

County of Warner No. 5

Bylaw No. 983-22

Fire Bylaw

A Bylaw of the County of Warner No. 5, in the Province of Alberta, for the purpose of providing the rules, regulations, policies, and agreements necessary for the proper organization and administration of Fire Services within the County, hereby known as the Fire Bylaw.

WHEREAS Section 7 of the *Municipal Government Act*, RSA 2000, c M-26, as amended, provides Council with the authority to pass bylaws for the safety, health and welfare of people and the protection of people and property;

AND WHEREAS Section 8 (a) of the *Municipal Government Act*, as amended, provides for municipalities to enact bylaws to regulate and prohibit;

AND WHEREAS Section 8 (c) of the *Municipal Government Act*, as amended, provides for municipalities to enact bylaws to provide a system of licenses, permits or approvals;

AND WHEREAS the *Forest and Prairie Protection Act*, c. F-19 R.S.A 2000, as amended, provides that the Council is responsible for fighting and controlling all fires within the municipal boundaries;

AND WHEREAS the Council of the County of Warner wishes to protect its residents and provide rules and regulations to support effective fire services;

AND WHEREAS the Council of the County of Warner wishes to regulate the use and setting of fires;

NOW THEREFORE the Council of the County of Warner No. 5, duly assembled, hereby enacts as follows:

DEFINITIONS

1. In this bylaw including this section, unless the context otherwise requires;
 - a) **Acceptable Fire Pit** means an outdoor receptacle that meets the following specifications:
 - i. The Fire Pit shall be constructed of bricks or concrete blocks, or heavy gauge metal, or other suitable non-combustible components;
 - ii. The maximum external dimension of the Fire Pit shall not be greater than 1 meter (3.28 feet);
 - iii. The Fire Pit height does not exceed 0.6 meters (2 feet) when measured from the surrounding grade to the top of the pit opening;
 - iv. A Fire Pit shall not be located closer than 5 meters (16.5 feet) from a Property line and from any combustible material, including, but not limited to, buildings, structures, fences, patio decks and foliage as measured from the nearest Fire Pit edge;
 - v. In all cases, the fires in Fire Pits shall be supervised at all times by a responsible adult person with adequate means to extinguish the fire until such time that fire has been extinguished. A fire shall be deemed to include hot ashes and smoldering embers resulting from the fire;
 - vi. Only wood, charcoal briquettes, propane or natural gas fuels are used; and
 - vii. Flame height does not exceed 1 meter (3.28 feet) above the Fire Pit.
 - b) **Acceptable Fireplace** means an outdoor receptacle that meets the following specifications:



- i. A minimum of 1 metre (3.28 feet) clearance measured from the nearest fireplace edge is maintained from buildings, property lines, or other combustible material;
 - ii. Is constructed of materials such as bricks or rocks that are heat and flame resistant;
 - iii. The fireplace chimney is equipped with a regulation screen designed to contain and reduce the hazards of airborne sparks; and
 - iv. The fireplace conforms to Alberta Safety Code specifications.
- c) **Acceptable Incinerator** means a receptacle that is a non-combustible structure, container or barrel with openings provided that:
 - i. A minimum of 5 meters (16.5 feet) clearance from buildings, property lines and combustible materials;
 - ii. It is constructed of bricks or concrete blocks, or heavy gauge metal (18 gauge minimum), or other suitable non-combustible components;
 - iii. Structures, containers or barrels shall be integrally sound with no sections noticeably thinned due to the oxidizing action of the fire nor shall there be holes in the structure, container or barrel caused by oxidation of the material;
 - iv. It has a spark arrestor mesh screen of 0.7 centimetres (0.25 inches) expanded metal (or equivalent) to contain sparks over the fire at all times;
 - v. Fires contained therein be supervised at all times by a responsible adult person with adequate means to extinguish the fire until such time that fire has been extinguished. A fire shall be deemed to include hot ashes and smoldering embers resulting from the fire;
 - vi. Only wood, charcoal briquettes, propane or natural gas fuels are used; and
 - vii. Flame height does not exceed 1 meter (3.28 feet) above the Fire Pit.
- d) **Burning Barrel** see definition of Acceptable Incinerator.
- e) **Burnable Debris** means all combustible waste other than Prohibited Debris and includes, but is not limited to:
 - i. Straw and stubble;
 - ii. Grass and weeds;
 - iii. Leaves and tree prunings;
 - iv. Brush and fallen trees on newly cleared land or associated with logging operations;
 - v. Used power, telegraph and telephone that do not contain wood preservatives;
 - vi. Wooden material from the construction or demolition of buildings which does not contain wood preservatives.
- f) **Chief Administrative Officer** means the Chief Administrative Officer (CAO) of the County of Warner No. 5.
- g) **Council** means the Council of the County of Warner No. 5.
- h) **County** means the municipality of the County of Warner No. 5 and the area contained within its boundaries as the context requires.
- i) **Dangerous Goods** means any product, substance, or organism specified in the regulations or included by its nature in any of the classes listed in the regulations under the *Dangerous Goods Transportation and Handling Act*, RSA 2000, c D-4, as amended.



