



BYLAW 5542
DATE OF CONSOLIDATION: March 20, 2020

Amendment History:

BYLAW 6014	Replaces “Lethbridge Regional Police Service” with “Lethbridge Police Service” in the Bylaw.

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Bylaw Last Revised: October 17, 2016
Effective Date: October 17, 2016
Bylaw 6014

CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE TO
AUTHORIZE THE ESTABLISHMENT AND OPERATION OF A FIRE
AND EMERGENCY SERVICES DEPARTMENT

WHEREAS City Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and services provided by or on behalf of a municipality;

AND WHEREAS a municipality may take action or measures necessary to eliminate an emergency and the expenses and costs of the actions and measures are an amount owing to the municipality by the person who caused the emergency;

AND WHEREAS the City of Lethbridge as an accredited municipality pursuant to the Safety Codes Act may make bylaws respecting fees for materials or services provided;

NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED DOES HEREBY AUTHORIZE THE ESTABLISHMENT OF A MUNICIPAL FIRE AND EMERGENCY SERVICES DEPARTMENT, THE CARRYING OUT OF ITS OPERATIONS AND THE IMPOSITION OF FEES AND CHARGES IN THE FOLLOWING MANNER:

1. In this Bylaw unless the context otherwise requires:
 - (a) "Apparatus" means any vehicle provided with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport firefighters, emergency services personnel, supplies and/or provide rescue and ambulance services.
 - (b) "Chief Fire Marshall" means the member designated by the City of Lethbridge pursuant to the Quality Management Plan.
 - (c) "City" means the municipal corporation of the City of Lethbridge.
 - (d) "City Manager" means the person appointed by Council to be the City Manager.
 - (e) "Council" means the Council of the City of Lethbridge.

- (f) “Dangerous Goods” means any material or substance that may constitute an immediate or long-term adverse effect to life, health, property or the environment when burned, spilled, leaked or otherwise released from its normal use, handling, storage or transportation environment and shall include those regulated products, substances and organisms that are covered by applicable Provincial and Federal Acts, Regulations and Guidelines.
- (g) “Equipment” means any tools, contrivances, devices or materials used by the Fire Department in the normal course of their duties.
- (h) “False Alarm” means:
 - 1. any malfunction in a fire safety installation or other safety monitoring device whereby the alarm activation was not caused by heat, smoke or fire; or
 - 2. a response initiated by equipment or human negligence in circumstances where the caller is aware that no actual danger or possible danger to safety, health and welfare or people or the environment existed at the time the call was placed.
- (i) “Fire Chief” means the member appointed by the City Manager as head of the Fire and Emergency Services Department.
- (j) “Fire Investigation” means the process of determining the cause, origin and circumstances of a fire or emergency pursuant to the Safety Codes Act.
- (k) “Fire Protection” means all aspects of fire safety including, but not limited to fire prevention, firefighting or suppression, pre-fire planning, fire inspection, fire investigation, public education and information, training or other staff development and advising and responding to public or business community requests for fire protection including legitimate emergencies and false alarms.
- (l) “Incident” means a fire or a situation where a fire or explosion is imminent or any other situation presenting danger or possible danger to life or property and to which the Fire and Emergency Services Department has responded.
- (m) “Member” means any person that is a duly appointed member of the Fire and Emergency Services Department.
- (n) “Owner” means:

1. the person which is registered under the Land Titles Act as the owner of the fee simple estate in the land; and
2. in respect of any property other than land, the person in lawful possession of it.

(n) "Peace Officer" means a member of the Lethbridge Police Service or a Bylaw Enforcement Officer of the City of Lethbridge.

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(p) "Person" includes an individual, partnership, association, corporation, trustee, executor, administrator or legal representative;

(q) "Quality Management Plan" means the accredited system adopted by resolution of the City of Lethbridge under the authority of the Safety Codes Act.

(r) "Resident" means a person whose primary residence is in the City of Lethbridge, Province of Alberta.

(s) "Safety Codes Act" includes the regulations and bylaws made under the Act and any code, standards or body of rules declared to be in force pursuant to the Act.

(t) "Security Alarm" means an alarm system intended to detect an unauthorized entry to a premises or to alert people to the commission of an unlawful act or both.

2. The Fire Chief shall be appointed by the City Manager.
3. Other officers and members as the Fire Chief deems necessary may be appointed to the Fire and Emergency Services Department.
4. The Fire Chief may appoint other officers of the Fire and Emergency Services Department to act as Fire Chief on his behalf.
5. The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire and Emergency Services Department will extend to the area and boundaries of the City of Lethbridge. Fire apparatus, officers and members may be utilized to assist other jurisdictions to deal with incidents beyond the limits of the City of Lethbridge, as stipulated by a contractual obligation or at the discretion of the Fire Chief or a person designated to act on his behalf.

