

**TOWN OF CROSSFIELD  
FIRE PERMIT BYLAW  
BYLAW NO. 2018-18**

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A bylaw of the Town of Crossfield, in the Province of Alberta, to reduce the risk of fire due to various recreational and open burning practices.

**“WHEREAS** the Section 7 of the Municipal Government Act, Chapter M-26, RSA, 2000 and amendments thereto, provides that the Council of a municipality may pass a by-law for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;”

**“AND WHEREAS** the Forest and Prairie Protection Act, Chapter F-19, RSA 2000, and amendments thereto, contemplate that the Town of Crossfield (the “Town”) will provide fire protection and prevention services within its boundaries, and further provides that the Town and its officials or employees will have certain duties and powers in regard thereto;”

The Council of the Town of Crossfield, in the Province of Alberta enacts as follows:

**1.0 TITLE**

This bylaw may be called the “Fire Permit Bylaw”.

**2.0 DEFINITIONS**

2.1 In this bylaw:

- a. **“Apparatus”** means any vehicle, machinery or equipment used for fire protection services, including any vehicle used for transporting members or fire protection supplies;
- b. **“Authority having jurisdiction”** or **“Authority”** means
  - i. The Fire Chief of the Crossfield Volunteer Fire Department, hereinafter referred to as the Fire Chief;
  - ii. Any persons designated by the Fire Chief as a Fire Marshall or Fire Inspector;
  - iii. Such other employees/volunteers of the Crossfield Volunteer Fire Department and Town of Crossfield the Fire Chief may appoint to enforce this bylaw.

- c. **"Building Waste"** means any scrap wood or other waste building materials produced in the process of constructing, altering or repairing a building;
- d. **"Chief Administrative Officer"** means the person appointed to the position of Chief Administrative Officer by Council.
- e. **"Council"** means the Council of the Town of Crossfield.
- f. **"Equipment"** means any tools, devices, or materials used by members to carry out any function or activity related to fire protection;
- g. **"Fire"** means combustion or burning, in which substances combine chemically with oxygen from the air and typically give out bright light, heat, and smoke;
- h. **"Fire Ban"** means any order from the Province of Alberta of the Fire Chief or his/her delegate which prohibits outdoor fire within the Town Limits;
- i. **"Fire Chief"** means the person appointed as head of the Town's Fire Department.
- j. **"Fire Pit"** means a freestanding contained metal vessel or enclosure used to burn material outdoors, but does not include a barbeque or any device fueled only by natural gas or propane such as a propane fueled fire pit;
- k. **"Fire Place"** means an enclosed and permanently affixed fire receptacle that is used to burn material outdoors and that incorporates a permanently affixed chimney or flue;
- l. **"Fireplace – out door"** is a place for building fires outside of the home. An outdoor fireplace is usually added to a stone, brick, or concrete patio. It often consists of a firebox and a chimney.
- l. **"Garden Waste"** means shrubbery and tree pruning, weeds, grass trimmings, roots, tree stumps, turf and similar vegetation;
- m. **"Hazard"** means a risk of fire or damage to property and/or person(s) which may be caused by the burning of any waste and includes any nuisance;
- n. **"Incident"** means any situation to which a member has responded due to danger or possible danger to the safety, health and welfare of people, property, or the environment;
- o. **"Member"** means any person duly appointed as a Member of the Crossfield Fire Department or an Ambulance Service Provider as the context may require whether that Member is full time, part time, paid or

volunteer and includes members of a Fire Service or a Peace Officer dispatched to assist at the mitigation of an Incident or Emergency or any persons asked or conscripted to assist with the mitigation of an Incident or Emergency.