- j) **Director of Emergency Management** means the Director of Emergency Management (DEM) of the County of Warner No. 5.
- k) **Equipment** means any tools, contrivances, devices or materials used by the Fire Department to address an incident or other emergency.
- l) **False Alarms** means any fire alarm that is set off or fire emergency call which is made needlessly, through willful or accidental, human or mechanical error, and to which the Fire Services responds.
- m) **Fire** means the uncontrolled burning of any flammable or combustible material.
- n) **Fire Ban** means a provincial ministerial order or the enactment of a Fire Ban under this Bylaw which may cancel fire permits, prohibit the lighting, or requiring the extinguishment of a fire.
- o) **Fire Committee** means the three Councillors appointed to the Committee at the annual County Organizational meeting.
- p) **Fire Department** means the following, and includes any person duly appointed to the Fire Department by Council or the Fire Chief. The Fire Departments are operated under bylaws and policies by the municipality noted behind.
 - i. Coutts Fire Department – Village of Coutts
 - ii. Masinasin Fire Department – County of Warner
 - iii. Milk River Fire Department – Town of Milk River
 - iv. Raymond Fire Department – Town of Raymond
 - v. Stirling Fire Department – Village of Stirling
 - vi. Wrentham Fire Department – County of Warner
 - vii. Warner Fire Department – Village of Warner.
- q) **Fire District** means a defined area within the County of Warner No. 5 as set by the Council and outlined in Schedule A.
- r) **Fire Permit** means a permit issued by an individual authorized by Council to do so pursuant to this Bylaw allowing for the setting of Outdoor Fires or Structure Fires or Incinerator Fires within the County.
- s) **High Hazard Fireworks** means fireworks as defined in the *Explosives Act* of Canada.
- t) **Incident** means a fire, a situation where a fire or an explosion is imminent or any other situation presenting a fire or possible danger to life, property or the environment and to which the Fire Department has responded. These incidents include transportation accidents, hazardous materials releases or potential releases, medical assists or any life-threatening situations.
- u) **Incident Commander** means the person in charge at the site of an incident.
- v) **Incinerator Fire** means a fire that is confined within an Acceptable Incinerator.
- w) **Low Hazard Fireworks** means fireworks as defined in the *Explosives Act* of Canada.



- x) **Member** means any person that is a duly appointed member of a Fire Department and includes the Fire Chief.
- y) **Occupant** means any person who is found on a property, whether or not the individual is the owner or tenant of the property and whether or not the individual resides on the property or having the right to occupy or exercise control over the lands.
- z) **Outdoor Fire** means a fire other than that defined as an Incinerator Fire or Structure Fire and shall include fires involving humus, soil, farm produce, bush, grass, feed, straw, coal or any fire that has escaped or spread from a building, structure, machine, vehicle or incinerator. A fire contained in an Outdoor Fireplace, Fire Pit or Incinerator without the required metal spark arrestor screen shall be deemed to be an Outdoor Fire.
- aa) **Owner** means the person(s) or corporation shown on the Certificate of Title.
- bb) **Peace Officer** means:
 - i. A Bylaw Enforcement Officer appointed pursuant by the *Municipal Government Act*, or
 - ii. A police officer appointed pursuant to the *Police Act*, RSA 200, c P-17; or
 - iii. A peace officer appointed pursuant to the *Peace Officer Act*, SA 2006, c P-3.5 whose appointment includes enforcement of the County's bylaws.
- cc) **Person** means any individual, proprietorship, partnership, association, or body corporation who is found in any property, whether or not he/she is the owner or tenant of the property and whether or not he/she resides in the property.
- dd) **Portable Appliance** means any appliance sold or constructed for the sole purpose of cooking food outdoors, normally fueled by liquefied petroleum gas (LPG), natural gas, compressed briquettes or charcoal.
- ee) **Prohibited Debris** as defined by the Substance Release Regulation – AR-124/93, pursuant to the *Alberta Environmental Protection and Enhancement Act*, RSA 2000, c E-12, means any combustible waste that, when burned, may result in the release to the atmosphere of dense smoke, offensive odors or toxic substances and includes but is not limited to:
 - i. Animal manure;
 - ii. Pathological waste;
 - iii. Non-wooden material;
 - iv. Waste material from building or construction sites, excluding wooden materials that do not contain wood preservatives;
 - v. Combustible materials in automobile bodies;
 - vi. Tires;
 - vii. Rubber or plastic or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
 - viii. Used oil;
 - ix. Wood or wood products containing substances for the purpose of preserving wood.
- ff) **Property** means any real or personal property which, without limiting the generality of the foregoing, includes land, buildings or structures.



