

**TOWN OF PENHOLD
BYLAW NO. 830/2024**

FIRE SERVICES BYLAW

A bylaw of the Town of Penhold, 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 the Municipal Government Act RSA, 2000, c. M-26, s. 7(a) 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;

WHEREAS the Municipal Council of the Town of Penhold wishes to establish a fire service within the Town of Penhold and;

WHEREAS, the Municipal Council of the Town of Penhold wishes to provide mutual aid fire services with other municipalities;

NOW THEREFORE the Council of the Town of Penhold in the Province of Alberta duly assembled enacts as follows:

SECTION 1 NAME OF BYLAW

- 1.1 This Bylaw may be cited as "The Town of Penhold Fire Services Bylaw"

SECTION 2 DEFINITIONS

- 2.1 In this bylaw:
- a. "Apparatus" shall mean any vehicle provided with machinery, devices, equipment or materials for fighting fires, as well as vehicles used to transport firefighters or supplies.
 - b. "Chief Administrative Officer" shall mean any person appointed as Chief Administrative Officer of the Town pursuant to the Municipal Government Act, RSA 2000, c. M-26, and Town of Penhold CAO bylaw, or any person that holds the position in an acting role for the Town.
 - c. "Town" shall mean the Town of Penhold.
 - d. "Council" shall mean the Municipal Council of the Town of Penhold
 - e. "Dangerous Goods" shall mean a product, substance, or organism

included by its nature or by the regulations in any of the classes listed in the Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4.

- f. "Emergency" shall mean 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.
- g. "Enforcement Officer" shall mean a Peace Officer, or a person appointed by Chief Administrative Officer to enforce the provisions of this Bylaw.
- h. "Equipment" shall mean any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.
- i. "False Alarm" shall mean any fire alarm that is set needlessly, through willful or accidental, human or mechanical error, and to which the Fire Department responds and determines there is no incident or emergency.
- j. "Fire Chief" shall mean the person appointed as manager under the provisions of this Bylaw, or designated delegate and who performs the duties and responsibilities as assigned by this Bylaw.
- k. "Fire Department" shall mean the Penhold Fire Department established under this Bylaw.
- l. "First Responder" shall mean those persons who in the course of their normal duties may be the first on the scene of an incident and are trained to recognize that a hazard exists, call for trained personnel and secure the area.
- m. "Fire Protection" shall mean all aspects of fire safety including, but not limited to, fire prevention, firefighting or suppression, rescue, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.
- n. "Fireworks" shall mean the fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subdivisions 1 and 2 as outlined in Section 14 of the Explosive Regulations (Canada), C.R.C., c. 599
- o. "Illegal Fire" shall mean any fire that is set in contravention of this Bylaw.

- p. "Incident" shall mean a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.
- q. "Inspection Officer" shall mean the Fire Chief, Designated Safety Codes Officer, Enforcement Officer or any Member directed to undertake inspections.
- r. "Member" shall mean any person appointed as a volunteer firefighter of the Fire Department under this Bylaw.
- s. "Member in Charge" shall mean the Member in command of the Incident.
- t. "Municipal Government Act" Shall mean the Municipal Government Act, RSA 2000, c. M-26 and any amendments thereto.
- u. "Municipal Ticket" means a form, marked as Schedule "C" and attached hereto and forming part of this bylaw, allowing for voluntary payment to the Town for a fine amount established by this bylaw.
- v. "Mutual Aid Agreement" shall mean an agreement between the Town and other municipalities or persons for the joint use, control and management of fire extinguishing apparatus and equipment.
- w. "Officer" shall mean a Member appointed by the Fire Chief or Designate to a supervisory position within the Fire Department.
- x. "Open Fires" shall mean any Fire which is not contained within a fire pit, an outdoor fireplace, a stationary barbeque, or an incinerator approved by Alberta Environment, and includes, but is not limited to:
 - i. Fire for the burning of weeds, grass, leaves, brush or any other plant matter.
 - ii. Fire related to recreational uses in an area that has not been designated for recreational fire by the Town; and
 - iii. any Fire set for the purpose of thawing frozen ground.
- y. "Open Fire Permit" shall mean the permit described in Schedule "D" that has been certified and issued by the Fire Chief.
- z. "Property" shall mean any real or personal property, including but not limited, to land and structures.

