



**BYLAW NO. 2012-918  
OF THE  
TOWN OF TWO HILLS**

**A BYLAW OF THE TOWN OF TWO HILLS, IN THE PROVINCE OF ALBERTA,  
FOR THE ESTABLISHMENT AND OPERATION OF FIRE PROTECTION SERVICES  
IN THE TOWN OF TWO HILLS**

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**WHEREAS** the *Municipal Government Act* R.S.A. 2000 Chapter M-26, as amended, 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, and for services provided by or on behalf of the municipality;

**AND WHEREAS** the Council for the Town of Two Hills wishes to regulate the use and setting of fires within the Town;

**AND WHEREAS** the Council for the Town of Two Hills wishes to establish and provide for the efficient operation of Fire Protection Services;

**NOW THEREFORE**, the Council of The Town of Two Hills, in the Province of Alberta, duly assembled, enacts as follows:

**PART I - INTERPRETATION**

**Division 1 – Title**

1.1 This Bylaw shall be known as the "Fire Services" Bylaw

**Division 2 - Definitions**

In this Bylaw:

- 2.1 "Apparatus" - means any vehicle suitable for land, air, or water use which is provided with machinery, devices, equipment, materials or personnel for fire fighting, rescue, or other emergency response, as well as vehicles used to transport Fire Fighters or supplies".
- 2.2 "CAO" (Chief Administrative Officer) means that person appointed to the position and title by Council and includes any person appointed by the CAO to act as his/her appointee.



- 2.3 "Community Peace Officer" – means a person employed by the Town and appointed as same by the Minister responsible for the Alberta **Peace Officer Act**, 2006, Chapter P-3.5, as amended from time to time, to enforce Provincial legislation and municipal bylaws.
- 2.4 "Council" - means the Town of Two Hills Council.
- 2.5 "Equipment" - means any tools, contrivances, devices and materials used by the Fire Department, to combat an Incident or other Emergency.
- 2.6 "False Alarm" – means any notification to the Fire Department or any Member thereof respecting the existence 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.
- 2.7 "Fire" - means the burning of any flammable or combustible material or any combustible material in a state of combustion.
- 2.8 "Fire Chief" - means the Member of a Fire Department who is appointed as the head of the Fire Department.
- 2.9 "Fire Chief or his designate" - means the Member of the Fire Department who is responsible for the coordination and execution of overall strategy and fire protection tactics involved in combating an Incident.
- 2.10 "Fire Department" - means any fire department established by this Bylaw, or under a Fire Protection Agreement, and includes any person duly appointed to the Fire Department by the Fire Chief from time to time.
- 2.11 "Fire Department Property" - means all property owned or controlled by, and designated for use by, the Fire Department, regardless of the source of the property.
- 2.12 "Fire Hazard" - means any condition, circumstance, or event that increases the possibility and/or probability of Fire occurrence.
- 2.13 "Fire Pit" – as defined in the Town's Burning Bylaw.
- 2.14 "Fire Protection" – means all aspects of Fire Safety, including but not limited to, Fire Prevention, Firefighting or Suppression, Pre-Fire Planning, Public Education and information, training or other staff development, advising, and responding to a request for Fire Protection whether they are legitimate emergencies or false alarms.
- 2.15 "Fire Protection Agreement" - means an agreement entered into by the Town with another municipality or entity, with a view to ensuring the prevention and control of fires, with respect to land within the Town's boundaries or under the Town's control.
- 2.16 "Fire Protection Charge" – means the charges and fees payable pursuant to Section 12 of this Bylaw.



