

VILLAGE OF CLIVE BYLAW #548-21

FIRE PROTECTION BYLAW

A Bylaw of the Village of Clive, in the Province of Alberta, to provide for the establishment and operation of a volunteer fire department and to provide for the protection and preservation of life and property within the municipality.

WHEREAS, Section 7(a) of the *Municipal Government Act*, being Chapter M-26.1 of the Revised Statutes of Alberta, 1994, and amendments thereto, provides that Council of a Municipality may pass Bylaws for the safety, health and welfare of people and property.

NOW THEREFORE the Council of the Village of Clive in the Province of Alberta duly enacts as follows:

This Bylaw may be cited as “***THE VILLAGE OF CLIVE FIRE PROTECTION BYLAW***”.

Section 1. **DEFINITIONS:**

Wherever in this Bylaw the following terms are used, they will have the meanings respectively ascribed to them in this section.

- a) **Advisory Committee** means the Lacombe County Fire Service Advisory Committee, a regional committee comprised of a Councillor, or designate from each of the partnering municipalities of the Lacombe County Fire Services
- b) **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.
- c) **Chief Administrative Officer or CAO** means the person appointed as the Chief Administrative Officer of the Village of Clive pursuant to the Municipal Government Act, or and any person who holds the position of CAO in an acting capacity.
- d) **Council** means the Municipal Council of the Village of Clive.
- e) **County Fire Chief** means the member appointed and employed by Lacombe County to administer the County Fire Service in accordance with policies and bylaw of Lacombe County and to oversee the provision of regional fire support services.
- f) **Dangerous Goods** means a substance (gas, liquid or solid) in transit capable of creating harm to people, property, and the environment as defined by the United Nations Hazard Class Number System.
- g) **Department** means the Clive Volunteer Fire Department established under this Bylaw.
- h) **Director of Emergency Management** means that person appointed by the Village of Clive to act as the Director Emergency Management, or his designate.
- i) **Disaster** means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property.
- j) **District Chief** means the person appointed by Council under the provisions of this Bylaw, or designated delegate.

- k) **Emergency** means 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.
- l) **Equipment** means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.
- m) **False Alarm** means any fire alarm that is set needlessly, through wilful or accidental, human, or mechanical error, and to which the Fire Department responds.
- n) **Fire Ban** means the prohibition on the lighting of fires in the Village of Clive.
- o) **First Responder** means those persons who in the course of their normal duties may be the first on scene of a Dangerous Goods or Hazardous Materials incident and are trained to recognize that a hazard exists, call for trained personnel and secure the area.
- p) **Fire Permit** An application for a fire permit shall be made in writing to the District Chief or his designate.
- q) **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.
- r) **Hazardous Material** means a substance (gas, liquid or solid) not in transit capable of creating harm to people, property, and the environment as defined by the United Nations Hazard Class Number System.
- s) **Illegal Fire** means any fire that is set in contravention of the Bylaw.
- t) **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 Department has responded.
- u) **Inspection Officer** means the County Fire Chief, District Chief, Enforcement Office or any member directed to undertake inspections.
- v) **Lacombe County Fire Services** means the regional fire protection support services provided by Lacombe County to each partnering municipality for administration, volunteer recruitment, occupational health and safety, training, fire protection, fire investigation and public safety/fire prevention education.
- w) **Member** means any person appointed as a Member of the Department under this Bylaw and shall include the District Chief.
- x) **Member in Charge** shall mean the County Fire Chief or in the absence of the County Fire Chief, the District Chief or in the absence of the District Chief, the highest ranking member who first arrives at the site of an incident.
- y) **Municipal Government Act** means the *Municipal Government Act, RSA 2000, M-26*. and any amendments thereto.
- z) **Municipal Ticket** means a form prescribed by the CAO or his designate, allowing payment to the Village of the penalty specified by this bylaw for an offence, which shall be accepted by the Village in lieu of prosecution of the offence.
- aa) **Mutual Aid Agreement** means an agreement between the Village and other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment in the mitigation of an Incident or Emergency.

