

**SUMMER VILLAGE OF GHOST LAKE
BYLAW NO.187**

(office consolidation copy with amendments up to April 23, 2007)

(Note: This office consolidation is provided for ease of reference, if there is a discrepancy in text between the original or the consolidated bylaw, the text in the original bylaw shall be considered correct)

WHEREAS Section 7 of the Municipal Government Act. R.S.A. 2000 c.M-26 and amendments thereto provide that Council may pass bylaws for the safety, health and welfare of people and protection of people and property generally within the Summer Village; and

AND WHEREAS the Council of the Summer Village of Ghost Lake in the Province of Alberta pursuant to the powers granted to it under the Municipal Government Act wishes to provide for the prevention, regulation and control of the lighting of fires within the summer village;

AND WHEREAS the Fire and Rescue Services for the Summer Village of Ghost Lake are contracted to the Town of Cochrane who are the primary provider of those services, and to whom first alert is to be initiated.

NOW THEREFORE the Council of the Summer Village of Ghost Lake, in the Province of Alberta in Council duly assembled hereby enacts as follows:

SECTION 1 NAME OF BYLAW

1.1 This Bylaw may be cited as "The Fire Safety Bylaw".

SECTION 2 DEFINITIONS

2.1 In this Bylaw

- a) "Council" means the Council of the Summer Village of Ghost Lake.
- b) "Court" means the Provincial Court of Alberta;
- c) "Chief Administrative Officer" means the person appointed by Council as the Chief Administrative Officer for the Summer Village of Ghost Lake.
- c.1) "Department" means the Cochrane Fire Department and any other fire department responding to a fire protection and/or rescue call within the municipal boundaries of the Summer Village of Ghost Lake.
- d) "Enforcement Officer" means a member of the Royal Canadian Mounted Police who is authorized to enforce Bylaws of the Summer Village;

(196-07)

- e) "Fire Guardian" means a person appointed by the Council as the Fire Guardian for the Summer Village of Ghost Lake and is authorized to enforce this bylaw.
- e.1) "Fire Protection Charge" means any or all costs incurred by the Department in providing fire protection and/or rescue services
(196-07)
- e.2) "Occupant" means a person using a property and includes an owner, tenant, agent and any other person who has the right of access to the property.
(196-07)
- e.3) "Owner" means a person who:
 - i) holds himself out to be a person having the powers and authority of ownership or who currently exercises the powers and authority of ownership over the property;
 - ii) is registered as the owner of the property pursuant to the *Land Titles Act*;
 - iii) has purchased or otherwise acquired the property, either directly from a previous owner or from another purchaser and has not yet registered ownership, or
 - iv) is listed as the owner of the property on the current assessment roll.
(196-07)
- f) "Outdoor Fire" shall include fires involving wood, humus, bush, grass, feed, straw, coal or any fire that has escaped or spread from a structure.
- g) "Provincial Offences Procedure Act" means the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, and the regulations thereof, as amended or replaced from time to time;
- i) "Structure" means anything manmade.
- j) "Summer Village" means:
 - a) the Municipal Corporation of the Summer Village of Ghost Lake, as duly established pursuant to the laws of the Province of Alberta; or
 - b) the area within the legal boundaries of the Summer Village of Ghost Lake, as the context of this Bylaw requires;

SECTION 3. FIRE GUARDIANS

- 3.1 The Council shall appoint a Fire Guardian or Fire Guardians to administer the provisions of this Bylaw, where it provides a duty to the Fire Guardian, within the boundaries of the Summer Village.

SECTION 4. POWER OF FIRE GUARDIANS

- 4.1 The Fire Guardian shall have the authority and power to:
- a) order that a property owner dispose of materials and correct dangerous conditions deemed to be a fire hazard.
 - b) Enforce the provisions of this Bylaw within the boundaries of the Summer Village.
 - c) Order that a person extinguish a fire during a fire ban.
 - d) Declare a fire ban within the provisions of this Bylaw.