- 2.17 "Fire Protection Services" – means all aspects of Fire safety including but not limited to, fire prevention, fire suppression, firefighting, rescue, pre-fire planning, fire inspection, fire investigation, public education and information, training or other staff development, advising, and responding to a request for fire protection, including legitimate emergencies and False Alarms.
- 2.18 "Incident" - means a Fire or a situation where a Fire or an explosion is imminent or any other situation where there is a Fire, a danger or a possible danger to life or property.
- 2.19 "Member" - means any person who is a duly appointed member of the Fire Department, including a part-time member, volunteer, or Officer.
- 2.20 "Officer" - means a Member appointed by the Fire Chief or designate to a supervisory position within the Fire Department.
- 2.21 "OG" (Operational Guidelines)- means the guidelines as approved by Council resolution and as such guideline may be amended, revised or replaced from time to time that provide the basis for Fire Protection Services.
- 2.22 "Practice" - means a gathering of the Members scheduled by the Fire Chief or designated Officer, and at which training in Fire Protection Services is conducted.
- 2.23 "Property" - means any real or personal property, which, without limiting the generality of the foregoing, includes land, equipment, products, vehicles and structures.
- 2.24 "Recreational Fire" – means a Fire for recreational purposes and is confined to a non-combustible container, such as a Fire Pit or suitable burning container, as per the Town's Burning Bylaw, which is set for the purpose of cooking, obtaining warmth or viewing for pleasure. Such Fire may only be fueled with seasoned wood, charcoal, coal, natural gas or propane.
- 2.25 "Running Fire" – means a Fire burning without being under proper or any control of any person.
- 2.26 "Structure Fire" – means 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.
- 2.27 "Town" – means the Town of Two Hills and the area within its boundaries.

## **PART II - FIRE DEPARTMENT**

- 3.1 Council hereby establishes the Two Hills Fire Department for the purpose of:
- 3.1.1 Providing Fire Protection Services;
- 3.1.2 Preventing, combating and extinguishing Fires and Incidents;



- 3.1.3 Preserving life, Property, and environment; and protecting persons and Property from injury or destruction by Fire or Incident;
  - 3.1.4 Operating Apparatus and Equipment for the purpose of extinguishing Fires or Incidents and preserving life and Property;
  - 3.1.5 Fulfilling obligations under approved Mutual Aid Agreements;
  - 3.1.6 Providing public education about Fire safety;
  - 3.1.7 Pre-Fire and emergency planning and Practice;
  - 3.1.8 Providing mutual response to medical incidents; and
  - 3.1.9 Rescue operations, limited to the Members training and experience;
- 3.2 The Fire Department shall develop Operation Guidelines that are consistent with this Bylaw and the legislation and regulations of the Province of Alberta, for approval by Council.

### **PART III - FIRE CHIEF**

#### **Division 1 – Appointment and Duties**

- 4.1 The Fire Chief shall be appointed and approved by resolution of Council upon recommendation of the Fire Department.
- 4.2 The Fire Chief shall be responsible to Council and shall report directly to the CAO on all operational and administrative matters, and may be required to report directly to the CAO on a monthly basis.
- 4.3 The Fire Chief shall report all Fires and Incidents immediately after completing response to said Fires and Incidents to the CAO, with sufficient details to enable the invoicing process to properly occur and to meet the requirements of the **Safety Codes Act**, R.S.A. 2000, Chapter S-1, as amended from time to time.
- 4.4 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of Council, to which he or she shall be responsible. In particular, the Fire Chief may direct the Fire Department and its Members to carry out all Fire Protection Service activities and such other fire-related activities as Council directs, including but not limited to:
  - 4.4.1 Pre-Fire planning;
  - 4.4.2 Preventative Patrols;
  - 4.4.3 Fire suppression activities;



- 4.4.4 Emergency medical services, excepting ambulance services;
- 4.4.5 Rescue operations, limited to the Members training and experience;
- 4.4.6 Disaster relief; and
- 4.4.7 Practice and Member training.

## Division 2 –Powers of the Fire Chief

- 5.1 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:
  - 5.1.1 use, care and protection of Fire Department Property;
  - 5.1.2 conduct and discipline of Officers and Members of the Fire Department;
  - 5.1.3 efficient operations of the Fire Department; and
  - 5.1.4 training of Officers and Members of the Fire Department;such rules, regulations and policies shall not be inconsistent with the legislation and regulations of the Province of Alberta.
- 5.2 The Fire Chief may obtain assistance from other Members as he or she deems necessary in order to discharge his or her duties and responsibilities under this Bylaw.
- 5.3 The Fire Chief shall develop and integrate a training and education program for Members.
- 5.4 The Fire Chief must ensure that accurate and complete training records are maintained for each Member; and that such records and personnel information will be kept in a locked and safe location.
- 5.5 The Fire Chief or his designate shall have control, direction and management of any Fire Department Apparatus, Equipment or manpower, assigned to an Incident and he or she shall continue to act until relieved by an Officer authorized to do so.
- 5.6 The Fire Chief or his designate 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.
- 5.7 The Fire Chief or his designate may request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 5.6.