- aa. "Qualified Personnel" shall mean a person in possession of a Fireworks Supervisor Card issued pursuant to the Explosives Act (Canada), R.S.C., 1985, c. E-17 and the Fire Code Regulation (Alberta) A/R 118/2007.
- bb. "Safety Codes Act" shall mean the Safety Codes Act, RSA 2000, c. S-1 and any amendments thereto
- cc. "Safety Codes Officer" shall mean an individual designated as a Safety Codes Officer in accordance with the Safety Codes Act, RSA 2000, c. S-1.
- dd. "Security Alarm" shall mean an alarm system intended to detect an unauthorized entry to a premise or to alert people to the commission of an unlawful act or both.
- ee. "Violation Ticket" means a violation ticket as defined in the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34.

SECTION 3 ESTABLISHMENT OF FIRE DEPARTMENT

- 3.1 Council hereby establishes Penhold Fire Department for the purpose of:
 - a. preventing and extinguishing fires.
 - b. investigating the cause of fires.
 - c. preserving life and property and protecting persons and property from injury or destruction by fire or an emergency.
 - d. acting as first responders preserving life and property and protecting persons from injury or destruction by Dangerous Goods, or Industrial incidents.
 - e. providing rescue services.
 - f. preventing, combating and controlling incidents and emergencies.
 - g. carrying out fire inspections and prevention patrols; and
 - h. entering into agreements with other municipalities or persons for the joint use, control and management of fire extinguishing.
- 3.2 The Fire Department shall respond within the authorized scope and at

the level of service as established by the Chief Administrative Officer and the Fire Department's manpower, equipment and training permits.

SECTION 4 JURISDICTION

- 4.1 The limits of the jurisdiction of the Fire Department, the Fire Chief and Members shall extend to the area and boundaries of the Town and those service areas within Red Deer County as established by Red Deer County Council or by agreement.
- 4.2 No apparatus or equipment shall be used beyond the limits of the Town without the express authorization provided within a Mutual Aid Agreement or fire services agreement.

SECTION 5 FIRE CHIEF

- 5.1 The Fire Chief shall be appointed by and be responsible to the Chief Administrative Officer or designate.
- 5.2 The Fire Chief may appoint Officers as he or she deems required for the operation of the fire department. Officers shall be supervised by the Fire Chief or designate.
- 5.3 The Fire Chief may appoint additional Members to the Fire Department as he or she deems required for the proper and efficient operation of the Fire Department. These Members shall be supervised by the Fire Chief or designate and other Officers in accordance the Fire Departments command structure.
- 5.4 The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Chief Administrative Officer or designate, and may carry out all Fire Protection activities and such other activities as directed in the approved annual budget including but not limited to:
 - a. rescue.
 - b. emergency medical services, excluding ambulance services.
 - c. pre-fire planning including inspections and building familiarization.
 - d. disaster services.

- e. preventative patrols; and public awareness patrols; and
- f. fire inspections.

5.5 Subject to the ratification by the Chief Administrative Officer, 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:

- a. use, care and protection of Fire Department Property.
- b. training, conduct and discipline of Members and Officers; and
- c. efficient operations of the Fire Department.

These regulations, rules, and policies shall be consistent with Town policies.

5.6 The Fire Chief or designate, or in his absence, Member in Charge, shall have control, direction and management of any Fire Department apparatus, equipment or human resources assigned to an incident, where a Member is in charge, he or she shall continue to act until relived by a Member authorized to do so.

5.7 The Fire Chief or the Member in Charge, who is at the site of an incident or other emergency, may at his or her discretion:

- a. order persons in a building to vacate the building and not re-enter the building unless authorized by the Fire Chief or the Member in Charge.
- b. establish a perimeter around the site and prevent persons from entering the perimeter.
- c. request enforcement officers' assistance to prevent persons from entering a building or establish a perimeter.
- d. cause a building, structure or any other property to be pulled down, demolished or otherwise removed so as to prevent the spread of fire or hazard to other buildings, structures or property; and

- e. cause any Member, fire apparatus, or equipment to enter on any Property, including adjacent Property to combat, control or deal with the Incident.

