

Bylaw # 02.12
A Bylaw of the Village of Bittern Lake
In the Province of Alberta
Fire Bylaw

WHEREAS the Council of the Village of Bittern Lake, Alberta, may pass by-laws 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, under the Municipal Government Act, R.S.A 2000c.M-26.

WHEREAS, the Council, while reviewing the manner that Fire Bans are implemented, has determined that a more defined procedure be put into place.

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF BITTERN LAKE, ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This By-law may be cited as the **Fire By-law**.

2. **In this By-law:**
 - a.) "Council" means the Council of the Village of Bittern Lake.
 - b.) "Village" means the Village of Bittern Lake.
 - c.) "Occupant" means any person who is found on any property, whether or not he is the owner or tenant of the property and whether or not he resides on the property or having the right to occupy or exercise control over the land.
 - d.) "Camrose County" means the County of Camrose and will be determined as one of the same.
 - e.) "Mayor" means the Mayor of the Village of Bittern Lake.
 - f.) "DEM" means the Director of Emergency Management for the Village of Bittern Lake.
 - g.) "Small open fires" means any outdoor campfire for cooking or warming purposes, burning barrels or receptacles, or wood or briquette fires.

- 3.) **Fire Prevention**
 - a.) The Village of Bittern Lake is located within the Camrose County, if the Camrose County has declared a "Fire Ban", the Village will also declare a "Fire Ban", unless one Village of Bittern Lake Council member and the Bittern Lake DEM determine that a "Fire Ban" is not required for the Village.

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- b.) Council may by resolution, issue a fire ban to restrict the lighting of fires within the Village of Bittern Lake, including but not limited to open burning and small open fires.
 - c.) In an emergency situation, the Mayor may issue a fire ban, subject to ratification by Council at the next immediate meeting of Bittern Lake Village Council.
 - d.) Notice of Fire Ban will be posted in the Village of Bittern Lake office.
4. **Offences**
- a.) Any person who ignites, fuels, supervises, or permits an outdoor or small open fire within the Village during a fire restriction is guilty of an offence unless:
 - i) The fire is totally confined within a non-combustible structure or container which has a shaft and smoke vents covered with a heavy gauge metal screen having a mesh size no larger than 13 mm and which is ventilated in such a manner as to preclude the escape of combustible materials, or
 - ii) The fire has been authorized by the Camrose County.
5. **Penalties**
- a.) Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine as specified in Schedule A. If there is no fine specified for the offence, the person is liable to a fine of not less than three hundred dollars (\$300.00) and not more than five thousand (\$5000.00) and in default of payment to imprisonment for a term not exceeding six (6) months.
 - b.) Charges to be levied to the owner or occupant of any land within the village with regard to each fire call that is answered by a Fire Department are specified in Schedule A.
 - c.) In respect of the cost or fee described in Section 5) a.) and b.):
 - i) The Village may recover such cost or fee as a debt due and owing to the Village of Bittern Lake, or
 - ii) In the case of action taken by the Village in respect of land within the village, where the cost or fee is not paid upon demand by the Village, then in default of payment, such cost or fee may be charged against the land as taxes due and owing in respect of that land.

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6. **Entry on Lands and Premises**

a.) A Bylaw Enforcement Officer may without a warrant enter on any land and premises, except a private dwelling house, for the purpose of discharging his duties under this Bylaw.

7. **Severability Provision**

a.) Should any provision of this bylaw be invalid then such invalid provision shall be severed and the remaining bylaw shall be maintained and deemed valid.

8. **Miscellaneous**

a.) Schedule A attached hereto forms part of this bylaw.

This Bylaw comes into force on the day it is finally passed.

Read a first time this ____ day of _____, A.D., 20 12 .

MAYOR –Ken Feth

CHIEF ADMINISTRATIVE OFFICER –Theresa Fuller

Read a second time this ____ day of _____, A.D., 20 12 .

MAYOR –Ken Feth

CHIEF ADMINISTRATIVE OFFICER –Theresa Fuller

Read a third time and finally passed this ____ day of _____, A.D., 20 ____.

Village OF Bittern Lake, Alberta

MAYOR –Ken Feth

CHIEF ADMINISTRATIVE OFFICER –Theresa Fuller

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Schedule A – Fees and Penalties

Cost Recovery Fees

Section in Bylaw	Fee Description	Fee
5) a) b)	Minimum Charge for fire equipment	\$ 700.00
5) a) b)	Fire Protection cost per unit for the first hour	\$ 300.00
5) a) b)	Fire Protection cost per unit for every subsequent hour	\$ 250.00

Penalties

Section in Bylaw	Offense	First Offense	Second Offense	Third Offense
4) a)	Burning during a fire restriction	\$ 300.00	\$ 500.00	Court