- gg) **Recreational Fire** means an Outdoor Fire of relatively short duration confined to a non-combustible container, in municipal, provincial, federal or private campgrounds and parks where Outdoor Fireplaces, Fire Pits and Stoves have been approved. These fires will be set for recreational, cultural or theatrical purposes including the purpose of cooking, obtaining warmth or viewing for pleasure. Such fires may be fueled with approved wood types, charcoal, natural gas or propane.
- hh) **Running Fire** means a fire burning without being under the proper control of any person.
- ii) **Structure Fire** means a fire confined to and within any building, structure, machine or vehicle, which will, or is likely to cause the destruction of or damage to such building, structure, machine or vehicle.
- jj) **Violation ticket** means a ticket or similar document issued pursuant to the *Provincial Offences Procedures Act*, RSA 2000, c P-34, and amendments thereto.

FIRE DISTRICTS AND SERVICES AGREEMENTS

2. The County has deemed it expedient and desirable to create Fire Districts within the County as outlined in Schedule A.
3. The County has established and operates a Fire Department in the Hamlet of Wrentham to provide Fire Services in the respective Fire Protection Area.
4. The County has established and operates a Fire Department in the Masinasin area to provide exterior and non-structural Fire Services in the respective Fire Protection Area.
5. The County has deemed it desirable to enter into written Fire Service Agreements with neighbouring municipalities for these municipalities to provide Fire Services to Fire Districts within the County. The Fire Service Agreement will cover specific responsibilities of the County and the other party, and funding arrangements.
6. The County has deemed it desirable to enter into written Mutual Aid Agreements with neighbouring municipalities for these municipalities to provide Fire Services to the County in times of crisis.
7. The above noted Agreements may be entered into, amended and rescinded by resolution of Council.
8. Three Councillors will be appointed to the Fire Committee. The Fire Committee is responsible for meeting with the Fire Chiefs of the various Fire Fighting Departments to discuss operations and requested changes to the Fire Service Agreements. The Committee may also determine whether a Fire Ban should be in effect within the County.

OPERATIONAL GUIDELINES

9. All Members will endeavour to perform Fire Services in a safe manner, in accordance with:



- a) Good judgement;
 - b) This bylaw;
 - c) Other related bylaws;
 - d) Established policies and procedures of the respective Fire Department;
 - e) Training provided;
 - f) *Traffic Safety Act*, RSA 2000, c T-6;
 - g) *Safety Codes Act*, RSA 2000, c S-1;
 - h) *Occupational Health and Safety Act*, SA 2020, c O-2.2;
 - i) Further relevant federal and provincial legislation;
 - j) Best safe working practices; and
 - k) The approved level of service.
10. All Members will report unsafe conditions to the Fire Chief or his/her designate and endeavour to reduce the incidence of unsafe conditions.
11. No Member will attend at a call when under impairment from alcohol or any performance altering and/or illegal drugs or consume any alcohol or performance altering and/or illegal drugs while attending at a call.
12. The Members will adhere to this Bylaw and the operating guidelines and policies adopted by their respective Fire Department.
13. The Fire Chief or designate will call the Fire Commissioner's Office as soon as is reasonable providing the necessary information for each reportable Fire attended.
14. The Fire Chief or designate will submit an incident report to the County CAO as soon as is reasonable following each incident attended. The report will include the following information:
- a) Date and time of the incident;
 - b) Location of the incident;
 - c) Property owner name, address and phone number;
 - d) Occupant or premises name, address and phone number (if different from owner);
 - e) Nature and particulars of the incident;
 - f) Total time spent attending the incident;
 - g) Insurance agent, if known or determined;
 - h) Names of personnel dispatched and time spent by each member attending the incident.

