

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1156-07**

**A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FOR THE RULES, REGULATIONS, POLICIES, AND COMMITTEES NECESSARY FOR THE PROPER ORGANIZATION AND ADMINISTRATION OF THE SMOKY LAKE COUNTY, FIRE DEPARTMENT.**

**WHEREAS**, the Council of the Smoky Lake County wishes to establish a fire service within the Municipality and to provide for efficient operation of such a fire service, all pursuant to the laws of the Province of Alberta.

**NOW THEREFORE** the Council of Smoky Lake County, in the Province of Alberta, duly assembled, enacts as follows:

**1. CITATION**

1.1 This Bylaw may be cited as "**Fire Services Bylaw**".

**2. DEFINITIONS**

2.1 "**Administrator**" means the Municipality's Chief Administrative Officer.

2.2 "**Apparatus**" means any vehicle provided with machinery, devices, equipment or materials for firefighting, as well as any vehicles used for transporting firefighters or supplies.

2.3 "**Business Meeting**" means a gathering of the members scheduled by the Fire Chief, and at which meeting no training is conducted.

2.4 "**Council**" means the Council of Smoky Lake County.

2.5 "**Equipment**" means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

2.6 "**Fire**" means any combustible material in a state of combustion.

2.7 "**Fire Chief**" means the member appointed as head of the Fire Department.

2.8 "**Fire Department**" means the Department established by the Municipality and includes any person duly appointed to the Fire Department by Council.

2.9 "**Fire Hazard**" means any condition, circumstances or event

wherein the possibility of fire is increased.

- 2.10 **“Fire Protection”** means all aspects of fire safety, including but not limited to, Fire Protection, Firefighting or Suppression, Pre-Fire Planning, Fire Inspection, Fire Investigation, Public Education and information, training or other staff development, advising, and responding to a request for Fire Protection (including legitimate emergencies and false alarms).
- 2.11 **“Fire Protection Charge”** means any or all costs incurred by the Fire Department in providing Fire Protection.
- 2.12 **“Incident”** means a fire, a situation where a fire or explosion is imminent or any other situation presenting a fire or possible danger to life or Property.
- 2.13 **“Member”** means any person that is duly appointed member of the Fire Department, and includes the Fire Chief.
- 2.14 **“Municipality”** means the Smoky Lake County.
- 2.15 **“Officer”** means a member appointed as the Fire Chief or Deputy Chief.
- 2.16 **“Potential Member”** is an individual who has expressed an interest in becoming a member, but who is not a member.
- 2.17 **“Practice”** means a gathering of the members scheduled by the Fire Chief, and at which training is conducted.
- 2.18 **“Property”** means any real or personal Property, which, without limiting the generality of the foregoing, includes land and structures.

### 3. HEALTH AND SAFETY

- 3.1 All members shall endeavour to perform Fire Protection services in a safe manner, according to this Bylaw and to the training provided, and to know safe working procedures.
- 3.2 All members shall endeavour to report unsafe conditions and reduce the incidence of unsafe conditions.
- 3.3 No member shall attend at an incident when under the influence of drugs or alcohol to the extent that the member would be prohibited by law from driving a motor vehicle.
- 3.4 No member shall consume alcohol or illegal drugs while attending at an incident or a business meeting or practice.
- 3.5 If the Fire Department organizes a social function or a large number

of members are expecting to attend a social function, the Fire Chief shall establish a list of members who will respond to any incidents during the time of the social function and for eight (8) hours following the social function. These members shall ensure that they are able to respond to any incidents during the time frame for which they are assigned.

#### 4. MEMBERSHIP

- 4.1 A potential member becomes a member if the individual:
- 4.1.1 Has completed a training program prescribed by the Fire Chief.
  - 4.1.2 Has been a potential member for a minimum three (3) month period.
  - 4.1.3 Is recommended by the Fire Chief or another Officer and has received the approval of Council.
  - 4.1.4 Has been examined by a physician and certified as being physically capable of providing Fire Protection services. The member must be re-examined:
    - i. at least once every six years.
    - ii. if the member experiences changes to his or her medical condition which could impact ability to perform Fire Protection or negatively impact the members health because of performing Fire Protection, subject to the Municipality's prior approval; and
    - iii. upon the Municipality's request.
- 4.2 All potential members shall supply the Fire Chief with:
- 4.2.1 A current Driver's License Abstract.
  - 4.2.2 A copy of his or her criminal record, or notification from the R.C.M.P. that the potential member has no criminal record.
  - 4.2.3 A signed form acknowledging firstly, his or her status as an independent contractor, and secondly, his or her agreement to comply with this Bylaw.
  - 4.2.4 Other information to establish compliance with personal attributes requirements upon the Municipality's request.
- And all members shall, during the currency of their membership, provide the Municipality with the foregoing current information, upon the Municipality's request.
- 4.3 A member shall endeavour to attend at all incidents.
- 4.4 A potential member shall endeavour to attend at all incidents, but

