

**VILLAGE OF MARWAYNE**  
**IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 449-05**

**A BYLAW OF THE VILLAGE OF MARWAYNE IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF FIRE PROTECTION AND RESCUE SERVICES**

**GIVEN THAT** the Council of the Village of Marwayne considers it desirable to pass an updated Bylaw providing for the safety, health and welfare of people, and the protection of people and property, and for such services provided by or on behalf of the Village; and,

**GIVEN THAT** the Council of the Village of Marwayne wishes to establish a fire and rescue service and to provide for the efficient operation of such a service, all pursuant to the Laws of Alberta.

The Council of the Village of Marwayne duly assembled, enacts as follows:

**1. NAME OF BYLAW**

1.1. This Bylaw may be cited as the “Fire and Rescue Bylaw”.

**2. DEFINITIONS**

2.1. In this Bylaw:

- a. “Administrator” means the person appointed as the Chief Administrative Officer of the Village of Marwayne.
- b. “Apparatus” means any vehicle provided with machinery, devices, equipment or materials for fire fighting or rescue activities as well as vehicles used to transport Members or supplies whether the vehicle is operated on land, water or in the air.
- c. “Council” means the Council of the Village of Marwayne.
- d. “Dangerous Goods Product” means those products or substances that are regulated by the Transportation of Dangerous Goods Act and its Regulations or any other Provincial or Federal statute as may be enacted from time to time.
- e. “Department” means the fire and rescue department established by this Bylaw.
- f. “Emergency” means a situation in which there is a perceived or real imminent danger to public safety or of serious harm to property;
- g. “Equipment” means any tools, contrivances, devices or materials used by the Department to mitigate an Incident.

- h. “False Alarm” means any report of an Incident to the Department or a Member, howsoever received, which Incident does not exist in fact.
- i. “Fire Chief” means the head of the Department as appointed by Council pursuant to Section 4 herein or that person’s designee.
- j. “Fireworks” means fireworks as defined in the Alberta Fire Code, 1997.
- k. “Fire Hazard” means any situation, process, material or condition that can cause a fire or explosion or that can provide a ready fuel supply to augment the spread or intensity of a fire or explosion, all of which can pose a threat to life or property.
- l. “Fire Permit” means a document issued pursuant to this Bylaw, in a form adopted by Council, permitting an applicant to conduct the activity defined on the permit.
- m. “Fire Protection” means any service delivered by the Department that is authorised by Council and designed to prevent, combat or alleviate the effect of a fire, medical or other Emergency including, but not limited to, fire prevention, fire suppression, fire investigation, rescue services, public education and information, training or other staff development.
- n. “Incident” means an occurrence, to which the Department responded or ought normally to have responded, whether real or perceived, either human-caused or caused by natural phenomenon, that requires action or support from the Department to prevent or minimize loss of life or damage to property or to natural resources.
- o. “Incident Commander” means that person appointed pursuant to the terms of the incident command system policy adopted by the Department and approved by Council, who is responsible for decisions relating to the management of Department resources and tactics at an Incident or Emergency and who is in charge at the Incident or Emergency site.
- p. “Member” means any person that is a duly appointed Member of the Department including those persons conscripted, contracted, or otherwise asked to assist by the Fire Chief or Incident Commander at an Incident or Emergency.
- q. “Municipality” means the Municipal Corporation of the Village of Marwayne in the Province of Alberta and, where the context requires, means all land situated within the corporate boundaries of the Village.
- r. “Municipal Tag” means a form prescribed by the Chief Administrative Officer allowing for the voluntary payment of a fine amount established by bylaw.
- s. “Officer” means a Member appointed as a Fire Chief, Deputy Fire Chief, Captain, Lieutenant, Rescue Leader or Deputy Rescue Leader pursuant to section 4.6(b).
- t. “Open Air Fire” means any fire not contained within a building, vehicle, structure or appliance designed for that purpose.
- u. “Peace Officer” means Peace Officer as defined in the *Provincial Offences Procedure Act*, RSA 2000, Chapter P-34.
- v. “Running Fire” means a fire burning without being under the proper or effective control of any person.
- x. “Violation Ticket” means a violation ticket as defined in the *Provincial Offences Procedure Act*, RSA 2000, Chapter P-34.

### **3. VILLAGE OF MARWAYNE FIRE AND RESCUE DEPARTMENT**

- 3.1. Council hereby establishes the Marwayne Fire and Rescue Department, which shall consist of a Fire Chief and such other Officers, Members, buildings, Apparatus, and Equipment, as Council may deem necessary and appropriate to provide Fire Protection and safeguard the safety, health, and welfare of people and protect property.
- 3.2. The limits of the jurisdiction of the Fire Chief, Officers and Members of the Department will extend to the area and boundaries of the Municipality and no Member or part of the Department including Apparatus shall be used beyond the limits of the Municipality except under the authority of a written agreement or with the express permission of the Fire Chief.

