

VILLAGE OF STIRLING
BYLAW #422-08 – FIRE BYLAW

A BYLAW OF THE VILLAGE OF STIRLING, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FOR THE ESTABLISHMENT AND OPERATION OF FIRE PROTECTION SERVICES.

(Amended by Bylaw No. 459-15)

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 Village of Stirling has entered into a Disaster Services Mutual Aid Agreement with the Village of Coutts, the Village of Warner, the Town of Milk River, the Town of Raymond and the County of Warner pursuant to the *Emergency Management Act, R.S.A. 2000 c. E-6.8* as amended;

AND WHEREAS the Council for the Village of Stirling wishes to regulate the use and setting of fires within the Village;

AND WHEREAS the Council for the Village of Stirling wishes to establish and provide for the efficient operation of Fire Protection Services;

NOW THEREFORE, the Council of The Village of Stirling, in the Province of Alberta, duly assembled, enacts as follows:

SECTION 1 SHORT TITLE:

This Bylaw may be cited as the “Fire Bylaw”.

SECTION 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 “Council” - means the Village of Stirling Council.
- 2.4 “Enforcement Officer” - means a Community Peace Officer, Bylaw Enforcement Officer, or other individual appointed by the Village with respect to the enforcement of bylaws of the Village of Stirling and authorized to issue Violation Tickets pursuant to Part 2 of the **Provincial Offences Procedure Act R.S.A. 2000, c. P-34.**
- 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 Department” - means any fire department established by Council pursuant to this Bylaw or any fire department referred to in the Disaster Services Mutual Aid Agreement and includes any person duly appointed to the Fire Department by the Fire Chief from time to time.
- 2.10 “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.
- 2.11 “Fire Hazard” - means any condition, circumstance, or event that increases the possibility and/or probability of Fire occurrence.
- 2.12 “Fire Protection Agreement” - means an agreement entered into by the Village with another municipality or entity, with a view to ensuring the prevention and control of fires, with respect to land within the Village’s boundaries or under the Village’s control and/or another municipality’s boundaries or control and includes the Disaster Services Mutual Aid Agreement entered into by the Village of Stirling with the Village of Coutts, Village of Warner, Town of Milk River, Town of Raymond and the County of Warner Town for the purposes of providing emergency services in the event of an Emergency or Incident.
- 2.13 “Fire Protection Charge” – means the charges and fees payable pursuant to Section 11 of this Bylaw
- 2.14 “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.
- 2.15 “Fireworks” – means any article defined as a firework or firecracker pursuant to the Canada **Explosives Act** as amended repealed or replaced from time to time or regulations thereto, as well as the Alberta **Fire Code**, as amended repealed or replaced from time to time.
- 2.16 “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.
- 2.17 “Incident Commander” - 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.
- 2.18 “Member” - means any person who is a duly appointed member of the Fire Department, including a part-time member, volunteer, or Officer.
- 2.19 “Officer” - means a Member appointed as the Fire Chief or Designate to a supervisory position within the Fire Department.
- 2.20 “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.
- 2.21 “Property” - means any real or personal property, which, without limiting the generality of the foregoing, includes land, equipment, products, vehicles and structures.

- 2.22 "Running Fire" – means a Fire burning without being under proper or any control of any person.
- 2.23 "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.
- 2.24 "Village" – means the Village of Stirling and the area within its boundaries.

SECTION 3 FIRE DEPARTMENT

- 3.1 Council hereby establishes the Village of Stirling 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 Investigating the cause and origin of Fires and Incidents;
 - 3.1.4 Preserving life and Property and protecting persons and Property from injury or destruction by Fire or Incident;
 - 3.1.5 Operating Apparatus and Equipment for the purpose of extinguishing Fires or Incidents and preserving life and Property;
 - 3.1.6 Fulfilling obligations under approved Fire Protection Agreements;
 - 3.1.7 Providing public education about Fire safety;
 - 3.1.8 Carrying out Fire inspections and prevention patrols;
 - 3.1.9 Pre-Fire and emergency planning and Practice
 - 3.1.10 Providing initial first response to medical incidents; and
 - 3.1.11 Providing rescue services.

And each shall be performed by the Village of Stirling Fire Department to the level of service adopted by Council in the Stirling Fire Department Operating Procedures, which shall not be inconsistent with the legislation and regulation of the Province of Alberta.