SECTION 6 POWERS OF MEMBERS

- 6.1 Each person duly appointed by the Fire Chief is a Member of the Fire Department by virtue of his or her appointment.
- 6.2 Every Member shall have the authority and power to:
 - a. extinguish or control any Fire.
 - b. perform the operations necessary to preserve life and property.
 - c. enter onto any Property for the purpose described in clauses (a) or (b); and
 - d. regulate the conduct of the public in and around the vicinity of any place where a member is performing the activities described in clauses (a) or (b);
- 6.3 The Fire Chief, the Member in Charge, or a Member directed by the Fire Chief or the Member in Charge shall have the authority to:
 - a. compel any able bodied, adult persons who are not Members to assist in extinguishing fires and to assist in the prevention and spread thereof.
 - b. authorize payment for the possession or use of any equipment for the purposes of fighting a fire.
 - c. enter into a closed area without a permit or written permission for purposes of controlling or mitigating a Fire or Incident.
 - d. obtain from any person found leaving, entering, or situated on public lands:
 - i. That person's name, address and an account of activities.
 - ii. The activities the persons propose to carry out; and
 - iii. The route the person intends to travel on public land.
 - e. without a warrant, enter onto any land or premises, except a private dwelling house, for the purpose of discharging duties

under this Bylaw.

- f. without a warrant, enter any private dwelling house which is on fire and proceed to extinguish the Fire or to prevent the spread thereof.
- g. without a warrant, enter any private dwelling to rescue an individual whose life is in imminent danger.
- h. direct the operations necessary to extinguish or control the Fire, or to preserve life and Property; and
- i. regulate the conduct of the public in and around the vicinity of any place where a member is performing the activities necessary to extinguish or control the fire or to preserve life or Property.

6.4 A Member is authorized to:

- a. carry on or in a vehicle, other than an emergency vehicle, a lamp that produces intermittent flashes of green light and may operate the lamp if the vehicle is proceeding to a fire or other emergency.
 - i. no other person other than a Member shall operate a lamp that produces intermittent flashes of green light; and
 - ii. nothing in this section shall be construed to permit a Member to operate a vehicle in contravention of the Highway Traffic Act and amendments thereto, the regulations, or any municipal bylaw.

SECTION 7 FIRE HYDRANTS

- 7.1 No person, other than Members or employees of the Town, shall, without prior approval from the Fire Chief, affix any tool, hose or other device to any fire hydrant or fire hydrant valve.
- 7.2 No person shall, without prior approval from the Fire Chief, paint any fire hydrant, or any portion thereof.

SECTION 8 CONTROL OF FIRE HAZARDS

- 8.1 In accordance with the Safety Codes Act, accredited Safety Codes Officers shall be given access at reasonable hours to both public and private property for the purpose of investigating an unsafe condition, accident or fire to determine its cause and make recommendations related to safety.
- 8.2 If, in the opinion of an Inspection Officer there exists a fire hazard on land within the Town, whether private or public, the Inspection Officer may order the owner or person in control of the said land to reduce or remove the hazard within the time and in the manner prescribed by the Inspection Officer.
- 8.3 In the event of non-compliance with an order made pursuant to section 8.2, the Inspection Officer may enter onto the land with any equipment and human resources necessary to eliminate or reduce the fire hazard.
- 8.4 The owner or person in control of the land on which work was performed pursuant to section 8.3 shall, upon receipt of written demand by the Town, reimburse the Town for the cost of the work performed.
- 8.5 If payment is not received within 30 days of the issuance of the demand pursuant to section 8.4, the Town shall add the cost of the work performed to the tax roll of the said land and cause a corresponding lien to be registered against the land at the Land Titles Office.

SECTION 9 REQUIREMENTS TO REPORT

- 9.1 The owner or authorized agent of any property damaged by fire shall immediately report to the Fire Department particulars about the fire which is satisfactory to the Fire Chief and failure to do so is an offence.
- 9.2 The owner or authorized agent of any property containing dangerous goods shall immediately report to the Fire Department the particulars regarding any accidental or unauthorized release of such dangerous goods and failure to do so is an offence.
- 9.3 Any person who has spilled or released any Dangerous Good shall immediately report particulars of such spill or release to the Fire Department and failure to do so is an offence.

