



FIRE BYLAW

*Use of Fire Bylaws and Planning Tools for
Implementing FireSmart and Enhancing
Community Protection*

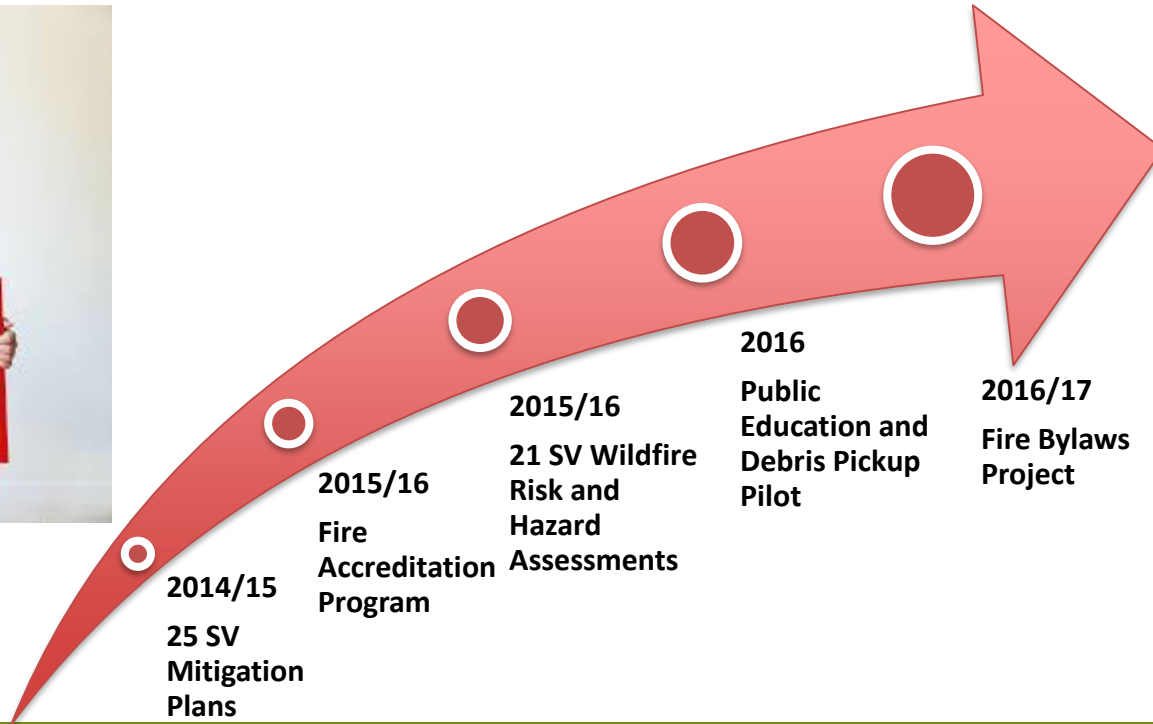


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www.cppenv.ca

Fire Safety History



2017

- 17 WF Mitigation Plans
- 25 Community Education and Debris Disposal Events

Presentation Purpose

- Present the draft Fire Bylaw
- Present the planning tools for use in implementing FireSmart
- Obtain input on the scope of a Fire Bylaw and planning tools
- Present next steps and opportunities for additional input

Setting the Foundation

FIRE BYLAW

Fire Bylaw

- **Legislative Reference**
- **Definitions**
- **Fire Guardian**
- **Fire Department**
- **Requirement to Report**
- **Fire Protection Charges**
- **Control of Fire Hazards**
- **Permitted and Prohibited Fires**
- **Fire Pits, Outdoor Fireplace and Stationary BBQs**
- **Fire Bans**
- **General Offences**
- **Permitting**
- **Penalties**

Legislative Reference

- **Municipal Fire Protection Bylaw**
- **Focus on preventive measures**
- **Encouraging responsible behaviour**
- **Who can do what and why?**
- **What are the consequences?**
- **What are the required Bylaws to meet the needs of the Village?**



Bylaw Definitions

- **Bylaws must meet general statutory and fundamental principle standards: to be understandable, enforceable, and accomplish the council's desired goal.**
- **Words and phrases that have more than one meaning should be defined within the bylaw.**



Fire Guardians

- **Fire Guardians are annually appointed community members enforcing the Fire Bylaw and monitor community fire safety.**
- **These positions may not be required if there is a municipal fire service provider readily available.**
- **The Forest and Prairie Protection Act provides reference to how Fire Guardians are utilized.**



Fire Department

- Defining the purpose of the municipal fire service provides clarity as to the functions, responsibilities and designated powers.
- Fire Services are often relied upon for more than just firefighting; responding to “all hazards”, such as rescue, hazardous materials and medical incidents, is very much common practice.
- The fire service provider functions under the terms of the Bylaw.