- bb) **Officer** means a member appointed by the District Chief or their designate to a supervisory position within the Fire Department.
- cc) **Peace Officer** means a Police Officer, a person appointed as a Peace Officer pursuant to the *Peace Officer Act, SA 2006, P-3.5* or a person appointed as a Bylaw Enforcement Officer pursuant to the *Municipal Government Act, RSA 2000, M-26* and amendments thereto.
- dd) **Qualified Personnel** means a person in possession of a Fireworks Supervisor Card issued pursuant to the *Explosives Act (Canada)* and the *National Fire Code – Alberta Edition (NFC-AE)* and their regulations.
- ee) **Recreation Fire** means a fire contained within a non-combustible container which is set for the purpose of cooking, obtaining warmth, or viewing pleasure and may only be fueled with wood, charcoal, coal, natural gas or propane.
- ff) **Safety Codes Officer** means an individual designated as a Safety Codes Officer in accordance with the *Safety Codes Act S.A. 2000, S-1* and amendments thereto.
- gg) **Specified Penalty** shall mean a penalty which may be paid in response to an alleged contravention of any provision of this Bylaw as established in Schedule “B” of this Bylaw.
- hh) **Village** means the Village of Clive, a Municipal Corporation of the Province of Alberta.
- ff) **Violation Ticket** means a ticket issued for an alleged contravention of any provision of this Bylaw and shall be a Part 2 Violation Ticket as prescribed in the *Provincial Offences Procedure Act*.

Section 2. ESTABLISHMENT OF DEPARTMENT:

- 2.1** There is hereby established the Clive Volunteer Fire Department to provide Fire Protection in the Village.
- 2.2** The Department shall respond within the scope that the department’s manpower, equipment and training permits, for the purpose of:
- a). preventing and extinguishing fires in structures and wild land areas;
 - b). preserving life, property and protecting persons and property from injury or destruction by fire or an emergency;
 - c). acting as First Responders preserving life, property and protecting persons from injury or destruction by Dangerous Goods, or Hazardous Materials or Industrial incidents;
 - d). acting as first responders and providing rescue extrication services from ice and water;
 - e). investigating the cause of fire in accordance with the Fire Quality Management Plan approved by the Safety Codes Council;
 - f). assisting in emergency management and disaster planning;
 - g). enforcing the provisions of the *Safety Codes Act* and its regulations.
- 2.2** Council shall establish by policy such organizational structure for the Department as may be appropriate and may establish officer positions, prescribe the duties, expectations and qualifications of such officers and establish the method of their selection and appointment.
- 2.3** Members shall carry out duties and responsibilities assigned to them under the

Bylaw or Policies adopted by the Council or by the County Fire Chief or District Chief.

Section 3 **JURISDICTION:**

- 3.1** The limits of the jurisdiction of the Department, the District Chief and Members shall extend to the area and boundaries of the Village and no apparatus shall be used beyond the limits of the Village without the express authorization of a Mutual Aid Agreement.
- 3.2** Notwithstanding Section 3.1, Council may by resolution enter into agreements with other municipalities for the joint use, control and management of fire extinguishing, apparatus and equipment.