- 5.8 The Fire Chief or his designate is empowered to enter any Property to take all steps he deems necessary in order to directly or indirectly combat, control or deal with an Incident, including:
- 5.8.1 Passing through or over buildings or Property adjacent to an Incident and to causing 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;
  - 5.8.2 Ordering the evacuation of any building or area which is directly or indirectly involved in an Incident.
  - 5.8.3 Causing a building, structure or thing to be pulled down, demolished or otherwise removed; and
  - 5.8.4 Upon extinguishment of a Fire or resolution of an Incident, access, enter, pass through, or over buildings or property adjacent to a fire or Incident, and cause a building, structure or thing to be pulled down, demolished or otherwise removed in accordance with the **Safety Codes Act**, R.S.A. 2000, Chapter S-1, as amended, and any regulations thereto.
- 5.9 The Fire Chief or his designate is empowered to appoint any able-bodied adult person to assist in extinguishing Fires and to assist in the prevention or spread thereof.

## **PART IV – OFFICERS**

### **Division 1 – Appointment and Duties**

- 6.1 Officers shall be appointed at the discretion of the Fire Chief or designate.
- 6.2 An Officer shall:
  - 6.2.1 Function as a Fire Chief or his designate, as required or upon request by the Fire Chief; and approved by resolution of Council.
  - 6.2.2 Assist the Fire Chief in ensuring that all Fire reports, Incident and accident reports, and any and all other reports required by this Bylaw and the legislation and regulations of the Province of Alberta are completed and submitted in a clear, concise, and timely manner;
  - 6.2.3 Assist the Fire Chief in establishing rules, requirements, policies, and procedures for the efficient and safe operation of the Fire Department;
  - 6.2.4 Assist the Fire Chief in maintaining a liaison with federal and provincial governments and Council on matters relating to the Fire Department;
  - 6.2.5 Organize and assume responsibility for Fire Protection Services resources, Apparatus, and Equipment, as required;



- 6.2.6 Provide leadership to Members and develop and implement long-range plans and programs;

## **PART V - MEMBERS**

### **Division 1 – Appointment and Duties**

- 7.1 An individual interested in becoming a Member of any Fire Department within the Town shall be eligible for consideration if he or she:

- 7.1.1 is a minimum of eighteen (18) years of age; and
- 7.1.2 has met the requirements set out in the Fire Department's Standard Operational Procedures, and any provincial Occupational Health and Safety program or training; and
- 7.1.3 has demonstrated that he or she is in a reasonable physical condition to perform the duties required of the Member by the Fire Department.
  - 7.1.3.1 The Member must be re-examined if the Member experiences changes to his medical condition which could impact ability to perform Fire Protection or negatively impact the Member's health because of performing Fire Protection, subject to the CAO's approval.

- 7.2 An individual interested in applying to become a Member of a Fire Department shall supply the Fire Chief of the Fire Department with the following:

- 7.2.1 a criminal record check report performed by the Royal Canadian Mounted Police Service;
  - 7.2.2 a signed form (attached as Schedule "A") acknowledging their agreement to comply at all times with the requirements of this Bylaw;
  - 7.2.3 a photocopy of a valid Alberta driver's license;
  - 7.2.4 proof of Canadian citizenship or residency;
  - 7.2.5 a Driver's Abstract generated by the Province of Alberta within the past thirty (30) days; and
  - 7.2.6 any other information deemed necessary by the Fire Chief to establish compliance with the requirements established by the Province and the Municipality.
- 7.3 Individuals between the ages of sixteen (16) to eighteen (18) may assist in specific functions with written parental consent to do so, and as approved by the Fire Chief.



