

**WHEATLAND COUNTY
BYLAW 2025-06**

Being a Bylaw of Wheatland County in the Province of Alberta, to establish and operate a Fire Service, authorize the prevention and control of fires, and authorize the imposition and recovery of related fees, expenses, and charges.

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended, authorizes a municipal Council to pass bylaws for municipal purposes, including those related to the safety, health and welfare of people, the protection of people and property, and for the provision of services by or on behalf of the municipality;

AND WHEREAS Sections 7 and 8 of the *Municipal Government Act* empower Council to establish a system of licenses, permits or approvals, including the authority to set and impose related fees;

AND WHEREAS under the *Forest and Prairie Protection Act*, R.S.A. 2000, c.F-19, as amended, Wheatland County is responsible for fighting and controlling all fires within its boundaries, excluding areas designated as forest protection areas;

AND WHEREAS Wheatland County Council deems it necessary to provide for the prevention, regulation, and control of lighting of fires within the County, in accordance with powers granted under the *Municipal Government Act* and the *Forest and Prairie Protection Act*;

AND WHEREAS Wheatland County is accredited in the fire discipline by the Safety Codes Council under the *Safety Codes Act*, RSA 2000, as amended.

NOW THEREFORE the Council of Wheatland County, in the Province of Alberta, duly assembled, hereby enacts as follows:

1.0 TITLE AND INTERPRETATION

- 1.1 This Bylaw may be cited as the "Fire & Emergency Services Bylaw".
- 1.2 The purpose of this Bylaw is to establish the authority, responsibilities, and framework for the delivery, regulation, and coordination of fire protection and emergency response services within the County. It is intended to promote the safety, health, and welfare of the public, protect property and the environment, and support the effective administration of Fire & Emergency Services in accordance with applicable legislation and County policies.
- 1.3 In the event of a conflict between a provision of this Bylaw and a provision of any applicable provincial legislation, the provincial legislation shall prevail.
- 1.4 Where provisions of this Bylaw appear to be inconsistent or in conflict with one another, the more restrictive provision shall apply, unless otherwise stated.
- 1.5 This Bylaw shall be interpreted in conjunction with applicable County policies, including any Fire & Emergency Services Policies or Emergency Management Policies approved by Council.

2.0 DEFINITIONS

- 2.1 Unless otherwise defined in Schedule "A" of this Bylaw, words and terms used in this Bylaw shall have the same meaning as those set out in the *Municipal Government Act*, the *Safety Codes Act*, the *Emergency Management Act*, and any other applicable provincial or federal legislation, as amended from time to time.

3.0 ESTABLISHMENT AND JURISDICTION OF FIRE SERVICES

- 3.1 Authority to Establish Fire & Emergency Services
 - 3.1.1 The County hereby establishes Fire & Emergency Services for the purpose of delivering Fire Protection and Emergency Response services in accordance with this Bylaw and applicable legislation.
- 3.2 Jurisdiction and Scope of Services

3.2.1 Fire & Emergency Services shall operate within the boundaries of Wheatland County and may respond outside County boundaries in accordance with applicable agreements or upon approval by the Chief Administrative Officer or designate where no agreement exists.

3.2.2 Fire & Emergency Services may include fire suppression, rescue, medical first response, hazardous materials response, public education, fire prevention, and other emergency or non-emergency services as authorized by the County.

4.0 ADMINISTRATION AND APPOINTMENT OF OFFICERS

4.1 Appointment of Officers

4.1.1 The Regional Fire Chief shall be appointed by the Chief Administrative Officer (CAO) and is responsible for managing and directing Fire & Emergency Services in accordance with County policy and this Bylaw.

4.1.2 The Regional Deputy Fire Chief shall be appointed by the CAO and shall support and act in the absence of the Regional Fire Chief.

4.1.3 County District Fire Chiefs shall be appointed in accordance with County policy and shall report to the Regional Fire Chief or Regional Deputy Fire Chief.

4.2 Fire Guardians

4.2.1 The Regional Fire Chief or Regional Deputy Fire Chief, and other persons designated by Council as Fire Guardians under the *Forest and Prairie Protection Act* shall exercise the powers and duties of that role in accordance with the Act.

4.3 Organizational Structure

4.3.1 Fire & Emergency Services shall consist of all personnel, Members, Officers, fire halls, Apparatus, and Equipment as outlined in County policies and agreements, including both County managed facilities and those operated by Fire Protection Associations.

4.3.2 Fire halls within Fire & Emergency Services may be managed directly by the County or operated by Fire Protection Associations, commonly known as Rural Fire Associations, under current agreements with the County.

5.0 FIRE SERVICES OPERATIONS

5.1 Roles and Responsibilities of Fire Personnel

5.1.1 Regional Fire Chief

- Directs all Fire & Emergency Services.
- Oversees County Fire & Emergency Services and personnel.
- May delegate responsibilities, including Incident Command.

5.1.2 Regional Deputy Fire Chief

- Acts in place of the Regional Fire Chief as required.
- Supports policy implementation and operational coordination.
- May assume Incident Command as needed.

5.1.3 County District Fire Chiefs

- Lead their respective Fire & Emergency Services.
- Ensure compliance with legislation, this Bylaw, and County policies.
- May appoint Members and Officers and designate acting Fire Chiefs.

5.1.4 District Fire Association Chiefs

- Operate in accordance with their Fire & Emergency Services Agreements.
- Accountable to their Fire Protection Associations and to the Regional Fire Chief.

5.1.5 Officers and Members

- Appointed in accordance with County Policies.
- Perform duties as assigned under County direction.