6. The Council may by Resolution enter into Agreements with other municipalities for the supply of mutual aid and for fire suppression, rescue and ambulance services.
7. The Fire Chief has complete responsibility and authority over the Fire and Emergency Services Department, subject to the direction and control of the City Manager to whom he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities such as the City Manager directs including, but not limited to:
 - (a) rescue
 - (b) emergency medical services
 - (c) other incidents
 - (d) pre-fire planning
 - (e) fire disaster planning
 - (f) preventive patrols
 - (g) post fire investigation
 - (h) inspections
 - (i) other fire prevention activities
8. The Fire Chief, subject to the ratification by the City Manager, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire and Emergency Services Department, including:
 - (a) use, care and protection of Fire and Emergency Services Department property;
 - (b) the conduct and discipline of officers and members of the Fire and Emergency Services Department; and
 - (c) efficient operations of the Fire and Emergency Services Department.
 - (d) a Quality Management Plan in conformance with the Safety Codes Act.
 - (e) municipal accreditation in conformance with the Safety Codes Act.
9. The Fire Chief, or in his absence, the senior member present, shall have control, direction and management of any Fire and Emergency Services Department, apparatus, equipment or manpower assigned to an incident, and where a member is in charge, he shall continue to act until relieved by an officer authorized to do so.

10. The Fire Chief shall take responsibility for all fire protection matters, including the enforcement of the Safety Codes Act and regulations thereunder.
11. The Fire Chief, or any other member in charge at a fire, is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
12. The Fire Chief, or the member in charge at an incident, is empowered to enter premises or property where the incident occurred, and to cause any member, apparatus or equipment of the Fire and Emergency Services Department to enter, as he deems necessary, in order to combat, control or deal with the incident.
13. The Fire Chief, or the member in charge at an incident, may at his discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him or another law which gives authority to enter.
14. No person shall enter the boundaries or limits of an area prescribed in accordance with Section 13 unless he has been authorized to enter by the Fire Chief or the member in charge or another law which gives authority to enter.
15. The Fire Chief, or the member in charge at an incident, may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 13.
16. The Fire Chief, or the member in charge at an incident, is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire and Emergency Services Department and the apparatus and equipment thereof, to enter or pass through or over the building or property, where he deems it necessary to gain access to the incident or to protect any persons or property.
17. The Fire Chief or the member in charge may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this Bylaw.
18. No person shall damage or destroy Fire and Emergency Services Department apparatus or equipment.
19. No person shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.

20. No person shall obstruct a member from carrying out duties imposed by this Bylaw.
21. No person shall falsely represent themselves as a Fire and Emergency Services Department member or wear or display any Fire and Emergency Services Department badge, cap, button, insignia, or other paraphernalia for the purpose of such false representation.
22. The Fire Chief or the member in charge of an incident is empowered to commandeer or contract privately-owned equipment which he considers necessary to deal with an incident. In the event that privately owned equipment is so utilized, the owner of such equipment shall be compensated at the then prevailing rates as established in the Alberta Transportation and Utilities Schedule of Rental Rates for Construction Equipment.
23. There is hereby established fees and charges for the provision of services of the Fire and Emergency Services Department all as shown on the attached Schedules A, B, C, D and E.
24. Every person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing or omits any act or thing thus violating any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction of this Bylaw, and upon a summary conviction is liable to a fine of not more than \$2,500.00.
25. The Fire Chief, or a member of the Fire and Emergency Services Department charged with the enforcement of this Bylaw, acting in good faith in the discharge of his duties, shall not hereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of an act in the discharge of his duties.
26. The sale, purchase, or discharge of fireworks other than high hazard fireworks or pyrotechnics for which a permit has been obtained from the Fire and Emergency Services Department is prohibited.

27. Bylaws 4173 and 4318 and amendments thereto are hereby repealed.
28. This Bylaw shall come into force and effect on the 1st day of January, 2010.

READ A FIRST TIME THIS 3RD DAY OF OCTOBER, 2016.

READ A SECOND TIME THIS 17TH DAY OF OCTOBER, 2016.

READ A THIRD TIME THIS 17TH DAY OF OCTOBER, 2016.