- 7.4 If a Member's driver's license is suspended for any reason, the Member shall immediately inform the Fire Chief.
- 7.5 Each member must:
- 7.5.1 Attend sixty (60%) percent of all practises unless the Member has obtained prior approval of the Fire Chief.
  - 7.5.2 Participate in progress respecting Fire Protection.
  - 7.5.3 Be willing to undergo a periodic review by the Fire Chief or his designate respecting the Member's Fire Protection skills and compliance with personal attributes.
  - 7.5.4 Endeavor to develop knowledge and skills for Fire Protection, including operation and maintenance of Apparatus and Equipment.
  - 7.5.5 Endeavor to develop knowledge of rules and regulations of the Fire Department.
  - 7.5.6 Be able to receive and record the Fire alarm and other emergency calls.

## Division 2 – Powers of Members

- 8.1 All Fire Members are designated officers within the meaning of the *Municipal Government Act* R.S.A. 2000 Chapter M-26, as amended, for the purposes of providing Fire Protection Services to the Town.
- 8.2 Each Member shall have the authority and power to:
- 8.2.1 Obtain from every person found on public land or leaving or entering public land that person's name, address and an account of his or her activities and the route of the activities he or she proposes to carry out and the route he or she intends to follow on the public land;
  - 8.2.2 Without a warrant enter on or into any Property, for the purpose of discharging his or her duties under this Bylaw;
  - 8.2.3 Direct the operations of extinguishing or controlling the Fire or the operations to preserve life, Property and the environment;
  - 8.2.4 Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire; and
  - 8.2.5 Prevent the 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 the Fire.



## **PART VI – TERMINATION OF MEMBERS**

- 9.1 Any Member may be terminated by Fire Chief with reason, on thirty days' notice; and in consultation with the CAO,
- 9.2 Any Member who commits a fundamental breach of their agreement may be terminated by the Fire Chief or designate, using their best discretion, immediately.

## **PART VII - BUDGET**

- 10.1 The Fire Chief shall submit a proposed budget to the CAO on or before November 1 for the following fiscal year, or as otherwise required by the Town from time to time.
- 10.2 The budget shall indicate all revenue and expenditures, including capital and operating expenditures. The budget shall also include the formula to be used for the remuneration of Members for their services.
- 10.3 No Member shall pledge the credit of the Town.
- 10.4 All revenues and expenses shall be handled by the Town's accounting department, and in accordance to the budget approved by Council.
- 10.5 All funds raised by or on behalf of the Fire Department for a specific large piece of capital equipment shall be passed over to the Town's accounting department, and shall remain the property of the Town; the Fire Chief may, through a budgeting process and otherwise, make recommendations on the use of the funds.
- 10.6 All property used by the Fire Department remains the property of the Town, unless the Town has entered into an agreement with another municipality or another person otherwise.

## **PART VIII - REMUNERATION**

- 11.1 The Town shall reimburse any Member for medical examinations according to Section 7.1.3.1.
- 11.2 The Town will reimburse any Member for expenses relating to driver's abstracts and criminal records; receipt required.

## **PART IX - HEALTH AND SAFETY**

- 12.1 All Members shall endeavour to perform Fire Protection services in a safe manner, according to this Bylaw and to the training provided, and to know safe working procedures.
- 12.2 All Members shall endeavour to report unsafe conditions and reduce the incidence of unsafe conditions.



- 12.3 All protective clothing issued to the Member remains the property of the Town, unless the Town has an agreement with another municipality.
- 12.4 No alcohol shall be served, stored or consumed by any member at the Fire Hall, except in the case of a special event as approved by Council from time to time; provided that such serving, storage or consumption is in accordance with all provincial liquor licensing.
- 12.5 No Member shall be under the influence of alcohol at the Fire Hall, except as indicated on Section 12.4, or while responding for Fire Protection.
- 12.6 No Member shall be under the influence of illicit or illegal drugs at the Fire Hall or while responding for Fire Protection, under any circumstances.
- 12.7 Members may be required to submitting the results of a drug test in the event of an accident or incident while arriving to an Incident, while at an Incident, or leaving an Incident.

