

SUMMER VILLAGE OF ROCHON SANDS

In the Province of Alberta

Bylaw #277-26

“FIRE CONTROL BYLAW”

A BYLAW OF THE SUMMER VILLAGE OF ROCHON SANDS IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE CONTROL OF FIRES AND THE RECOVERY OF FIRE PROTECTION SERVICE COSTS.

WHEREAS Section 7 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, provides that Council may pass bylaws for the safety, health and welfare of people, and the protection of people and property;

AND WHEREAS the Municipal Government Act authorizes municipalities to recover costs for services provided by or on behalf of the municipality;

AND WHEREAS the Council of the Summer Village of Rochon Sands wishes to regulate and control the use and setting of Fires within the Summer Village;

AND WHEREAS the Council of the Summer Village of Rochon Sands wishes to provide for the recovery of Fire Protection Service Costs;

NOW THEREFORE the Council of the Summer Village of Rochon Sands, duly assembled, enacts as follows:

SECTION 1 – NAME OF BYLAW

1.1. This bylaw may be cited as the **“Fire Control Bylaw”**.

SECTION 2 – DEFINITIONS

2.1. In this Bylaw:

- a) **“Alberta Fire Code”** means the current edition of the National Fire Code – Alberta Edition as amended, or repealed and replaced from time to time.
- b) **“Authority Having Jurisdiction”** in compliance with the Alberta Fire Code means an Officer of a Fire Department, as defined in this Bylaw.
- c) **“CAO”** means the Chief Administrative Officer of the Summer Village of Rochon Sands, as defined in the Municipal Government Act.
- d) **“Council”** means the Council of the Summer Village of Rochon Sands.
- e) **“Designated Officer”** means a Designated Officer of the Summer Village of Rochon Sands whose authority includes inspections and enforcement of Summer Village bylaws.
- f) **“Fire”** means any combustible material in a state of combustion.
- g) **“Fire Department”** means the Stettler Regional Fire Department and/or any other fire or emergency service organization providing assistance to the Summer Village in the suppression of a Fire, whether pursuant to the terms of an aid agreement or on an ad hoc basis.
- h) **“Fire Department Property”** means all Property owned or controlled by, and designated for use by, the Fire Department, regardless of the source of the Property.
- i) **“Fire Hazard”** means any condition, circumstance or event wherein the possibility of Fire is increased.
- j) **“Fire Protection Services”** means all aspects of Fire safety including but not limited to Fire prevention, Firefighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.
- k) **“Fire Protection Charge”** means any or all costs incurred by the Summer Village as a result of the provision of Fire Protection Services within the Summer Village under Sections 5 or 6 of this bylaw.
- l) **“Fireworks”** are any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation, including “Firecrackers”, and includes both High and Low hazard varieties.
- m) **“High Hazard”** means high hazard fireworks as defined in the Alberta Fire Code.
- n) **“Illegal Fire”** means any Fire which is in contravention of this bylaw.

- o) **“Incident”** means a Fire or a situation where an explosion is imminent or any other situation where there is a danger or possible danger to life or Property and to which the Fire Department has responded.
- p) **“Low Hazard”** means all fireworks not classified as High hazard under the Alberta Fire Code.
- q) **“Member”** means any person who is a duly appointed Member of the Fire Department, including a part-time Member or volunteer Officer.
- r) **“Municipal Land”** means any land owned or controlled by the Summer Village, including but not limited to municipal reserve, environmental reserve, public beaches, parks, road rights-of-way and recreational areas.
- s) **“Officer”** means any person who is duly appointed or acting in the capacity of Regional Manager, Fire Chief, Deputy Fire Chief, or other designated officer of a Fire Department.
- t) **“Peace Officer”** means a Bylaw Enforcement Officer appointed by the Summer Village to enforce Summer Village bylaws and includes a member of the Royal Canadian Mounted Police, a Community Peace Officer and a Special Constable.
- u) **“Property”** means any real or personal Property which, without limiting the generality of the foregoing, includes land and structures.
- v) **“Recreational Fire”** means a Fire set in a controlled setting for the exclusive purpose of providing light, warmth, or the cooking of small food items.
- w) **“Running Fire”** means a Fire which has escaped its confinement, or which is burning not being under proper or any control of any person.
- x) **“Summer Village”** means the Municipal Corporation of the Summer Village of Rochon Sands in the Province of Alberta and, where the context requires, means all land situated within the corporate boundaries of the Summer Village.
- y) **“Violation Ticket”** means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended, or repealed and replaced from time to time, and any regulations thereunder.