5.2 Chain of Command

5.2.1 All Members shall follow the Fire & Emergency Services chain of command as established through applicable emergency management procedures and as directed by the Regional Fire Chief.

5.2.2 During emergency operations, authority may be delegated as needed to ensure efficient incident management.

5.3 Incident Command Protocols

5.3.1 The Incident Commander has full authority over operations at an Incident scene, regardless of rank.

5.3.2 The Incident Commander may evacuate persons, restrict access, demolish structures, or take any necessary action to mitigate hazards and protect life, property, and the environment.

5.3.3 This authority applies for the duration and scope of the Incident and shall be exercised in accordance with applicable legislation, County policies, and operational guidelines.

5.3.4 Incident Response and Command

a. Fire Departments may deploy Apparatus and Equipment to respond to fires, incidents, or emergencies to protect life, property, and the environment.

b. Incident Command is assumed by the appropriate officer, based on training, experience, and rank.

6.0 FIRE SERVICES AGREEMENTS AND MUTUAL AID

6.1 Authority to Establish Agreements

6.1.1 Fire & Emergency Services Agreements, Mutual Aid Agreements, and other intermunicipal agreements may be established and fulfilled under the authority of the County, as authorized by Council.

6.1.2 Mutual Aid and Intermunicipal Cooperation

a. Assistance between County Fire Departments or with external municipalities may be requested through Regional Dispatch, under the authority of the Incident Commander or Fire Association Chief.

b. Such assistance must be in accordance with valid Mutual Aid Agreements or Fire & Emergency Services Agreements entered into by the County.

6.1.3 Assistance Calls

When additional resources are required to respond to an Incident within a Fire Protection Area, the Fire Association Chief or Incident Commander may request assistance through the Regional Dispatch Centre, consistent with the Level of Service established for the responding Fire District. Requests for assistance shall be made in the following order of priority:

a. County Fire Departments or other Association Fire Departments within the County, subject to their available resources and Level of Service;

b. Other municipalities or First Nations that are party to a valid Mutual Aid Agreement with the County.

6.1.4 No Association or third party may bind the County except under a written agreement authorized by Council and/or CAO.

6.2 Agreement Requirements

6.2.1 Subject to Council's discretion, all Fire & Emergency Services Agreements must, at a minimum, include the following provisions:

a. The jurisdiction of the Regional Fire Chief extends throughout the boundaries of the County, including all designated Fire Protection Areas.

b. The Regional Fire Chief is authorized to assign or delegate rights and responsibilities to any individual or organization providing services to the County under a Fire Services Agreement, except where doing so would conflict with the terms of the agreement.

- c. The Level of Service provided by any contracted party must meet or exceed the Level of Service established by the County for the applicable service area.
- d. The policies and operational standards of any contracted party must be consistent with, or exceed, the standards and policies adopted by the County.
- e. Apparatus and Equipment may not be deployed outside the designated service area except as authorized under a valid service agreement, such as a Mutual Aid Agreement.
- f. The County may establish and apply fees for the provision of Fire Protection Services within the designated service area.

6.3 Roles, Responsibilities, and Eligibility

- 6.3.1 The Chief Administrative Officer is authorized to negotiate Fire Services Agreements, subject to Council approval.
- 6.3.2 A valid and current Fire Services Agreement is required for any Fire Protection Association to provide Fire Protection Services on behalf of the County.
- 6.3.3 The following Fire Protection Associations are authorized to provide fire protection services within their designated Fire Districts as identified in Schedule "B":
 - a. Dalum Fire Protection Association
 - b. Hussar Rural Fire Association
 - c. Rockyford Rural Fire Association
 - d. Standard Rural Fire Association
 - e. Rosebud Fire Association

These Association may also provide services outside their designated areas upon request and with appropriate authorization.

7.0 FIRE PROTECTION SERVICES

7.1 Wheatland County Fire & Emergency Services provides the following core services to protect life, property, and the environment:

- Fire suppression
- Emergency response
- Fire prevention education
- Hazard mitigation
- Mutual aid

7.2 Roles and Responsibilities of Associations

- a. All authorized Fire Protection Associations must:
 - Comply with this Bylaw and the terms of their Fire Services Agreements;
 - Maintain their legal status under the *Societies Act*;
 - Adhere to all applicable County policies and approved levels of service.
- b. No Association may bind or represent Wheatland County in contractual or legal matters without prior written authorization.

7.3 Financial Requirements

- a. All Fire Protection Associations must ensure that their budgets and expenditures comply with:
 - The terms of any applicable Fire Services Agreement;
 - The *Municipal Government Act*; and
 - *Societies Act*.

8.0 FIRE PERMITS

Requirements and Process

8.1 A valid Fire Permit is required for any Outdoor Fire within Wheatland County in accordance with this Bylaw and the *Forest and Prairie Protection Act*, as amended or replaced from time to time.



- 8.2 A Fire Permit issued under the Forest and Prairie Protection Act shall be deemed to be a valid Fire Permit under this Bylaw.
- 8.3 Fire Permit applications must be submitted digitally or in writing using the process prescribed by the County. Fire Guardians may attach conditions to the permit to ensure public safety.
- 8.4 A Fire Permit issued under this Bylaw shall be valid only for the time period specified on the permit, which shall not exceed five (5) consecutive calendar days unless extended or reissued by a Fire Guardian.
- 8.5 A Fire Guardian or Regional Fire Chief may suspend or cancel any Fire Permit at any time, and for any reason, including changing conditions or risk levels. Permit holders are responsible to monitor and comply with fire bans and restrictions as issued.
- 8.6 Each Fire Permit application shall include the following information:
- a. Applicant's full name and contact information;
 - b. Burning location (legal land description and/or municipal address);
 - c. Description of materials to be burned;
 - d. Dates and times of burn;
 - e. Fire control measures;
 - f. Signature of applicant and issuing Fire Guardian.
- 8.7 A Fire Guardian may request additional information or impose further conditions before issuing a Fire Permit.
- 8.8 A Fire Permit is not transferable between persons or properties. A new permit is required for each distinct location or applicant.

