

## TOWN OF SLAVE LAKE

### Bylaw #18-2020 FIRE BAN BYLAW

**BEING A BYLAW OF THE TOWN OF SLAVE LAKE IN THE PROVINCE OF ALBERTA FOR THE PREVENTION OR EXTINGUISHING OR FIRES, FOR THE PRESERVATION OF LIFE AND PROPERTY AND THE PROTECTION OF PERSONS FROM INJURY OR DESTRUCTION BY FIRE.**

**WHEREAS** the provisions of the Municipal Government Act, R.S.A. 2000 Chapter M 26, provides that Council may pass bylaws and that regulate or prohibit the burning of fires for the safety, health and welfare of people and the protection of people and property; and

**WHEREAS** the Council of the Town of Slave Lake pursuant to the powers and responsibilities granted to it pursuant to the Municipal Government Act wishes to provide for the prevention, regulation and control of lighting fires with the Town of Slave Lake and for the preservation of life and property damage or destruction by fire on the terms thereafter provided;

**NOW THEREFORE** the Municipal Council of the Town of Slave Lake in the Province of Alberta duly assembled enacts as follows:

1. This Bylaw may be cited as the Town of Slave Lake **"Fire Ban Bylaw"**.

#### **2. Definitions**

For the purposes of this bylaw, the following have been defined as:

- 2.1 "Bylaw Enforcement Officer" means a person appointed as a Bylaw Enforcement Officer of the Town of Slave Lake.
- 2.2 "Chief Administrative Officer" means the Chief Administrative Officer of the Town, or their designate.
- 2.3 "Council" means the council of the Town of Slave Lake, duly assembled and acting as such.
- 2.4 "Emergency Services" either internal provided or externally contracted, shall mean those fire, rescue, ambulance, peace officers, police or other services tasked with responding to emergencies.
- 2.5 "'Fire Chief" means the Chief of the Lesser Slave Lake Regional Fire Service, or designate
- 2.6 "Fire Season" is the period from March 1 to October 31 in each year is the fire season for the purposes of this Bylaw.
- 2.7 "Fireworks" includes cannon crackers, fireballs, firecrackers, mines, Roman candles, skyrockets, squibs, torpedoes, pyro techniques and any other explosive designated as a firework by the Explosives Act, RSC 1985, c. E-17.

- 2.8 "Incident" shall mean a fire or situation where an explosion is imminent or any other situation where there is a danger or a possible danger to life or property or both and to which the Department has responded.
- 2.9 "Off Highway Vehicle" as defined in the Traffic Safety Act, RSA 2000, c. T-6.
- 2.10 "Peace Officer" means Bylaw Enforcement Officer appointed by the Chief Administrative Officer to do any act or perform any duties under this bylaw and includes a member of the Royal Canadian Mounted Police (RCMP) and when authorized, a Peace Officer under the Peace Officer Act.
- 2.11 "Town" means the municipal corporation of the Town of Slave Lake.
- 2.12 "Violation Tag" means a tag or similar document issued by the Town pursuant to the Municipal Government Act.
- 2.13 "Violation Ticket" means a notice issued under Part two (2) or Part three (3) of the *Provincial Offences Procedure Act* RSA 2000 c. P-34.

### **3. Emergency Services**

- 3.1 Emergency Services shall be responsible for carrying out such duties, obligations and responsibilities as may be assigned to the Service from time to time and without limiting the generality of the foregoing may include:
- a) Preventing and extinguishing fires;
  - b) Investigating the cause of fire;
  - c) Preserving and protecting life, property, the environment and the economy from injury or destruction by fire;
  - d) Preventing wildfires and enforcing the provisions of this bylaw;
  - e) Preventing, combating and controlling incidents;
  - f) Controlling and mitigating incidents involving dangerous goods;
  - g) Extinguishing open fires during a fire ban;
  - h) Enforcing this bylaw to any off highway vehicle that may be operated during a fire ban.

### **4. Authorities**

- 4.1 During Fire Season, the Fire Chief may impose a Ban on fires, use of fireworks or the use of off highway vehicles throughout the Town.
- 4.2 Once a Ban is in effect, the said Ban shall remain in effect until lifted by the Fire Chief.
- 4.3 Council may through existing policy, set fees for responses required by the Emergency Services.
- 4.4 The Fire Chief may when declaring a Fire Ban, restrict the use and enjoyment of only one or a multiple combination of activities at once, including:
- a) fireworks;
  - b) open burning;
  - c) backyard fires;

- d) open flame CSA approved oil devices;
- e) propane or natural gas powered appliances; or
- f) BBQ charcoal briquettes or a combination of uses.

