

VILLAGE OF IRMA

BYLAW NO. 12-01

BEING A BYLAW OF THE VILLAGE OF IRMA IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE ESTABLISHMENT, OPERATION OF A FIRE DEPARTMENT, AND CONTROL FIRE DANGERS WITHIN THE VILLAGE.

PURSUANT TO THE PROVISIONS OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M-26, RSA 2000, AND AMMENDMENTS THERETO:

WHEREAS, Section 7(a) of the Municipal Government Act allows a Council to pass Bylaws for Municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

WHEREAS, The Council for the Village of Irma wishes to establish a Fire Department, provide for the efficient operation of that Fire Department and Fire Safety within the Village of Irma.

NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF IRMA, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1.0 TITLE AND DEFINITIONS

1.1 This bylaw shall be known as "Village of Irma Fire Bylaw".

1.2 In this Bylaw the following definitions shall apply:

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

"Council" means the Council for the Village of Irma.

"Equipment" means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergencies.

"Fire Department" means the Village of Irma Volunteer Fire Department.

"Fire Chief" means the member appointed by Council as head of the Fire Department.

"Fire Protection" means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

“Incident” means 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.

“Member” means any person that is a duly appointed member of the Fire Department.

2.0 REGULATIONS

- 2.1 The Fire Chief shall be appointed by the Council, with recommendation by the Fire Department.
- 2.2 The Fire Chief is to be given a performance review by Council. This is to be done every year.
- 2.3 Other officers and members as the Fire Chief deems necessary may be appointed to the Fire Department with the approval of the Council.
- 2.4 The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his/her behalf.
- 2.5 The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the areas and boundaries of the Village of Irma and no part of the fire apparatus shall be used beyond the limits of the municipality without the express authorization of a written contract or agreement providing for the supply of fire fighting services outside the municipal boundaries. As per joint use fire protection with M.D. of Wainwright and other mutual aid agreements with surrounding municipalities.
- 2.6 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Council to which he/she shall be responsible, and in particular he/she shall be required to carry out all fire protection activities and such other activities such as Council directs including but not limited to:
 - a) Rescue
 - b) Emergency medical assistance
 - c) Other incidents
 - d) Pre-fire planning
 - e) Disaster planning
 - f) Preventive patrols
- 2.7 The Fire Chief, subject to the ratification by the Council, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including:
 - a) Use, care and protection of fire department property,
 - b) The conduct and discipline of officers and members of the Fire Department, and
 - c) Efficient operation of the Fire Department.

- 2.8 The Fire Chief, or in his absence, the senior member present, shall have control, direction and management of any Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in command, he/she shall continue to act until relieved by an officer authorized to do so
- 2.9 The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Alberta Safety Codes Act regulations.
- 2.10 Officers and members of the Fire Department shall carry out duties and responsibilities assigned to the Fire Department by the Council and the Fire Chief shall report to the Council on the operations of the Fire Department or on any other matter in the manner designated by Council at least once every two (2) months, or sooner by request of Council.
- 2.11 The Fire Chief or any other member in command, at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he/she deems it necessary to prevent the spread of fire to other buildings, structures or things.
- 2.12 The Fire Chief or any other member in command, at an incident is empowered to enter premises or property where the incident occurred to cause any member, apparatus or equipment of the Fire Department to enter, as he/she deems necessary, in order to combat, control or deal with the incident.
- 2.13 Fire Chief or the member in command, at an incident may at his/her discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him/her.
- 2.14 No person shall enter the boundaries or limits of an area prescribed in accordance with 2.13 unless they have been authorized to enter by the Fire Chief or the member in command.
- 2.15 The Fire Chief, or the member in command, at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in 2.13.
- 2.16 The Fire Chief, or the member in command, at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter or pass through or over the building or property, where he/she deems it necessary to gain access to the incident or to protect any persons or property.
- 2.17 The Fire Chief may obtain assistance from other officials of the municipality as he/she deems necessary in order to discharge his/her duties and responsibilities under this bylaw.

- 2.18 No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in command.
- 2.19 No person shall damage or destroy Fire Department apparatus or equipment.
- 2.20 No person at an incident shall drive a vehicle over any equipment without the permission of the Fire Chief or the member in command.
- 2.21 No person shall obstruct a member from carrying out duties imposed by this bylaw.
- 2.22 No person shall falsely represent themselves as a Fire Department member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.
- 2.23 No person shall 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 any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes.
- 2.24 The Fire Chief or the member in command of an incident may request persons who are not members to assist in removing furniture, goods and merchandise from any building in danger of fire and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.
- 2.25 The Fire Chief or member in command of an incident is empowered to commandeer privately owned equipment including equipment operator, which he/she considers necessary to deal with an incident.
- 2.26 The 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 his/her duties, shall not hereby render themselves liable personally and he/she 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 this duties.
- 2.27 Any suit brought against the Fire Chief or member of the Fire Department, because of an act or omission performed by him/her in the enforcement of any provision of this bylaw, shall be defended by the Village of Irma until final determination of the proceedings.