Permit Conditions

- 8.9 A Fire Permit is not required for the following activities, provided all conditions below are met:
- a. Fires in an approved Incinerator, outdoor barbecue, or residential fire pit;
 - b. The fire appliance is located at least four (4) metres from any building, structure, property line, or combustible material, or as otherwise approved by the Regional Fire Chief;
 - c. The structure is built from non-combustible materials such as concrete blocks, heavy-gauge metal, or bricks;
 - d. A spark arrestor mesh screen with openings no larger than 0.7 cm (0.25 in) is used;
 - e. The fire is continuously supervised by a responsible adult until fully extinguished, including ashes and embers;
 - f. Only clean, dry wood, charcoal briquettes, propane, or natural gas are used as fuel;
 - g. Flame height does not exceed 100 cm (3.28 feet) above the structure.
- 8.10 This Bylaw does not apply to any Industrial or Commercial Incinerators that require licensing under the *Alberta Environmental Protection and Enhancement Act*, and its regulations.
- 8.11 Burning is prohibited:
- a. In areas designated as Municipal or Environmental Reserves; and
 - b. Within any designated Restricted Burn Areas as established by the County.
- 8.12 The Regional Fire Chief or their designate may issue a temporary ban or suspension on all Incinerator Fires, Outdoor Fires, and/or Recreational Fires within all or portions of the County in the event of an emergency, hazardous conditions, or high fire risk. The ban shall remain in effect for the duration and under the conditions specified.

Commercial Burning

- 8.13 A Fire Permit is required for all commercial burning activities within the County including but not limited to:
- a. thawing the ground for construction purposes with class A or B material;
 - b. controlled burns associated with commercial land clearing or site preparation;

- c. public events involving fire where admission is charged;
- d. fire extinguisher training sessions.

9.0 FIRE BANS AND RESTRICTIONS

Authority to Issue Bans

- 9.1 The Regional Fire Chief may, in consultation with County District and Association Fire Chiefs, declare, amend, or lift a Fire Ban or restriction for all or part of Wheatland County at their discretion upon determination of elevated risk. All previously issued Fire Permits are deemed suspended for the ban's duration.

Types and Duration

- 9.2 A Fire Ban shall remain in effect until the Regional Fire Chief provides public notice that the ban has been lifted.
- 9.3 Any Fire Permits previously issued for Property within the area covered by the Fire Ban are automatically suspended for the duration of the ban.
- 9.4 When a Fire Ban is in effect, no Person shall ignite or allow any Fire to be ignited on land they own or control within the affected area, including Recreational Fires.

Public Notification Process

- 9.5 Public notice of a Fire Ban or its removal will be issued by the County through established communication channels.

Recreational Fires (Outside of Fire Bans)

- 9.6 Recreational Fires are permitted only when fire restrictions are not in effect. They must be contained within approved fire containments structures (e.g., fire pits, barrels, barbecues) and comply with all applicable safety requirements.

Fireworks

- 9.7 The use of Firecrackers is strictly prohibited within the boundaries of the County.
- 9.8 No Person shall sell, possess, or discharge Fireworks within the County unless they have:
- a. obtained the appropriate federal, provincial, and municipal permits and licenses;
 - b. secured a valid Fireworks Permit issued by Fire & Emergency Services; and
 - c. The vendor and user must comply with the *Alberta Fire Code*, the *Explosives Act* (R.S.C., 1985, c. E-17), and all applicable laws, regulations, and standards.
- 9.9 The possession, sale, storage, or use of Fireworks is prohibited unless explicitly authorized under this Bylaw and in accordance with all required conditions.

10.0 CONTROL OF FIRE HAZARDS

- 10.1 If, in the opinion of the Regional Fire Chief, Regional Deputy Fire Chief, County District Fire Chief, or Association Fire Chief, a Fire Hazard exists on any privately owned or occupied public land within the County, that officer may issue a written Order to the Owner, Occupant, or Person in control of the land to requiring the Fire Hazard to be reduced or removed within a specified timeframe and by methods prescribed in the Order.
- 10.2 If the Person receives the Order fails to comply within the timeframe specified, the Regional Fire Chief or designate may enter the land, with any personnel and equipment necessary, to complete the work required to reduce or eliminate the Fire Hazard.
- 10.3 The Owner or Occupant of the land where the County performs such work is responsible for the associated Fire Service Fee. If the fee remains unpaid, it may be added to the property tax roll and will constitute a special lien against the property in accordance with s553.1(1) of the *Municipal Government Act*.

11.0 REQUIREMENT TO REPORT

- 11.1 The Owner or Occupant of any Property on which a Fire has caused damage shall report the Fire to Wheatland County Fire Services immediately, using a method and form acceptable to the Regional Fire Chief.
- 11.2 Any Person who owns, occupies, or has care and control of Property containing Dangerous Goods and who becomes aware of an accidental or unplanned release of such products shall immediately report the incident to County Fire Services in a form and manner acceptable to the Regional Fire Chief.

