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**POLICY NO.7.09**

**SEPTEMBER 8, 2015**

**TITLE: SCHEDULE OF FINES FOR FIRE INFRACTIONS**

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**POLICY STATEMENT:**

This policy establishes a fee schedule for fines issued under Fire Protection Bylaw 05-2015.

**POLICY:**

To establish a schedule of fees for fines issued under Fire Protection Bylaw 05-2015

**DEFINITIONS:**

***Burn Barrel*** means a Fire as described under section 13 of bylaw 05-2015, Burn Barrels, which states:

Burn Barrels shall be constructed of non-combustible material, shall be free of damage, shall be covered with a tight fitting metal mesh screen with openings not more than 6mm in size, shall be located on a non-combustible material base, and shall be located at least 3 meters away from any combustibles.

***County*** means the municipal corporation of Westlock County.

***Fire*** , as defined in 2.1.11 of bylaw 05-2015, means any combustible materials in a state of combustion.

***Fire Advisory***, as defined in 2.1.12 of bylaw 05-2015, means the fire hazard rating has increased. Fire permits may be restricted. Safe campfires are allowed in campgrounds and backcountry or random camping areas, but this level is a warning they may be restricted if the situation doesn't improve.

***Fire Ban*** , as defined in 2.1.13 of bylaw 05-2015, means an Order issued by the Minister responsible for the *Forest and Prairie Protection Act*, or an order issued pursuant to the Bylaw for the purpose of cancelling all fire permits, prohibiting the lighting of, or requiring the extinguishment of all Fires.

**Fire Guardian**, as defined in 2.1.15 in bylaw 05-2015, means a person named or appointed by the County Fire Chief or under the *Forest and Prairie Protection Act*, as Fire Guardian.

**Fire Hazard**, as defined in 2.1.16 of bylaw 05-2015, means combustible material that, in the opinion of a Member, due to its nature, location, condition or arrangement, or any combination of these factors, may be ignited and could endanger human life or damage property.

**Fire Permit**, as defined in 2.1.17 of bylaw 05-2015, means a document issued by a Fire Guardian pursuant to the *Forest and Prairie Protection Act* or the Bylaw, allowing for the setting of specific type of Fire, on the form adopted by the County from time to time.

**Fire Pit**, as defined in 2.1.18 of bylaw 05-2015, means an outdoor receptacle that meets the following specifications, which is used for the purposes of cooking or obtaining warmth, fueled solely by dry wood, charcoal, coal, natural gas or propane;

- i. A minimum of three (3) meter clearance, measured from the nearest fire pit edge is maintained from buildings, property lines, or other combustible material;
- ii. The Fire Pit opening does not exceed 1 meter or less in width or in diameter when measured between the widest points or outside edges;
- iii. The Fire Pit installation has enclosed sides made from bricks, concrete blocks, and heavy gauge metal or other non-combustible materials;
- iv. A spark arrester mesh screen with openings no larger than 25 millimeters and constructed of expanded metal (or equivalent non-combustible material) is used to cover the Fire Pit opening in a manner sufficient to contain and reduce the hazards of airborne sparks;
- v. The Fire Pit is not located over any underground utilities or under any aboveground wires;
- vi. Is otherwise acceptable to a municipal fire guardian.

**Fire Protection Property**, as defined in 2.1.22 of bylaw 05-2015, means all property owned or controlled by the County and designated for use by the Fire Protection Department in relation to the provision of Fire Protection including, but not limited to, equipment, materials, supplies, Fire Protection Units and fire stations.

**Fire Restriction**, as defined in 2.1.24 of bylaw 05-2015, means an Order issued pursuant to the Bylaw for the purpose of fire prevention and cessation of fire permits for duration of the Restrictions.

**Non-permitted fuel** , defined in 2.1.37 and referred to as “Prohibited Debris” in bylaw 05-2015, means any combustible waste that, when burned, may result in the release to the atmosphere of dense smoke, offensive odours 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 material 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; and
- ix. Wood or wood products containing substances for the purpose of preserving wood.

**Peat**, as defined in 2.1.35 of bylaw 05-2015, means 35% or more peat, peat soil, peat bog, peat land, mire or any other form of sedentarily accumulated material consisting of decomposing and/or dead organic material, when burned produces dense smoke and offensive odours.

**Running Fire**, as defined in 2.1.40 in bylaw 05-2015, means a Fire that is in the opinion of a Member, burning without being under the proper or any control of a qualified person.