SECTION 3 – POWERS OF MEMBERS OF A FIRE DEPARTMENT

- 3.1 Each Member and Officer shall have the authority and power to:
- a. Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire; and
 - b. Prevent interference with the efforts of persons engaged in the extinguishing of Fires or preventing the spread thereof by regulating the conduct of the public at or in the vicinity of any Fire.

SECTION 4 – POWERS OF OFFICERS OF A FIRE DEPARTMENT

- 4.1 Each Officer shall have the authority and power to:
- a. Commandeer and authorize payment for the possession or use of any equipment for the purposes of fighting the Fire;
 - b. Perform work relating to the extinguishing or controlling the Fire or the operations to preserve life and Property and enter onto any Property for the purpose of extinguishing or controlling the Fire; and
 - c. Prevent interference with the efforts of persons engaged in the extinguishing of Fires or preventing the spread thereof by regulating the conduct of the public at or in the vicinity of any Fire.

SECTION 5 – FIRE PROTECTION CHARGES

- 5.1 Fire Protection Charges incurred by the Summer Village, directly or indirectly, including services provided by or on behalf of the Summer Village, as a result of providing Fire Protection Services within the Summer Village’s boundaries may be recovered by the Summer Village from:
- a. Any person causing or contributing to the Fire; or
 - b. The owner or occupant of any Property receiving services from the Fire Protection Services, if the person responsible for causing the fire, or the cause of the fire, is unknown;
- and the above are jointly and severally liable for the Fire Protection Charge.
- 5.2 The schedule of fees for Fire Protection Charges shall be as set out in Schedule “A” attached hereto and forming part of this bylaw.

- 5.3 Fire Protection Charges shall be paid within sixty (60) days of being levied.
- 5.4 Collection of unpaid Fire Protection Charges may be undertaken by civil action in the court of competent jurisdiction, and any civil action does not invalidate any lien which the Summer Village is entitled to on the Property in respect of which the indebtedness is incurred.
- 5.5 The owner of a parcel to which Fire Protection Services are provided is liable for Fire Protection Charges incurred, and the Summer Village may add unpaid Fire Protection Charges to the tax roll of the parcel of land for which the services were provided.
- 5.6 Any unpaid Fire Protection Charges shall bear interest at the same rate as unpaid municipal taxes, calculated from the due date until paid.

SECTION 6 – CONTROL OF FIRE HAZARDS

- 6.1 If the Council finds within its municipal boundaries on privately owned land or occupied public land conditions that in its opinion constitute a Fire Hazard, it may order the owner or the person in control of the land on which the Fire Hazard exists to reduce or remove the Fire Hazard within a fixed time and in a manner prescribed by the Summer Village.
- 6.2 If the Council finds that the order it made pursuant to Section 6.1 has not been carried out, the CAO or Designated Officer may enter onto the land with any equipment and any person Council considers necessary and may perform the work required to eliminate or reduce the Fire Hazard.
- 6.3 The owner or occupant of the land on which work was performed pursuant to Section 6.2 shall, upon demand, pay to the Summer Village a Fire Protection Charge, and in default of payment of the Fire Protection Charge, the Summer Village may add the Fire Protection Charge to the tax roll of the said land, which forms a special lien against the land in favour of the Summer Village, from the date it was added to the tax roll.