4.5 When the Fire Chief declares a Fire Ban is in place, the Fire Chief may at their discretion, discontinue the ban at any time.

## 5. Fees and Collection

5.1 In addition to penalties imposed herein, Emergency Service response fees that have been set in accordance with policy, may also be applied to responses from Emergency Services that are required during Fire Bans.

5.2 Appeals regarding response fees charged may be considered by Council.

5.3 In accordance with the Municipal Government Act, fire suppression response fees that remain unpaid may be transferred to the appropriate property tax account through Council resolution or collected in a similar manner to other outstanding receivables.

## 6. Offences

6.1 Any person who ignites or allows to burn a fire while a Fire Ban is in effect may be found in violation of this bylaw.

6.2 Any person who operates an off highway vehicle while a Fire Ban is in effect may be found in violation of this bylaw.

6.3 Any person setting off, igniting or triggering fireworks while the Fire Ban is in effect may be found in violation of this bylaw.

6.4 Any person who has ignited a fire while and does not properly supervise the fire, may be found in violation of this bylaw.

6.5 Any person obstructing a Peace Officer or Fire Official in the course of investigating a breach of this bylaw may be found in violation of this bylaw.

6.6 Any person who contravenes a provision of this bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "A".

6.7 Any single contravention of this bylaw shall be considered as a single offence and shall not limit additional penalties of this bylaw from being enforced for additional offences.

6.8 Nothing in this bylaw shall be construed as curtailing or abridging the right of the Town to obtain compensation or to maintain action for loss of or damage to property from or against the person or persons responsible.

**7. Violation Ticket**

7.1 A Peace Officer, member of the RCMP, Bylaw Enforcement Officer or Fish and Wildlife Officer are hereby authorized and empowered to issue a Violation Ticket pursuant to the provision of the Provincial Offences Procedures Act.

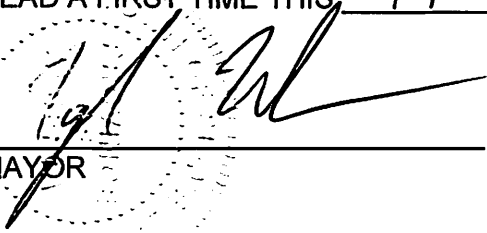
7.2 A Peace Officer, member of the RCMP, Bylaw Enforcement Officer or Fish and Wildlife Officer may automatically issue a Mandatory Court Appearance in the interest of public for any breaches of this bylaw.


**8. Severability**

8.1 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 severable from the rest of the bylaw and this bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted as part of this bylaw.

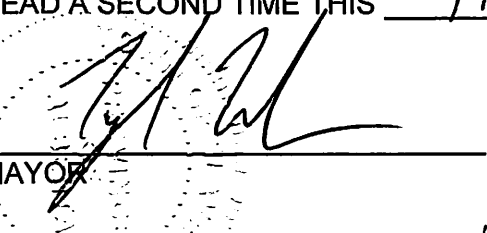
This Bylaw shall come into full force and effect on the date of third reading.

READ A FIRST TIME THIS 19<sup>th</sup> DAY OF MAY, 2020.

  
MAYOR


  
CHIEF ADMINISTRATIVE OFFICER

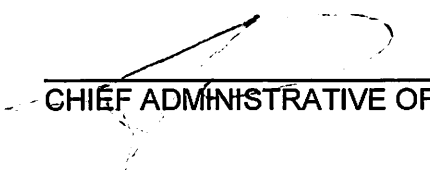
READ A SECOND TIME THIS 19<sup>th</sup> DAY OF MAY, 2020.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME THIS 19<sup>th</sup> DAY OF MAY, 2020.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE "A"**

**BY-LAW NO. 18-2020  
TOWN OF SLAVE LAKE  
SCHEDULE OF FINES**

<b>Section</b>	<b>First Offence</b>	<b>Second Offence</b>	<b>Third Offence</b>
Section 6.1	500.00	2,500.00	5,000.00
Section 6.2	500.00	2,5000.00	5,000.00
Section 6.3.	500.00	2,5000.00	5,000.00
Section 6.4.	500.00	2,5000.00	5,000.00
Section 6.5.	500.00	2,5000.00	5,000.00