SECTION 10 OPEN FIRES

- 10.1 No person shall cause an open fire to be ignited or allow an open fire to continue burning within the Town without a certified Open Fire Permit as described in Schedule "D" from the Fire Chief. Open Fire Permits may be obtained from the municipal office.
- 10.2 Any person who fails to comply with any of the provisions of subsection 10.1 herein is guilty of an offence.
- 10.3 Subsection 10.1 shall not apply to fires set by the Fire Department for training purposes or as a backfire.
- 10.4 Any Member, Peace Officer or Employee of the Town may extinguish an illegal fire using whatever apparatus or procedure that the Member may deem appropriate or necessary to extinguish an illegal fire.
- 10.5 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 11 RESPONDING TO FALSE ALARMS

- 11.1 The Town may charge a fee for the Fire Department responding to a False Alarm, as set out in Schedule "A" of this Bylaw, where the Fire Department responds to:
 - a. more than one False Alarm at the same building within the same calendar year.
 - b. more than one False Alarm from the same alarm system within the same calendar year; or
 - c. more than one False Alarm from the same parcel of land within the same calendar year where there is more than one building on that parcel of land.
- 11.2 Where the Fire Department responds to any alarm that is the result of a Security Alarm being routed to the Fire Department, the Town may charge a fee for the Fire Department responding as set out in Schedule "A" of this Bylaw.
- 11.3 Where the Fire Department responds to an alarm as set out in subsection 11.2 and the Business Owner, Property Owner, or Property

Manager does not provide access to the interior of the building within 15 minutes of the arrival of the Fire Department, the Town may charge, in addition to the False Alarm fee set out in Schedule "A", a standby fee as set out in Schedule "A", until access is provided to the interior of the building.

- 11.4 If a Business Owner, Property Owner or Property Manager has installed a lock- box in an accessible location at the building and if that lockbox contains current keys or codes to provide access to the building, a person or key holder does not have to be present to satisfy the access requirements as set out in subsection 11.3.
- 11.5 If the Fire Department is dispatched to respond to an alarm but is notified that the alarm is a False Alarm before a vehicle leaves a fire station, and if, consequently, only one vehicle responds to the False Alarm to re-set that alarm system, the fee set out in Schedule "A" for that response shall be reduced by 50%. The 50% fine reduction shall apply to fire alarms and not to a Security Alarm routed to the Fire Department.
- 11.6 The fees provided for in this section may be charged to a Property Owner, Business Owner, Property Manager, Alarm Company or person responsible for the False Alarm.

SECTION 12 CONTRACTS & AGREEMENTS

- 12.1 The Town may, by Council approval:
 - a. enter into a written contract providing the supply of Fire Protection services outside the municipal boundaries of the Town with another municipality.
 - b) enter into mutual aid agreements with other surrounding municipalities within a 50 km radius of the Town: or
 - c) upon request, supply Fire Protection services outside the municipal boundaries of the Town.

SECTION 13 FIRE PITS, OUTDOOR FIREPLACES, STATIONARY & PORTABLE BARBECUES

- 13.1 For the enjoyment of dwelling residents use of fire pits, outdoor fireplaces and stationary barbeques may be permitted.
- 13.2 The use of fire pits, outdoor fireplaces and stationary barbeques

may be restricted or prohibited during a fire ban.

- 13.3 Fire pits, outdoor fireplaces and stationary barbecues that burn combustible material shall:
- a. be 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 Fire Chief.
 - b. be constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible components.
 - c. have a spark arrestor mesh screen of 1.30 centimeters (.50 inches) expanded metal (or equivalent) to always contain sparks over the fire.
 - d. be the sole responsibility of the owner or tenant of the property.
 - e. be always supervised 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.
 - f. only burn wood, charcoal briquettes, propane or natural gas; and
 - g. have flames no higher than ninety (90) cm (3.28 feet) above the fire pit or the barbeque fire box.
- 13.4 Except during a fire ban, fires are permitted in portable barbecues which burn propane, natural gas, compressed briquettes, or charcoal when used for the purpose of cooking or obtaining warmth, provided the appliances for cooking or obtaining warmth are used on private property or in public areas, as approved by the Town, or the Fire Chief or designate.
- 13.5 Except during a fire ban, fires are permitted within Town owned outdoor fireplaces located within public areas.
- 13.6 Any person who fails to comply with any of the provisions of section 13 herein is guilty of an offence.