### **4. APPOINTMENT AND DUTIES OF FIRE CHIEF**

- 4.1. Council shall determine the skills and qualifications required for a person seeking the position of Fire Chief. In addition to technical fire fighting qualifications the Fire Chief will be required to:
  - a. purchase or otherwise acquire Equipment, Apparatus, materials or supplies required for the operation, maintenance and administration of the Department within budget approval and in accordance with any policies set by Council;
  - b. keep or cause to be kept, in proper form, records of all business transactions of the Department, including the purchase or acquisition of Equipment, Apparatus, materials or supplies and records of Incidents attended, actions taken in mitigating Incidents, inspections or investigations carried out and actions taken on account of inspections or investigations or any other records incidental to the operation of the Department.
- 4.2. In the month of November immediately following the municipal election, Members shall elect by secret ballot a nominee for the position of Fire Chief and submit the name of the nominee and a description of the nominee's qualifications to Council.
- 4.3. Council shall consider the qualifications of the nominee and where satisfied with the qualifications may appoint the nominee as Fire Chief for a term ending the November immediately following the next municipal election.
- 4.4. Where the name of a nominee is not put forward or the nominee does not meet the requirements as determined by Council, Council shall appoint a person as Fire Chief for a term set by Council.
- 4.5. The Fire Chief shall report to the Administrator.

4.6. The Fire Chief shall have responsibility and authority over the Department, subject to the direction of the Administrator and shall prescribe rules, regulations and procedures for the ongoing organization and administration of the Department, including but not limited to:

- a. the use, care and protection of Department property;
- b. the appointment, recruitment, training, conduct, discipline, duties and responsibilities of the Officers and Members of the Department;
- c. the efficient operation of the Department;
- d. other duties and responsibilities as assigned by Council.

4.7. Regulations, rules or standard operating procedures made pursuant to this Bylaw shall not be inconsistent with the laws of the Province of Alberta.

## **5. POWERS OF FIRE MEMBERS**

5.1. Each Member shall have the authority and power to:

- a. perform work relating to the extinguishing or controlling of the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the fire, at the discretion of an Incident Commander;
- b. prevent 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 any fire.

## **6. POWERS OF THE FIRE CHIEF OR AN INCIDENT COMMANDER**

6.1. The Fire Chief and an Incident Commander, or the Fire Chief and the Administrator where the Fire Chief is acting as the Incident Commander, are hereby authorized to take whatever action permitted by section 551 of the *Municipal Government Act* that they deem appropriate in the event that an Emergency situation or Emergency circumstance arises that is not provided for in this Bylaw. Action taken under this section shall be limited to steps the Fire Chief or Incident Commander deem necessary to bring the Incident or Emergency under control. Anyone taking action under this clause shall make a full report of the particulars to the Administrator within 24 hours of the commencement of the action taken and present that report at the next meeting of Council.

6.2. At an Incident, the Fire Chief or Incident Commander is hereby authorized:

- a. to cause a building, structure, or thing to be pulled down, demolished, or otherwise removed if they deem it necessary to prevent the spread of fire or to forestall the occurrence of an Emergency or to combat its progress;
- b. to enter premises or property, without warrant, and to cause any Member, Apparatus, or Equipment to enter to combat, control or otherwise deal with the Incident or Emergency;
- c. to enter, pass through, or over buildings or property adjacent to an Incident or Emergency and to cause Members and the Apparatus and the Equipment of the Department to enter, pass through, or over such buildings or property, where he or she deems it necessary to gain access to the Incident or Emergency or to protect any person or property;
- d. to establish boundaries or limits around the Incident or Emergency and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him or her;
- e. to cause the evacuation of persons and the removal of livestock and personal property from any area, building, structure or thing within the proximity of the Incident or Emergency that is or may be affected by the Incident or Emergency and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
- f. to cause Peace Officers to enforce restrictions on persons entering or remaining within the boundaries or limits outlined in 6.2(d) or (e) above.
- g. to authorize or require any department head of the Municipality to provide assistance to the Department to assist in the mitigation of an Incident or Emergency and its effects and to cause those department heads to provide that assistance forthwith.
- h. to authorize or require any person to render aid of a type the person is qualified to provide;
- i. to commandeer privately owned equipment necessary to deal with the Incident or Emergency and its affects and to authorize payment for such equipment on behalf of the Municipality.

## **7. FEES AND FALSE ALARMS**

- 7.1. Notwithstanding Bylaw 444-04, Council may, by resolution from time to time, approve fees for Fire Protection and other services provided by the Department.
- 7.2. Where the Department has taken any action whatsoever for the purpose of extinguishing a fire or responding to an Incident, Council may, in respect of the costs incurred by the Municipality in taking such action, including but not limited to the cost of securing a building, structure or thing or securing privately owned equipment or exercising a mutual aid agreement, necessary to bring the Incident under control, charge those costs to the person who caused or is responsible for the Incident as described in the Forest and Prairie Protection Act or to the person who is the owner or occupant of the property on which the Incident occurred.
- 7.3. Council may, by resolution from time to time, assess fees for any response by the Department to a False Alarm submitted by an automatic alarm system when:
  - a. the Department has responded to more than one False Alarm at the location within the previous 12 month period; and

b. written notice has been provided to the property owner outlining the possible charge of fees prescribed by Council after the first False Alarm.

7.4. The Municipality may recover any cost or fee still outstanding sixty (60) days after the mailing of an invoice by the Municipality including costs with respect to rescue Incidents involving motor vehicles, as a debt due and owing to the Municipality.