SECTION 7 – PERMITTED AND PROHIBITED FIRES

Any person is guilty of an offence if they:

- 7.1 Set or permit to be set, any Fire within the boundaries of the Summer Village except as otherwise provided for under this bylaw.
- 7.2 Burn or permit to be burned any refuse, waste, junk, garbage, structures, debris, or other noxious substance within the boundaries of the Summer Village.
- 7.3 Have in their possession, sell, offer for sale, give away or otherwise distribute, discharge fireworks or set off firecrackers or any other pyrotechnic device on any Property within the boundaries of the Summer Village, unless as permitted in Section 7.4.
- 7.4 Discharge, fire or set off Fireworks within the boundaries of the Summer Village unless they hold a Canadian Fireworks Operator Certificate and a permit for that purpose issued by the Authority Having Jurisdiction.
 - a. The Authority Having Jurisdiction may, when issuing a permit, include any specific conditions that, in the opinion of the Authority Having Jurisdiction, are appropriate given the nature of the activity to which the permit applies and the prevailing environmental conditions.
 - b. It is a condition of all Fireworks permits issued that the applicant expressly acknowledges that they have read and agree to the terms and conditions, and expressly agrees to indemnify and save the Summer Village harmless from any loss or damage including personal injury, death and property damage arising from fireworks activity, including costs incurred by the Summer Village including solicitor-own client costs on a full indemnity basis.
 - c. The permit may be cancelled at any time, when in the opinion of the Authority Having Jurisdiction, prevailing environmental conditions warrant and/or weather conditions create an undue Fire Hazard.
 - d. The permit is automatically cancelled during “High” fire hazard periods or when a Fire Ban is in force.
- 7.5 Subject to Section 8, a person may, on Property owned or controlled by that person, set a Recreational Fire, provided that Recreational Fire is contained within a fire pit that meets all of the following requirements:
 - a. minimum of three (3) metres of clearance (from nearest edge of pit to closest edge of a building, property line or combustible material);
 - b. height not exceeding 0.6 metres from grade to the top of opening for solid fuel;
 - c. diameter not exceeding one (1) metre;

- d. equipped with mesh screen openings no larger than 12.5 millimetres;
 - e. enclosed on all sides with non-combustible materials; and
 - f. not located over underground utilities or under overhead wires.
- 7.6 Subject to Section 8, Recreational Fires on Municipal Land are prohibited except where:
- a. the fire is lit within a Summer Village-owned outdoor fireplace or fire pit located in a designated public area approved by the Summer Village; and
 - b. the fire is supervised at all times by a responsible person.
- 7.6.1 Recreational Fires permitted under this section:
- a. shall be used only for their intended recreational purpose;
 - b. shall be fully extinguished immediately upon request of the CAO, Designated Officer, Peace Officer, or Fire Department Officer; and
 - c. shall be conducted in a manner that does not create a Fire Hazard or nuisance condition.
- 7.6.2 No person shall construct, modify, or install a fire pit or fireplace on Municipal Land without the prior written approval of the Summer Village.
- 7.7 When a Fire is set in contravention of Section 7.1, 7.2, 7.3, 7.6 or during a Fire Ban pursuant to Section 8.1, the owner or occupier of the land, or the person having control of the land upon which the Fire is lit shall:
- 1) extinguish the Fire immediately; or
 - 2) if unable to extinguish the Fire immediately, report the fire to the Fire Department as soon as possible.

SECTION 8 – FIRE BANS

- 8.1 The CAO may, from time to time, prohibit all Fires within the Summer Village, including Recreational Fires, when in the discretion of the CAO the prevailing environmental conditions give rise to an increased risk of a Fire becoming a Running Fire.
- 8.2 A Fire Ban imposed under Section 8.1 shall be in force either until the date established by the CAO in the notice provided to the public pursuant to Section 8.3, or until such time as the CAO gives notice to the public that the ban has been lifted.
- 8.3 The CAO shall give notice of the Fire Ban by causing signs to be posted at the entrance road(s) to the Summer Village, and by any other means the CAO deems appropriate.
- 8.4 When a Fire Ban is in place, no person shall ignite a Recreational Fire, or cause or allow a Recreational Fire to be ignited on their Property or Property under their control.