shall:

4.4.1 Not drive or operate any apparatus or equipment.

4.4.2 Not enter a structure or building which has or is involved in an incident for:

- i. Fire Suppression.
- ii. Search or Rescue; or
- iii. Salvage Work.

4.5 Members must:

4.5.1 Possess the following personal attributes:

4.5.1.1 Be at the age of sixteen (16) or older.

4.5.1.2 Possess a minimum Class Five (5) Driver's License.

4.5.1.3 Have no more than six demerits against their driving record.

4.5.1.4 Not be convicted of an offence punishable by imprisonment for five or more years, or convicted of an offence under Section 123, 124, or 125 of the *Criminal Code Canada*.

4.5.1.5 Be legally entitled to work in Canada.

4.5.1.6 Be physically capable of performing duties as a member.

4.5.1.7 Be able to communicate clearly and precisely, including under stressful circumstances.

4.5.1.8 Be able to understand and follow oral and written communication.

4.5.2 Participate in progress respecting the Fire Protection.

4.5.3 Be willing to undergo a periodic review by an Officer respecting the member's Fire Protection skills and compliance with personal attribute requirements.

4.5.4 Endeavour to develop knowledge and skills for Fire Protection, including operation of apparatus and equipment.

4.5.5 Endeavour to develop knowledge of rules and regulations of the Fire Department.

4.5.6 Be able to receive and record telephone fire alarms and other emergency calls; and

4.5.7 Endeavour to skillfully operate and maintain apparatus and equipment including: laying and

connecting hose, holding nozzles and directing water streams, raising and climbing ladders, properly ventilating buildings to release heat, smoke, and gas, placing salvage covers to prevent water damage.

4.6 Potential members must:

4.6.1 Have the personal attributes required of members and referred to in Section 4.5.above.

4.7 Generally, absences will only be excused by an Officer for sickness, work, and family functions such as weddings, funerals, or birthdays.

4.8 Officers:

4.8.1 Must have all requirements of other members and referred to in Section 4.5 above.

4.8.2 Be able to and endeavour to assist the Fire Chief in developing and integrating the training and education program for all members.

4.8.3 Be able to endeavour to complete all fire reports and accident reports required by law and for the Fire Department's own records and ensure that all reports prepared by the Officer are clear and concise.

4.8.4 Be able to and endeavour to assist the Fire Chief in perform maintenance of all apparatus and equipment, including routine checks for such maintenance.

4.8.5 Be able to and endeavour to assist the Fire Chief in establishing rules, regulations, and procedures for efficient operation of the Fire Department.

4.8.6 Be able to and endeavour to organize and assume command of Fire Protection, as required.

4.8.7 Be able to and endeavour to provide leadership and develop and implement long-range plans and programs.

4.8.8 Be able to and endeavour to supervise and participate in the preparation of all necessary reports, records, and correspondence.

4.8.9 Be able and endeavour to assist the Fire Chief in maintaining a liaison with federal, provincial, and municipal governmental matters related to the Fire Department.

4.8.10 Be able to and endeavour to establish and maintain effective working relationships with other members and the public.

4.8.11 Be able to and endeavour to maintain discipline and morale, exercise sound judgment and cooperate with others.

- 4.8.12 Be able to and endeavour to develop knowledge of:
  - i. Auto extrication and safety practices.
  - ii. Hazmat identification, operation and decontamination procedures; and
  - iii. Hydraulics as applied for Fire Protection.