- p. **"Peace Officer"** means a person hired by the Town CAO and appointed by Alberta Justice and Solicitor General into the position of a Peace Officer or Community Peace Officer to enforce authorized Provincial statutes and Town Bylaws, policies, rules and regulations, and may include members of the Royal Canadian Mounted Police.
- q. **"Permit"** means the fire permit attached as Schedule "A";
- r. **"Town"** means the legal municipal boundaries of the Town of Crossfield.
- s. **"Violation Ticket"** means a municipal tag or violation ticket as defined in the *Provincial Offences Procedure Act*, Chapter P-34, RSA, 2000.
- t. **"Waste"** includes:
  - i. any rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, rags, clothing, petroleum products, manure, human or animal excrement, sewage or the whole or part of an animal carcass; or
  - ii. the whole or a part of any article, raw or processed material, vehicle or other machinery that is disposed of;
  - iii. animal or vegetable matter, including materials resulting from the handling, preparation, cooking, consumption and storage of food;
  - iv. building waste;
  - v. garden waste;
  - vi. anything that is designated as waste in the regulations under the *Environmental Protection & Enhancement Act*, (1992) S.A., Chapter E 13.3.

### **3.0 OUTDOOR FIRES**

**3.1 No person shall build, ignite, cause, or allow an outdoor fire unless one of the following conditions exists:**

- a. The person has been issued a permit in accordance with this bylaw;**
- b. The fire is contained on private property in a fire pit or fire place that meets the requirements of this bylaw;**
- c. The fire is contained in a barbecue or in a device fueled by natural gas or propane; or**
- d. The fire is contained in a device explicitly provided for such use in a campground or public space.**

**3.2 Unless the person has been issued a permit in accordance with this bylaw, which authorizes the burning of one or more of the following materials no person shall burn, at any time, on any property, the following materials:**

- a. treated or painted lumber;**
- b. lumber products containing glue or resins;**
- c. wet wood;**
- d. leaves, brush or yard waste;**
- e. trees or shrubs trucks still located within the ground;**
- f. garbage and;**
- g. rubber, tires or plastic, or any other materials that in the opinion of a member of peace officer is emitting noxious odors, visible particulates or toxin, other than smoke.**

**3.3 Every person who builds, ignite or allows an outdoor fire in a fire pit, fireplace or a device explicitly provided for such use in a campground or public area must ensure that:**

- a. the fire is attended continuously by at least one person 16 years of age or older;**
- b. a means of extinguishing the fire is immediately available at all times while the fire is burning;**

- c. the fire is fully contained within the fire pit, fireplace, or device explicitly provided for such use in a campground or public place at all times;
  - d. once the fire is no longer being attended, it is extinguished completely to the point that no heat is radiating from the fire, charcoal, ashes or remains.
- 3.4 No person shall throw, place or leave upon the ground any burning material or substance;
- 3.5 No person shall permit, suffer or allow property under their ownership to control to be used in any manner that contravenes this bylaw.

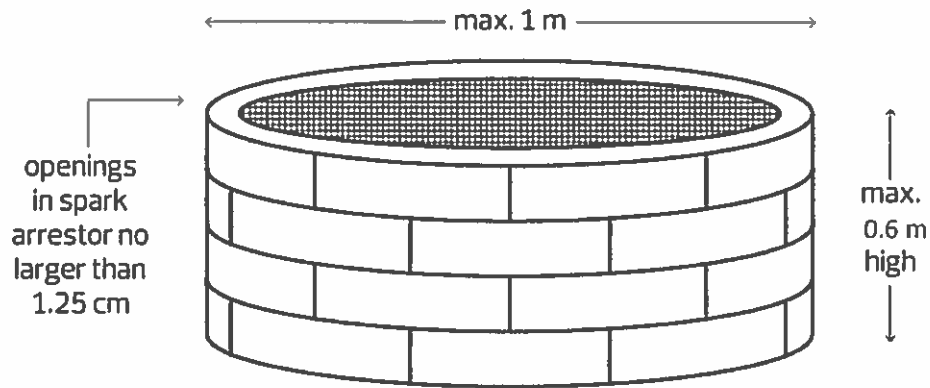
**Small Program Fire Pits (using 20 pound propane bottles or less,):**

- 3.6 The use of these items must follow the manufacturer's suggested minimum clearance from combustible items both vertically and horizontally;
- 3.7 The owner of the residence where these items are being used is responsible to provide documentation from the manufacturer showing the minimum clearances from combustibles to fire crews if requested;
- 3.8 If the documentation from the manufacturer is not available, the minimum distance from combustibles allowed by the fire department will be 1.22 meters (4 feet) measured horizontally from any outer edge of the fire pit to any combustible item and 1.22 meters (4 feet) measured vertically from the burner of the device to any combustible item;
- 3.9 If documentation is not provided or the minimum clearance distance cannot be achieved, the fire pit must be extinguished and not used in that location for safety reasons;
- 3.10 No fire pit or device will be permitted to be fueled by anything larger than a 20 pound bottle of propane.