## **PART X – OPERATIONAL GUIDELINES**

- 13.1 An inspection and maintenance schedule shall be done for equipment, apparatus, and protective clothing.
- 13.2 No Member shall use their own motor vehicle unless they obtain the approval of the Fire Chief or his designate. If a Member responds to an incident in their own motor vehicle, the Member shall operate their motor vehicle according to all relevant federal, provincial, and municipal regulations.
- 13.3 Operational guidelines shall be established for the inventory, storage and handling of hazardous substances.
- 13.4 Records for accidents or injuries (reports, response and treatment) shall be kept.
- 13.5 Use of lights and sirens shall be in accordance with the Traffic Safety Act.
- 13.6 The Fire Chief shall work with the Town's Foreman to perform and record the inspection, testing and maintenance of fire hydrants.
- 13.7 All Members shall carry a fire radio at all times when the Member is within the vicinity of the County of Two Hills.

## **PART XI - CONTROL OF FIRE HAZARDS**

- 14.1 If the Fire Chief or Designate finds within the Town's boundaries, on privately owned land or occupied public land, conditions that, in his/her opinion, constitute a Fire Hazard, it may order the owner or the person in control of the Land on which the Fire Hazard exists to reduce or remove the Fire Hazard within a fixed time and in a manner prescribed by the Town.



- 14.2 If the Fire Chief or designate finds that the order it made pursuant to Section 14.1 has not been carried out, a designated Officer may enter onto the land with any equipment and any person he/she considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.
- 14.3 The owner or occupant of the land on which work was performed pursuant to Section 14.2 shall, upon demand, pay to the Town a Fire Protection Charge and in default of payment of the Fire Protection Charge, the Town may add the Fire Protection Charge to the tax roll of the said land, which forms a special lien against the land in favour of the Town, from the date it was added to the tax roll.

## **PART XII - PROHIBITIONS**

- 15.1 Contravene any provision of this Bylaw;
- 15.2 No person shall set, or cause to be set, any Fire within the boundaries of the Town except as otherwise provided for under the Town's Burning Bylaw.
- 15.3 Light an Outdoor Fire or Structure Fire unless:
  - 15.3.1 The Fire is a Recreational Fire; or
  - 15.3.2 The Fire has been set by a Member for the purpose of training Members.
- 15.4 Permit an Outdoor Fire or Structure Fire to be lit upon lands that are owned or occupied by that person, or under that person's control except when such a Fire is allowed under this Bylaw.
- 15.5 When a Fire is set under the circumstances described in Section 15.4 the owner or occupier of the land or the person having control of the land upon which the Fire is lit shall:
  - 15.5.1 Extinguish the Fire immediately; or
  - 15.5.2 If unable to extinguish the Fire immediately, report the Fire to the Fire Department.
- 15.6 Either directly, or indirectly, personally or through an agent, servant or employee kindle a Fire or let it become a Running Fire on any land not his or her own property or allow a Running Fire to pass from his or her own property to that of another.
- 15.7 Light a Fire without first taking sufficient precautions to ensure that the Fire can be kept under control at all times;
- 15.8 Light a Fire when the weather conditions are conducive to creating a Running Fire;
- 15.9 Fail to take reasonable steps to control a Fire for the purpose of preventing it from becoming a Running Fire or from spreading onto Property other than his or her own;



- 15.10 Deposit, discard or leave any burning matter or substance where it might ignite other materials and cause a Fire;
- 15.11 Conduct any activity that involves the use of Fire that might reasonably be expected to cause a Fire unless that person exercises reasonable care to prevent the Fire from occurring;
- 15.12 Knowingly providing false, incomplete or misleading information about a Fire;
- 15.13 Use a Fire to burn anything as indicated in the Town's Burning Bylaw.
- 15.14 Conduct any activity that involves the use of a fire, where smoke from the Fire may impede visibility of the vehicular traffic on any Highway as defined in the **Traffic Safety Act**, R.S.A. 2000 Chapter T-6, as amended from time to time; or
- 15.15 Light a Fire on lands owned or controlled by the Town except with the Town's express written consent or if a Recreational Fire, in a fireplace or campfire pit provided by the Town for that purpose.