SECTION 14 FIREWORKS

- 14.1 Subject to the exceptions set out following, no person shall discharge any fireworks within the corporate limits of the Town.

- 14.2 The Fire Chief may, upon written application, permit qualified personnel to ignite fireworks and conduct fireworks displays. The Fire Chief may impose, at the sole discretion of the Fire Chief, such conditions and restrictions on their use and display as may be appropriate. Such conditions and restrictions might address:
- a. hours of the day days of the week.
 - b. length of display.
 - c. height of display and type of fireworks used.
 - d. geographic location requirements for notification of affected residents; and
 - e. safety.
- 14.3 All fireworks shall be stored, used and ignited in accordance with provisions of the Explosives Act (Canada) R.S.C., 1985, c. E-17 and Alberta Fire Code RSA, 2000, Chapter S-1 and their regulations and in accordance with those conditions determined solely by the Town.
- 14.4 No person shall be permitted to sell fireworks within the Town.
- 14.5 Any person who fails to comply with any of the provisions of subsection 14.1 or 14.4 herein is guilty of an offence.

SECTION 15 FIRE BANS

- 15.1 The Fire Chief may impose a complete or partial fire ban within the Town at his/her discretion. When a fire ban is imposed, the Town shall post the fire ban information on the Town's website and provincial fire ban website detailing the conditions of the fire ban.
- 15.2 No person shall start or allow a fire on private or public property within the Town at any time while a complete fire ban is in place.
- 15.3 The Fire Chief or designate, a member, or an Enforcement Officer may direct a person to extinguish any fire when a fire ban is in place.
- 15.4 A person who fails to comply with an order issued pursuant to subsection 15.3 is guilty of an offence and the Member, Fire Chief, or Enforcement Officer may extinguish the fire.

SECTION 16 RECOVERY OF COSTS

- 16.1 Where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire, 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 Fire Chief:
- a. in respect of any cost incurred in taking such action, may charge any cost 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; or
 - b. in respect of any action taken on railway rights of way, may charge any cost so incurred to the company or its agent; or
 - c. in respect of any action taken to mitigate or control a hazardous materials or dangerous goods incident, may charge any cost so incurred to the company or its agent.
- 16.2 Notwithstanding subsection 16.1, the owner or occupant of land shall not be charged for costs incurred due a False Alarm unless such owner or occupant is responsible for such False Alarm.
- 16.3 The costs and fees to be charged by the Fire Department for services rendered pursuant to this Bylaw are as set out in Schedule "A".
- 16.4 In respect of any costs or fees levied or charged under this Bylaw:
- a. the Town may recover such costs or fees as a debt due and owing to the Town; 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.

SECTION 17 OFFENCES

- 17.1 No person shall damage or destroy Fire Department apparatus, equipment, or supplies.
- 17.2 No person shall falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia, or other paraphernalia for the purpose of such representation.
- 17.3 No person shall:
- a. cause any open or illegal fire in the Town of Penhold

contrary to any provisions of this Bylaw; or

- b. provide false, incomplete, or misleading information to the Fire 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 other 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 or 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; or
- h. allow any fire to give off dense smoke or any offensive odor in a manner which creates nuisance to neighboring persons and property; or
- i. allow any fire to burn out of control to threaten or cause damage to adjacent property; or
- j. light an open fire without permit or ignite a structure fire; or
- k. fail to take reasonable steps to control a fire for the purpose of preventing it from spreading onto land other than his own; or
- l. deposit, discard, or leave any burning matter or substance in a place where it might ignite other matter and result in a fire.

SECTION 18 PENALTIES

- 18.1 A person who fails to comply with or breaches any provision of this Bylaw is guilty of an offence.
- 18.2 If a Municipal Ticket is issued in respect of an offence, the Municipal Ticket will specify the fine amount listed in Schedule "B" annexed hereto.