12.0 OFFENCES

- 12.1 Prohibited Acts – the following acts are prohibited under this Bylaw:

General Offences

- a. Contravening Provisions: Violating any provision of this Bylaw.
- b. Obstruction: Obstructing, impeding, or hindering a Member, Enforcement Officer, or anyone acting under their direction;
- c. Property Damage: Damaging or destroy Fire Services Department property or Equipment;
- d. Obstructing Fire Protection: Blocking access to hydrants, water sources, alarm connections, or access roads, thereby obstructing fire protection efforts.
- e. False Representation: Falsely representing themselves as a Member or display fire service paraphernalia that could mislead others.
- f. False Information: Providing false or misleading information when applying for a Fire Permit;
- g. False Alarms: Causing, initiating, permitting, or authorizing a false alarm.

Fires and Fire Conduct

- a. Unpermitted Outdoor Fires: Igniting or allowing an Outdoor Fire without a valid Fire Permit, where required.
- b. Fire Ban Violations: Lighting or permitting any Outdoor, Incinerator, or Recreational Fire during a County or Provincial Fire Ban.
- c. Lack of Fire Precautions: Lighting a Fire without taking sufficient precautions to ensure it remains under control.
- d. Igniting Fires in Unsafe Conditions: Igniting a Fire during weather conditions conducive to a Running Fire.
- e. Failure to Report Uncontrollable Fires: Failing to report a Fire when immediate extinguishment is not possible.
- f. Unauthorized Fires on Property: Permitting a Fire on land owned or controlled by you unless authorized by this Bylaw.
- g. Fire Spread: Allowing a Fire to spread to another person's Property.
- h. Failure to Prevent Running Fires: Failing to implement fire prevention measures, including monitoring, controlling, or extinguishing a Fire, or maintaining sufficient resources on-site, to prevent a Fire from spreading beyond its point of origin and becoming a Running Fire.
- i. Improper Disposal of Burning Material: Depositing or leaving burning material in a way that could ignite a Fire.
- j. Unsafe Use of Fire/Flammable Materials: Conducting any activity using fire, open flame, an ignition source, or flammable/explosive material without implementing precautions necessary to control sparks, prevent spread of fire, and ensure extinguishing capability.

Prohibited Materials and Smoke

- a. Burning Prohibited Debris: Burning any Prohibited Debris.
- b. Burning Materials Producing Dense Smoke: Burning materials that produce dense black smoke (e.g., plastic, rubber, asphalt, treated wood, electrical insulation).
- c. Burning Toxic Materials: Burning toxic materials such as herbicides or pesticides.
- d. Smoke Impairing Visibility: Allowing smoke from a Fire to impair visibility on a Highway.

- e. Nuisance Smoke or Odour: Allowing smoke or odour that endangers public safety or creates a nuisance to others.

Property Restrictions

- a. Fires on County Land: Lighting a Fire on County-owned land without written permission.
 - b. Fires Outside Approved Pits: Lighting a Fire outside an approved fire pit within any Hamlet.
 - c. Unauthorized Fireworks: Selling, possessing, storing, or discharging Fireworks without proper permits for High or Low-Level Displays.
- 12.2 Any Person who ignites a Fire under this Bylaw, whether or not a Fire Permit has been obtained, is fully responsible for ensuring the Fire is conducted safely, remains under control, and complies with this Bylaw and any Fire Permit conditions.

13.0 ENFORCEMENT TOOLS: WARNINGS AND REMEDIAL ORDERS

13.1 The Regional Fire Chief, Deputy Fire Chief, or an Enforcement Officer may issue a written Warning Letter or Remedial Order where they reasonably believe a person is found to be in violation of this Bylaw.

13.2 A Warning Letter may:

- a. Outline the contravention;
- b. Set a deadline for voluntary compliance; and
- c. Serve as a record of prior infraction for future enforcement.

13.3 A Remedial Order may:

- a. Direct a person to stop the activity or take measures to correct the contravention;
- b. Specify a deadline for compliance; and
- c. Be served in accordance with Section 14.0.

14.0 SERVICE OF DOCUMENTS

14.1 A Warning Letter or Remedial Order may be served by:

- a. Personal Delivery: Delivering the document in person to the individual or organization.
- b. Mail: Sending by registered or regular mail to the recipient's last known address. This is considered delivered seven (7) days after mailing.
- c. Unoccupied Property: For unoccupied property, by mail to the registered landowner's address as shown on the County tax roll. This is also deemed to be served seven (7) days after mailing.
- d. Other Methods: Any other methods directed by a court, if necessary.

15.0 FEES, COST RECOVERY, AND ENFORCEMENT

15.1 Cost Recovery

15.1.1 Where Fire & Emergency Services responds to an incident that results from a contravention of this Bylaw, or from negligent, malicious, or prohibited acts, the County may invoice the responsible person(s) for all associated costs. These may include but are not limited to:

- Personnel and apparatus use;
- Mutual aid or third-party services;
- Specialized equipment;
- Materials used, lost, or damaged.

15.1.2 Fire Protection Charges are outlined in Schedule "D" and may be amended by Council resolution or through the County's Master Fee Schedule Bylaw.

15.1.3 Charges may also apply where:

- A Remedial Order has been issued;
- A False Alarm Occurs;
- Fire Protection Services are delivered to an individual or property.