#### **PART XIII – FALSE ALARM**

- 16.1 No person or persons shall either directly or indirectly, cause or report a False Alarm.
- 16.2 Where a False Alarm has been given by an alarm or security system, or a security company, the owner or occupant of the premises from where that False Alarm originated shall be deemed to have contravened this section.

#### **PART XIV - FIRE BANS**

- 17.1 The Fire Chief or CAO may, from time to time, prohibit all Fires within the Town including Recreational Fires when, in the discretion of the Fire Chief or CAO, the prevailing environmental conditions give rise to an increased risk of a Fire becoming a Running Fire.
- 17.2 A Fire ban imposed by the Fire Chief or CAO under Section 17.1 shall be in force either until the date established by the Fire Chief or CAO in the notice provided to the public pursuant to Section 17.3, or until such time as the Fire Chief or CAO gives notice to the public that the ban has been lifted.
- 17.3 The Fire Chief or CAO shall give notice of the Fire ban in effect by causing signs to be posted at the entrance roads to the Town facing incoming traffic. Such a sign shall indicate that the Fire ban is in place, the date if any that the ban shall be lifted, and the penalty for failing to comply with the Fire ban.
- 17.4 When a Fire Ban is in effect, **NO PERSON** shall ignite a Recreational Fire, or cause or allow a Recreational Fire to be ignited on his or her Property or Property under his or her control.



A handwritten signature in blue ink, appearing to read "ES" and "GK".

## **PART XV - PROPERTY IDENTIFICATION**

- 18.1 The civic address of any Property, including buildings and structures, shall be prominently displayed on the front street-side of the property so as to be clearly visible from the street. Property owners must comply with this section within six (6) months of the passing of this Bylaw.
- 18.2 Town owned buildings shall have addresses posted on the inside of the public place in a high traffic area.

## **PART XVI - LEVEL OF SERVICE**

- 19.1 Responders will recognize risks and hazards, identify specific components by name or situation, identify fire, explosion, and health hazard information, identify specific risks and hazards, secure the area and implement the planned response, according to what level of training the responders have. In areas where responders are not trained to respond to an Incident, trained assistance will be called in.
- 19.2 Where responders are trained to respond to an Incident, the responders will take defensive action to control the incident. This will include a survey of the incident, collect information, predict the behavior of the situation, estimate potential harm, plan the response and implement, followed by an evaluation of the status of the defensive action. Responder will initiate offensive action to bring the incident under control. This will require use of chemical protective clothing or other specialized PPE, controlling release or spread or product, decontamination, and use of specialized equipment specific to a particular incident.

## **PART XVII - APPEAL**

- 20.1 A person who considers himself or herself aggrieved by a written order given pursuant to this Bylaw may appeal the direction to the Council, under terms prescribed by the ***Municipal Government Act***, R.S.A. 2000, Chapter M-26 as amended.

## **PART XVIII - OBSTRUCTION**

- 21.1 No person shall obstruct the Fire Chief or any other person authorized to inspect Property or to perform any work necessary to remedy a condition, from performing his or her duties under this Bylaw.
- 21.1 No person shall:
  - 21.1.2 Impede, obstruct or hinder a Member, or other person assisting or acting under the direction of a Member;
  - 21.1.3 Damage or destroy Fire Department Property or Equipment;



- 21.1.4 At an Incident, drive a vehicle over any Apparatus or Equipment without permission from the Fire Chief or Fire Chief or his designate;
- 21.1.5 Obstruct a Member from carrying out any function or activity related in any way to Fire Protection;
- 21.1.6 Falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia, or other paraphernalia which may leave the false impression that the person is a Member;
- 21.1.7 Obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated or intended to be used for Fire Protection or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern, or other body of water designated or intended to be used for Fire Protection;