- 18.3 A person who is issued a Municipal Ticket in respect of an offence may pay the fine amount established by this bylaw for the offence at the Penhold Town office located at 1 Waskasoo Avenue, Penhold, Alberta T0M 1R0 and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 18.4 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- a. specify the fine amount established by this bylaw for the offence; or
 - b. require a person to appear in court without the alternative of making a voluntary payment; and a person who enters a guilty plea or is found guilty of an offence is liable to a fine in an amount not less than that specified in this bylaw and not exceeding \$10,000.00 and liable to imprisonment for not more than 6 months for non-payment of the fine. Nothing in this Bylaw shall prevent an Enforcement Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

SECTION 19 LIABILITY

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

SECTION 20 SCHEDULES

- 20.1 Schedule A as attached shall form part of this Bylaw.
- 20.2 Schedule B as attached shall form part of this Bylaw.
- 20.3 Schedule C as attached shall form part of this Bylaw.

SECTION 21 SEVERABILITY

- 21.1 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 22 REPEALED

- 22.1 Town of Penhold Bylaw 764.2019 and any amendments are hereby repealed.

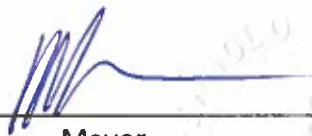
EFFECTIVE DATE:

This Bylaw shall come into force and effect following the third and final reading.

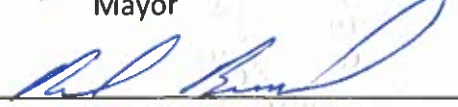
READ the first time this 9th day of September 2024

READ a second time this 15th day of October 2024

READ a third time and final time this 15th day of October 2024



Mayor



Chief Administrative Officer

**TOWN OF PENHOLD
BYLAW 830/2024**

SCHEDULE "A"

Penhold Fire Department Fees & Charges

1. Response Fees including personnel costs:
 - a. Aerial Unit \$700.00 per unit per hour or portion thereof
 - b. Engine/Pumper Unit \$700.00 per unit per hour or portion thereof
 - c. Rescue Unit \$700.00 per unit per hour or portion thereof
 - d. Command Unit \$200.00 per unit per hour or portion thereof
 - e. Rapid Response Unit \$200.00 per unit per hour or portion thereof
 - f. Standby Fee \$100 per 15 minutes per unit.
2. Response fees may be assessed on the following types of response:
 - a. responses to railway rights of way.
 - b. dangerous goods incidents; or
 - c. a fire which results in an arson conviction under the Criminal Code of Canada.
3. Response fees may be charged for an 'open fire' which is intentionally set, and becomes out of control, or some other emergency results.
4. Replacement costs of equipment and/or materials used, lost, or damaged will be assessed at Town of Penhold cost plus 10%.
5. Response fees for false alarms will be assessed in the following manner:
 - a. first response within a calendar year - Verbal warning; and
 - b. second response within a calendar year – Written warning; and
 - c. each subsequent response within a calendar year - \$200 per response
6. Other Fees:
 - a. File Search (investigations and inspections) \$35 per search
 - b. Occupancy Load Certificates (licensed premises) \$75 per certificate
 - c. Fire Investigation Services \$75 per hour
 - d. Fire Inspection
 - i. Group A, B1, B2 Free
 - Re-Inspection for outstanding violations \$75
 - ii. Group E (Storage tanks and dangerous goods) \$150 per hour
 - Re-Inspection \$175 per hour
 - Travel Time \$75 per hour
 - Plans and Technical Review \$175 per hour
 - Mileage \$0.75 per Km



**TOWN OF PENHOLD
BYLAW 830/2024**

SCHEDULE "B"

Schedule of Fines

Offence	Section, Subsection or Clause	Fine
Failure to Report a Fire	9.1	\$150
Failure to Report a Dangerous Good Spill or Release	9.2 or 9.3	\$150
Have an Open Fire	10.2	
1 st Offence within 1 year		\$150
2 nd Offence within 1 year		\$250
Subsequent Offence within 1 year		\$500
Failure to have a permitted fire pit/fire place or Barbecue	13.6	\$150
Sell or Discharge Fireworks	14.5	
1 st Offence within 1 year		\$250
2 nd Offence within 1 year		\$500
Subsequent Offence within 1 year		\$1000
Failure to Comply during a Fire Ban	15.4	
1 st Offence within 1 year		\$150
2 nd Offence within 1 year		\$250
Subsequent Offence within 1 year		\$500
Damage/Destroy Fire Department Property	17.1	\$1000
Impersonating a Member	17.2	\$1000
Cause any open or illegal fire	17.3(a), 17.3(j), or	\$250
Provide False Information	17.3(b)	\$250
Interfere with efforts to extinguish a fire or carry out a rescue	17.3(c), 17(d), or 17(e)	\$500
Interfere with a Member in carrying out duties under bylaw	17.3(f)	\$500
Burning of Garbage or Waste	17.3(g)	\$250
Allow a fire to create smoke, odour or spark	17.3 (h)	\$150
Failure to Control a fire	17.3(i), or 17.3(k)	\$500
Deposit, discard, or leave burning material/substance	17.3(l)	\$150