- 3.2 The Fire Department shall develop Standard Operating Procedures that are consistent with this Bylaw and the legislation and regulations of the Province of Alberta, for approval by Council and which are set out in Schedule "A" attached hereto and forming part of this Bylaw.

SECTION 4 FIRE CHIEF APPOINTMENT AND DUTIES

- 4.1 The Fire Chief shall be selected by Council in accordance with the Fire Chief Selection Policy, which are set out in Schedule "B" attached hereto and forming part of this Bylaw.
- 4.2 The Fire Chief shall be responsible to the CAO 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 repealed or replaced 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 the CAO, 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 activities as the CAO 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;
- 4.4.6 Disaster relief; and
- 4.4.7 Practice and Member training.

SECTION 5 OFFICER APPOINTMENT AND DUTIES

- 5.1 Officers shall be appointed at the discretion of the Fire Chief or Designate.
- 5.2 An Officer shall:
 - 5.2.1 Function as an Incident Commander, as required or upon request by the Fire Chief;
 - 5.2.2 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;
 - 5.2.3 Assist the Fire Chief in establishing rules, requirements, policies, and procedures for the efficient and safe operation of the Fire Department;
 - 5.2.4 Assist the Fire Chief in maintaining a liaison with federal and provincial governments and Council on matters relating to the Fire Department;
 - 5.2.5 Organize and assume responsibility for Fire Protection Services resources, Apparatus, and Equipment, as required;
 - 5.2.6 Provide leadership to Members and develop and implement long-range plans and programs;

SECTION 6 MEMBER APPOINTMENT

- 6.1 An individual interested in becoming a Member of any Fire Department within the Village shall be eligible for consideration if he or she:
 - 6.1.1 has met the requirements set out in the Fire Department's Standard Operational Guidelines, and any provincial Occupational Health and Safety program or training;
 - 6.1.2 has been recommended by the Fire Chief of the Fire Department, or by an Officer of that Fire Department, and has received the approval of the majority of the Fire Department's Members following a probationary period; and
 - 6.1.3 has demonstrated that he or she is in a reasonable physical condition to perform the duties required of the Member by the Fire Department.
- 6.2 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:
 - 6.2.1 a criminal record check report performed by the Royal Canadian Mounted Police Service;
 - 6.2.2 a signed form (attached as Schedule "C") acknowledging his or her agreement to comply at all times with the requirements of this Bylaw;
 - 6.2.3 a photocopy of a valid Alberta driver's license;
 - 6.2.4 a valid Social Insurance Number;

- 6.2.5 proof of Canadian citizenship or residency;
 - 6.2.6 a Driver's Abstract generated by the Province of Alberta within the past thirty (30) days; and
 - 6.2.7 any other information deemed necessary by the Fire Chief to establish compliance with the requirements established by the Province and the Municipality.
- 6.3 Individuals under the age of eighteen (18) may assist in specific non-emergency functions with written parental consent to do so, and as approved by the Fire Chief.
- 6.4 If a Member's driver's license is suspended for any reason, the Member shall immediately inform the Fire Chief of the Fire Department.

SECTION 7 POWERS OF FIRE CHIEF

- 7.1 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:
- 7.1.1 use, care and protection of Fire Department Property;
 - 7.1.2 conduct and discipline of Officers and Members of the Fire Department;
 - 7.1.3 efficient operations of the Fire Department;
 - 7.1.4 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.
- 7.2 The Fire Chief may obtain assistance from other Village officials as he or she deems necessary in order to discharge his or her duties and responsibilities under this Bylaw.

SECTION 8 POWERS OF INCIDENT COMMANDERS

- 8.1 The Incident Commander 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.
- 8.2 The Incident Commander may at his or 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 or her.
- 8.3 The Incident Commander may request Enforcement Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 8.2.
- 8.4 The Incident Commander is empowered to enter to take all steps he or she deems necessary in order to directly or indirectly combat, control or deal with an Incident, including:
- 8.4.1 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;
 - 8.4.2 Ordering the evacuation of any building or area which is directly or indirectly involved in an Incident.
 - 8.4.3 Causing a building, structure or thing to be pulled down, demolished or otherwise removed; and

- 8.4.4 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.