**4.0 FIRE PITS, OUTDOOR FIREPLACES AND BARBECUES – FIRE PERMITS NOT REQUIRED**

- 4.1 A person may build, ignite, or allow an outdoor fire in a fire pit only if:
- a. It is located at least 3 meters (10 feet) from any building, property lines or combustible material; measured from the nearest edge of the fire pit;
  - b. The fire pit must:
    - i. Have an opening of no more than 1 meter (3 feet) wide;

- ii. Be less than 0.6 meters (2 feet) high
- iii. A spark arrestor mesh screen of 1/2 inch expanded metal (or equivalent) to contain sparks shall be provided over the fire;



- c. The flames do not exceed 1 meter in height at any time;
- d. The sides are fully enclosed and constructed from a non-combustible material;
- e. It is set upon or built into the bare ground or set upon a non-combustible material;
- f. It is not located directly under any tree or overhanging branches;
- g. It is not located directly under any overhead powerlines or other overhead lines;

## 5.0 FIRE WORKS

- 5.1 No person shall offer fire works for sale within the Town of Crossfield boundaries;
- 5.2 No person shall discharge fireworks unless the person has been issued a permit in accordance with this bylaw.

## 6.0 FIRE PERMIT

- 6.1 The Authority may issue a permit, at the fee indicated in "Schedule B", allowing the burning of:
  - a. The discharge if fireworks;
  - b. coal and straw;
  - c. building waste; and
  - d. weeds, grass, and brush in road rights-of-way,

where, in the Authority's opinion, there is no hazard to persons or to other properties.

- 6.2 All Fire Permits, sites and materials must be inspected prior to permit being issued by the Fire Chief, Deputy Fire Chief or a Captain of the Crossfield Volunteer Fire Department.
- 6.3 The person to whom a fire permit has been issued shall:
- a. remain in charge, or keep a competent person in charge, of the fire;
  - b. barricade or otherwise secure the area to limit the entry of unauthorized persons;
  - c. the Fire Permit cannot be carried out if the winds are over 10 kilometers per hour; and
  - d. one half hour prior to the lighting of the fire, Fire Dispatch must be notified of the pending burn with required information at (403) 264-1022.
- 6.4 Any person in charge of the fire shall ensure that:
- a. the fire does not create a hazard to persons or to other properties; and
  - b. the fire is completely extinguished before such supervision ends.
- 6.5 The Authority may revoke any permit if the permit holder breaches this bylaw or when, in its opinion, the continuation of burning would constitute a hazard to persons or to other properties.
- 6.6 It is a condition of any fire permit that the holder of such permit will fully indemnify and save harmless The Town from all claims for loss or damage that may arise from said burning.
- 6.6 A person who starts a fire, or who is in charge of a fire shall, upon demand, pay to The Town any and all costs incurred by The Town to extinguish such fire when, in the opinion of the Authority, the fire is a hazard to persons or to other properties.

## **7.0 FIRE BAN**

- 7.1 The Fire Chief is authorized to issue fire bans, and to determine the terms and conditions of those fire bans.
- 7.2 A fire ban shall be in effect from the time it is issued until such time as the Fire Chief gives notice to the public that it has been lifted.



- 7.3 When a fire ban is in effect, no person shall build, ignite, cause or allow an outdoor fire of cause or allow a fire to be ignited on property under his/her control in the area affected by the fire ban.
- 7.4 Notwithstanding section 7.2, a person may build, ignite, cause or allow an outdoor fire if they fire is contained in a barbeque or in a device fueled by natural gas or propane, unless specifically stated in the fire ban.
- 7.5 Any permits issued pursuant to this bylaw for property located in an area affected by a fire ban shall be suspended for duration of the fire ban.