SECTION 9 – GENERAL OFFENCES

- 9.1 Any person is guilty of an offence if they:
- a. contravene any provision(s) of this Bylaw;
 - b. deposit, discard or leave any burning matter or substance where it might ignite other material and cause a Fire;
 - c. provide false, incomplete or misleading information to the Summer Village or the Fire Department on or with respect to a Fire;
 - d. impede, obstruct or hinder a Member or Officer of a Fire Department, or other person assisting or acting under the direction of the Officer or Member in charge at any Incident;
 - e. damage or destroy Fire Department Property;
 - f. falsely represent themselves as a Member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation;
 - g. drive a vehicle over any Fire Department Property without the permission of the Officer or Member in charge;
 - h. obstruct or interfere with access roads, streets or approaches to any Fire hydrant, cistern or body of water designated for Firefighting purposes;
 - i. obstruct a Member from carrying out any function or activity related in any way to the provision of Fire Protection Services;
 - j. kindle a Fire prohibited under this bylaw, or let it become a Running Fire, or allow a Running Fire to pass from their own Property to the Property of another;
 - k. light a Recreational Fire without taking sufficient measures to keep the Recreational Fire under control at all times;
 - l. light a Recreational Fire when environmental conditions are conducive to creating a Running Fire, notwithstanding no Fire Ban is in place;

- m. conduct an activity involving flame/heated materials that might reasonably be expected to cause a Fire unless reasonable care is exercised;
- n. set a Recreational Fire where smoke will impede visibility of vehicular or pedestrian traffic; and
- o. light any fire on Municipal Land except as expressly permitted under Section 7.6 of this Bylaw.

9.2 Municipal Land Fire Liability (related to subsection 9.1(o))

- i. The person who lights the fire is responsible for supervising the fire at all times;
- ii. The person must complete full clean-up and restoration of the affected area to the satisfaction of the Summer Village within a reasonable time following extinguishment; and
- iii. If the Summer Village determines it must complete or assist with clean-up or restoration, the responsible person shall reimburse all associated costs in addition to any penalties under Schedule "B".

9.3 Property Owner Liability (related to subsection 9.1(o))

If the individual who lights the fire is not the property owner, the property owner(s) to whom that individual is an occupant or guest shall be jointly and severally responsible for all clean-up and restoration costs incurred by the Summer Village.

9.4 Emergency Fire Situations (related to subsection 9.1(o))

For the purposes of ensuring public safety and due to limited firefighting resources within the Summer Village, all non-consented fires on lands owned or controlled by the Summer Village are deemed emergency situations requiring immediate extinguishment and remedial action. Any firefighting, suppression, monitoring, hazard mitigation, or clean-up and restoration costs incurred by the Summer Village as a result of such emergency situations may be recovered as Fire Protection Charges and may be applied to the tax roll in accordance with Section 5.5 of this Bylaw and the Municipal Government Act.

SECTION 10 – PENALTIES

10.1 Any person who:

- a. violates any provision of this bylaw;
 - b. suffers or permits any act or thing to be done in contravention of or in violation of any provision of this bylaw;
 - c. neglects to do or refrains from doing anything required to be done by the provisions of this bylaw; or
 - d. does any act or thing or omits any act or thing, thus violating any provision of this bylaw;
- is guilty of an offence under this Bylaw and upon conviction is liable to a fine as set out in Schedule "B" of this bylaw.

10.2 Any person who commits a second or subsequent offence under this Bylaw within twelve (12) months of committing a first offence under this Bylaw is liable to an increased penalty as set out in Schedule "B" and in default of payment may be imprisoned for up to six (6) months.

10.3 The amount of a monetary Penalty for an Offence as set out in Schedule "B" may be amended by resolution of Council from time to time.

10.4 Where an offence continues for more than one day, each day constitutes a separate offence.

SECTION 11 – VIOLATION TICKETS

11.1 The CAO, Designated Officer or a Peace Officer is authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act to any person they have reasonable grounds to believe has contravened any provision of this bylaw.