- 15.1.4 All persons charged are jointly and severally liable for payment, which is due within 30 days of invoicing.
- 15.1.5 Unpaid invoices may be recovered by:
- Adding the unpaid amount to the property tax roll, with interest, in accordance with s553 of the *Municipal Government Act*; or
 - Civil action.
- 15.2 Remedial Orders
- 15.2.1 A Remedial Order may be issued at any time by the Regional Fire Chief (or designate) or an Enforcement Officer, with or without a prior Warning Letter.
- 15.2.2 A Remedial Order may:
- a. Direct the individual to stop or change an activity.
 - b. Require specific actions to remedy the bylaw violation.
 - c. Specify a compliance deadline and require proof of compliance.
 - d. Advise that the County may complete the required work at the individual's expense if compliance is not achieved.
- 15.2.3 Review of Remedial Orders
- a. A person who receives a Remedial Order may request a review by Council by submitting a written request within 14 days of receiving the order including the reasons for the request.
- 15.2.4 Council shall review the request within 30 days and may:
- a. Uphold the original order.
 - b. Vary, substitute, or cancel the order.
- 15.2.5 Council's decision shall be issued in writing to the requester.
- 15.3 Review of Fire Protection Charges
- 15.3.1 Any person who receives an invoice for Fire Protection Charges may request a review by Council by submitting a written request with 14 days of receiving the invoice; and stating the reasons for the review.
- 15.3.2 Council shall respond in writing within 30 days and may:
- a. Confirm the charges.
 - b. Modify, waive, or reduce the charges in whole or in part;
 - c. Establish revised payment terms.
- 15.4 Offences and Penalties
- 15.4.1 A person commits an offence if they:
- a. Violate any provision of this Bylaw or a Fire Permit;
 - b. Cause, permit, or allow a contravention to occur;
 - c. Fail to comply with any lawful order issued under this Bylaw;
 - d. Interfere with Fire & Emergency Services personnel or operations;
 - e. Burn without a valid permit.
- 15.4.2 A person convicted of an offence under this Bylaw may be liable to:
- a. A fine of up to \$10,000; or
 - b. Imprisonment for up to six (6) months upon failure to pay the fine.
- 15.4.3 Specified penalties for contraventions are listed in Schedule "C". Fines may be amended by Council or through the County's Master Fee Schedule Bylaw.
- 15.4.4 Repeat Offences, for multiple offences of the same provision within a 24-month period:
- a. Second Offence: Fine is double the amount in Schedule "C".

- b. Third or Subsequent Offence: Fine is four times the amount listed.

15.5 Violation Tickets

15.5.1 Where an Enforcement Officer has a reasonable belief that that a Person has contravened any provision of the Bylaw may:

- a. Issue a Violation Ticket under the Provincial Offences Procedures Act;
- b. Commence legal proceedings.

15.5.2 Issuance of a fine or ticket does not exempt the person from liability for other costs or charges imposed under this or other bylaws.

16.0 LIABILITY

16.1 No action shall lie against the County, the Chief Administrative Officer, General Manager, Regional Fire Chief, Regional Deputy Fire Chief, County District Fire Chiefs, Fire Association District Chiefs, Deputy Fire Chiefs, Officers, Members, Fire Guardians, or Enforcement Officers for any loss, damage, or injury, including death, caused by or resulting from any act or omission done in good faith in the performance, or intended performance, of their duties, powers, or responsibilities under this Bylaw or any applicable provincial legislation or County policy.

16.2 Without limiting the generality of the foregoing, no liability shall attach for any decision relating to the granting, refusal, suspension, or cancellation of any Fire Permit or other authorization pursuant to this Bylaw.

17.0 STRICT LIABILITY

17.1 All offences under this Bylaw are designated as strict liability offences. It is not necessary for the County to prove the intent or negligence of a person in order to establish a contravention of this Bylaw. A person may avoid liability by demonstrating that they exercised due diligence to prevent the contravention.

18.0 SEVERABILITY

18.1 Each provision of this Bylaw is independent of every other provision. If any provision is found to be invalid or unenforceable by a Court of competent jurisdiction, such invalidity shall not affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.

19.0 REPEAL OF BYLAWS

19.1 Bylaw 2019-06 and all amendments thereto are hereby repealed upon passage of this Bylaw. Any Service Agreements or appointments made under previous bylaws remain in force until replaced or rescinded under the authority of this Bylaw.

20.0 EFFECTIVE DATE

20.1 This bylaw shall come into force and effect upon receiving third and final reading by Council.

READ A FIRST TIME this 2nd day of September, 2025.

READ A SECOND TIME this 23rd day of September, 2025.

READ A THIRD TIME and PASSED this 23rd day of September, 2025



Amber Link, Reeve



Brian Henderson, Chief Administrative Officer

SCHEDULE 'A'

DEFINITIONS

In this Bylaw, unless the context otherwise requires:

1. **"Apparatus"** means any vehicle, device, or specialized equipment operated by or on behalf of the County's Fire Department(s), whether operating on land, in air, or on water, and is used to provide Fire Protection Services or to transport Members or Equipment.
2. **"Authority Having Jurisdiction"** means the Regional Fire Chief or, in their absence, the Regional Deputy Fire Chief, or an approved designate.
3. **"Burnable Debris"** means all natural wood (untreated and unpainted), straw, tree trimmings, brush, leaves, grass, or similar materials, but does not include Prohibited Debris.
4. **"Clean Wood"** means wood that has not been painted, stained, or treated, or combined with other materials.
5. **"County Fire Department"** means a Fire Department operated by Wheatland County, including Carseland, Gleichen, and Wheatland West Fire Departments.
6. **"County District Fire Chief"** means a person who meets the qualifications for District Chief under County policy and is appointed by the Regional Fire Chief.
7. **"Dangerous Goods"** has the meaning ascribed to it in the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c. D-4, and any associated regulations, as amended.
8. **"District Fire Department"** means any Fire Department operated either by Wheatland County or by a Fire Protection Association, and includes its respective Fire Chief (whether a County District Fire Chief or Fire Association Chief) and all Members.
9. **"Equipment"** means any tool, device, apparatus, or material used by a Fire Department in response to an Incident or other emergency.
10. **"Fire Ban"** means an order issued by the Province or the Authority Having Jurisdiction, as defined in Section 9 of this Bylaw, prohibiting Fires in all or any part of the County.
11. **"Fire Department"** means either a County Fire Department or a Fire Protection Association Fire Department, as the context requires.
12. **"Fire District"** means a defined fire protection service area as set out in in **Schedule 'B'** of this Bylaw.
13. **"Fire Guardian"** means:
 - a. Any person deemed to be a Fire Guardian under the *Forest and Prairie Protection Act*, R.S.A. 2000, c. F-19; and
 - b. Any person appointed as a Fire Guardian by Council pursuant to the *Forest and Prairie Protection Act*.
14. **"Fire Permit"** means a written permit issued by a Fire Guardian under the *Forest and Prairie Protection Act*, this Bylaw, or both, authorizing the setting of a fires within the County. For clarity, Recreational Fires, Barbecues, and Incinerator Fires may be exempt from permit requirements provided elsewhere in this Bylaw.
15. **"Fire Protection Association"** means an organization incorporated under the *Societies Act*, R.S.A. 2000, c. S-14, for the purpose of providing Fire Protection Services within the County, and includes:
 - a. Dalum Fire Protection Association,
 - b. Hussar Rural Fire Association,
 - c. Rockyford Rural Fire Association,
 - d. Rosebud Fire Association,
 - e. Standard Rural Fire Association

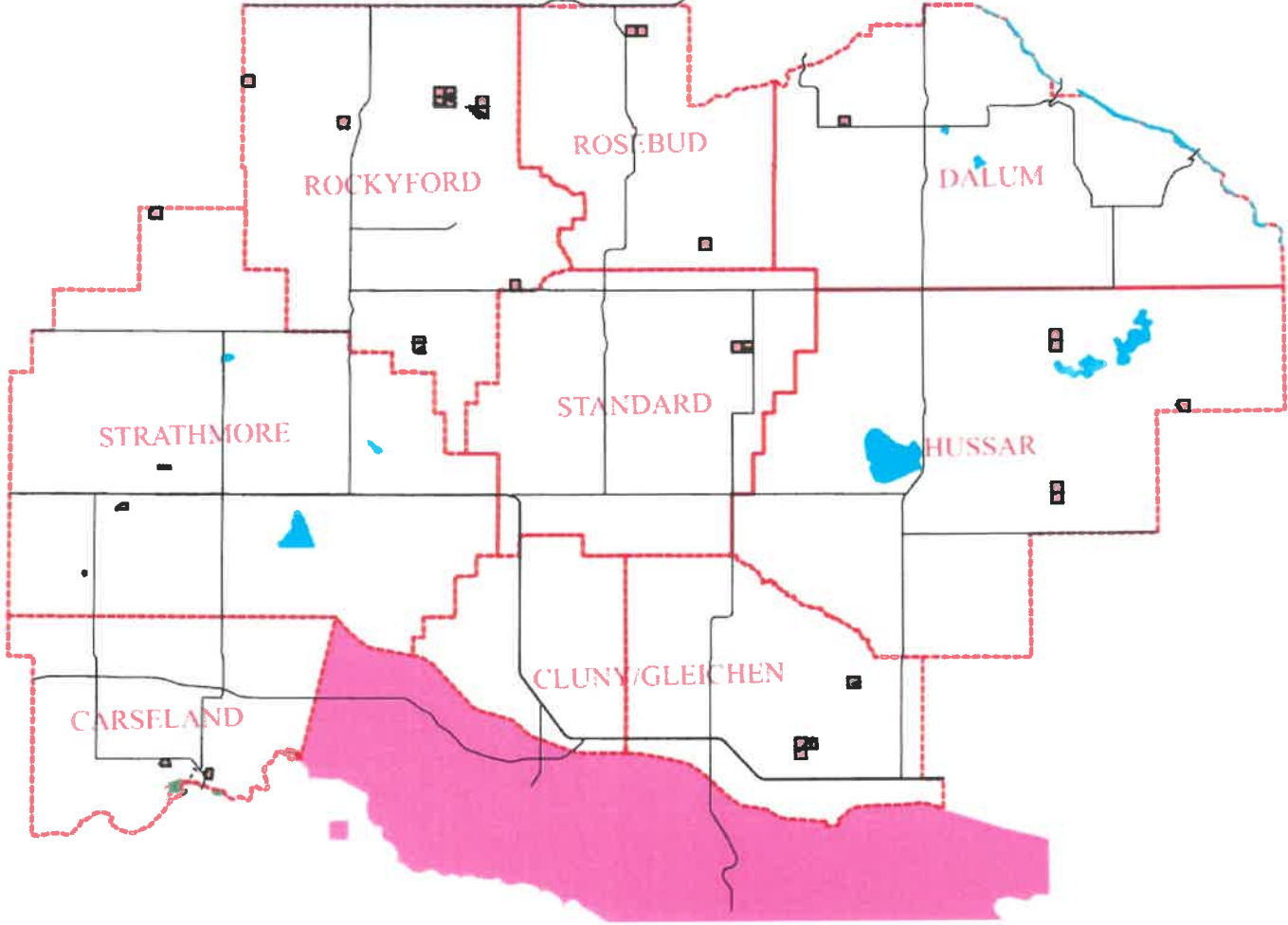
together with their respective District Fire Departments. A Fire Protection Association is considered a "fire service organization" under Section 535.2(a)(iv) of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26.

