

BYLAW 2002/17

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A Bylaw of Cypress County, in the Province of Alberta, to set policy for Fire Suppression Services.

PURSUANT TO the provisions of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, the Municipal Council of Cypress County, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

**GENERAL POLICY STATEMENT**

Cypress County recognizes that it is responsible for fighting and controlling fires within the County pursuant to the Forest and Prairie Protection Act, and that it may pass bylaws under the Municipal Government Act respecting safety, health, and welfare of people and the protection of people and property. The County is also aware that it cannot provide fire suppression services to its citizens and their property at a level similar or equal to an urban municipality, and that any structure or vehicle fire that occurs may result in total loss of that structure or vehicle. The County can only attempt to provide protection to secondary property exposures at those fires and attempt to prevent the fire from spreading. The County has established this criteria on the basis that:

1. The County covers a vast and sparsely populated geographical region and fire suppression services are primarily staffed by volunteer fire fighters with limited training and equipment and whose availability cannot be guaranteed.
2. It is not economically feasible to attempt to provide a higher level of service in the region.
3. It is not economically feasible to develop water delivery systems for the purposes of fire fighting within hamlets or rural areas of the region.

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PART 1

**SERVICE STANDARDS**

1. The County cannot guarantee a specific response time because distances vary, and in the case of volunteer fire departments, the first department called may not be able to respond at all. County residents may have to wait a substantial amount of time [1 hour or more] for fire services to arrive.
2. The County will provide basic exterior fire suppression only, except by departments or individuals who are properly trained for interior attack.
3. Due to substantial extra costs, hamlet water systems will not provide ULC hydrant fire flows, however fire departments may use the hydrants [if available] to augment on truck water supplies.
4. Farmers and ranchers with their equipment make up part of the grass fire suppression force.
5. Volunteer Fire Departments may assist in vehicle rescue efforts, however this is formally the responsibility of the Medicine Hat Regional Ambulance Service.

PART 2

**VOLUNTEER FIRE DEPARTMENTS**

1. Cypress County encourages the formation of volunteer fire departments in hamlets.
2. These departments will operate under the direction of Cypress County and Council may set guidelines on operations from time to time as per POLICY FP1 in the policy manual.
3. Council, by resolution, shall appoint Fire Chiefs and Deputies for the Volunteer Fire Departments operating within the County in accordance with the policies and procedures established in POLICY FP1 of the policy manual.
4. The appointment of a Volunteer Fire Chief shall not constitute an appointment as a Designated Officer pursuant to the Municipal Government Act.
5. Otherwise departments can structure as they wish.

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PART 3

**TRAINING STANDARDS**

1. Cypress County will, by organizing courses or sending volunteers to courses, assist volunteers in training as volunteer fire fighters. Within two years of starting with a volunteer department, and providing the County is able to set up instruction sessions, all members must attend the Alberta Fire Training School 32 hour Entry Level Course instruction, but need not take the written exam.
2. Existing volunteers [those who are members of a volunteer department at the passing of this Bylaw] may, in lieu of taking the 32 hour course, challenge the written and practical exams. If they receive a pass mark on both, they are exempted from Section 1 of this part. However no certificate will be issued.
3. Subject to budget constraints, the County will fund additional courses as interest warrants.

PART 4

**EQUIPMENT STANDARDS**

1. While the County will strive, where practical, to keep equipment up to National Fire Protection Association standards, the standard is not adopted as a minimum within this policy, because it may limit the use of equipment that could be useful in fire suppression that does not meet the standard.
2. Subject to budgetary considerations Cypress County will provide:
  - a) A truck capable of pumping water for fire suppression.
  - b) Basic supporting equipment as provided by POLICY FP2 in the policy manual. Because different departments have different needs, not all items on the list will be provided to all departments. For clarity this provision is not retro-active, but the County may as budget allows, retro fit each department with equipment on the list.
  - c) Additional specialized equipment on approval.
3. Any specialized, or other major equipment, either acquired by donation or purchased from department funds, must be approved by the County, whether there is, or is not, a budgetary implication to the County, and such approval must be obtained prior to the donation or purchase being made. Failure to do so may result in the department having to cover all costs associated with the donated or purchased equipment.
4. The County will set up schedules for the testing of equipment, either by the departments, or County staff.

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PART 5  
**AGREEMENTS**

1. Cypress County may enter into agreements with other municipalities to provide services within the framework as set out in this bylaw.
2. Notwithstanding the foregoing, Cypress County will respond to any emergency when requested by another municipality's fire department or municipality, whether a formal agreement has been entered into or not.
3. Any agreements made prior to this Bylaw, pursuant to a specific bylaw, remain in effect pursuant to this Bylaw, notwithstanding the specific bylaw authorizing the agreement has been rescinded.

PART 6  
**COST RECOVERY**

1. Cypress County is authorized to recover the costs and expenses incurred by Cypress County in fighting a fire from the person or persons who caused the fire, including:
  - a) Costs and expenses incurred by Cypress County for responding to dangerous goods spills and vehicle collisions from the person or persons who caused the incident.
  - b) Costs and expenses incurred by the County in responding to false alarms from the person or persons who own the property, except when he produces reasonable evidence that the false alarm originated from a cause unconnected with his possession or ownership.
2. When Cypress County cannot recover the costs and expenses incurred by Cypress County in fighting fires, from the person or persons who caused the fire, Cypress County may collect the costs from the person or persons in possession or owner of the land, except when reasonable evidence is produced that the fire originated from a cause unconnected with his/her possession or ownership.
3. Collect the costs and expenses at a rate applicable to the type of equipment utilized, including man-hour costs, in accordance with POLICY FP3 in the policy manual.

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PART 7

**FIRE CONTROL ORDERS**

1. The Chief Administrative Officer (or his designate), is authorized to issue a Fire Control Order prohibiting the lighting of any fires and the extinguishment of all fires set prior to the issue of a Fire Control Order. For greater certainty, a Fire Control Order may also apply to:
  - a) fires contained in fire facilities located in designated camping and recreation areas; and
  - b) fires which are contained in cooking and heating appliances which are fuelled other than by fluids or gases.
2. A Fire Control Order shall be advertised and shall state the time and date it comes into effect.
3. A person who willfully sets a fire during a ban under this bylaw, will be responsible for the costs of extinguishing the fire. If the person is the owner or occupant of the land on which the fire is set, those costs may be recovered by placing the costs on the tax roll and recovering them in the same manner as taxes.
4. The Chief Administrative Officer (or his designate) will, as conditions allow, remove the Fire Control Order.

PART 8

**REPORTING**

1. All reports are to be channelled through the County office.
2. Report data will be logged for information purposes by the County.
3. Fire reports including dates of fires, location, how many hours the department attended, name of land owner, suspected cause, and any other information considered relevant, will be required on a monthly basis.

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PART 9

**AWARENESS**

The County will make residents aware of the limited fire services provided in the County by:

1. Annually during fire prevention week, putting a summary of the policy in the Cypress Courier.
2. Attaching a summary of the policy to every new development permit issued.

PART 10

**SUPPORTING POLICIES**

1. Council may pass policies by resolution to be part of the CYPRESS COUNTY COUNCIL REFERENCE MANUAL, which, whether mentioned in this bylaw or not, will be part of the County Fire Suppression Service policy. In the case there is a dispute between this bylaw and a policy in the Reference Manual, the one passed at the latest date will take precedence.

PART 11

**ADMINISTRATIVE**

1. Bylaws 85/11, 95/10, 97/21, 97/35, 90/12, 98/30, 99/09, 99/19, 99/49, 2001/07 and 2001/08 are hereby rescinded.