

FIRE SERVICES BYLAW

BYLAW NO. 23-22

LEDUC COUNTY

A BYLAW FOR THE PURPOSE OF PROVIDING FIRE PROTECTION AND THE OPERATION OF THE FIRE SERVICES DEPARTMENT AND THAT BYLAW NO. 12-12 BE REPEALED.

WHEREAS

pursuant to Section 7 of the *Municipal Government Act*, being Chapter M-26, Revised Statutes of Alberta, 2000, and amendments thereto, the Council of Leduc County may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

Leduc County provides for efficient operation of such services.

NOW THEREFORE

be it resolved that the Council of Leduc County, duly assembled, enacts as follows:

1. Title

1.1 This bylaw may be cited as the "Fire Services Bylaw".

2. Definitions

2.1 In this bylaw:

- a) "*Council*" means the Council of Leduc County;
- b) "*County manager*" means the chief administrative officer of the County, or their delegate;
- c) "*Fire Chief*" means the employee of Leduc County who is appointed fire chief for the County or his/her designate;
- d) "*Leduc County Fire Services*" means the fire department established and organized by Leduc County to provide fire protection within the boundaries of Leduc County and in accordance with any active mutual aid agreements shall include all members and fire services property;
- e) "*Peace officer*" means a member of the Royal Canadian Mounted Police, and any bylaw enforcement officer or community peace officer appointed by the County to enforce County bylaws;
- f) "*Person*" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- g) "*Property*" means a parcel of land including any structure;
- h) "*Structure*" means any form of physical construction, whether built on site or moved in, including but not limited to any building, fence, retaining wall, scaffolding, shed portable shack, or other similar types of construction or improvements;
- i) "*Quality Management Plan*" (QMP) is part of an approved quality management system required by the Safety Codes Act, which governs the scope and administration, operational requirements and the technical discipline delivery standards required by the administrator of Accreditation for the Safety Codes Council.

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3. Fire Services

3.1 Under the direction of the fire chief, Leduc County Fire Services is responsible for:

- a) preventing and extinguishing fires;
- b) investigating the cause and origin of fires;
- c) preserving life and property and protecting persons from injury or destruction by fire;
- d) providing rescue services and emergency medical care to a FMR level, not including ice or water rescue;
- e) responding to incidents involving dangerous goods to a first responder level;
- f) conducting fire prevention inspections, issuing occupant load certificates and reviewing construction fire safety plans as required by the QMP;
- g) conducting a fire prevention program that includes public awareness and consultative services and support educational programs as per the QMP; and
- h) providing emergency preparedness & response.

4. Fire Chief responsibilities

4.1 The fire chief shall be the department head for Leduc County Fire Services in accordance with Leduc County organization chart.

4.2 The fire chief shall be responsible to the county manager.

4.3 The fire chief has responsibility and authority over the Leduc County Fire Services, and subject to approval by the county manager prescribe rules, regulations and policies for the ongoing organization and administration of the Leduc County Fire Services, including but not limited to:

- (a) the use, care and protection of Leduc County Fire Services property;
- (b) the appointment, recruitment, conduct, discipline, duties and responsibilities of the members; and
- (c) the efficient operations of Leduc County Fire Services.

4.4 The fire chief shall:

- (a) Purchase or otherwise acquire equipment, apparatus, materials or supplies required for the operation, maintenance and administration of Leduc County Fire Services to be used in connection therewith.
- (b) Keep or cause to be kept, in accordance with County policies, records of all business transactions of Leduc County Fire Services, including the purchase or acquisition of equipment, apparatus, materials or supplies within allotted approved budget amounts, and retention/records of fires attended, actions taken in extinguishing fires, inspections carried out and actions taken on account of inspections and any other records incidental to the operations of Leduc County Fire Services.