C.A. Spearman
Mayor

A. Neufeld
City Clerk

SCHEDULE "A" – FIRE PREVENTION FEES	
OCCUPANCY POSTINGS:	
New Occupancy Posting	\$125.00
Temporary Posting Special Event	\$100.00
Replacement Posting	\$ 65.00
INSPECTION:	
Annual Code Compliance Inspection	No Charge
1 st Non-Compliant Re-Inspection	\$100.00
2 nd Non-Compliant Re-Inspection	\$225.00
Inspections Required for Licensing by Other Agency	\$100.00/hour <i>minimum one hour</i>
After Hours Inspections	\$100.00/hour <i>minimum two hours</i>
Out of Town	\$100.00/hour <i>plus expenses as per the City of Lethbridge Expense Guide Policy</i>
Home Inspections	No Charge

SCHEDULE "B" - PERMITS	
TANK INSTALLATION / REMOVAL:	
Plan Review	\$150.00
Each Additional Review	\$ 75.00
Permit	\$ 75.00 first tank \$ 50.00 each additional tank
Removal Permit	\$ 75.00 first tank \$ 50.00 each additional tank
PYROTECHNICS:	
High Level Fire Works	\$100.00/event
Special Effects (Indoor)	\$150.00/event
Standby During Event	\$100.00/hour <i>minimum two hours</i>
Fire Apparatus Standby	As per Schedule E
DANGEROUS GOODS:	
Permit – One Year (12 months)	\$100.00
OPEN BURNING:	
Residential Fire Pits – No Permit Required	No Charge
Open Burning Special Event	\$100.00
Construction / Demolition	\$250.00
DEMOLITION:	
Fire Safety Plan Review	\$100.00

SCHEDULE "C" – FIRE PREVENTION ADMINISTRATIVE FUNCTIONS

File Search and Report	\$100.00/report Up to two hours research and preparation Plus: \$25.00 thereafter, per thirty minutes or portion thereof
Fire Report	\$100.00/report Up to two hours research and preparation Plus: \$25.00 thereafter, per thirty minutes or portion thereof
Reproduction of Photos - (Hard Copy)	\$ 10.00 <i>first photo</i> \$ 5.00 <i>each</i> <i>additional photo</i>
Digital Photographs	\$ 2.00/photo <i>with no editing</i> \$ 5.00/photo <i>with editing</i>

SCHEDULE "D" – PUBLIC EDUCATION TRAINING

Fire Extinguisher Training in Lethbridge <i>During Regular Office Hours *</i>	\$ 10.00/person <i>minimum \$100.00</i>
Fire Extinguisher Training in Lethbridge <i>Outside Regular Office Hours</i>	\$ 100.00/hour <i>minimum two hours PLUS \$10.00/person, minimum \$100.00</i>
Fire Extinguisher Training Outside of Lethbridge	\$ 100.00/hour <i>minimum two hours PLUS \$10.00/person, minimum \$100.00, AND travel expenses</i>
Evacuation Planning Training <i>(Plan Review, On Site Training, Fire Drills)</i>	\$ 200.00/plan
Stand Alone Fire Drills	No Charge
Request For Attendance at Special Functions <i>Outside Regular Office Hours</i>	\$100.00/hour <i>minimum two hours</i>

** Regular Office Hours shall mean 07:00 to 17:00 Monday – Friday, and Statutory Holidays shall be deemed to be outside of regular office hours*

SCHEDULE "E" – FIRE SERVICES STANDBY RATES

Aerial Ladder / Platform Truck	\$700.00/hour
Pumper	\$ 500.00/hour
Water Tender / Pumper	\$ 500.00/hour
Rescue Truck	\$ 500.00/hour
Field Command Post <i>Any additional satellite, data and phone costs incurred</i>	\$ 300.00/hour
Utility Truck	\$ 250.00/day
Brush Unit	\$250.00/hour
Jet Boat	\$ 250.00/hour
Emergency Responder	\$ 100.00/hour
Per Pumper with Standby Four (4) Man Crew	\$ 250.00/hour
Per Ambulance With Two (2) Man Crew	\$ 200.00/hour
Safety Codes Officer Standby For Safety	\$ 100.00/hour <i>during the period of 07:00 – 17:00</i>
	\$ 155.00/hour <i>during the period of 17:01 – 06:59</i>
<i>FIRE SERVICE RESPONSE TO FALSE ALARMS:</i>	
First Response related to malfunctioning fire safety installation or other safety device during a calendar year	No Charge
Second Response related to malfunctioning fire safety installation or other safety device during a calendar year	\$75.00
Third Response related to malfunctioning fire safety installation or other safety device during a calendar year	\$350.00
Fourth and Subsequent Responses related to malfunctioning fire safety installation or other safety device during a calendar year	\$675.00