

**THE CITY OF SPRUCE GROVE**

**BYLAW C-1126-20**

**FIRE SERVICES BYLAW AMENDMENT**

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000 cM-26, and amendments thereto, provides that a council may pass a bylaw for the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000 cM-26, and amendments thereto, a council has the power to amend enacted bylaws;

AND WHEREAS, pursuant to the *Safety Codes Act*, RSA 2000, c S-1 an accredited municipality may make bylaws respecting fees for anything issued or any service provided and the carrying out of its powers and duties as an accredited municipality;

AND WHEREAS, the City of Spruce Grove is an accredited municipality under the *Safety Codes Act*, RSA 2000 cS-1;

AND WHEREAS, the City of Spruce Grove wishes to amend Bylaw C-904-15 as the permitting, registration and inspections of storage tank systems has been transferred from the Petroleum Tank Management Association of Alberta to accredited municipalities.

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled, hereby enacts as follows:

1. Bylaw C-904-15 is amended as follows:
  - 1.1 By adding the definition of “Alberta Safety Codes Authority” after Section 2.1, as follows:
    - 2.1.1 “Alberta Safety Codes Authority” means the Alberta Safety Codes Authority as defined by the Safety Codes Authority Order, Alberta Regulation 29/2016.
  - 1.2 By adding the definitions of “*Safety Codes Act*” and “Storage Tank Registration” after section 2.21, as follows:

2.21.1 “*Safety Codes Act*” means the Safety Codes Act, RSA 2000, cS-1 as amended and regulations thereunder.

2.22.1 “Storage Tank Registration” means an operating permit to satisfy the registration and operating requirements of the *Safety Codes Act*.

1.3 By deleting in strikethrough in section 2.22 and adding the following in bold:

“Storage Tank System” means a storage tank system including a storage tank as defined within the ~~Alberta Fire Code~~ ***Safety Codes Act***.

1.4 By replacing Section 8 with the following:

## **8. PERMITS AND REGISTRATIONS**

8.1 No person shall permit an open fire upon land owned or occupied by them or under their control within the City except when they are the holder of a subsisting fire permit issued pursuant to this bylaw, unless:

- a. The fire has been set by Fire Services for the purpose of training or controlling hazards;
- b. The fire is a Public Park Site Fire; or
- c. The fire is in a portable appliance and the appliance is used in accordance with the *Safety Codes Act*.

8.2 No person shall possess, sell, purchase, or discharge fireworks within the City except when such person is the holder of a subsisting fireworks permit issued pursuant to the *Safety Codes Act*.

8.3 Any person wishing to obtain a Fire, Fireworks, or Storage Tank System Permit must complete a Fire, Fireworks, or Storage Tank System Permit Application and submit the completed application to Fire Services.

8.4 Any person wishing to obtain a Storage Tank Registration must complete and submit a Storage Tank Registration application to Fire Services.

8.5 Upon receipt of a completed Fire, Fireworks, Storage Tank System Permit Application, or Storage Tank Registration

application, the Fire Services shall consider the application and may in the Fire Chief's sole and absolute discretion:

- a. Refuse to grant a Fire, Fireworks, Storage Tank System Permit or Storage Tank Registration;
  - b. Grant a Fire, Fireworks, Storage Tank System Permit or Storage Tank Registration; or
  - c. Grant a Fire, Fireworks, Storage Tank System Permit, or Storage Tank Registration upon such additional Terms and Conditions, as Fire Services deems appropriate.
- 8.6 A Fire, Fireworks, or Storage Tank System Permit shall not be transferable.
- 8.7 A Fire, Fireworks, Storage Tank System Permit or Storage Tank Registration must be presented to the Fire Chief, a Member, or Peace Officer upon request.
- 8.8 Fire, Fireworks, Storage Tank System Permits or a Storage Tank Registration issued pursuant to this bylaw are valid for such period of time as shall be determined and set by the Fire Chief or designate and the Fire, Fireworks, Storage Tank System Permit or Storage Tank Registration shall have endorsed therein the period of time for which the said permit or registration is valid.
- 8.9 Fire Services may extend Fire, Fireworks, Storage Tank System Permits or Storage Tank Registration beyond the period of time that a permit or registration is valid, provided the permit or registration has not expired before the request to extend has been made.
- 8.10 Fire Services may, at its sole and absolute discretion, terminate a Fire, Fireworks, or Storage Tank System Permit Application and suspend or cancel a Fire, Fireworks, Storage Tank System Permit, or Storage Tank Registration at any time.
- 8.11 Each Fire, Fireworks, or Storage Tank System Permit Application and Fire or Fireworks, Storage Tank System Permit, or Storage Tank Registration must contain the following information:
- a. The name, address and telephone number of the applicant;

- b. The reason the Fire, Fireworks, or Storage Tank System Permit is required;
- c. The legal description of the land on which the applicant proposes to set a fire; or possess, sell, discharge, purchase fireworks or install, remove, or alter a Storage Tank System;
- d. The legal description of the land on which the Storage Tank System or Storage Tank is located;
- e. The type and description of material which the applicant proposes to burn;
- f. The type of fireworks involved and amount to be used;
- g. The period of time for which the Fire, Fireworks, Storage Tank System Permit, or Storage Tank Registration is valid;
- h. The additional Terms and Conditions, if any, that must be taken by the applicant to ensure safety; and
- i. An acknowledgement by the applicant that the applicant has read and agrees to comply with the Terms and Conditions as set out on the Fire, Fireworks, Storage Tank System Permit Application or Fire, Fireworks, Storage Tank System Permit, or Storage Tank Registration.