Section 4 **DISTRICT CHIEF:**

- 4.1** There shall be established the position of District Chief which shall, subject to the direction of the County Fire Chief, be responsible for the operation and administration of the Department in accordance with the provisions of this Bylaw and the policies established by the Council.
- 4.2** The District Chief shall be appointed by Council subject to the ratification of such appointment by the County Fire Chief.
- 4.3** The District Chief shall prepare and recommend for consideration or adoption of the Advisory Committee, the County Fire Chief, or Council as the case may be such rules, regulations, policies, standard operating procedures and protocols as may be required for the proper operation and administration of the Department, including but not limited to administrative and technical work in planning, organizing and directing the fire fighting and fire prevention activities, pre-fire planning, preventive patrols and disaster planning assistance.
- 4.5** The District Chief shall make such reports to the Council, the Advisory Committee and the County Fire Chief as may be required by each respectively.
- 4.6** The District Chief shall:
- a). be responsible for the appointment of members to the Department as required;
 - b). have the authority to dismiss any member for cause which might include but not limited to neglect of duties or insubordination.
- 4.7** The District Chief shall be responsible for the use, care and protection of Department property.
- 4.8** The District Chief shall manage and administer the affairs of the Fire Department pursuant to this Bylaw and other applicable policies of the Village.
- 4.10** The District Chief shall keep records of all fires attended, actions taken in extinguishing fires, inspections carried out and actions taken on account of inspections according to the ***Quality Management Plan***; and any other records incidental to the operation of the Department.
- 4.11** The District Chief may obtain assistance from other officials of the municipality as the District Chief may deem necessary in order to discharge the District Chief's duties and responsibilities under this Bylaw.

Section 6 **EMERGENCY MANAGEMENT:**

- 6.1** In the event an Emergency or Disaster is declared, the County Fire Chief, District Chief, or in their absence the highest ranking member present shall be responsible to the Director of Emergency Management for the conduct of emergency operations.

Section 7**POWERS OF MEMBER IN CHARGE AT INCIDENTS:**

- 7.1** The Member in Charge shall have control, direction and management of any Department apparatus or members responding to an incident and where a senior member is in charge, shall continue to act until relieved by an officer authorized to do so.
- 7.2** The Member in Charge shall be responsible to direct and manage the operations necessary as reasonably can be expected for a volunteer fire department for extinguishing a fire or controlling of an emergency incident, or the operations to preserve life and property.
- 7.3** The Member in Charge is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures, or things.
- 7.4** The Member in Charge is empowered to enter premises or property without a permit or written permission where an incident is occurring and to cause any member or apparatus to enter without a permit or written permission, as the Member in Charge deems necessary.
- 7.5** The Member in Charge is empowered to enter, pass through or over buildings or property adjacent to the incident and to cause members and apparatus to enter or pass through or over the building or property without a permit or written permission, where the Member in Charge deems it necessary to gain access to the incident or to protect any persons or property.
- 7.6** The Member in Charge may establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by the Member in Charge. No person shall enter the boundaries or limits of an area unless he has been authorized to enter by the Member in Charge.
- 7.7** The Member in Charge may request Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Clause 7.6.
- 7.8** The Member in Charge may require any able-bodied adult person who is not a member, to assist in:
- a) extinguishing a fire or preventing the spread thereof;
 - b) removing furniture, goods and merchandise from any building or structure on fire or in danger thereof and in guarding and securing same; and
 - c) in demolishing a building or structure at or near the fire or other incident.
- 7.9** The Member in Charge is authorized to secure and to commandeer privately owned equipment which he considers necessary to deal with an incident and authorize payment for the use of said equipment.

Section 8**FIRE HYDRANTS:**

- 8.1** No person other than members or employees of the Village, shall without prior approval from the County Fire Chief or District Chief, affix any tool, hose or other device to any fire hydrant or fire hydrant valve.
- 8.2** No person shall, without prior approval from Council for the Village of Clive or the CAO paint any fire hydrant, or any portion thereof.

Section 9**CONTROL OF FIRE HAZARDS:**

- 9.1** Inspection Officers shall be given access at reasonable hours to both public and private property for the purpose of inspecting the premises to ascertain whether there constitutes or is likely to constitute a fire hazard.

- 9.2** If in the opinion of the Inspection Officer, a structure, excavation or hole is dangerous to public safety, the Inspection Officer shall advise the CAO who may act pursuant to the ***Municipal Government Act***.

Section 10**REQUIREMENT TO REPORT:**

- 10.1** The owner or authorized agent of any property damaged by fire, shall immediately report to the Department particulars about the fire which are satisfactory to the District Chief.
- 10.2** The owner or authorized agent of any property containing dangerous goods shall immediately report to the Department the particulars regarding any accidental or unauthorized release of such dangerous goods.