AUTHORITIES AT AN INCIDENT

15. The first Fire Chief of the responding Fire Department, or his/her designate, is in charge of suppressing and controlling the fire and has incident command.
16. The Incident Commander coordinates the efforts of other Fire Departments who arrive to assist, unless this authority is transferred to another Fire Chief, or designate of another responding Fire Department.
17. The Incident Commander shall have the authority to enter, along with such manpower, equipment and assistance as they determine may be required, upon any property for the purposes of extinguishing any fire, effecting any rescue or containing the release of any product.



18. The Incident Commander shall have the authority to require the assistance of any capable adult in the extinguishment of a fire, the development of fire guards, the operation of equipment for which they are trained or the evacuation of persons from a specified area.
19. The Incident Commander shall have the authority to take any and all measures he/she sees appropriate to prevent the spread of fire to adjacent and area buildings, structures and places. This includes the authority to second equipment and personnel and to demolish property in order to prevent the spread of fire when deemed necessary.
20. The Incident Commander shall have the authority to request that the RCMP or the Peace Officers take appropriate actions to deal with individuals or groups who interfere with a firefighting, rescue or dangerous goods incident.

FIRE GUARDIANS

21. Each year during the Organizational meeting, Council shall appoint a sufficient number of Fire Guardians to enforce the provisions of the *Forest and Prairie Protection Act* and this Bylaw within the boundaries of the County.
22. Unless otherwise limited by a resolution by Council, the authority and power of a Fire Guardian, or his/her designate, within their respective Fire District boundaries shall be as outlined in the *Forest and Prairie Protection Act*.

FIRE PERMITS

23. In addition to any Fire Permit required under the *Forest and Prairie Protection Act*, or under the *Soil Conservation Act*, RSA 2000, c S-15, Fire Permits shall be required under this Bylaw year-round.
24. An application for a Fire Permit for an Outdoor Fire or a Structure Fire shall be made to a Fire Guardian, or his/her designate, over the phone. The Fire Guardian shall receive and consider the application and after having done so may, in his/her absolute discretion, issue or refuse issuance to the applicant, with or without conditions.
25. The Fire Guardian may require that an inspection of the Property occur prior to the issuance of a Fire Permit.
26. Permits for the purchase or sale of Low Hazard Fireworks will not be available or issued within the County.
27. Permits for the discharge of Low Hazard Fireworks may be issued by a Fire Guardian to individuals or community organizations. Such permits will be registered in the same manner as a Fire Permit.
28. Permits for the display of all High Hazard Fireworks in the County may be issued by a Fire Guardian under the terms of the *Alberta National Fire Code* and the *Explosive Act* of Canada, to an individual, business or organization who provides written proof they have:
 - a) Engaged the services of a Certified Fireworks Supervisor; and
 - b) Obtained a copy of a Certified Fireworks Supervisor's authorization certificate; and



- c) Obtained the written permission of the property owner of the location where the display will occur; and
 - d) Made a written undertaking that they will abide by, and are aware of, all the provisions of the *Alberta National Fire Code* related to the display of Fireworks.
29. Fire Permits issued pursuant to this Bylaw are valid for the date for which the Fire Permit is issued only.
30. Each applicant for a Fire Permit must provide the following information:
- a) The name of the applicant;
 - b) The phone number of the applicant;
 - c) The legal description of the land on which the applicant proposes to set a fire;
 - d) The type and description of material which the applicant proposes to burn;
 - e) The date on which the Fire Permit is valid;
 - f) The date the Fire Permit is issued.
31. Upon approval of the Fire Permit the Fire Guardian will provide the applicant with the permit number. The permit holder shall have the permit number before starting the burn and provide it upon request to any fire official acting in the performance of his/her duties.
32. The Fire Guardian will contact Dispatch to provide the Fire Permit application information and the permit number.
33. Where an emergency or a potential emergency exists, the DEM and Fire Guardian shall be empowered to suspend all Structure Fires, Incinerator Fires, Outdoor Fires, Low or High Hazard Fireworks display, or any outdoor camping fire lit for cooking or warming purposes within all or a portion or portions of the County for a period of time and on such conditions as may be determined by the DEM or Fire Guardian.
34. A Fire Permit shall not be transferable.