7.5. Where the Department has taken action in respect to land within the Municipality, and where the cost or fee is not paid upon demand by the Municipality, then Council, in default of payment, may assess such cost or fee against the land as taxes due and owing in respect of that land.

## **8. CONTROL OF HAZARDS**

8.1. If the Fire Chief finds within the Municipality, on privately or publicly owned land, conditions that in his/her opinion constitute an imminent threat of harm to a person or to property he/she may ask the Administrator to order the owner or the person in control of the land on which the Hazard exists to reduce or remove the Hazard within a fixed time and in a manner prescribed by the Administrator. Orders made under this provision shall be made pursuant to Part 13, Division 4 of the *Municipal Government Act*.

8.2. If the Administrator finds that the order he/she made pursuant to Section 8.1 has not been carried out, the Administrator may cause any person he/she considers necessary to enter onto the land with any equipment to perform the work required to eliminate or reduce the Hazard.

8.3. The owner or occupant of the land on which the work was performed pursuant to section 8.2 shall, upon demand, pay to the Municipality the cost of performing the work, and in default of payment of the cost, such cost or fee shall become a debt due and owing to the Municipality and may be assessed against the land as taxes due and owing in respect of that land.

8.4. If the Fire Chief finds within the Municipality, on privately or publicly owned land, conditions that in his/her opinion constitute a potential threat of harm to a person or to property he/she shall bring these conditions to the attention of the Alberta Fire Commissioner and request the provision of a Safety Codes Officer to review the condition.

## **9. REQUIREMENT TO REPORT**

9.1. The owner, or their authorized agent, of a property damaged by fire shall immediately report the particulars of the fire to the Municipality in a manner and form satisfactory to the Fire Chief.

9.2. The owner or occupant of any property containing a Dangerous Goods Product, which sustains an accidental or unplanned release, shall immediately report to the Municipality particulars of the release in a form satisfactory to the Fire Chief.

## **10. FIRE PERMIT**

10.1. No person shall set or permit the setting of an open-air fire without having first obtained a Fire Permit in accordance with this Bylaw.

10.2. Prohibited debris, as defined within the Environmental Protection and Enhancement Act, RSA 2000, Chapter E-12, shall not be burned in any fire set within the municipality, whether permitted or otherwise.

10.3. Notwithstanding Section 10.1 above, a fire permit shall not be required for the setting of a fire used for:

- a. ground thawing or other municipal operations;
- b. fire service training;
- c. controlled burning conducted by the Municipality for safety purposes; or,
- d. cooking or recreational purposes provide the fire is set within an appliance designed for that purpose and installed in a park or public place by the Municipality or is set in an appliance fueled by clean wood, charcoal briquettes, natural or propane gas and approved by a Canadian standard setting body, a Provincial or National Parks service, the Municipality or by an Member of the Department authorized by the Administrator to provide such approvals.

10.4. An application for a Fire Permit shall be made to the Fire Chief, or his designee, in the form set out in Schedule "A", attached hereto, or a form prescribed from time to time by the Administrator. The fee, if any, charged by the Municipality for such Fire Permits shall accompany every application. The Fire Chief shall receive and consider the application and he/she may, in his/her absolute discretion, issue or refuse to issue a Fire Permit and refund the fee.

10.5. When issuing any Fire Permit, the Fire Chief may impose conditions he/she in his/her absolute discretion considers appropriate.

10.6. A person to whom a Fire Permit has been issued shall, at all times, ensure at least one person over the age of 18 years continuously supervises the fire and that the person remains at the scene of the fire until the fire has been completely extinguished.

10.7. A Fire Permit is not transferable.

10.8. A Fire Permit is automatically terminated when a fire ban affecting the general geographical area of the Municipality is put into affect by the Province of Alberta or by the County of Vermilion River.

10.9. The Fire Chief in his/her absolute discretion may extend the period of time a Fire Permit is valid.

10.10. The Fire Chief in his/her absolute discretion may suspend or cancel any or all Fire Permits:

- a. by broadcasting a notice on local radio and/or television stations or;
- b. by publishing a notice in a newspaper that circulates in the municipality, or
- c. by advising a permit holder in person or by telephone; or;
- d. by delivering a notice to the Fire Permit holder by facsimile transmission or by e-mail, or;
- e. by delivering a notice to the Fire Permit holder by regular mail.

**11. FIREWORKS this section rescinded Bylaw 489-10**

11.1. Fireworks may be used for public entertainment within the Municipality where the appropriate permits have been obtained from the Province of Alberta pursuant to the policies regarding such permits as set out by the Alberta Fire Commissioner from time to time.