SECTION 9 POWERS OF MEMBERS

- 9.1 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 Village.
- 9.2 Each Member shall have the authority and power to:
 - 9.2.1 Require any able-bodied adult person to assist in extinguishing Fires and to assist in the prevention or spread thereof;
 - 9.2.2 Commandeer and authorize payment for the possession or use of any equipment for the purposes of fighting a Fire;
 - 9.2.3 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;
 - 9.2.4 Without a warrant, enter on or into any Property except a private dwelling house, for the purpose of discharging his or her duties under this Bylaw;
 - 9.2.5 Without warrant, enter any private dwelling house which is on Fire and proceed to extinguish the Fire or to prevent the spread thereof;
 - 9.2.6 Direct the operations of extinguishing or controlling the Fire or the operations to preserve life and Property;
 - 9.2.7 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
 - 9.2.8 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.

SECTION 10 CONTROLS OF FIRE HAZARDS

- 10.1 If Council finds within the Village's boundaries, on privately owned land or occupied public land, conditions that, in its 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 Village.
- 10.2 If Council finds that the order it made pursuant to Section 10.1 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.
- 10.3 The owner or occupant of the land on which work was performed pursuant to Section 10.2 shall, upon demand, pay to the Village a Fire Protection Charge and in default of payment of the Fire Protection Charge, the Village may add the Fire Protection Charge to the tax roll of the said land, which forms a special lien against the land in favor of the Village, from the date it was added to the tax roll.

SECTION 11 FIRE PROTECTION CHARGES

- 11.1 Upon the Village issuing an Order or taking steps under Sections 10.1 or 10.2, or upon the Fire Department providing Fire Protection Services to Property within or outside the Village boundaries, resulting in the Village incurring fees or charges, the Village may in its sole and absolute discretion charge any or all of the following persons, namely:
- 11.1.1 The person causing or contributing to the Fire; or
 - 11.1.2 The owner or occupant of the Property which is the subject of the Order, steps or Fire Protection Services;
- a Fire Protection Charge, and all individuals charged are jointly and severally responsible for payment of the Fire Protection Charge to the Village;
- 11.2 The schedule of fees for Fire Protection Charges are set out in Schedule "D" attached hereto and forming part of this Bylaw.
- 11.3 Without limiting the foregoing, a Fire Protection Charge may be imposed in the event of a False Alarm.
- 11.4 The Members are hereby authorized to act as an agent of the Village in the collection of the Fire Protection Charge.
- 11.5 The Fire Department, after reasonable efforts to collect the Fire Protection Charge, may request assistance from the Village to collect the Fire Protection Charge.
- 11.6 A Fire Protection Charge shall be paid within thirty (30) days of being levied.
- 11.7 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 Village is entitled to place on the Property in respect of which the indebtedness is incurred.
- 11.8 The owner of a parcel to which Fire Protection is provided is liable for Fire Protection Charges incurred, and the Village 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.

SECTION 12 PERMITTED AND PROHIBITED FIRES

- 12.1 No person shall set, or cause to be set, any Fire within the boundaries of the Village except as otherwise provided for under this Bylaw.
- 12.1.1 Definitions:
 - 12.1.1.1 "Fire Pit" includes a permanently affixed outdoor fire receptacle or a portable fire receptacle;
 - 12.1.1.2 "Fire Place" means an enclosed and permanently affixed outdoor fire receptacle which incorporates a permanently affixed chimney or flue, and is constricted of brick, rock or other masonry;
 - 12.1.1.3 "Portable Fire Receptacle" means an outdoor fire receptacle which not permanently affixed;
 - 12.1.1.4 "Person" includes a corporation; other legal entities and an individual have charge or control of a property.