## **8.0 OFFENCE AND PENALTY**

- 8.1 The Authority, any bylaw enforcement officer or peace officer having reasonable grounds to believe that a person has breached any requirement of this bylaw, may serve upon such person an offence ticket allowing payment of the specified penalty to The Town, which shall be accepted by The Town in lieu of prosecution for the offence.
- 8.2 Any person who contravenes any provisions of this bylaw is guilty of an offence and is liable to a specified penalty of \$400.00.
- 8.3 Any person who, being guilty of a first breach of this bylaw breaches this bylaw a second time with the same breach, is guilty of an offence and is liable to a specified penalty of \$1,000.00.

## **9.0 ENACTMENT**

- 9.1 This Bylaw shall come into force and have effect upon it being read a third time and passed.
- 9.2 This Bylaw shall come into force and effect on the final passing thereof.
- 9.3 Bylaw No. 2012-03 is hereby repealed.

READ a first time this 20<sup>th</sup> day of November 2018.

READ a second time this 20<sup>th</sup> day of November 2018.

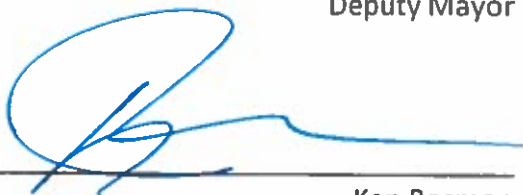
READ a third time and finally passed this 20<sup>th</sup> day of November 2018.





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Beth Gabriel  
Deputy Mayor



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Ken Bosman  
Chief Administrative Officer

**The Town of Crossfield Fire Permit Bylaw**

**Bylaw No. 2018-18**

**Schedule "A"**

**Fire Permit**

Permit No. \_\_\_\_\_

**Office Of:**

Crossfield Volunteer Fire Department

Box 325

Crossfield, Alberta T0M 0S0

Phone: (403) 946-5565

After Hours: (403) 946-4285

Fire Dispatch: (403) 264-1022

**Permission Is Hereby**

**Granted To:**

\_\_\_\_\_  
\_\_\_\_\_

**Location for Fire Permit:**

\_\_\_\_\_  
\_\_\_\_\_

**Phone Number:**

\_\_\_\_\_  
\_\_\_\_\_

**Date of Permit: From:**

\_\_\_\_\_  
*Day/Month/Year* *Time*

**To:**

\_\_\_\_\_  
*Day/Month/Year* *Time*

**Activity Permitted:**

\_\_\_\_\_  
\_\_\_\_\_

The undersigned applicant covenants and agrees with The Town that it is a term and condition of this permit that:

1. All fire permits, sites and materials MUST be inspected prior to the permit being issued by either, the Fire Chief, Deputy Fire Chief or a Captain of the Crossfield Volunteer Fire Department.
2. The applicant shall at all times remain in charge, or keep a competent person in charge, of the fire and shall barricade or otherwise secure the area to limit the entry of unauthorized persons.
3. The applicant shall, upon demand, pay to The Town any and all costs incurred by The Town to extinguish a fire when, in the opinion of the Authority, the fire is a hazard to persons or to other property.
4. The applicant shall indemnify and save harmless the Town from, of and against all loss or damage to persons (including death) or property that may arise directly or indirectly from the fire.

**Signature of Applicant**

\_\_\_\_\_

**Date Issued**

\_\_\_\_\_  
*Day/Month/Year*

**Crossfield Volunteer Fire  
Department**

\_\_\_\_\_  
*Fire Chief/Deputy Fire Chief or Designate*

The personal information contained on this form is collected under the Town of Crossfield Fire Permit Bylaw and will be used for the purpose of reducing the risk of fire due to various recreational and open burning practices. If you have any questions, please contact the Fire Chief, at 403 946 5565.

**The Town of Crossfield Fire Permit Bylaw  
Bylaw No. 2018-18**

**Schedule "B"  
Permit Fees**

Fire Permit ..... \$50.00

**Contravention of this Bylaw:**

Fire Offence ..... \$400.00

Second or subsequent offence ..... \$1,000.00