**12. OFFENCES**

12.1. No person shall:

- a. impede, obstruct, or hinder a Member of the Department or any other person assisting or acting under the direction of the Fire Chief or an Incident Commander at an Incident or Emergency.
- b. damage or destroy Department Apparatus or Equipment;
- c. enter or refuse to leave the boundaries or limits of an area prescribed in accordance with Section 6.2(d) or (e) unless that person is authorized by the Fire Chief or the Incident Commander;
- d. drive a vehicle over any Equipment without permission of the Fire Chief or an Incident Commander at an Incident or Emergency;
- e. obstruct a Member from carrying out duties imposed by this Bylaw;
- f. falsely represent themselves as a Member of the Department or wear or display any Department badge, cap, button, insignia, uniform or other paraphernalia for the purpose of such false representation;
- g. obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern, or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, standpipe, sprinkler system, cistern, or other body of water designated for the purpose of fire fighting;
- h. fail to report a fire or Dangerous Goods release as required herein;



- i. place or cause to be placed, any matter or thing, so as to obstruct or interfere with the operation or use of any fire hydrant, Department water inlet or outlet connections on buildings, fire alarm control panels, manual alarm stations, or any fire detection device or equipment;
- j. other than the employee of the Public Works department or a Member of the Department, use a fire hydrant for the purpose of obtaining or discharging water without first receiving permission from an official of the Public Works department or the Department;
- k. while at or near any fire, refuse to assist when requested to do so by the Fire Chief or Incident Commander;
- l. use, or have in his possession or under his control, any key for any Department vehicle or building, or key for any fire alarm or elevator control key box within the Municipality, unless directly and specifically authorized by the Fire Chief;
- m. by use of a fire alarm, telephone, or any other method normally used make or cause to be made any false alarm unless authorized by the Fire Chief for practice purposes;
- n. refuse to provide or furnish any information required under this bylaw, when requested by a Member of the Department, or encourage such;
- o. deposit, discard or leave any burning matter or substance where it might ignite other material and cause a fire;
- p. allow an Open Air Fire to be lit, unless that person is the holder of a subsisting Fire Permit, or the fire has been set in accordance with Section 10 herein;
- q. have in his or her possession, sell, offer for sale, give away or otherwise distribute, discharge, fire or set off Fireworks unless that person is the holder of a subsisting Fireworks Permit for the purposes of a Firework display; ~~this clause rescinded Bylaw 449-05~~
- r. 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/her own or allow a fire to pass from his/her property to the property of another;
- s. light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
- t. light an Open Air fire during a Province of Alberta or County of Vermilion River fire ban or when the weather conditions are such the fire may grow out of control;
- u. conduct an activity that involves the use of fire that:
  - 12.1.u.1. might reasonably be expected to be a nuisance or annoyance to a neighbor; or,
  - 12.1.u.2. fail to extinguish a fire that is the subject of a nuisance complaint when ordered to do so by a Member of the Department or the Administrator or their designate;
- v. conduct any activity that involves the use of a fire, where smoke from the fire might reasonably be expected to impede visibility of vehicular or pedestrian traffic on any highway as defined in the Traffic Safety Act, R.S.A. 2000, Chapter T-6 as amended;
- w. light a fire on lands owned or controlled by the Municipality except with the Municipality's express written consent or in specifically designated or approved areas.

### **13. PENALTIES**

13.1. Any person who violates any provision of this Bylaw or suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw or neglects to do or refrains from doing anything required to be done by the provisions of this Bylaw, or does any act or thing or omits any act or thing, thus violating any provision of this Bylaw, is guilty of an offence under this Bylaw.

13.2. A person who is found guilty of an offence is liable to a fine in an amount not less than one thousand (\$1000.00) dollars and not exceeding twenty-five hundred (\$2500.00) dollars or that amount, if any, specifically enumerated in Schedule "B" attached hereto. No person guilty of an offence under this Bylaw shall, as a result, be liable to imprisonment.

13.3. If a person is found guilty of an offence, the court may, in addition to any fine or other penalty imposed, order the person to comply with the bylaw or a license, permit or other authorization issued under the bylaw, or a condition of any of them.

13.4. A person who is found guilty of an offence is liable to the imposition of a penalty for the offence that is in addition to a fine so long as the penalty relates to a fee, cost, rate, toll or charge that is associated with the conduct that gives rise to the offence.

13.5. A Municipal Tag may be issued in respect of a bylaw offence.

13.6. If a Municipal Tag is issued in respect of an offence, the Municipal Tag must specify the fine amount established by Schedule "B" for the offence.

13.7. A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by Schedule "B" for the offence and if the amount is paid on or before the required date the person will not be prosecuted for the offence.

13.8. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- a. specify the fine amount established by the Bylaw for the offence; or
- b. require a person to appear in court without the alternative of making a voluntary payment.

13.9. A person who commits an offence may:

- a. if a Violation Ticket is issued in respect of the offence; and
- b. if the Violation Ticket specifies the fine amount established by the Bylaw for the offence

make a voluntary payment equal to the specified fine on or before the required date and the person will not be prosecuted for the offence.

**14. GENERAL**

14.1. Any Member charged with a duty under this Bylaw, acting in good faith and without malice toward the Municipality in the discharge of those duties is hereby indemnified by the Municipality against all personal liability for any damage that may occur to persons or property by reason of any act or omission made in the discharge of his or her duties. Any suit brought against a Member of the Department because of an act or omission performed by him/her in the performance of any provision of this Bylaw, shall be defended by and at the cost of the Municipality until final determination of the proceedings.

14.2. Bylaws 349 and 430-00 are repealed.

14.3. Should a section or part of this Bylaw be found to be improperly enacted or ultra vires for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

14.4. This Bylaw shall come into force and effect on the final date of passing thereof.

READ A FIRST TIME this \_\_\_\_\_ 14th \_\_\_\_\_ DAY OF March, 2005.