**SCHEDULE:**

| BURNING IN CONTRAVENTION OF FIRE BANS/FIRE RESTRICTIONS    |   |           |
|--|---|-----------|
| Sect 14.1  | Burning during a County imposed Fire Restriction                    | \$500.00  |
| Sect 15.2  | Operating an OHV in a prohibited area during a fire restriction/ban | \$1000.00 |
| Sect 15.4  | Burning during a County imposed Fire Ban                            | \$1000.00 |
| BURNING INFRACTIONS (Fire Permit / Burn Barrel [Fire Pit]) |   |           |
| Sect 12.1  | Burning without a Fire Permit                                       | \$500.00  |
| Sect 12.10   | Failure to adhere to the conditions of a Fire Permit                | \$500.00  |
| Sect 12.2  | Non Permitted Fire within a Hamlet                                  | \$300.00  |
| Sect 13.1  | Burning using a Burn Barrel within Hamlet boundaries                | \$300.00  |

|                             |   |  |
|-----------------------------|---|--|
| Sect 13.2                   | Non-Compliant Burn Barrel   | \$300.00   |
| Sect 13.3                   | Non-permitted fuel burnt within a burn barrel   | \$300.00   |
| Sect 2.1.31                 | Burning using a non-compliant Fire Pit  | \$300.00   |
|                             |   |  |
| BURNING OFFENCES<br>(Other) |   |  |
| Sect. 17.1.2                | Allow a Fire to be lit  | \$300.00   |
| Sect 17.1.2                 | Deposit, discard or abandon any burning matter creating Fire Hazard                                   | \$300.00   |
| Sect 17.1.19                | Lighting a Fire on County Lands without written permission  | \$300.00   |
| Sect 17.1.13                | Let a Fire become a Running Fire onto adjoining properties  | \$600.00   |
| Sect 17.1.15                | Lighting a Fire when conditions are conducive to create a Running Fire                                | \$300.00   |
| Sect 17.1.14                | Lighting a Fire without taking sufficient precautions for a controlled Fire                           | \$300.00   |
| Sect 17.1.16                | Failure to take reasonable steps to control Fire  | \$300.00   |
| Sect 17.1.17                | Conduct fire risk activities without the necessary precautions in place                               | \$500.00   |
| Sect 17.1.18                | Fire that impeded visibility (Vehicles /Pedestrians)  | \$500.00   |
| Sect 17.1.20                | Fire that produces dense black / noxious / toxic smoke due to type of combustibles used               | \$500.00   |
| Sect 17.1.6                 | Damage or Destroy Fire Protection Property  | \$1000.00  |
| Sect 17.1.8                 | Drive a vehicle over Fire Protection Property without permission of a Member in charge at an Incident | \$1000.00  |
| Sect 17.1.21                | Non-Compliant Peat burning  | \$5,000.00<br>With a two year fire permit suspension |

| FALSE REPRESENTATION            |  |                         |
|---------------------------------|--|-------------------------|
| Sect 17.1.3                     | Provide false, incomplete or misleading information to a Fire Guardian or a member of the Fire Protection Department with respect to a Fire or a Fire Permit application | \$500.00                |
| Sect 17.1.7                     | Falsely represent himself as a Member or wear /display County Emergency Services Department issued clothing /paraphernalia   | \$500.00                |
| OBSTRUCTION INTERFERENCE        |  |                         |
| Sect 17.1.5                     | Impede/Obstruct/Hinder a Fire Guardian, Peace Officer or person involved in the inspection, investigation or enforcement of Fire Protection matters                      | \$500.00                |
| Sect 17.1.4                     | Obstructing or Interfering with the duties of a Member acting on direction of an Incident Commander  | \$300.00                |
| Sect 17.1.11                    | Obstruct a Member from carrying out any function or activity related to the provision of Fire Protection   | \$300.00                |
| Sect 17.1.9 (i), (ii), (iii)    | Obstruct/Interfere with access to the scene, water sources and fire suppressions sources   | \$300.00                |
| Sect 17.1.10                    | Cross any boundary or limit set by Fire Protection Department  | \$400.00                |
| SECOND OFFENCES WITHIN ONE YEAR |  |                         |
|                                 | Part 2 (Summons) Violation Ticket with a <u>specified penalty</u> (double the initial fine) that includes a mandatory Court Appearance at a Provincial Court             | Double the initial Fine |
| ALL SUBSEQUENT OFFENCES         |  |                         |
|                                 | Part 2 (Summons) Violation ticket with an unspecified penalty that includes a mandatory Court Appearance at a Provincial Court   | Fine to be set by Court |

MOTION: \_\_\_\_\_

DATE: \_\_\_\_\_

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Peter Kelly  
Chief Administrative Officer