- 12.1.2 All fires must be supervised.
 - 12.1.2.1 Every person who builds, ignites, or allows a fire on a property must ensure that the fire is not left unsupervised at any time.
- 12.1.3 No person shall ignite or allow a fire to burn on a property between one o'clock a.m. (1:00 a.m.) and eight o'clock a.m. (8:00 a.m.)
- 12.1.4 A person may build, ignite or allow a fire on a property in a Fire Place, as long as that person complies with Section 12 of this Bylaw.
- 12.1.5 A person may build, ignite, or allow a fire on a property in a Fire Pit as long as that person ensures that the fire is contained in a Fire Pit that:
 - 12.1.5.1 Is constructed of non-combustible material;
 - 12.1.5.2 Has an open flame area that does not exceed 1 metre at its widest point;
 - 12.1.5.3 Does not have walls which exceed 0.75 metres in height measured from the floor of the Fire Pit to the top of the wall of the Fire Pit excluding any chimney;
 - 12.1.5.4 Is set upon or built into the bare ground or a non-combustible material such as brick or stone;
 - 12.1.5.5 Is situated at least 3 metres from any house, garage, or similar structure including wooden decks, porches and similar amenity space attached to a structure measured from the part of the Fire Pit which is closest to the structure or amenity space;
 - 12.1.5.6 Is situated at least 3 metres from any other combustible material measured from the part of the Fire Pit which is closest to the combustible material; and
 - 12.1.5.7 Is not located directly under any tree or overhanging branches.
- 12.1.6 Every person who builds, ignites, or allows a fire in a Fire Pit must ensure that:
 - 12.1.6.1 A means of extinguishing the fire is kept on hand at all times while the fire is burning;
 - 12.1.6.2 The flames from the fire do not exceed 1 metre in height at any time;
 - 12.1.6.3 The fire is not left unsupervised at any time; and
 - 12.1.6.4 The fire is extinguished completely, leaving only cold ashes, prior to leaving the fire.
- 12.2 No person shall burn, or cause to be burned, any refuse, waste, junk, garbage, structures, debris or other noxious substance within the boundaries of the Village.
- 12.3 Except without the express, written authorization from the Fire Chief or his designate, no person shall use Fireworks or permit the use of Fireworks on his or her property or property under his or her control, within the boundaries of the Village.

12.4 When a Fire is set in contravention of Sections 12.1, 12.2 or 12.3, or during a Fire ban pursuant to Section 13, the owner or occupier of the land, or the person having control of the land upon which the Fire is lit shall:

12.5.1 Extinguish the Fire immediately; or

12.5.2 If unable to extinguish the Fire immediately, report the Fire to the Fire Department as soon as possible.

SECTION 13 FIRE BANS:

13.1 The Fire Chief or CAO may, from time to time, prohibit all Fires within the Village 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.

13.2 A Fire ban imposed by the Fire Chief or CAO under Section 13.1 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 13.3, or until such time as the Fire Chief or CAO gives notice to the public that the ban has been lifted.

13.3 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 Village, facing both incoming and outgoing 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.

13.4 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.

13.5 Any approvals for Fireworks, that were previously issued, will be **SUSPENDED** for the duration of the Fire ban.

SECTION 14 PROPERTY IDENTIFICATION:

14.1 The civic address of any Property, including buildings and structures, shall be prominently displayed on the front of the Property, including buildings and structures, so as to be clearly visible from the street and rear laneway.

SECTION 15 REVIEW REQUEST

15.1 A person who receives a written Order issued pursuant to this Bylaw may request a review of the Order by Council, under terms prescribed by Section 547 of the ***Municipal Government Act***, R.S.A. 2000, Chapter M-26, as amended, by issuing the review request to Council within 14 days after receiving the Order.

SECTION 16 INTERFERENCE WITH DUTIES

16.1 No person shall obstruct the Fire Chief, a Member 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.

SECTION 17 OFFENCES:

17.1 No person shall:

17.1.1 Contravene any provision of this Bylaw;

- 17.1.2 Impede, obstruct or hinder a Member, or other person assisting or acting under the direction of a Member;
- 17.1.3 Damage or destroy Fire Department Property or Equipment;
- 17.1.4 At an Incident, drive a vehicle over any Apparatus or Equipment without permission from the Fire Chief or Incident Commander;
- 17.1.5 Obstruct a Member from carrying out any function or activity related in any way to Fire Protection;
- 17.1.6 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;
- 17.1.7 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;
- 17.1.8 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.
- 17.1.9 When a Fire is set under the circumstances described in Section 17.1.8 the owner or occupier of the land or the person having control of the land upon which the Fire is lit does not extinguish the Fire immediately or if unable to extinguish the Fire immediately, report the Fire to the Fire Department.
- 17.1.10 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.
- 17.1.11 Light a Fire without first taking sufficient precautions to ensure that the Fire can be kept under control at all times;
- 17.1.12 Light a Fire when the weather conditions are conducive to creating a Running Fire;
- 17.1.13 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;
- 17.1.14 Deposit, discard or leave any burning matter or substance where it might ignite other materials and cause a Fire;
- 17.1.15 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;
- 17.1.16 Use a Fire to burn:
 - 17.1.16.1 Material that will result in the production of dense black smoke, including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, or other materials or creosoted wood; or
 - 17.1.16.2 Herbicides, pesticides or other toxic materials or substances;
- 17.1.17 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; or

17.1.18 Light a Fire on lands owned or controlled by the Village except with the Village's express written consent or if a Recreational Fire, in a fireplace or campfire pit provided by the Village for that purpose.