8.12 No person shall install, remove, or alter a Storage Tank System used for flammable or combustible liquids without a permit issued by Fire Services.

8.13 No person shall fill a storage tank that is not registered with Fire Services.

8.14 Nothing in this bylaw shall be deemed to authorize any fire, burning or other act, which is in contravention of the *Environmental Protection and Enhancement Act*, RSA 2000, cE-12, as amended, or any regulation made thereunder, and in the event of any conflict between the provisions of this bylaw and the said act or regulations, the provisions of the said act or regulations shall take precedence.

1.5 By replacing Section 10.1 with the following:

- 10.1 As Fire Services is responsible for enforcement of the *Safety Codes Act*, and the requirements of the *Safety Codes Act* endure not only during construction but thereafter for the life of the building, a surcharge is hereby attached to all building permits issued by the City.
- 1.6 By deleting in Section 11.1 c. the following in strikethrough:
- c. The fire is in a portable appliance and the appliance is used in accordance with the *Safety Codes Act*; and ~~the Alberta Fire Code~~; or
- 1.7 By replacing section 11.4 d. with the following:
- d. Provide false, incomplete or misleading information to Fire Services or to the City on or with respect to a Fire, Fireworks, Storage Tank System Permit Application or Storage Tank Registration application.
- 1.8 By deleting in strikethrough in Section 11.5 e. and adding the following in bold:
- e. Discharge, posses, sell, or purchase any fireworks without a permit issued in accordance with this bylaw and the ~~Alberta Fire Code~~ ***Safety Codes Act***;
- 1.9 By replacing “Schedule A-Fees and Charges Schedule” with a new “Schedule A – Fees and Charges Schedule”, which is attached to and forms part of this bylaw.
2. This bylaw shall come into force and effect when it receives third reading and is duly signed.

First Reading Carried 17 August 2020

Second Reading Carried 17 August 2020

Third Reading Carried 17 August 2020

Date Signed 21 August 2020

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Mayor

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City Clerk

## SCHEDULE A – FEES AND CHARGES SCHEDULE

### MINIMUM AND VOLUNTARY PENALTIES

<b>Section</b>	<b>Offence</b>	<b>Penalty/Fine</b>
7.1	Fail to report fire	\$100.00
7.2	Fail to report dangerous goods release/spill	\$250.00
8.1	Permit open fire without fire permit	\$100.00
8.2	Possess fireworks without permit	\$100.00
8.2	Discharge fireworks without permit	\$150.00
8.2	Sell fireworks without permit	\$500.00
8.11	Install/remove/alter storage tank system	\$500.00
8.13	Fill unregistered storage tank	\$500.00
11.1	Permit open fire without fire permit	\$100.00
11.4.a	Burn prohibited items	\$100.00
11.4.c	Conduct activity that may cause fire	\$100.00
11.4.d	Provide false/incomplete/misleading information	\$100.00
11.5.a	Interfere with persons authorized by bylaw	\$500.00
11.5.b	Interfere with equipment/apparatus	\$500.00
11.5.c	Damage/destroy fire services property	\$500.00
11.5.d	Falsely represent self as fire service member	\$1,000.00
11.5.e	Discharge fireworks without permit	\$150.00
11.5.e	Sell fireworks without permit	\$500.00
11.5.f	Enter boundaries established by fire service	\$100.00
11.5.g	Drive vehicle over equipment	\$200.00

### FEES

<b>Section</b>	<b>Item</b>	<b>Fee</b>
8.1	Open fire permit	
	Residential	No charge
	Commercial	\$50.00
	City sponsored	No charge
8.2	Fireworks permit	
	City sponsored event	No charge
	Non-City sponsored	\$100.00
8.11	Storage tank system permit and registration	As per Alberta Safety Codes Authority and amendments thereto
9.1	Structure fires	
	Less than 1 hour	No charge
	No fire insurance	No charge
	Fire insurance, greater than 1 hour	\$600.00 per hour or portion thereof per apparatus to maximum covered by insurance
	Fire Service Agreements	As per agreement

9.1	Motor vehicle incidents/fires	\$600.00 per hour or portion thereof
9.1	Dangerous goods incidents	\$600.00 per hour or portion thereof plus any additional expenses from other responding companies, agencies or mutual aid partners
9.1	False Alarms	
	System maintained in accordance with Alberta Fire Code	
	First	No charge
	Second within a 6 month period	No charge
	Third or subsequent within a 6 month period	\$100.00 per response
	System not maintained in accordance with Alberta Fire Code	
	First	\$200.00
	Second within a 6 month period	\$300.00
	Third or subsequent within a 6 month period	\$500.00
9.1	Alarm No Fire	
	System maintained in accordance with Alberta Fire Code	No charge
	System not maintained in accordance with Alberta Fire Code	
	First	\$200.00
	Second within a 6 month period	\$300.00
	Third or subsequent within a 6 month period	\$500.00
9.1.a	Requested fire inspections/investigations	
	Commercial	\$100.00 per hour or portion thereof
	Dwelling	No charge
	Occupancy permits	\$100.00
9.1.a	File searches	\$75.00
9.1.a	Fire Standby	\$600.00 per hour or portion thereof
9.1.a	Fire programs and courses	Rate set by Fire Chief based on industry rates and costs incurred
9.1.a	First aid/EMR/EMT courses	Rate set by Fire Chief based on industry rates and costs incurred

9.1.a	Air cylinder recharge	\$20.00
	Cascade bottle	\$50.00
10.1	Building permit surcharge	As per City of Spruce Grove Development Fees Bylaw

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