Section 11**OPEN FIRES:**

- 11.1** Except where provided following, no person shall cause an open fire to be ignited or allow an open fire to continue burning.
- 11.2** An open fire may be permitted, upon receipt of a permit in a form similar to **Schedule “A”** under this Bylaw approved under **Section 12** for:
- a) the burning, under the supervision of the Department, of a structure or grass area on non-agricultural land; or
 - b) the burning of grass and stubble on agricultural land, under the adequate and proper supervision of those farming the land; or
 - c) the burning of one or a combination of wood, coal and straw to thaw frozen ground for excavation related to construction including digging of utility and service trenches.
- 11.3** An open fire required by the Village’s employees in performance of their assigned duties will not require a permit under **Section 12**.
- 11.4** Nothing in this Bylaw shall be deemed to authorize any fire, burning or other Act which is in contravention of the ***Environmental Protection and Enhancement Act, 2000, c E-12*** and amendments thereto, or any regulation made there under, and in the event of any conflict between the provisions of this Bylaw and the said Act or Regulations, the provisions of the said Act or Regulations shall govern.

Section 12**FIRE PERMITS**

- 12.1** An application for a fire permit shall be made in writing to the District Chief or his designate.
- 12.2** Upon receipt of an application for a permit, the District Chief shall consider the permit application, and may, pursuant to the provisions of this Bylaw and the ***Safety Codes Act*** and its Regulations:
- a) refuse to grant a permit,
 - b) issue the permit unconditionally,
 - c) issue the permit with conditions considered appropriate.
- 12.3** Fire permits issued pursuant to this Bylaw, are valid for such period of time as shall be determined by the District Chief, and the fire permit shall have endorsed the period of time for which the permit is valid.
- 12.4** A fire permit issued under this Bylaw, may be repealed at any time by the District Chief.

12.5 A fire permit is free and shall not be transferable.

12.6 A person to whom a fire permit has been issued under Clause **12.1** shall at all times keep a competent person in charge of the fire and shall barricade or otherwise secure the area, to limit the entry of any unauthorized person.

Section 13

FIRE PERMIT APPLICATIONS:

13.1 Each application for a fire permit **must** contain the following information;

- a). the name and address of the applicant and the name and address of the owner of the land on which the applicant proposes to set a fire;
- b). the legal and municipal description of the land on which the applicant proposes to set a fire;
- c). the period of time for which the permit is required;
- d). the precautions that will be taken by the applicant to ensure that the proposed fire remains under his or her control;
- e). the signature of the applicant;
- f). the written consent to the proposed fire by the owner of the land (if different than the applicant).

Section 14

FIRE BANS

14.1 The District Chief is hereby granted the authority to impose Fire Bans from time to time depending on the weather conditions and any other conditions as he deems appropriate.

14.2 A Fire Ban may be imposed with or without conditions.

14.3 A Fire Ban when imposed by the District Chief applies to all property within the corporate limits of the Village.

14.3 Notice of a Fire Ban shall be provided to the public. Notice may be in the form of signs posted throughout the Village of Clive, in locations to be determined by the CAO, through social media or by any other means which the District Chief determines is appropriate for the purpose of informing the public of the Fire Ban.

14.4 When a Fire Ban has been imposed, Fire Permits issued in accordance with this Bylaw are deemed to be cancelled and all existing fires that the Fire Ban applies to are to be extinguished.

14.5 For the duration of a Fire Ban, the Department is authorized to extinguish any fire that the Fire Ban applies to, whether controlled or not, within the area subject to the Fire Ban.

Section 15

FIRE PITS, OUTDOOR FIREPLACES, STATIONARY & PORTABLE BARBECUES

15.1 For the enjoyment of dwelling residents use of fire pits, outdoor fireplaces and stationary barbecues may be permitted.