READ A SECOND TIME this \_\_\_\_\_ 21st \_\_\_\_\_ DAY OF March, 2005.

READ A THIRD TIME AND FINALLY PASSED this 21<sup>st</sup> day of March, 2005.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

## **Schedule "A"**

### **Fire Permit**

Each application for a Fire Permit, other than a Fire Pit application, must contain the following information:

1. The name and address of applicant;
2. The legal description of the land on which the applicant proposes to set a Fire;
3. The type and description of materials which the applicant proposes to burn;
4. The period of time for which the Fire Permit is valid
5. The precautions, if any, that will be taken by the applicant to ensure that the proposed Fire remains under his or her control;
6. The signature of the applicant.

A fire permit is not transferable.

**SCHEDULE "B"**

**Fines and Penalties**

<b>Offence</b>	<b>Penalty</b>	<b>Subsequent offence within 1 year of previous offence</b>	<b>Bylaw Subsection</b>
Impede, obstruct, hinder a Member of the Fire Department, or other person assisting or acting under the direction of the Fire Chief or Incident Commander at any Incident or Emergency.	\$200.00	\$500.00	12.1 (a)
Damage or destroy Fire Department Apparatus or Equipment.	\$200.00	\$500.00	12.1 (b)
Enter or remain within the boundaries or limits of an area prescribed in accordance with Section 6.1 (d) or (e).	\$200.00	\$500.00	12.1 (c)
At an Incident or Emergency drive a vehicle over any Department Apparatus or Equipment without the permission of the Fire Chief or Incident Commander.	\$200.00	\$500.00	12.1 (d)
Obstruct a Member from carrying out any function or activity related in any way to Fire Protection.	\$200.00	\$500.00	12.1 (e)
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 false representation.	\$100.00	\$200.00	12.1 (f)
Obstruct or otherwise interfere with access roads or streets or other approaches to any Fire Alarm, Fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for Fire Fighting purposes.	\$200.00	\$500.00	12.1 (g)
fail to report a fire or Dangerous Goods release as required herein;	\$200	\$500	9.1 and 9.2 12.1 (h)
place or cause to be placed, any matter or thing, so as to obstruct or interfere with the operation or use of any fire hydrant, Department water inlet or outlet connections on buildings, fire alarm control panels, manual alarm stations, or any fire detection device or equipment;	\$100	\$200	12.1 (i)
use a fire hydrant for the purpose of obtaining or discharging water without first receiving permission	\$200	\$500	12.1 (j)

from an official of the Public Works department or the Department			
refuse to assist when requested to do so by the Fire Chief or Incident Commander	\$100	\$200	12.1 (k)
use, or have in his possession or under his control, any key for any Department vehicle or building, or key for any fire alarm or elevator control key box within the Municipality, unless directly and specifically authorized by the Fire Chief;	\$100	\$200	12.1 (l)
by use of a fire alarm, telephone, or any other method normally used make or cause to be made any false alarm unless authorized by the Fire Chief for practice purposes;	\$100	\$200	12.1 (m)
refuse to provide or furnish any information required under this bylaw, when requested by a Member of the Department, or encourage such	\$100.00	\$200.00	12.1 (n)
Deposit, discard or leave any burning matter or substance where it might ignite other material and cause a fire	\$50.00	\$100.00	12.1 (o)
Allow an Open Air Fire to be lit, unless that person is the holder of a subsisting Fire permit, or the fire has been set in accordance with section 10.4 herein.	\$50.00	100.00	12.1 (p)
Possessing, selling or offering for sale or give away or otherwise distribute, discharge, fire or set off fireworks unless that person is the holder of a subsisting permit for the purpose of a fireworks display.	\$50.00	\$100.00	12.1 (q)
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/her own property or allowing a running fire to pass from his/her own property to the property of another.	\$50.00	\$100.00	12.1 (r)
Set a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times.	\$50.00	\$100.00	12.1 (s)
light an Open Air fire during a Province of Alberta or County of Vermilion River fire ban or when the weather conditions are such the fire may grow out of control	\$50.00	\$100.00	12.1 (t)
Conduct an activity that involves the use of fire that might reasonably be expected to be a nuisance or annoyance to a neighbor or fail to extinguish a fire that is the subject of a nuisance complaint when ordered to do so by a Member of the Department or	\$50.00	\$100.00	12.1 (u)

the Administrator or their designate			
Conduct any activity that involves the use of a fire, where smoke from the fire might reasonably be expected to impede visibility of vehicular or pedestrian traffic on any highway as defined in the <u>Traffic Safety Act</u> , R.S.A. 2000, Chapter T-6 as amended;	\$100.00	\$200.00	12.1 (v)
Light a fire on lands owned or controlled by the Municipality without the Municipality's express written consent or in specifically designated or approved areas.	\$100.00	\$200.00	12.1 (w)

Policy No. FD 01 Issue No. 1 Adopted: March 14, 2005 To be reviewed:	Village of Marwayne <b>Fire Pit Permit Issuing Policy</b>
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Policy Perspective: To provide the Fire and Rescue Department with direction in providing approvals for Fire Pits.