16. **"Fire Protection Services", "Fire Services" or "Fire Protection"** means all activities and functions of a Fire Department, including but not limited to: fire prevention, fire suppression, firefighting, fire inspections, fire investigations, fire permitting, pre-planning, rescue operations, motor vehicle

collision response, medical first response, public education and information, standby services, and training of Members.

17. **"Fireworks" or "Firecracker"** means any article defined as a firework or firecracker under the *Explosives Act* (Canada), its regulations, or the *Alberta Fire Code*, all as amended, repealed, and replaced from time to time.
18. **"Incident"** means a fire, an imminent risk of fire or an explosion, or any other situation that presents or may present a danger to life, property, or the environment, requiring a response from a Fire Department.
19. **"Incident Commander"** means the Member of a Fire Department who assumes command at an Incident in accordance with applicable policy or standard operating guidelines.
20. **"Incinerator"** means a non-combustible structure or container, such as a burning barrel, that is covered with a regulation screen, has adequate draft and smoke vents, and is ventilated in a manner that prevents the escape of combustible materials, including ash, and is used for burning burnable debris.
21. **"Incinerator Fire"** means a fire that is fully confined within an Incinerator.
22. **"Member"** means a person appointed to a Fire Department, including the Regional Fire Chief, Regional Deputy Fire Chief, District Fire Chiefs, District Fire Association Fire Chiefs and Deputies, Officers, and volunteer firefighters.
23. **"Mutual Aid Agreement"** means a written agreement between the County and one or more neighboring municipalities or First Nations, whose boundaries are adjacent to or surrounded by the County, providing for reciprocal Fire Protection Services during an Incident requiring additional resources.
24. **"Outdoor Barbecue"** means a portable or stationary device designed to cook food in the open air, fueled by propane, natural gas, charcoal, or clean, untreated wood.
25. **"Outdoor Fire"** means any fire that is not classified as an Incinerator Fire or Structure Fire, and includes burning of grass, brush, stubble, soil, farm produce, or an fire that has escaped or spread from a structure, vehicle, machine, or Incinerator.
26. **"Prohibited Debris"** means any material that, when burned, emits dense smoke, offensive odors, or substances regulated under the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, or its regulations, including but is not limited to:
 - a. Animal carcasses;
 - b. Animal manure;
 - c. Chemicals and chemical containers;
 - d. Automobile bodies or parts;
 - e. Household refuse;
 - f. Non-wooden materials;
 - g. Paints and painting materials;
 - h. Pathological waste;
 - i. Rubber, plastic, or anything coated with such substances;
 - j. Sawmill or planing mill waste from facilities producing over in excess of 6500 cubic meters annually unless specifically authorized by permit;
 - k. Tires;
 - l. Used oil; or
 - m. Treated or preserved wood or wood products.
27. **"Regional Dispatch Centre"** means any emergency dispatch provider designated by Council for the coordination of fire and emergency service response.
28. **"Regional Deputy Fire Chief"** means the individual appointed by the Chief Administrative Officer (CAO) to the position of Deputy Regional Fire Chief.
29. **"Regional Fire Chief"** means the individual appointed by the CAO to serve as Regional Fire Chief.
30. **"Running Fire"** means a fire that is not under the proper control of any person and is actively spreading.
31. **"Structure Fire"** means a fire occurring within a building or other man-made structure, that causes or is likely to cause damage or destruction to that property.

SCHEDULE 'B'
WHEATLAND COUNTY FIRE DISTRICT MAP



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SCHEDULE 'C'
SPECIFIED PENALTIES

SECTION	OFFENCE	MINIMUM PENALTY for First Offence
14.1(a)	Contravene any provision of this Bylaw where specified penalty is not listed	\$250
14.1(b)	Impede/obstruct/hinder any Member or Peace Officer	\$1,000
14.1(c)	Damage or destroying Fire Services Department property or Equipment	\$1,000
14.1(d)	Drive a vehicle over any Apparatus or Equipment	\$500
14.1(e)	Obstruct a Member from carrying out duties related to fire protection	\$1,000
14.1(f)	Cause, initiate, authorize or permit a False Alarm	\$250
14.1(g)	Falsely represent oneself as County Fire Services Member	\$500
14.1(h)	Obstruct access to roads/fire hydrant/etc. intended for fire protection	\$1,000
14.1(i)	Light an Outdoor Fire without permit	\$500
14.1(j)	Burn during a Fire Ban	\$1,000
14.1(k)	Owner permits an Outdoor Fire to be lit without a permit	\$1,000
14.1(l)	Fail to report a Fire to the Fire Services Department	\$500
14.1(m)	Allow Fire to become a Running Fire / allow a Running Fire to pass from own property	\$500
14.1(n)	Fail to take precautions when burning	\$500
14.1(o)	Light a Fire when the weather conditions are conducive to creating a Running Fire	\$500
14.1(p)	Fail to take reasonable steps to control a Fire	\$1,000
14.1(q)	Deposit, discard or leave any burning matter or substance where it might ignite other materials and cause a Fire	\$500
14.1(r)	Conduct any activity that might reasonably be expected to cause a Fire	\$500
14.1(s)(i), (ii) & (iii)	Use a Fire to burn prohibited debris	\$1,000
14.1(t)	Allow Fire to impede visibility of vehicular traffic	\$500
14.1(u)	Allow any Fire to give off a dense smoke/odor or become a nuisance	\$500
14.1(v)	Light a Fire on County land without permission	\$500
14.1(w)	Provide false or misleading information when applying for a Fire Permit	\$500
14.1(x)	Light a fire other than in an approved fire pit in the Hamlets of Wheatland County	\$500
14.1(y)	Sell, possess or discharge Fireworks without appropriate permits and licensing for High Level Displays	\$500
14.1(z)	Possess, sell, or store low level Fireworks without appropriate permits	\$500