3.0 FIRE PERMITS

- 3.1 Fire Permits are required for any open flame fire that does not fall under the under mentioned category and must be approved by the fire chief or member of the Fire Department appointed by the fire chief to act on his/her behalf. Fire permits are outlined in Schedule B and available at the Village of Irma office upon payment of a fee and approval of the Fire Chief.
- 3.2 Fire permits are not required for fires that are entirely contained in fire pits, outdoor fire places and barbeques that are:
- a) At least 3 meters from buildings, property lines, lot lines, and anything else deemed flammable.
 - b) Are less than 0.6 meters high.
 - c) Less than 1.0 meter wide
 - d) Have enclosed sides that are constructed using bricks, concrete, heavy-gauge metal, or other material as approved by the fire chief.
 - e) Have a spark arrestor mesh screen with openings small than 1.25 cm.
 - f) Is used to burn clean non treated wood, charcoal, or natural gas.
- 3.3 Fire permits are not required for portable barbeques which burn liquefied petroleum gas (propane), natural gas, compressed briquettes, or charcoal that is used for the purpose of cooking or obtaining warmth. Providing the appliance is used on private property or in a public area as approved by the authority having jurisdiction, for the manufactured intention of the appliance.

4.0 FIRE BAN

- 4.1 The Village may at any time by agreement of the Fire Chief, Chief Administrator Officer, and an Elected Official order or cancel a fire ban with or without conditions within the Municipal boundaries of the Village.
- 4.2 All open fires, outdoor fires, and recreational fires within the Village shall immediately be extinguished upon order of a fire ban.
- 4.3 No Person shall light an outdoor fire, a structure fire, an incinerator fire, barbecue/fire pit, or portable appliance not fuelled by propane or natural gas, during a municipal or provincial fire ban pursuant to the Forest and Prairie Protection Act.
- 4.4 When a fire ban is in place all issued fire permits are void until ban has been removed.
- 4.5 Notice of fire ban will be placed on Village website, posted on the Village office door, and on the digital sign.
- 4.6 For the duration of any Village Fire Ban, the fire department is authorized to extinguish all open fires, whether controlled or not, within the municipal limits.

4.7 Fire fighting costs including consumables which are incurred to fight fires which are in contravention of this bylaw shall be the responsibility of the person or persons responsible for starting the fire.

5.0 PENALTY FOR VIOLATION

5.1 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing or omits any act or thing thus violating any of the provisions of this bylaw, shall be deemed to be guilty of an infraction of this bylaw, and upon a summary conviction is liable to imprisonment for a term of not more than six (6) months or to a fine of not more than \$2,500.00, or to both fine and imprisonment.

6.0 SEVERBILITY

6.1 If any provision of this bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions.

7.0 REPEALED

7.1 Bylaw 563-85 is hereby repealed upon final passing of this bylaw 12-01.

THIS BYLAW SHALL TAKE EFFECT ON THE DAY OF THE FINAL PASSAGE THEREOF.

Read a first time this _____ day of _____, A.D. 2012

Read a second time this _____ day of _____, A.D. 2012

Read a third time and finally passed this _____ day of _____, A.D. 2012

Mayor

CAO

SCHEDULE "B"
FIRE BURNING PERMIT
SECTION 3.0
Fire Department Permit Fee: \$15.00

PERMISSION IS HEREBY GRANTED TO:

NAME: _____

ADDRESS _____

Postal Code: _____ **Phone Number** _____

FOR THE PURPOSE OF BURNING: _____

LOCATION: _____

DATE: _____ **20** _____

FROM: _____ **TO** _____
(time) (time)

In accordance with Village of Irma Fire Bylaw

DESCRIPTION OF PERMIT: _____

The undersigned applicant covenants and agrees with the Town as a term and condition of the permit to:

(a) At all times keep a competent person in charge of the fire and barricade or otherwise secure the area to limit entry of unauthorized persons;

(b) Extinguish any fire which impairs visibility in the immediate area due to weather, wind or the location of the fire;

(c) This Fire Permit may be suspended or cancelled at any time at the sole discretion of the Fire Chief or member assigned duty by the Fire Chief or when a fire ban is in effect.

(d) _____

Date: _____ **20** _____ **APPROVED/REFUSED**

Signature of Applicant

FIRE DEPARTMENT