15.2 Fire pits, outdoor fireplaces and stationary barbecues 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 District Chief;

- b) be constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible components;
- c) be the sole responsibility of the owner or tenant of the property;
- d) 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;
- e) only burn untreated wood, charcoal briquettes, propane or natural gas;
- f) have flames no higher than ninety (90 cm) (3.28 feet) above the fire pit or the barbecue fire box.

Garbage or refuse, leaves, construction or commercial waste shall not be burned in firepits or outdoor fire places.

A spark arrestor mesh screen of 1.30 centimeters (.50 inches) expanded metal (or equivalent) to contain sparks over the fire is recommended for firepits and outdoor fireplaces.

Section 16

FIREWORKS:

- 16.1** Subject to the exceptions set out following, no person shall possess, handle, discharge, fire or set off Consumer Fireworks or Display Fireworks within the corporate limits of the Village.
- 16.2** The District Chief may, upon written application, permit a display supervisor or pyrotechnician to ignite fireworks and conduct firework displays. The District Chief may impose such conditions and restrictions on their use and display as may be appropriate. Such conditions and restrictions might address:
 - a) hours of day or days of the week
 - b) length of display
 - c) height of display and type of fireworks used
 - d) geographic location
 - e) requirements for notification of affected residents
 - f) on-site fire suppression material and resources; and
 - g) safety precautions to mitigate danger or nuisance to any person or property.
- 16.3** All fireworks shall be stored, used and ignited in accordance with provisions of the *Explosives Act (Canada)* and *National Fire Code – Alberta Edition (NFC-AE)* and their regulations and in accordance with those conditions determined solely by the Village.
- 16.4** No person shall be permitted to sell, offer for sale or store for the purpose of sale, Consumer Fireworks or Display fireworks within the Village.

Section 17

ILLEGAL FIRE:

- 17.1** Any Member, Peace Officer or employee of the Village may extinguish an illegal fire using whatever apparatus or procedure that he/she may deem appropriate or necessary to extinguish an illegal fire.
- 17.2** 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 18**RECOVERY OF COSTS:**

- 18.1** Where the Department has taken any action whatsoever for the purpose of extinguishing a fire or 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 on land, the Village shall, in respect of any costs incurred in taking such action, charge any costs so incurred to the person who caused the fire, or to the owner or occupant of the land in respect of which the action was taken.
- 18.2** The costs and fees to be charged by the Village for Fire Protection and Emergency Response Services rendered pursuant to this Bylaw shall be established by resolution of Council from time to time.
- 18.3** In respect of any costs or fees levied or charged under this Bylaw:
- a). the Village may recover such costs or fees as a debt due and owing to the Village; 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.
- 18.4** Fees or costs levied or charged under this Bylaw may be recovered by the Village as an amount due and owing to the Village of Clive, and in the event that the amount due and owing is not paid within sixty (60) days of mailing of the invoice, collection of unpaid amounts may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the Village is entitled to on the parcel of land or property in respect of which the indebtedness has occurred.
- 18.5** The owner of a parcel of land or property within the Village to which Fire Protection and Emergency Response Services are provided is liable for fees and costs so incurred and the Village of Clive may add to the tax roll of a parcel of land or property all unpaid amounts, which forms a special lien against the parcel of land or property in the favour of the Village from the date the amount was added to the tax roll.

Section 19**OFFENCES:**

- 19.1** No person shall damage or destroy Department apparatus or supplies.
- 19.2** No person shall falsely represent themselves as a member or wear or display any Department badge, cap, button, insignia or other paraphernalia for the purpose of such representation.
- 19.3** No person shall:
- a. cause any fire in the Village of Clive contrary to any provisions of this Bylaw; or
 - b. provide false, incomplete, or misleading information to the 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 all 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 over 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 except as provided in this Bylaw or any other Bylaw of the Village; or
- h. allow any fire to give off dense smoke or any offensive odor in a manner which creates nuisances
- 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 unless he has been issued a fire permit; or
- k. light an open fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times; or
- l. light an open fire when weather conditions are conducive to a fire readily becoming out of control; or
- m. fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto land other than their own; or
- n. deposit, discard or leave any burning matter or substance in a place where it might ignite other matter and result in a fire.
- o. fail to extinguish a fire once a Fire Ban has been imposed.
- p. affix any tool or device to a fire hydrant or paint, otherwise tamper without approval from the Village Office.