## **PART XIX - FIRE PROTECTION CHARGES, PENALTIES**

### **Division 1 – Fire Protection Charges**

- 22.1 Upon the Town issuing an Order or taking steps under Sections 14 or 15, or upon the Fire Department providing Fire Protection Services to Property within or outside the Town boundaries, resulting in the Town incurring fees or charges, the Town may in its sole and absolute discretion charge any or all of the following persons, namely:
  - 22.1.1 The person causing or contributing to the Fire; or
  - 22.1.2 The owner or occupant of the Property;
 a Fire Protection Charge, and all individuals charged are jointly and severally responsible for payment of the Fire Protection Charge to the Town;
- 22.2 The schedule of fees for Fire Protection Charges is set out in Schedule "B" attached hereto and forming part of this Bylaw.
- 22.3 Without limiting the foregoing, a Fire Protection Charge may be imposed in the event of a False Alarm.
- 22.4 A Fire Protection Charge shall be paid within thirty (30) days of being levied.
- 22.5 Collection of unpaid Fire Protection Charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Town is entitled to place on the Property in respect of which the indebtedness is incurred.
- 22.6 The owner of a parcel to which Fire Protection is provided is liable for Fire Protection Charges incurred, and the Town may add to the tax roll of a parcel of land all unpaid Fire Protection Charges and interest charges accrued one hundred and twenty (120) days after the Fire Protection Charge has been levied.



## Division 2 – Penalties

23.1 Any person who:

- 23.1.1 Violates any provision of this Bylaw;
- 23.1.2 Suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw;
- 23.1.3 Neglects to do or refrains from doing anything required to be done by the provisions of this Bylaw; or
- 23.1.4 Does any act or thing or omits any act or thing, thus violating any provision of this Bylaw;

is guilty of an offence under of this Bylaw, and upon a conviction, is liable to a penalty as set out in Schedule "C" attached hereto and forming a part of this Bylaw.

23.2 No person found guilty of an offence pursuant to this Bylaw shall be liable to imprisonment.

## PART XX - ENFORCEMENT

24.1 Where Property does not comply with this Bylaw or a person contravenes this Bylaw, the Town may pursue its enforcement alternatives in accordance with any Act, or common law right, including but not limited to the issuance of an order to remedy the contravention by the Town, adding amounts to the tax roll, and pursuing injunctions pursuant to the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 as amended.

## PART XXI - NOTICE

25.1 Any Notice provided for in this Bylaw shall be in writing.

25.2 Service of any Notice provided for in this Bylaw may be made as follows:

25.2.1 Personally upon the person to be served; or

25.2.2 By mailing the copy to the person to be served by 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 or her behalf;

25.2.3 Where the Property is not occupied, by mailing the notice by registered mail or certified mail to the mailing address noted on the Town'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 or her behalf; or

25.2.4 As directed by the Court.



## **PART XXII - LIABILITY**

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

## **PART XXIII - GENERAL**

- 27.1 Should any section or part of this Bylaw be found to be improperly enacted, or outside the Municipality's jurisdiction, for any reason, then such section or part will be regarded as being severed and the remaining sections will remain effective and enforceable.
- 27.2 This Bylaw will function in conjunction with the Quality Management Plan, Operational Guidelines, and the Town's Occupational Health and Safety program.
- 27.3 Where the singular and/or masculine are herein used, the plural and feminine should also be inferred where appropriate.
- 27.4 Bylaws 2000-785 and 2000-786 hereby repealed.

READ a first time this 16<sup>th</sup> day of July, 2012.

READ a second time this 16<sup>th</sup> day of July, 2012.

### **TOWN OF TWO HILLS**

*Elaine Sorochan*  
\_\_\_\_\_  
ELAINE SOROCHEAN, MAYOR

*Elsie Howanyk*  
\_\_\_\_\_  
ELSIE HOWANYK, C.A.O.

READ a third time and finally passed this 13<sup>th</sup> day of August, 2012.