SECTION 5. POWER OF ENFORCEMENT OFFICER

- 5.1 Each Enforcement Officer shall have the authority and power to:
- a) Order that a property owner dispose of materials and correct dangerous conditions deemed to be a fire hazard.
 - b) Enforce the provisions of this Bylaw within the boundaries of the Summer Village.
 - c) Order that a person extinguish a fire during a fire ban.

SECTION 6 FIRE BANS

- 6.1 Where an emergency or a potential emergency exists, the Fire Guardian shall be at liberty to declare a fire ban and suspend Outdoor Fires, or any Outdoor fire lit for Cooking or Warming purposes within the Summer Village for such a period of time and on such conditions as may be determined by the Fire Guardian.
- 6.2 When the Minister of Environmental Protection declares a total fire ban on the lands adjacent the Summer Village pursuant to the Forest and Prairie Protection Act and the fire ban includes all fires contained in fire facilities located in designated camping and recreational areas, then the same fire ban restrictions shall automatically apply within the boundaries of the Summer Village effective the time and date the adjacent land fire ban is

declared by the Minister and shall remain in effect until the Minister of Environmental Protection lifts the total fire ban on the adjacent lands.

- 6.3 When the Municipal District of Bighorn declares a total fire ban on the lands adjacent the Summer Village pursuant to the Forest and Prairie Protection Act and the fire ban includes all fires contained in fire facilities located in designated camping and recreational areas, then the same fire ban restrictions shall automatically apply within the boundaries of the Summer Village effective the time and date the adjacent land fire ban is declared by the Municipal District and shall remain in effect until the Municipal District of Bighorn lifts the total fire ban on the adjacent lands.

SECTION 7 OFFENSES

- 7.1 No person shall light an Outdoor Fire during a fire ban.
- 7.2 No person shall permit an Outdoor Fire to be lit upon land that is owned or occupied by him or under his control during a fire ban.
- 7.3 No person shall permit any outdoor fire to burn unattended over night and shall assure that all coals and embers have been extinguished to the point of cool to the touch. Persons disposing of ashes from a fireplace clean-out and bar-b-que briquettes shall also assure these materials are cool to the touch before disposing of them.
- 7.4 When a fire is lit under the circumstances described in Section 7.1 and 7.2 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 is unable to extinguish the fire immediately, report the fire by dialing the Fire Department Emergency number.
- 7.5 No person shall light an Outdoor Fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times.

SECTION 8 ENFORCEMENT

- 8.1 Where an Enforcement Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw, the Enforcement Officer may commence Court proceedings against such Person by requiring a Court appearance of the Person where the Enforcement Officer believes that such appearance is in the public interest, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act.

SECTION 9 SEVERABILITY

- 9.1 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.
- 9.2 It is the intention of Council that all offences created by this Bylaw be interpreted to be strict liability offences.

SECTION 10 COSTS FOR FIRE PROTECTION

- 10.1 Where the Department has responded to or taken action in respect to an incident for the purpose of providing rescue services, extinguishing a fire or responding to a call including a false alarm and the Department issues an invoice to the Summer Village, the Council, in its sole discretion, may levy the fire protection charge to the person who caused or contributed to the fire or incident, or the owner or occupant of the property involved and all individuals levied are jointly and severally responsible for the fire protection charge. (196-07)
- 10.2 A fire protection charge shall be paid within thirty (30) days of being levied. (196-07)
- 10.3 Collection of unpaid fire protection charges may be undertaken by civil action in court of competent jurisdiction, and any civil action does not invalidate any lien to which the Summer Village is entitled on the property in respect of which the indebtedness is incurred. (196-07)
- 10.4 The owner of a parcel to which fire protection is provided is liable for fire protection charges incurred and the Summer Village may, as permitted by the Municipal Government Act, add to the tax roll of the parcel of land all unpaid fire protection charges. (196-07)

READ a first time this 7th day of July A.D. 2004

READ a second time this 7th day of July A.D. 2004

READ a third time this 7th day of July A.D. 2004

“Bob Miller”
Mayor

“Sharon Plett”
Chief Administrative Officer