Requirement to Report

- Reporting ensures proper investigation of cause is completed, that the fire hazard/cause has been definitively mitigated, and statistical data is accurately recorded.
- This is also the case for hazardous materials incidents.



Fire Protection Charges

- **Municipal Government Act - Adding amounts owing to tax roll**
- **553(1) A council may add the following amounts to the tax roll of a parcel of land:**
- **(g) if the municipality has passed a bylaw making the owner of a parcel liable for expenses and costs related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel**

Control of Fire Hazards

- The preventative measures that exist within best practice guidelines and provincial legislation can be applied to a Fire Protection Bylaw.
- Many of these respective documents (generally) refer to accumulation of combustible material, unsafe demolition of buildings, lack of fire safe work, and lack of preparation for a potential fire.



Permitted and Prohibited Fires

- Fire within a municipality is only lawful when considered “recreational”: enjoyed for the means of cooking, warming, etc.
- Any other use of fire must be permitted determining the type, condition, and extent of burning that may take place.



Firepits, Outdoor Fireplace and Stationary BBQs

- Guidelines for the recreational use of fire pits, outdoor fireplaces, and barbecues are generally consistent across the province.
- In some cases backyard recreational fire pits require permits to ensure they meet Bylaw.



Fire Bans

- Fire bans are essential for the safety of the community.
- Regional environmental conditions require regional precautions.
- Designating who determines when the ban goes into effect and when it ends should be clearly determined in a Fire Bylaw.

TOTAL FIRE BAN



IN EFFECT



General Offences

- Clearly identifying offences is critical to determine how offenses are documented and ticketed.
- Fire services operations interference is clearly determined as it is essential to allow the prompt mitigation of a fire.

**Smokers dropping lit cigarette butts
could receive a \$173 fine**

www.globalnews.ca

Permitting

- **Variety of local government approaches**
- **Online permitting is becoming more of a common practice**
- **Both small and large communities use online processes**



Can I burn right now?

Do I need a fireworks permit?

Permitting

- **Online Permit process**
 - MD of Foothills
 - Strathcona County
 - Mountain View County
 - Lacombe County
 - County of Minburn

Obtain your Recreational
Burn Permit online here.



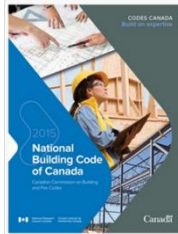
Penalties

- Violation tags and tickets
- Fire bans
- Schedule with monetary penalties



Bylaw Progression – Best Practice

- Balancing enforcement and prevention
- Fire Protection Bylaw verses Land Use and Development