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Policy: A Member of the Fire and Rescue Department must authorize approval of the appliance, Pursuant to Bylaw 449-05 Section 10.3(d), for fires set within an appliance designed for cooking or recreational purposes when the appliance is not approved by a Canadian standard setting body.

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Policy Guidelines: The Fire Chief or a Department Member designated by the Fire Chief is responsible for approving the attached application.

Procedures followed will be:

1. Applications will be available at the Village Office.
2. Applicant takes the application in DUPLICATE with them & leaves their name & phone number with the Office.
3. The applicant name will be added to the Fire Permit Holder list UNLESS the Fire Chief specifies otherwise.
4. The Village Office will then contact the Fire Chief with applicant's name & phone number so an inspection time can be coordinated.
5. The completed application, including all signatures, will be kept on file at the Fire Hall.
6. A completed duplicate application will be left with the applicant.
7. An updated Fire Permit Holder list will be submitted to the Fire Department from time to time.



**Application for a Permit to Construct and Operate a Fire Pit  
Pursuant to Bylaw 449-05 section 10.3(d)**

Applicant Name: \_\_\_\_\_

Civic Location of Property: \_\_\_\_\_

Fee Paid: no charge

**Definitions:**

Approved Device— a device or appliance specifically made for the purpose of containing a fire which bears a proper approval label from the Underwriters Laboratory of Canada, or such other approving agency as designated by the Fire Chief. In all cases the device or appliance shall meet the requirements of all legislation, codes and regulations pertaining to such devices or appliances, *therefore, an application is not needed*

Fire Pit means a non-commercial appliance or device used specifically for the purpose of burning combustible materials. An acceptable fire pit must have:

- i) a minimum of 3 meter clearance, measured from the nearest fire pit edge is maintained from building, property lines or any combustible materials. Common sense must be used in the placing of the pit.
- ii) the fire pit installation has enclosed sides constructed from bricks, concrete blocks, heavy gauge metal or other non-combustible materials acceptable to the Fire Chief
- iii) height of the pit should not exceed 24 inches

No person shall construct, erect, locate or use a fire pit within the Village of Marwayne until a permit has been obtained from the Fire Chief. No person shall alter such device for which a permit has been issued without the knowledge of the Fire Chief. A valid Fire Pit application is not transferable to the next resident , a new application must be taken out.

I, the applicant, agree to the following conditions:

- the fire pit will be not be used for burning garbage or waste. I will use only clean, dry wood or charcoal.
- The Village of Marwayne shall be entitled to recover from myself all costs incurred by the Village Fire Department to extinguish such fire or otherwise responding to a call in connection with such a fire.
- A responsible adult will be present on the property when the fire is burning.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

The Fire Pit or Approved Device is acceptable to the Fire Chief or his Designated Officer in its placement and design.

- Accepted
- Refused

There is a means acceptable to the Fire Chief or Designated Officer of controlling or extinguishing the fires available on the property and within reasonable distance from where the fire occurs.

- Acceptable
- Unacceptable

This Fire Pit is

- Passed for Use
- Passed for Use with the following conditions:
- Refused for Use because of the following conditions:

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\_\_\_\_\_  
Fire Chief or Fire Department Officer

\_\_\_\_\_  
Date

Copy 1 – applicant

Copy 2 - Village

Policy No. FD 02 Issue No. 1 Adopted: March 14, 2005 To be reviewed:	Village of Marwayne <b>Skills and Qualifications Required for the Position of Fire Chief</b> Policy
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Policy Perspective: To provide the Fire and Rescue Department with direction in selecting a nominee for the position of Fire Chief.

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Policy: The nominee for Fire Chief must, pursuant to Bylaw 449-05 Section 4, meet the following minimum qualifications or agrees to work towards these qualification on behalf of the Village.

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Policy Guidelines: The minimum qualifications are:

1. technical fire fighting courses to be NFPA Standard
2. ability to purchase or acquire equipment, apparatus, materials or supplies required for the operation, maintenance and administration of the Department within budget approval and in accordance with any policies set by Council.
3. ability to keep or cause to be kept, in proper form, records of all business transactions of the Department, including the purchase or acquisition of equipment, apparatus, materials or supplies and records of incidents attended, action taken in mitigating incidents, inspections or investigations carried out and actions taken on account of inspections or investigations or any other records incidental to the operation of the Department.
4. ability to be responsible to prescribe rules, regulations and procedures for the ongoing organization and administration of the Department, but not limited to:
  - a. the use, care and protection of the Department property;
  - b. the appointment, recruitment, training, conduct, discipline, duties and responsibilities of the Officers and Members of the Department
  - c. the efficient operation of the Department
5. willingness to sit on the Village's Disaster Services Agency, and acquire education as provided by Emergency Management Alberta (EMA) to keep abreast of the municipal requirements and techniques
6. in emergencies have the ability to act maturely in a leadership role, call upon additional manpower and equipment from other sources and dispatch equipment to assist other communities when assistance is requested in accordance to the Fire Services Agreement or Mutual Aid Agreements.