Section 20

PENALTIES:

- 20.1** A person who contravenes or fails to comply with any conditions in a Permit or with any order or request directed to him pursuant to this Bylaw, is guilty of an offence and liable:
- a). if the offence is in contravention of subsection 19.3 of this Bylaw, to a fine of not less than \$250.00 and not more than \$5000.00;
- 21.1** A Peace Officer is hereby authorized and empowered to issue a **Municipal Ticket**, to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 21.2** A **Municipal Ticket** may be issued to such person:
- a). either personally; or
 - b). by mailing a copy to such person at their last known post office address.
- 21.3** The **Municipal Ticket** shall be in a form approved by the Village and shall state:
- a). the name of the person;
 - b). the offence;
 - c). the Specified Penalty for the offence as specified in the Bylaw;
 - d). that the penalty shall be paid within thirty (30) days of the issuance of the **Municipal Ticket**;

e). any other information as may be required by the Village.

- 21.4** Where a contravention of the Bylaw is of a continuing nature, further Municipal Tickets may be issued by the Peace Officer, provided that no more than one Municipal Ticket shall be issued for each day that the contravention continues.
- 21.5** Where a Municipal Ticket has been issued pursuant to this Bylaw the person to whom it has been issued to may, in lieu of being prosecuted for the offence, pay to the Village the penalty specified within the time period indicated on the Ticket.
- 21.5** If the penalty specified on a **Municipal Ticket** is not paid within the prescribed time period, then a Peace Officer is hereby authorized and empowered to issue a **Violation Ticket** pursuant to Part 2 of the *Provincial Offences Procedures Act*, as amended to the person to whom the Municipal Ticket was issued.
- 21.6** Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a **Violation Ticket** to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

Section 22 **Liability:**

- 22.1** A member charged with the enforcement of this Bylaw, acting in good faith and without malice for the Village in the discharge of the Member's duties, shall not hereby render the Member personally liable and the 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 Member's duties.
- 22.2** Any suit brought against 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 Village until final determination of the proceedings. Any Member will be reimbursed or indemnified against any loss or expense which the Member may incur as a result of any inquiry relating to, or any action brought or judgment obtained arising out of the Member's duties. The Village shall not be required to pay any fines or penalties levied or imposed against any Member by reason of any conviction or charge for any violation of any statutes or Bylaw.

Section 24 **Schedules:**

- 24.1** **Schedule "A"** as attached shall form part of this Bylaw.
- 24.1** **Schedule "B"** as attached shall form part of this Bylaw.

Section 25 **Severability:**

- 25.1** 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 26 **Repealed:**

- 26.1** Bylaw #442-01 and any amendments, is hereby repealed.

Section 27 **Passage of Bylaw:**

- 27.1** This Bylaw shall come into effect upon third and final reading.

Introduced and read a first time this 8th day of March, 2021.

Read a second time this 22th day of March , 2021.

Read a third and final time this 22th day of March, 2021.

Mayor

Chief Administrative Officer

Schedule “A”
The Village of Clive Volunteer Fire Department

FIRE PERMIT

Issued under authority of the Village of Clive Bylaw #548-21

This permit authorizes (landowner only) _____ of

(Postal Address) _____, Clive, AB.

(Street Address) _____, Clive, AB.

Telephone #: _____

to kindle fires on the following lands/property:

Burning shall be done in compliance with the Village of Clive Bylaw #548-21, and the following conditions:

- 1). Sufficient precautions have been taken to ensure that the fire can be kept under control at all times, winds do not exceed 25 kph. and weather conditions allow for burning.
- 2). A responsible person (18 years of age or older) shall be in attendance at all times fire is burning.
- 3). Burning is done only between the hours of: _____.
- 4). Insure that no deposit, discard or leave any burning material or substance has been placed where it might ignite other matter and result in a fire.
- 5). _____.
- 6). _____.

