

Village of Edgerton
BYLAW #06-20
Urban Fire Bylaw

A BYLAW TO PROVIDE FOR THE CONTROL AND ENFORCEMENT OF FIRES WITHIN THE VILLAGE OF EDGERTON.

WHEREAS the Village of Edgerton seeks to provide good government and to create a safe community; and

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, s.549-551, allows Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

THEREFORE the Council of the Village of Edgerton, in the Province of Alberta, duly assembled, does hereby enact as follows:

PART I: BYLAW TITLE

1.1 This bylaw shall be known as the "Urban Fire Bylaw."

PART II: DEFINITIONS

2.1 "Village" means the municipal corporation of the Village of Edgerton in the Province of Alberta;

2.2 "Council" means the body composed of the elected officials of the Village of Edgerton;

2.3 "CAO" means the Chief Administrative Officer of the Village of Edgerton;

2.4 "Fire Chief" means the member appointed as the head of the Edgerton Emergency Services Department and includes any person designated in the Fire Chief's absence;

2.5 "Department" means the Edgerton Emergency Services Department;

2.6 "Equipment" means any tools, contrivances, devices, materials, or vehicles used by the Department to combat an incident or other emergency;

2.7 "Fire" means any combustible material in a state of combustion;

2.8 "Illegal Fire" means any fire which is in contravention of this bylaw and in which there is a danger or possible danger to life or property and to which the Department has responded;

2.9 "Fire Protection Charge" means any or all costs incurred by the Department in providing fire protection and combatting an incident involving an illegal fire, as per the attached "Schedule A."

PART III: FIRE STANDARDS

3.1 Fire pits, outdoor fireplaces, or stationary barbecues that burn combustible materials shall meet the following minimum requirements:

a) be at least three metres/ten feet from buildings, property lines, and other combustible materials such as fences, decks, and trees;

b) be less than zero point six metres/two feet high and less than one metre/three feet wide;

c) have a spark arrestor mesh screen with a grid spacing of one point twenty-five centimetres/one half inch;

d) have a non-combustible base;

3.2 Large fires and bonfires are prohibited, and flame height must not extend fifty centimetres/twenty inches above the fire pit screen;

3.3 Clean, seasoned wood, charcoal, and paper are permitted to be burned. Other materials are prohibited from burning;

3.4 A competent adult and a charged water hose must be present.

PART IV: PROHIBITIONS

4.1 An unsafe or illegal fire, as described below, is subject to action from the Department at the Fire Chief or their designates' discretion should an emergency 9-1-1 call be placed concerning said illegal fire;

4.2 Refuse, waste materials, excessive paper, grass and leaves must not be burned;

4.3 The use of accelerants, including but not limited to gasoline, kerosene, petrochemicals, and cooking by-products, is prohibited;

4.4 Excessive noise, smoke, and light is prohibited;

4.5 The use of fireworks, firecrackers, and other explosives is not permitted within the Village;

4.6 Any fire that occurs during a Fire Ban is prohibited;

4.7 Fires not contained within a non-combustible fire pit, fireplace, or stationary barbecues are not permitted within the Village;

4.8 No more than one fire pit or outdoor fireplace shall be used simultaneously per residential property;

4.9 No person shall impede, obstruct, or hinder a member of the Department in the course of their duties as concerns illegal fires in the Village;

4.10 Costs associated with combatting an illegal fire, as per Schedule A, shall be included in a Fire Protection Charge and issued by the Fire Chief with the sanction of the Village CAO;

4.11 After thirty (30) days an unpaid Fire Protection Charge shall be added to the property tax roll for the property on which the illegal fire occurred, as per Municipal Government Act s. 553-553.1;

4.12 A Fire Protection Charge will include:

a) the name and address of the offender;

b) the offence;

c) the location, date, and time of the offence;

d) the specified penalty regarding use of Department Equipment, as per Schedule A;

e) the signature of the Fire Chief and the CAO;

4.13 The Department Fire Chief or their designate will inspect, free of charge, an existing or intended fire pit, outdoor fireplace, or stationary barbeque for compliance with this bylaw, at the property owner's request;

4.14 No fire permit will be issued for a large fire within the Village.

PART V: SEVERABILITY

5.1 Should any provision of this Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.

PART VI: APPEALS

6.1 Should a property owner wish to appeal a Fire Protection Charge issued under s. 4.10 they must submit a written request for appeal addressed to Council no less than fourteen (14) following the date the Fire Protection Charge was issued. If an appeal is filed, s. 4.11 will be voided until Council has deliberated on an appeal and s. 4.11 will become valid the calendar day following Council's deliberation;

6.2 The property owner that incurred the Fire Protection Charge must be present at the following Council meeting and will be afforded up to fifteen (15) minutes with which to present their appeal;

6.2 Council will deliberate on the appeal and may decide one of the following:

a) To accept the appeal and to reverse the Fire Protection Charge;

b) To not accept the appeal and to maintain the Fire Protection Charge.

PART VII: EFFECTIVE DATE

6.1 This bylaw shall come into force upon receipt of its third and final reading.

6.2 This bylaw will replace previous bylaws and policies concerning nuisances and unsightly properties and will be considered as a replacement concerning current enforcement matters.

PART VIII: READINGS

8.1 Read a FIRST time this _____ day of _____, 2020.

8.2 Read a SECOND time this _____ day of _____, 2020.

8.3 Read a THIRD and FINAL time with UNANIMOUS consent this _____ day of _____, 2020.

MAYOR, Wendy Belik

CHIEF ADMINISTRATIVE OFFICER, Wes Laporte

SCHEDULE A

FEES AND PENALTIES FOR USE OF DEPARTMENT EQUIPMENT IN COMBATTING AN ILLEGAL FIRE

The information included below is consistent with the Alberta Transportation and Utilities "Rates of reimbursement for Fire Department units" as of April 1, 2020.

Type of Unit	Hourly Rate
Ladder and pumper trucks	\$630.00
Light & Medium rescue vehicles	\$630.00
Command vehicles	\$185.00