## 5. TRAINING

- 5.1 The Fire Chief shall schedule practices annually as deemed necessary.
- 5.2 Each member shall:
  - 5.2.1 Attend a minimum of eighteen (18) practices annually, and
  - 5.2.2 Not miss two (2) consecutive practices:
    - i. unless the member has obtained prior approval of an officer.
- 5.3 Practices shall commence at 7:00 p.m. and conclude at 9:00 p.m., unless otherwise specified by the Fire Chief. Members or potential members will be deemed to be absent if they arrive more than fifteen minutes late, or leave more than fifteen minutes early.
- 5.4 The Fire Chief shall develop and integrate a training and education program for potential members and members.
- 5.5 The training and education program shall include: Fire Hazards and Dangerous Goods, Operation of Apparatus.
- 5.6 The Fire Chief must ensure that accurate and complete training records are maintained for each member.

## 6. OPERATIONAL GUIDELINES

- 6.1 Limit the number of members who may operate apparatus or equipment.
- 6.2 Inspection and maintenance of equipment, apparatus, and protective clothing.
- 6.3 If a member responds to an incident in their own motor vehicle, the member shall operate their motor vehicle according to all relevant federal, provincial, and municipal legislation.
- 6.4 Inventory, storage and handling of hazardous substances.
- 6.5 Records for accidents or injuries (reports, response, and treatment).

- 6.6 Use of lights and siren shall be in accordance with Section 68 of the *Highway Traffic Act*.
- 6.7 The Fire Chief shall work with the Municipality's Public Works Foreman to perform and record the inspection, testing, and maintenance of fire hydrants.
- 6.8 All members shall carry a beeper at all times when the member is able to respond to an incident.

**7. REMUNERATION**

- 7.1 The Municipality shall reimburse any member for medical examinations according to Section 4. The membership will reimburse a potential member for medical examinations where the potential member is ultimately accepted as a member.
- 7.2 The Municipality shall reimburse any member for expenses relating to Driver's Abstracts and Criminal Records. The municipality will reimburse a potential member for Driver's Abstracts or Criminal Records where the potential member is ultimately accepted as a member.
- 7.3 Members shall also receive remuneration for their services according to the budget formula approved by Council.

**8. BUDGET**

- 8.1 The Fire Chief shall submit a proposed budget to the Administrator on or before November 1 for the following fiscal year, or as otherwise required by the Municipality for time to time.
- 8.2 The budget shall indicate all revenue and expenditures, including capital and operating expenditures. The budget shall also include the formula to be used for the remuneration of members for their services.
- 8.3 No member shall pledge the credit of the Municipality.
- 8.4 All revenues and expenses shall be handled by the Municipality's accounting department, and in according to the budget approved by the Municipality's Council.
- 8.5 All property used by the Fire Department remains the property of the Municipality, unless the Municipality has entered into an agreement with another Municipality or another person otherwise.

**9. PROTECTIVE CLOTHING**

- 9.1 All protective clothing issued to the member remains the property of the Municipality.
- 9.2 Unless otherwise agreed in writing by the Municipality, all protective clothing issued to the member shall be returned to the Fire Chief upon the member's resignation, suspension, retirement, or commencement of leave.
- 9.3 The Municipality will repair all protective clothing in disrepair, and

the member shall advise the Fire Chief of any disrepair.

- 9.4 All clothing issued by the Municipality will meet or exceed National Fire Protection Association standards. Any clothing not meeting these standards will be replaced or upgraded to those standards by the Municipality. The Fire Chief shall endeavour to monitor replacement and maintenance of protective clothing, and budget for the same.

**10. TERMINATION OF MEMBERS**

- 10.1 Any member may be terminated by the Municipality, without reason, on thirty days notice.
- 10.2 Any member who commits a fundamental breach of their contract may be terminated by the Municipality, immediately.

**11. GENERAL**

- 11.1 Should any section or part of this Bylaw be found to be improperly enacted or ultra vires, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

**12. REPEAL**

- 12.1 That Bylaw NO. 1065-98, known as the "*Fire Services Bylaw*" be and is hereby repealed.

This Bylaw comes into effect on the date of final passing.

READ A **FIRST TIME** IN COUNCIL THIS **16** day of **August**, AD **2007**.

READ A **SECOND TIME** IN COUNCIL THIS **16** day of **August**, AD **2007**.

READ A **THIRD AND FINAL TIME, WITH THE UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT, THIS 16** day of **August**, AD **2007**.

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Cory Ollikka  
Reeve

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Cary Smigerowsky  
Chief Administrative Officer