SECTION 12 – LIABILITY

12.1 The CAO, Designated Officer, Peace Officers, and the Officers and Members of any Fire Department are not liable for loss or damage caused by anything said or done or omitted to be done in the performance or intended performance of their functions, duties or powers unless the circumstances constitute dishonesty, gross negligence or willful misconduct.

SECTION 13 – GENERAL

- 13.1 This bylaw shall come into force on the date of third and final passing.
- 13.2 Repeal: Upon third and final reading, Bylaw No. 227-17 is hereby repealed.
- 13.3 Severability: Should a section or part of this bylaw be found to be improperly enacted or ultra vires for any reason, such section or part shall be severable and the bylaw remaining after such severance shall be effective and enforceable.
- 13.4 Where a provision of this Bylaw conflicts with another Summer Village bylaw, this Bylaw shall prevail to the extent of the conflict.

READ A FIRST TIME this 10th day of February 2026.

READ A SECOND TIME this 10th day of February 2026.

Given UNANIMOUS consent to proceed to THIRD READING this 10th day of February 2026.

READ A THIRD TIME AND FINALLY PASSED this 10th day of February 2026.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A" – FIRE PROTECTION CHARGES

1. Incurred Under Section 5:

The full costs incurred by the Summer Village directly in providing Fire Protection Services, or incurred indirectly by the Summer Village as a result of the provision of Fire Protection Services within the Summer Village by a Fire Department, or a portion thereof as determined by Council in its sole discretion.

2. Incurred Under Section 6:

The full costs incurred by the Summer Village in issuing and enforcing an order issued under Section 6, including any legal costs incurred, or a portion thereof as determined by Council in its sole discretion.

SCHEDULE "B" – PENALTIES

SECTION	OFFENCE	1ST OFFENCE	2ND OFFENCE	3RD & SUBSEQUENT
7.1	Setting an Illegal Fire	\$500	\$1,000	\$2,000
7.2	Burning refuse, waste, junk, garbage, structures or debris	\$500	\$1,000	\$2,000
7.3	Using or permitting Firecrackers	\$500	\$1,000	\$2,000
7.4	Discharging Fireworks without a permit	\$500	\$1,000	\$2,000
7.4	Discharging Fireworks contrary to permit conditions	\$500	\$1,000	\$2,000
8.4	Burning a Recreational Fire while a Fire Ban is in place	\$500	\$1,000	\$2,000
9.1(a)	Contravening any provision of this Bylaw (where no other fine is specified)	\$200	\$400	\$800
9.1(b)	Depositing, discarding, leaving or burning matter that may cause a Fire	\$100	\$200	\$400
9.1(c)	Providing false or misleading information	\$300	\$600	\$1,200
9.1(d)	Impeding or obstructing a Fire Department Member or Officer	\$300	\$600	\$1,200
9.1(e)	Damaging or destroying Fire Department Property	\$300	\$600	\$1,200
9.1(f)	Falsely representing oneself as a Fire Department Member	\$300	\$600	\$1,200
9.1(g)	Driving over Fire Department Property without permission	\$200	\$400	\$800
9.1(h)	Obstructing access to Firefighting water sources or hydrants	\$200	\$400	\$800
9.1(i)	Obstructing a Member carrying out Fire Protection Services	\$300	\$600	\$1,200
9.1(j)	Allowing a Fire to become a Running Fire	\$500	\$1,000	\$2,000
9.1(k)	Failing to keep a Recreational Fire under control	\$200	\$400	\$800
9.1(l)	Lighting a Recreational Fire when conditions are conducive to a Running Fire	\$200	\$400	\$800
9.1(m)	Failing to use reasonable care with flame or heated material activities	\$200	\$400	\$800
9.1(n)	Allowing smoke to impede vehicular or pedestrian traffic	\$100	\$200	\$400
9.1(o)	Lighting a Fire on Municipal Land	\$500	\$1,000	\$2,000