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- (c) Negotiate, subject to the approval of Council, with all levels of government and persons for the purpose of establishing mutual aid agreements and fire control agreements with recommendations and concerns regarding the establishing and renewing of any mutual aid agreement or fire control agreement or amendments thereto.
- (d) Perform such functions and have powers and responsibilities as delegated by the county manager.
- (e) The fire chief or any other member in charge at an incident is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he/she deems it necessary to prevent the spread of fire to other buildings, structures or things;
- (f) The fire chief or any other member in charge of an incident may at his/her discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized by him/her.
- (g) The fire chief or any other member in charge of an incident may at his/her discretion call upon peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in 4.4 (f);
- (h) The fire chief or any other member in charge of an incident, is empowered to cause Leduc County Fire Services to enter without a warrant on any land or premises, including adjacent land or premises to combat, control or deal with an incident in whatever manner he/she deems necessary in order to limit injury to person, loss of life, or damage to property or the environment.
- (i) The fire chief or any other member in charge of an incident may obtain assistance from other officials of the County, as he/she deems necessary in order to discharge his/her duties and responsibilities at an incident.
- (j) The fire chief or any other member in charge of an incident may require persons who are not members to assist in extinguishing a fire, removing furniture, goods, or merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.
- (k) The fire chief or any other member in charge of an incident is empowered to commandeer and authorize payment for privately owned equipment which he/she considers necessary to deal with an incident.
- (l) The fire chief or any other member in charge of an incident is empowered to activate and utilize any mutual aid agreement Leduc County Fire Services may have in effect.
- (m) The fire chief or any other member in charge of an incident, including a peace officer at any time may cause any vehicle to be removed and taken to and stored at the vehicle owner's expense when the vehicle prevents access by the fire service to a fire hydrant, access road, street, fire alarm, cistern, connections provided for sprinkler systems, standpipes or body of water designated for firefighting purposes.

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5. Jurisdiction

5.1 The limits of the jurisdiction of Leduc County Fire Services provided will extend to the area and boundaries of Leduc County and no part of the fire apparatus or service shall be used beyond the limits of Leduc County without the express authority of a written contract or mutual aid agreement providing for the supply of firefighting services or other incident response outside Leduc County boundaries.

6. Requirement to report

6.1 The owner, or his/her authorized agent, of any property damaged by fire shall immediately report to Leduc County Fire Services the particulars of the fire in a manner satisfactory to meet provincial requirements.

6.2 The owner, or his/her authorized agent, of any property containing a dangerous goods product, which sustains an accidental or unplanned release of the dangerous good product, shall immediately report to Leduc County Fire Services particulars of the release, in a manner satisfactory to meet provincial report requirements.

7. Recovery of costs

7.1 Where Leduc County Fire Services has taken any action whatsoever for the purpose of extinguishing a fire or responding to a fire call or incident within or outside Leduc County or for the purpose of preserving life or property from injury or destruction by fire or other incident on land within or outside of Leduc County, including any such action taken by Leduc County Fire Services on a false alarm, the fire chief, may in respect of any costs incurred by Leduc County Fire Services charge to the person who caused the incident or the owner or occupant of the land/structure/vehicle in respect of which the action was taken. Where Leduc County Fire Services performs inspections, delivers courses, or performs any other service listed, Leduc County shall invoice for these services in accordance with the Fees and Charges Bylaw.

7.2 The schedule of costs and fees to be charged by Leduc County Fire Services for services rendered pursuant to this or any other bylaw shall be as set out in the Fees and Charges Bylaw.

7.3 Leduc County may recover such costs or fees as a debt due and owing to Leduc County.

7.4 In the case of action taken by Leduc County Fire Services in respect of land within Leduc County, where the cost or fee is not paid upon demand by Leduc County, then default of payment, such cost or fee may be charged against the land as taxes due and owing in respect of that land.

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8. Bylaw No. 12-12 is repealed upon this bylaw coming into force.

9. This bylaw shall take effect on the date of third reading.

Read a first time this 13th day of December, A.D. 2022.

Read a second time this 13th day of December, A.D. 2022.

Read a third time with the unanimous consent of the Council members present and finally passed this 13th day of December, A.D. 2022.



MAYOR



COUNTY MANAGER