SECTION 18 PENALTIES

18.1 Any person who:

18.1.1 Violates any provision of this Bylaw;

18.1.2 Suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw;

18.1.3 Neglects to do or refrains from doing anything required to be done by the provisions of this Bylaw; or

18.1.4 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 fine as set out in Schedule "E" attached hereto and forming a part of this Bylaw.

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

SECTION 19 VIOLATION TAGS AND TICKETS:

19.1 Where an Enforcement Officer has reasonable grounds to believe that a provision of this Bylaw has been contravened, that Enforcement Officer is authorized and empowered to issue a Violation Tag to any person who the Enforcement Officer has reasonable grounds to believe is responsible for the contravention.

19.2 A Violation Tag issued pursuant to this Bylaw shall be in a form approved by the CAO and may be delivered to the Person reasonably believed to have contravened this Bylaw by means of actual service upon the person or by mailing a copy to the Person at his or her address as it appears on the Village's tax roll.

19.3 Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Village, the penalty specified on the Violation Tag within seven (7) business days if delivered by actual service to the person and within fourteen (14) business days if served by mail.

19.4 Where a Violation Tag has been issued and the specified penalty not paid within the prescribed time, the right of the Person named on the Violation Tag to pay the penalty in lieu of prosecution shall expire and the Enforcement Officer is authorized to issue a Violation Ticket pursuant to Part 2 of the ***Provincial Offences Procedure Act***, R.S.A. 2000, c. P-34, as amended, or repealed and replaced from time to time, to any person the Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

19.5 Notwithstanding Section 19.4, an Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person whom the Enforcement Officer has reasonable grounds to believe has contravened or is responsible for a contravention of any provision of this Bylaw regardless of whether a Violation Tag has first been issued. Nothing in the Bylaw shall prevent an Enforcement Officer from immediately issuing a Violation Ticket.

19.6 The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount provided for in Schedule "E" of this Bylaw in respect of that provision.

- 19.7 Where any Person contravenes the same provision of this Bylaw twice within one twelve (12) month period, the specified penalty payable in respect of the second such contravention shall be double the amount provided for in Schedule "E" of this Bylaw.
- 19.8 Where any Person contravenes the same provision of this Bylaw three or more times within one twelve (12) month period, the specified penalty payable in respect of the third and subsequent such contravention shall be triple the amount provided for in Schedule "E" of this Bylaw.

SECTION 20 ENFORCEMENT

- 20.1 Where Property does not comply with this Bylaw or a person contravenes this Bylaw, the Village 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 Village, adding amounts to the tax roll, and pursuing injunctions pursuant to the ***Municipal Government Act***, R.S.A. 2000, Chapter M-26 as amended.

SECTION 21 NOTICE

- 21.1 Any Notice provided for in this Bylaw shall be in writing.
- 21.2 Service of any Notice provided for in this Bylaw may be made as follows
- 21.2.1 Personally upon the person to be served; or
- 21.2.2 By mailing the copy to the person to be served by double 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;
- 21.2.3 Where the Property is not occupied, by mailing the notice by double registered mail or certified mail to the mailing address noted on the Village'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
- 21.2.4 As directed by the Court

SECTION 22 LIABILITY

- 22.1 The CAO, designated officers, Enforcement Officers, the Fire Chief and Members are not liable for loss or damage caused by anything said or done or omitted 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.

SECTION 23 GENERAL

- 23.1 Should any section or part of this Bylaw be found to be improperly enacted, or outside the Village'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.
- 23.2 This Bylaw will function in conjunction with the Quality Management Plan, Standard Operating Procedures, and the Village's Occupational Health and Safety program.

- 23.3 Where the singular and/or masculine are herein used, the plural and feminine should also be inferred where appropriate.
- 23.4 Bylaw No. 284 is hereby repealed.
- 23.5 Read a first time this 19th day of November, 2008.
- 23.6 Read a second time this 3rd day of December, 2008.
- 23.7 Read a third time this 4th day of March, 2009.