7. ability to ensure both the fire and rescue aspects of the department are coordinated for the safety of the people
8. ability to be held accountable to the Office of the Fire Commissioner, Village Council through the CAO and County of Vermilion River for carrying out the Fire Services Agreement
9. has the confidence of the Public and Council

Policy No. FD 03 Issue No. 1 Adopted: March 14, 2005 To be reviewed:	Village of Marwayne <b>Skills and Qualifications Required for the Position of Officers</b> Policy
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Policy Perspective: To provide the Fire Chief and Fire and Rescue Department with direction in selecting Members to fill the positions of Officers.

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Policy: Elections are held internally at the Fire and Rescue Department for the positions of Officers, which are Members appointed as:

- Deputy Fire Chief
- Captain
- Lieutenant
- Rescue Leader
- Deputy Leader

The following guidelines are the minimum qualifications and skills required to hold these positions.

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Policy Guidelines: An Officer shall have these minimum qualifications and skills or willing to train to acquire:

1. technical fire fighting courses to be NFPA Standard and/or first response training as provided through Prairie North Health Region
2. ability to be responsible for decisions relating to the management of the Department resources and tactics at an incident or emergency, especially if they must act as Incident Commander
3. in emergencies have the ability to act maturely, and when acting as Incident Commander, call upon additional manpower and equipment from other sources and dispatch equipment to assist other communities when assistance is requested in accordance to the Fire Services Agreement or Mutual Aid Agreements.
4. ability to be held accountable, in the absence of the Fire Chief, to the Office of the Fire Commissioner, Village Council through the CAO and County of Vermilion River for carrying out the Fire Services Agreement
5. has the confidence of the Public and Council
6. the willingness to sit on the Village's Disaster Services Agency, acquire education and keep updated through courses provided by Emergency Management Alberta (EMA), especially in the absence of the Fire Chief

Policy No. FD 04 Issue No. 1 Adopted: March 14, 2005 To be reviewed:	Village of Marwayne <b>Incident Command System Policy</b>
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Policy Perspective: To provide the Department with a protocol for who takes on the role of Incident Commander during an incident or emergency.

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Policy: The person chose to be in charge at an incident or emergency site is responsible for decisions relating to the management of Department resources and tactics at an incident or emergency and authorized pursuant to Bylaw 449-05 Section 6, and therefore, will be appointed according to the following guidelines:

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Policy Guidelines:

1. The Fire Chief is in charge
2. At the Hall it must be determined if this a Fire call or a Rescue call
3. For a Fire Call:
  - a) The Fire Chief is in charge
  - b) If the Fire Chief in not available the chain of command goes down to the:
    - i. Deputy Chief, if he is not available
    - ii. Captain, if he is not available
    - iii. Lieutenant, if he is not available
    - iv. Fire trained Member with most years of experience
4. For a Rescue Call:
  - a) the Rescue Leader is in charge
  - b) if the Rescue leader in not available the chain of command goes down to the:
    - i. Deputy Rescue Leader, if he is not available
    - ii. Captain Rescue, if he is not available
    - iii. Rescue trained Member with most years of experience
5. If a Member must take charge, then when an Officer arrives on scene, the Command will be given to that Officer.

Policy No. FD 05 Issue No. 2 Adopted: March 14, 2005 Amends: Motion 2001-08 To be reviewed:	Village of Marwayne <b>Fire &amp; Rescue Department Expenditures</b> Policy
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Policy Perspective: To provide the Fire and Rescue Department with Council direction for expenditures.

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Policy: Annually the Fire & Rescue Department will submit:

- a yearly budget
- request for requisition
- financial statements

Then meet with Council to review the year and submissions.

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**Policy Guidelines:**

Budget: In March of each year, the Fire Department will submit a yearly budget to determine what the annual requisition for the Department needs to be for that year.

The Fire Department budget will take into account the vehicle repairs for the year, what capital expenditures are needed from the Village, and other general supplies.

Annual requisition will be paid in October.

**Courses:**

- the Village will pay for courses that are through grant funds & be responsible for the accounting to the government
- per diem of 20% to be paid by Fire Department to their members (referring to motion 2001/02/10 – Village agrees with the County’s idea of a proposed per diem for Fire Fighters training. The County will contribute their \$100 (80%) and the Village will contribute to training through our annual requisition to the Fire Department)

**Expenditures:**

The Village Office will pay through the Village Office bills regarding the following:

- all vehicle gas – this is charged at the gas station with bills being kept and written on for clarification of gas bought for the County Fire Truck. They are then submitted by December 15 of each year for the Village to get reimbursement for the County portion of the gas for their fire truck.
- insurance on the following:
  - building,
  - contents,
  - all vehicles (Ford Excursion, Cube Van, Ford 1960 Fire Truck),
  - liability as additional insured on the Village policy (\$5 million)
  - and group accident for volunteer fire brigade

- utilities – phone, cell, power, gas
- 9-1-1 dispatch
- radio station license
- other incidentals will be paid by the Fire Department

When the Fire Department does not have an account, expenses can be charged to the Village account and the Fire Department will reimburse the Village for the cost (less the gst rebate).

**Financial Statement:**

An annual Financial Statement to be given to the Village each year including the non-profit Rescue Squad accounts.