**TOWN OF PENHOLD
BYLAW 830/2024**

SCHEDULE "C"

Municipal Ticket

 Box 10 #1 Waskasoo Avenue Penhold, Alberta T0M 1R0 (403) 886-4567 Email: cpo@townofpenhold.ca			
TICKET ISSUED FOR BREACH OF SECTION		A 730973	
TRAFFIC BYLAW	BYLAW		
OFFENCE			
DATE (year) (month) (day)			
Time		AM	PM
		Meter No	
Location or Offence			
Vehicle License No		Province	
NAME			
DATE OF BIRTH	(year)	(month)	(day)
SEX			
ADDRESS			
CITY		POSTAL CODE	
CASH REGISTER FIGURES CONSTITUTE A RECEIPT FROM THE TOWN OF PENHOLD		Reg No.	
SPECIFIED PENALTY			
\$			
RETURN THIS PORTION WITH YOUR PAYMENT KEEP THIS PORTION FOR YOUR RECORDS			
YOU MAY AVOID PROSECUTION FOR THIS OFFENCE BY PAYING THE SPECIFIED PENALTY WITHIN 35 DAYS OF THE OFFENCE DATE. FAILURE TO COMPLY WILL RESULT IN PROSECUTION IN THE PROVINCIAL COURT OF ALBERTA. PENALTY MAY BE REMITTED BY: 1. MAIL, 2. IN PERSON AT THE TOWN OFFICE (MAKE CHEQUE PAYABLE TO "TOWN OF PENHOLD")			
		A 730973	

FURTHER INFORMATION REGARDING THIS
OFFENCE MAY BE OBTAINED FROM THE
TOWN OF PENHOLD PATROL DEPT.
#1 WASKASOO AVENUE (403) 886-4567

FINE PENALTY EXPLANATION

Specified Penalty is the legislated penalty amount for the
offence described.

ADMINISTRATIVE REVIEW

A request for an administrative review may be made.

SUBMIT YOUR REQUEST IN WRITING NO LATER

THAN 10 CALENDAR DAYS FROM THE OFFENCE DATE.

SUBMIT TO:

Town of Penhold
P.O. Box 10
#1 Waskasoo Avenue
Penhold, Alberta
T0M 1R0
Or in person at the
Penhold Town Office

Handwritten signature

**TOWN OF PENHOLD
BYLAW 830/2024**

SCHEDULE "D"

Open Fire Permit



Burn Permit: XXXX

This Burn Permit is for "resident" of "address" within the Town of Penhold.

- Only Class A organic materials are permitted to burn (clean wood, paper, hay, straw).
- The responsibility for conducting a safe burn is yours.
- The fire must be supervised at all times.
- Must have suitable method of extinguishment and containment located on site.

The person in charge of the fire shall ensure that:

- Fire or smoke does not create a hazard or nuisance to persons or to other properties.
- The fire is completely extinguished before such supervision ends.

The authority may revoke the permit if the permit holder breaches the Town of Penhold Fire Service Bylaw, or when, in its opinion, the continuation of burning would constitute a hazard or nuisance to persons or other property.

The costs to the Town to extinguish the fire will be incurred to the permit holder if required.

You are prohibited from burning the following debris:

- Animal cadavers
- Animal manure
- Chemicals and chemical containers
- Combustible materials in automobiles
- Non-wooden material
- Paints and painting material
- Pathological waste
- Rubber, plastic, or anything containing or coated with rubber or plastic or similar substances.
- Tires
- Toxic substances
- Used oil
- Wood or wood products containing substances for the purpose of preserving wood.

This permit expires XXX, or when the burn is complete, or anytime the Fire Chief rescinds permits at their discretion.

Fire Chief

A handwritten signature in blue ink, appearing to be "M", is located in the bottom right corner of the page.