SCHEDULE 'D'

FIRE PROTECTION CHARGES AND FEES

COST RECOVERY	
Fee for demolishing premises	Cost of contractor to demolish and dispose of building remains
Fee for securing premises	Cost of contractor to secure building
Fee for removing or clearing combustible debris from property	Cost of County or contractor to clear or clean up debris
Fee to provide clearance around fire hydrant	Cost of County or contractor to remove obstruction
FALSE FIRE PANEL ALARMS	
First false alarm	No charge
Second false alarm	\$250.00
Three or more false alarms	\$500.00/alarm
Fee for standby time (waiting for reference to arrive over the specified time)	\$250.00 per hr after the time specified of 30 minutes

FEE SCHEDULE

FIRE PROTECTION CHARGES

Within Wheatland County corporate limits:

Fees shall be in accordance with Alberta Transportation Rates as amended from time to time for apparatus and on a cost recovery basis for consumables plus five (5) percent.

Outside Wheatland County corporate limits:

Fees shall be in accordance with current Mutual Aid agreements. If no agreement is in place for the area of operations, fees shall be in accordance with Alberta Transportation Rates as amended from time to time for apparatus and on a cost recovery basis for consumables plus five (5) percent.

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SCHEDULE 'E'

LEVEL OF SERVICE

1.0 EMERGENCY SERVICES EXPECTATIONS

- 1.1 Wheatland County provides Fire & Emergency Management Services to help protect the safety of its residents, visitors, and property throughout the County.
- 1.2 Fire Departments generally provide basic exterior fire suppression. Interior structural firefighting may occur only when a Fire Department and its Members are appropriately trained, certified, and equipped for such operations.
- 1.3 Due to Wheatland County's large geographical area and reliance on a Volunteer Fire Protection Service, specific response times cannot be guaranteed. Response times may vary significantly depending on distance from the nearest Fire Hall and the availability of Fire Department resources. Delays may occur.
- 1.4 Hamlet and other community water systems may not provide hydrant fire flows that meet Underwriters Laboratories of Canada (ULC) standards. Available hydrants may be used to supplement truck water supplies when feasible.
- 1.5 Service levels described in this Schedule may vary based on factors such as weather conditions, property location, terrain, access, hazards, and the availability of personnel, equipment and other resources.

2.0 DEFINITIONS

- 2.1 For the purposes of this policy as set out in the Schedule, the following terms are defined in relation to the Levels of Service:

2.1.1 Response Levels:

- a) **Awareness level:** Firefighters recognize risks, secure the area, and call for appropriately trained assistance.
- b) **Operations level:** Firefighters take defensive action to contain and control the incident and seek assistance from outside agencies equipped to mitigate the incident.
- c) **Technician level:** Firefighters engage in offensive action to control and resolve the incident.

2.1.2 Levels of Service

a) **Basic Exterior Response – Non-Structural Fires:**

Fire Departments will respond at a Technician Level to non-structural fires (e.g., vehicles, outbuildings), unless circumstances exceed their training or certification, in which case, they will operate within their qualified Response Level.

b) **Advanced Interior Response – Structural Fires:**

Interior firefighting (offensive attack) will only occur when adequate personnel, training, equipment, and water supply are on scene to safely support operations such as ventilation, search and rescue, fire attack, and overhaul. The Fire Department will operate within the scope of their certification.

c) **Grassland Wildfire Response:**

Suppression using water, foam, backburning and appropriate equipment as required. The Fire Departments will respond at a Technician Level.

d) **Medical First Response:**

When Dispatch, Fire Departments may assist external medical agencies (e.g., Alberta Health Services (AHS)) by providing first response care. This service is delivered at an Awareness Level and is limited to basic life support consistent with Standard First Aid or Emergency Medical Responder (EMR) training. Fire Departments shall not transport patients.

e) **Motor Vehicle Response:**

May include:

- Scene and vehicle stabilization
- Patient extrication and care

- Traffic control
- Air ambulance landing support
- Fire suppression

Most tasks will be performed at a Technician Level, except Medical First Response, which shall be provided at an Awareness Level.

f) **Rescue Response:**

- Motor Vehicle Collisions (MVC): Vehicle Extrication using hand, air, electric, edraulic, or hydraulic tools, performed at a Technician Level.
- All other rescues: Provided at either an Awareness Level or Operations Level based on the available training and certification.

3.0 Fire District Service Level

3.1 Subject to the conditions outlined in Paragraph 1.5, the County will make reasonable efforts to provide the following levels of service within each Fire District:

<u>Fire District</u>	<u>Level of Service</u>
Carseland	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires
Dalum	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires
Gleichen	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires
Hussar	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires
Rockyford	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires
Rosebud	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires
Standard	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires
Wheatland West	Basic Exterior, Non-Structural, Medical First Response, Motor Vehicle Response, Rescue Response, Grassland Wildfires