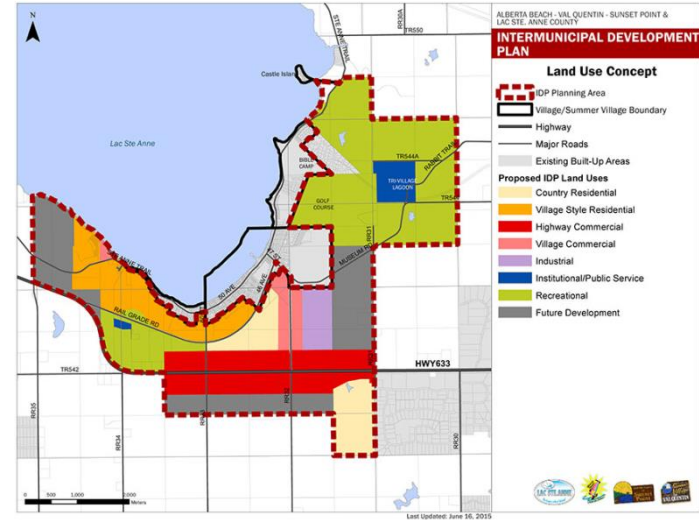


Incorporating FireSmart into Municipal Planning and Development

PLANNING

Intermunicipal Development Plans

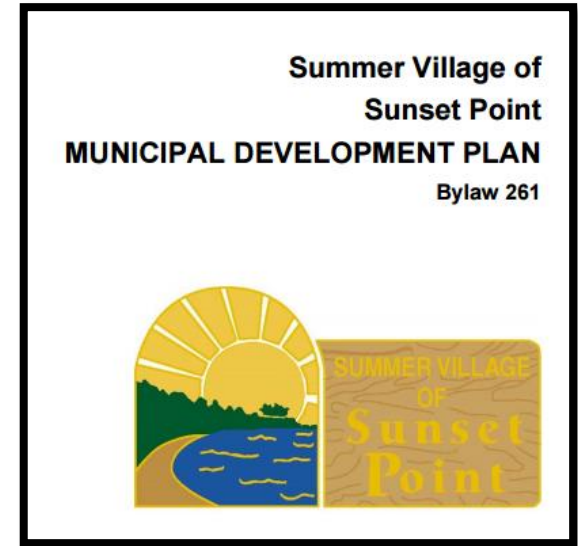
- Assess hazards at the intermunicipal level
- Plan for intermunicipal emergency management
- Plan for modification of fuel sources in the wildland/urban interface



<http://greenspacealliance.com/>

Municipal Development Plans

- Identify potential wildfire hazard areas
- Establish fuel-reduced and buffer areas (i.e. parks, trails, golf courses, etc.)
- Identify water sources for fire suppression
- Use of municipal reserve and environmental reserve



www.sunsetpoint.ca

Area Structure Plans

- Require assessment of slope, water, fuel sources, and wildfire history
- Assess uses, density, and utilities in relation to risk
- Assess road network and design (road width, surface materials, emergency access) in relation to hazard mitigation
- Consider PULs for water storage



Land Use Bylaw

- Regulate proximity of buildings to one another in high risk areas
- Regulate storage of wildfire fuel sources on a property
- Identify high wild fire risk land uses as discretionary uses
- Implement Direct Control Districts for additional oversight



Development Permit Considerations

- **Site design considerations:**
 - **Location of buildings and other structures in relation to one another**
 - **Proposed landscaping (fuel types and location)**
 - **Location of buffering and screening if provided**
 - **Internal site circulation (for safe access for fire and other emergency equipment and for resident evacuation)**
 - **Roof and siding materials**
- **Availability of on and off site fire suppression infrastructure (to determine response effectiveness, response times and water supply)**

Subdivision Considerations

- **What's the proposed use? Does it represent a wildfire risk?**
- **Where are buildings to be located? Are buildings sufficiently separated?**
- **Are there waterbodies? Where will water for fire suppression come from?**
- **How is the site serviced? Where will water for fire suppression come from?**
- **What is the slope/ground cover of the site? Can vegetation be managed?**
- **How is the site accessed? Sufficient for emergency vehicles and evacuation?**
- **What fire suppression infrastructure is there in this area? Contact the local fire department!**

Restrictive Covenant Considerations

- Notification of wildfire potential to purchasers
- Require roofing/siding materials to meet fire rating requirements
- Identify liability of the municipality in the event of wildfire in an urban/wildland interface area
- Require fuel-reduced buffers (including min. width) around structures
- Require screening of all eaves, decks, and underfloor openings to prevent the accumulation of flammable materials
- Require wood burning appliances to be installed with spark arrestors
- Require the planting of trees and vegetation that are unlikely to sustain a fire

Next Steps

- **October 26, 2016** ASVA Fall Conference – Presentation to ASVA Members on Fire Bylaws
 - Opportunities for feedback
- **November/December 2016** Legal Review of 2nd draft Bylaws
- **January 23, 2017** ASVA Board Meeting – Present the Final Draft Bylaws
- **February 10, 2017** Final Products and FRIAA reporting completed

Have comments?

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Questions and Discussion

THANK YOU