### **TOWN OF TWO HILLS**

*Elaine Sorochan*  
\_\_\_\_\_  
ELAINE SOROCHEAN, MAYOR

*Elsie Howanyk*  
\_\_\_\_\_  
ELSIE HOWANYK, C.A.O.



**SCHEDULE "A"**  
**MEMBER AGREEMENT**

**TOWN OF TWO HILLS**

**MEMBER AGREEMENT**

I, \_\_\_\_\_, member of the Two Hills Fire Department, agree that I  
(Print Name)

have received a copy of Bylaw 2012-918 and that I will comply at all times with the  
requirements of Bylaw 2012-918.

Member: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

Witness: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature of Fire Chief)



**SCHEDULE "B"**  
**FEE SCHEDULE:**  
**FIRE PROTECTION CHARGES**

**FIRE PROTECTION CHARGES**

**Town-owned Apparatus/Goods/Service attending  
Incident within Town of Two Hills corporate limits:**

Manpower	\$21.00	Per Manpower Per Hour
All Fire Apparatus	400.00	First Hour
All Fire Apparatus	50.00	Per each subsequent half hr
Fire Fighting Foam		Billed at the Town's cost
Other disposable materials		Billed at the Town's cost
False Alarm	50.00	Per incident at the discretion of the Fire Chief or designate
Fire Inspection	75.00	Per Inspection

**Town-owned Apparatus/Goods/Service attending  
Incident outside Town of Two Hills corporate limits:**

Manpower	\$21.00	Per Manpower Per Hour
Fire Pumper	400.00	First Hour
Fire Pumper	100.00	Per each subsequent half hr
Rescue Truck	400.00	First Hour
Rescue Truck	100.00	Per each subsequent half hr
Rescue Truck - as a personnel carrier only	100.00	Per Hour
County owned equipment	\$ 50.00	Base
Fire Fighting Foam		Billed at the Town's cost
Other disposable materials		Billed at the Town's cost

**Town-owned Apparatus/Goods/Service attending  
Motor Vehicle Accident outside Town of Two Hills corporate limits:**

**On Provincial Highways:**

Manpower	---	Per Manpower Per Hour
All Fire Apparatus	400.00	Per Hour
Fire Fighting Foam		Billed at the Town's cost
Other disposable materials		Billed at the Town's cost

**On County Highways:**

Manpower	\$21.00	Per Manpower Per Hour
County owned equipment	\$ 50.00	Base
Fire Fighting Foam		Billed at the Town's cost
Other disposable materials		Billed at the Town's cost



**SCHEDULE "C"**  
**PENALTIES**

SECTION	OFFENCE	MINIMUM PENALTY
	Setting Illegal Fire	\$200.00
	Burning refuse, waste, junk, garbage, structures, or debris	\$250.00
	Burning Recreational Fire when Fire Ban in place	\$200.00
	Civic addressing not prominently displayed on front side	\$100.00
	Contravening a provision of Bylaw (where no other specific fine imposed)	\$200.00
	Impeding, obstructing, hindering Member or Officer Providing false, incomplete, misleading information;	\$200.00
	Damage, destroy Fire Department Property	\$400.00
	Drive over Fire Department Property	\$200.00
	Falsely represent self as Member of Fire Department	\$300.00
	Obstruct access	\$200.00
	Lighting an Outdoor Fire or Structure Fire in contravention of the Bylaw	\$200.00
	Failing to extinguish an illegal Fire or reporting it immediately to the Fire Department	\$200.00
	Allowing Fire to become Running Fire	\$300.00
	Lighting a Fire without taking sufficient precautions to ensure it can be kept under control at all times	\$150.00
	Lighting a Fire when condition conducive to creating Running Fire	\$200.00
	Depositing, discarding, leaving, or burning matter or substance	\$200.00
	Any conduct involving Fire that might reasonably cause a Fire unless reasonable care to prevent a Fire is used	\$100.00
	Use a Fire to burn material that will produce smoke or toxic materials	\$100.00
	Impeding Vehicular and pedestrian traffic by smoke	\$100.00
	Lighting Fire on Town Land	\$150.00



18  
2018