EXEMPTIONS

35. A Fire Permit is not required under this Bylaw for the following:
- a) An Acceptable Fire Pit and the fires contained therein provided that the Fire Pit meets the definition in this Bylaw;
 - b) An Acceptable Incinerator and the fire contained therein provided that the Incinerator meets the definition in this Bylaw;
 - c) This bylaw does not apply to any industrial or commercial type incinerator that is required to be licensed under the *Alberta Environmental Protection and Enhancement Act* regulations;
 - d) Cooking of food using a Portable Appliance;
 - e) Recreational Fires of campfires for cooking or warming in municipal, provincial or private campgrounds and parks where Fire Pits and stoves have been approved;
 - f) Burning of a smudge fire confined within a non-combustible receptacle that is set on property of 0.8 hectares (2 acres) or larger, for the purpose of repelling insects or preventing frost in an orchard or garden;
 - g) Burning by the resident Fire Departments for the purpose of training;
 - h) Burning by the Fire Department or by Alberta Environment and Parks for the purpose of Fire Hazard abatement;



- i) Process flare systems for natural gas and other petroleum related facilities governed by regulations and operating under approved guidelines issued by the Alberta Energy Regulators or by Alberta Environment and Parks;
- j) Burning for brush disposal in an area under the sole jurisdiction of the *Forest and Prairie Protection Act*, which may be reasonably anticipated to create nuisance smoke conditions for a residential community within the County, but for which a co-ordinated burn or smoke control plan to minimize smoke conditions to residential areas has been submitted to the DEM;
- k) No burning is allowed in areas designated as Municipal or Environmental Reserves.

FIRE BANS

36. The Fire Committee or Council may ban all open fires, including those in burning barrels and other enclosed containers, within all or part of the County when the potential for fire hazard conditions exists.
37. The Fire Committee or Council may consult with Fire Chiefs and the DEM before issuing a Fire Ban.
38. Fire Bans shall be broadcast in regional media outlets, updated on the County website, and posted on the Alberta Fire Ban website.
39. Following are the levels of Fire Ban, related Fire Permit and activities allowed.

Fire Rating	Activity						
	Fire Permits	Fireworks	Burn Barrels and Incinerators	Burning Agricultural Land	Propane/Natural Gas-powered Appliances	Charcoal BBQs	Recreational Fire Pits
No Fire Ban	Permits issued. Permit holder must follow conditions for safe and responsible burning.	Permits issued. Permit holder must follow conditions for safe and responsible discharge of fireworks.	Permits may be required. See Section 1.c).	Permits issued. Permit holder must follow conditions for safe and responsible burning.	Permitted. No permit required.	Permitted. No permit required.	Permitted. No permit required. Fire pit must meet specifications of Section 1.a).
Fire Advisory	Permits issued. Permit holder must use extra caution for safe and responsible burning.	Permits issued. Permit holder must use extra caution for safe and responsible burning.	Permits may be required. See Section 1.c).	Permits issued. Permit holder must use extra caution for safe and responsible burning.	Permitted. No permit required.	Permitted. No permit required.	Permitted. No permit required. Fire pit must meet specifications of Section 1.a).
Fire Restriction	May be restricted, suspended, or prohibited.	May be restricted, suspended, or prohibited.	May be restricted or prohibited.	May be restricted, suspended, or prohibited.	Permitted. No permit required.	Permitted. No permit required.	May be restricted or prohibited.
Fire Ban	All active permits cancelled; no new permits issued.	All active permits cancelled; no new permits issued.	Prohibited.	All active permits cancelled; no new permits issued.	Permitted. No permit required.	Prohibited.	Prohibited.

OFFENCES

40. No person shall light an Outdoor Fire or a Structure Fire unless they are the holder of a subsisting Fire Permit if required under the Bylaw or the *Forest and Prairie Protection Act* or both.