CHIEF ELECTED OFFICIAL
Mayor Larry Nilsson

CHIEF ADMINISTRATIVE OFFICER
J. Scott Barton

FIRE DEPARTMENT STANDARD OPERATIONAL GUIDELINES

**STIRLING EMERGENCY SERVICES
TOWN FIRE CALL STANDARD OPERATING GUIDELINES**

First pump operator and firefighter proceed to fire in County Engine if available, otherwise respond in Town Engine. Once on scene operator charge 1 ½ line and firefighter don SCBA. Begin to attack flames and wait for second firefighter before starting interior attack if structure fire. If necessary call in extra resources as required.

Second crew respond in Town Engine and set up a water supply from closest hydrant with hy-vol line. Pump operator set up 1 ½ line and firefighter don SCBA.

Rescue unit respond with firefighters, once on scene 2 firefighters don SCBA and join other members in SCBA to make up 2 attack teams. Other members prepare to relieve attack teams.

If safe attack fire from interior, if structure fire, to stop fire spread. Otherwise set up, monitor and continue to fight from exterior.

Medical crew respond in ambulance once on scene account for all occupants and treat injured as required.

FIRE CHIEF SELECTION POLICY

FIRE MEMBER AGREEMENT

I _____ as a Member of the Village of Stirling Fire Department agree, in my capacity as a Member and in my personal capacity, to comply at all times with the provisions of the Village of Stirling's Fire Bylaw, as may be amended from time to time.

Amended August 17, 2016

**FEE SCHEDULE:
FIRE PROTECTION CHARGES**

FIRE PROTECTION CHARGES	
Village-owned Apparatus/Goods/Service	Fees
Within Village of Stirling corporate limits:	
Fire Pumper	\$ 615.00 Per Hour
Rescue Vehicle	\$ 615.00 Per Hour
Bush Buggy/Bush Fire Vehicle	\$ 615.00 Per Hour
First Response Vehicle	\$ 615.00 Per Hour
Tender	\$ 615.00 Per Hour
Command Unit	\$ 180.00 Per Hour
Mutual Aid by other municipalities	Billed at the Village's cost
Fire Fighting Foam	Billed at the Village's cost
False Alarm	First Free then billed at hourly rate
Outside Village of Stirling corporate limits:	
Fire Pumper	\$ 615.00 Per Hour
Rescue Vehicle	\$ 615.00 Per Hour
Bush Buggy/Bush Fire Vehicle	\$ 615.00 Per Hour
First Response Vehicle	\$ 615.00 Per Hour
Tender	\$ 615.00 Per Hour
Command Unit	\$ 180.00 Per Hour
Class A Fire Fighting Foam	Billed at the Village's cost
All calls are a minimum one hour charge	

Amended October 19, 2016

PENALTIES

SECTION	OFFENCE	MINIMUM PENALTY for First Offence
12.1	Setting Illegal Fire	\$500.00
12.2	Burning refuse, waste, junk, garbage, structures, or debris	\$300.00.
12.3	Using Fireworks, or permitting use of Fireworks	\$500.00
13.4	Burning Recreational Fire when Fire Ban in place	\$550.00
17.1.1	Contravening a provision of Bylaw (where no other specific fine imposed)	\$250.00
17.1.2	Impeding, obstructing, hindering Member or Officer	\$500.00
17.1.3	Damage, destroy Fire Department Property	\$1000.00
17.1.6	Falsely represent self as Member of Fire Department	\$600.00
17.1.7	Obstruct access	\$300.00
17.1.8	Lighting an Outdoor Fire or Structure Fire in contravention of the Bylaw	\$500.00
17.1.10	Allowing Fire to become Running Fire	\$1500.00
17.1.12	Lighting a Fire when condition conducive to creating Running Fire	\$1500.00
17.1.11	Lighting a Fire without taking sufficient precautions to ensure it can be kept under control at all times	\$1000.00
17.1.9	Failing to extinguish an illegal Fire or reporting it immediately to the Fire Department	\$600.00
17.1.14	Depositing, discarding, leaving, or burning matter or substance	\$250.00
17.1.15	Any conduct involving Fire that might reasonably cause a Fire unless reasonable care to prevent a Fire is used	\$600.00
17.1.16	Use a Fire to burn material that will produce smoke or toxic materials	\$300.00
17.1.17	Impeding Vehicular and pedestrian traffic by smoke	\$250.00
17.1.18	Lighting Fire on Village Land	\$500.00