)	\$150.00



SCHEDULE "B"

Display Fireworks Permit

Supervisor/Company Name: _____

Sponsoring Agency: _____

Fireworks Supervisor's Card Number: _____

Telephone: _____ Fax: _____ E-mail: _____

The applicant is herewith authorized to possess, handle, discharge, fire or set of Display (Class 7.2.2) Fireworks within the Town of Picture Butte:

on _____ at _____

Date & Time

Location

Fireworks display must be in compliance with Section 5.7 of the Alberta Fire Code. The applicant must provide as part of this permit application:

- Proof of liability insurance in the amount of \$2,000,000
- A copy of their Fireworks Supervisor's card
- A diagram of the display site & discharge area
- A list of the fireworks that will be discharged

Conditions:

- Applicant must have the permission of all property owners adjacent to the display area
- Must contact the Fire Department before the shoot
- Cannot set off the fireworks if winds exceed 45 km/h
- All Transportation of Dangerous Goods transportation & storage requirements for Class 1 Explosives apply

This permit is subject to the cancellation for any breach of the Alberta Fire Code (Section 5.7) or any of the requirements or conditions of this permit.

Date of Approval

Approving Officer

Permit Number _____