41. No person shall allow an Outdoor Fire or a Structure Fire to be lit upon land that is owned or occupied by him/her or under his/her control except when such fire is permitted pursuant to the Bylaw.
42. Any person whether in possession of a valid permit or otherwise lights a fire for the purposes described in this Bylaw is responsible to ensure that the burn is conducted in a safe manner.
43. No person shall ignite or permit to be ignited a Fire on the Property of another without the consent of the owner of the property.
44. No person shall deposit, discard or leave any burning matter or substance where it might ignite other materials and cause a Fire.
45. When a fire is lit that does not meet the conditions imposed by the bylaw, the owner or occupier of the land or the person having control of the land upon which such fire is lit shall:
 - a) Extinguish the fire immediately, or
 - b) Where he/she is unable to extinguish the fire immediately, report the fire to 911;
 - c) Be liable to prosecution under summary conviction and/or costs incurred by the County to respond, suppress and extinguish the fire.
46. No person shall, either directly or indirectly, personally or through an agent, servant or employee ignite a fire and let it become a Running Fire on any land not his/her own property or allow a Running Fire to pass from his/her own property to the property of another.
47. No person shall light an Outdoor Fire, a Structure Fire or an Incinerator Fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times.
48. No person shall place Prohibited Debris within a Fire.
49. No person shall light an Outdoor Fire, Structure Fire, Incinerator Fire, charcoal barbeque, or Recreational Fire during a municipal or provincial Fire Ban.
50. No person shall obstruct a Community Peace Officer, Fire Guardian, or member of the DEM's office in the performance of their duties pursuant to this Bylaw or the *Forest Prairie Protection Act*. Obstruction will include failure to provide access to property and failure to provide information as to identity of individuals.
51. No person shall provide false, incomplete or misleading information to the County or Fire Guardian with respect to a Burning Permit or Burning Permit application.
52. No person shall allow any fire to give off a dense smoke or offensive odour in a manner which creates a risk to public safety or creates a nuisance to neighbouring person(s) or property.
53. No person shall conduct any activity that involves the use of a Fire, where smoke from the Fire may impede visibility of the vehicular traffic on any public highway or roadway.



54. No person shall allow property which he/she owns or occupies to become a fire hazard through either:
- a) Permitting the accumulation of rubbish or noxious, offensive or unwholesome matter of a combustible nature to collect or accumulate around their premises;
 - b) Lack of maintenance to the property or the structures upon it;
 - c) Any other contravention of municipal, provincial or federal regulations.
55. No person shall discharge, fire or set off fireworks unless authorized with a Fire Permit.

PENALTIES

56. Any person who contravenes a provision of the Bylaw is guilty of an offence and is liable to a penalty as set out herein.
57. A notice or form, commonly called a Violation Ticket, may be issued by a Peace Officer to any Person alleged to have breached any provision of this bylaw, and the said notice shall require the payment to the authorized official in the amount specified in the Bylaw.
58. Where a contravention of this Bylaw is of a continuing nature, further Violation Tickets may be issued by a Peace Officer in respect of each day on which the contravention continues.
59. A Violation Ticket shall be deemed to be sufficiently served:
- a) If served personally on the accused; or
 - b) If mailed to the address of the registered owner of the land concerned or to the Person concerned.
60. Any Person who contravenes any provision of this Bylaw, either by doing something that is prohibited or failing to do something that is required, is guilty of an offence and is liable to a fine of:
- a) First Offence: \$500.00
 - b) Second Offence: \$1000.00
 - c) Third and Continuing Offences: \$1,500.00 per offence

RECOVERY OF COSTS

61. Nothing in this Bylaw shall be construed as curtailing or abridging the right of the County to obtain compensation or to maintain an action for loss of or damage to property from or against the person or person responsible.
62. Where a Fire Department(s) or the County has taken any action whatsoever for the purpose of extinguishing a fire or responding to an Incident within or outside the municipality, for the purpose of preserving life or property or other incident on land or property within or outside the specified areas, including any such action taken by the Department(s) on a False Alarm, the County or a Fire Department may, in respect of any costs incurred by the Department(s) in taking such action, charge any costs so incurred by the Department(s) to the person who caused the fire or the Owner or Occupant of the land or property in respect of which the action was taken.



63. Where a non-permitted fire has been attended to by a Fire Department, and where fees are charged to the owner, the fees charged may be appealed by the owner to Council.

LIABILITY

64. The Members or Fire Guardians are not liable for loss or damage caused by anything said, done, omitted or to be done in the performance or intended performance of their functions, duties or powers unless the Member or Fire Guardian was dishonest, grossly negligent or guilty of willful misconduct.

SEVERABILITY

65. Should any part of this Bylaw be found to have been improperly enacted or ultra vires, for any reason, then such part shall be regarded as severable from the rest of this Bylaw and this 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.

REPEAL

66. Bylaw 825-03 and 920-15 are hereby repealed.

EFFECTIVE DATE

67. This Bylaw shall take effect on the date of the third and final reading.

READ a first time this 1 day of November, 2022.

READ a second time this 1 day of November, 2022.

READ a third time and duly passed this 1 day of November, 2022.



Reeve


Chief Administrative Officer



Handwritten signature/initials in blue ink.

Schedule A

COUNTY OF WARNER NO.5

FIRE DEPARTMENT BOUNDARY INFORMATION