I have read and understand the conditions and regulations governing this Fire Permit and accept full responsibility.

Effective Date: _____

Expiry Date: _____.

Signature:

Dated: _____

(Permit Holder)

Countersigned by:

Dated: _____

(Fire Department Official)

NOTE:

This permit is not valid unless countersigned and may be cancelled at any time.

CONDITIONS:

A fire permit is valid only for the period indicated above. A fire permit may be cancelled or suspended at any time by a Fire Department Official. Upon receipt of cancellation, the Permit Holder shall immediately extinguish any fire set pursuant to this permit. Every person who sets a fire under authority of a permit shall keep the permit at the site of the fire; produce and show the permit to an officer on request; keep the fire under control; and extinguish the fire before expiration of the permit or upon cancellation of the permit.

Schedule “B”
Specified Penalties

Bylaw	Offences	First Offence	Second Offence	Subsequent Offences within The calendar year
19.3 (a)	Contravene any provision of this Bylaw.	\$250.00	\$500.00	\$1,000.00
19.3 (b)	Provide false, incomplete, or misleading information to the Department on or with respect to an incident, fire, or fire relates information.	\$500.00	\$1,000.00	\$2,500.00
19.3 (c)	Interfere with the efforts of any persons authorized to extinguish fires or preserve life of property or on the carrying out of all duties of this Bylaw.	\$1,000.00	\$2,000.00	\$5,000.00
19.3 (d)	At an incident, impede, obstruct, or hinder a member or other persons assisting or acting under the direction of the Member in Charge.	\$1,000.00	\$2000.00	\$5,000.00
19.3 (e)	At an incident, drive a vehicle over any apparatus without the permission of the Member in Charge.	\$250.00	\$500.00	\$1,000.00
19.3 (f)	Impede obstruct or hinder a member from carrying out duties imposed by this Bylaw.	\$1,000.00	\$2,000.00	\$5,000.00
19.3 (g)	Burn or be responsible for the burning of any garbage or refuse except as provided in this Bylaw.	\$250.00	\$500.00	\$1,000.00
19.3 (h)	Allow any fire to give off dense smoke or any offensive odor on a manner which creates a nuisance.	\$250.00	\$500.00	\$1,000.00
19.3 (i)	Allow any fire to burn out of control so as to threaten or cause damage to adjacent property.	\$500.00	\$1,000.00	\$2,500.00
19.3 (j)	Light an open fire or a structure fire unless he has been issued a permit.	\$250.00	\$500.00	\$1,000.00
19.3 (k)	Light an open fire without first taking sufficient precautions to ensure that fire can be kept under control at all times.	\$250.00	\$500.00	\$1,000.00
19.3 (l)	Light an open fire when weather conditions are conducive to a fire readily becoming out of control.	\$250.00	\$500.00	\$1,000.00
19.3 (m)	Fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto land other than their own.	\$1,000.00	\$2,000.00	\$5,000.00
19.3 (n)	Deposit, discard, or leave any burning matter or substance in a place where it might ignite other matter and result in a fire.	\$250.00	\$500.00	\$1,000.00
19.3 (o)	Fail to extinguish a fire once a Fire Ban has been imposed.	\$1,000.00	\$2,000.00	\$5,000.00
19.3 (p)	Affix any tool or device to a fire hydrant or paint, otherwise tamper without approval from the Village Office.	\$500.00	\$1,000.00	\$2,500.00
16.1	No person shall possess, handle, discharge, fire, or set Consumer Fireworks or display Fireworks within the corporate limits of the Village.	\$250.00	\$500.00	\$1,000.00
16.4	No person shall be permitted to sell, offer for sale, or store Consumer Fireworks or display fireworks within the Village.	\$250.00	\$500.00	\$1,000.00