**Annual Presentation/Meeting with Council:**

The Fire Chief and/or representative(s) from the Fire Department will meet minimum once per a year with the Council usually in March to present and discuss the Fire Department budget.



Policy No. FD 06 Issue No. 1 Adopted: March 14, 2005 To be reviewed:	Village of Marwayne <b>Equipment Authorized to Leave the Village Limits</b> Policy
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Policy Perspective: Village of Marwayne will be responsible for any liability incurred by the fire and rescue crew not in our jurisdiction and therefore need to act under authority of Marwayne for the volunteers to be protected by sec 535 of the MGA;

To provide the Fire and Rescue Department with direction in what equipment is authorized to leave the Village municipal limits.

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Policy: All incidents require authorization of the Incident Commander or CAO to leave the Village limits if response is not covered by an agreement.

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Policy Guidelines:

1. For day-to-day incidents, the Incident Commander shall use these guidelines in decision making:
  - The Marwayne Fire Truck cannot leave the Village limits.
  - The County Fire Truck and equipment is under agreement to leave.
  - The Rescue vehicles and equipment with permission of the Incident Commander may leave to provide assistance outside the Village limits.

Current agreements are with the County of Vermilion River: Mutual Aid and Fire Services Agreement.

2. For extraordinary circumstances, the Department may consider leaving the Village jurisdiction without agreements if permission is received from the CAO and it has been determined that the Village is willing to face a greater liability for the sake of helping others; example like the Pine Lakes tornado.

Policy No. FD 07 Issue No. 1 Adopted: March 14, 2005 To be reviewed:	Village of Marwayne <b>Standard Operational Guidelines</b> Policy
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Policy Perspective: To establish standard operational guidelines.

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Policy:

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Communications systems are:

- Public to Department: 911 dispatch
- Fire Department to Members : radios & cell phones in vehicles
- Member to member: radios
- Mutual Aid: radio, phone, cells, 911 dispatch

FOR FIRE & RESCUE CALLS:

- The first three (3) Members to reach the Fire Hall respond immediately with the appropriate vehicle(s). Cannot respond to a call without three members. If possible, one member is to remain at the fire hall to relay information to the necessary parties. **I have concerns here – they leave on County Fire & Village left unmanned. However, stat’s for fire show that this has never happened so odds are very slim. We’re covered if this states the level of service???right?? Departments says they have had county & village call for rescue at same time & they handle by the 2<sup>nd</sup> call in either is diverted to another department or they leave scene when another department arrives. If level of service stated here (& Council agrees & communicated to the public) we’re OK. However, my public perception would not be this.**
- Fire Chief in charge – if not available, follow *Incident Command Policy*
- Mark down time out by calling 911.
- Incident Command delegates which trucks respond and assigns duties to the members.
- If a Village Fire then Public Works is to be contacted for support (water plant & equip)
- If Level 2 Emergency response: contact the DDS (Village or CVR)
- When arriving at the scene the Incident Command will:
  - Assess hazards – power, gas, chemicals, propane etc
  - Deploys the plan of action, including gathering any and all pertinent information
- When arriving at the scene the other Members will:
  - While IC is assessing the fire, hose man and hydrant man are stringing out hose
  - Truck is to be parked as close to hydrant as possible, gauges facing fire if at all possible
  - Get water to hose as quickly as possible (from truck first)
  - Always screw valve onto the hydrant

- At the Scene:
  - Designate a spokesperson: members generally do not talk to the media during or after the fire, direct them to spokesperson, or only talk about what you know about
  - Reassess fire after you have pumped for 10 minutes
  - Determine if you need more hose etc
  - After fire is out, IC determines when everyone may leave. Make sure the fire is out! The first truck out will not return until they are confident that no further fire hazard exists.
  - Make sure all equipment that went with the truck comes home with the truck
- When return to Hall:
  - Record time in
  - Truck(s) must be refueled
  - Truck(s) must be loaded with water and cleaned
  - A general check-over performed with repairs made (oil, brakes, lights etc)
  - Clean up of the truck nozzles, hoses, etc
  - All equipment is checked for damages and repaired or replaced as required
- 911 Call Answering Centre that we are back in service
- IC to prepare all necessary paper work including the “Patient Report and Statistics”
- Document all calls – false alarms, fire, rescue & given to appropriate person Village, CVR, Fire commissioner Office. In a large or serious loss, record every pertinent detail as soon as possible.
- Equipment checked after each call & documented what is lost or damaged & apparatus and equipment returned to service
- If a call is received from outside the Vermilion Fire Protection Area, call the fire department that should be responding to confirm if assistance is required.

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 Original written Policy Guidelines:

1. Department is dispatched by 911
2. Volunteers gather at the fire hall
3. Incident Commander is determined as per policy
4. The Incident Commander delegates which trucks respond and assigns duties to the members, including one member to remain at the fire hall to relay information to the necessary parties
5. Upon arriving at the scene the Incident Command assesses the situation and deploys the plan of action, including gathering any and all pertinent information
6. On returning to the Fire Hall the vehicles are refueled, loaded with water and cleaned. All equipment is checked for damages and repaired or replaced as required.
7. 911 Call Answering Center is notified that we are back in service
8. Fire reports are filed as soon as possible with the Village or County and Alberta Fire Commissioner’s Office.