

**COUNTY OF TWO HILLS NO. 21
IN THE PROVINCE OF ALBERTA
BY-LAW NO. 3-2001**

WHEREAS the Municipal Government Act provides that a Council of a Municipality may pass By-Laws respecting the safety, health & welfare of people and the protection of people and property.

WHEREAS the Forest and Prairie Protection Act provides that the council of a Municipality is responsible for fighting and controlling all fires within the boundaries of the Municipality and the costs and expenses shall be paid by the Municipality, and

WHEREAS the Forest and Prairie Protection Act provides that the Council of a Municipality may recover the costs and expenses incurred in fighting fires from the person who caused the fire, or if unable to recover the costs from this person, from the person in possession or owner of the land, and

WHEREAS the Forest and Prairie Protection Act provides that the Council of a Municipality may add the unpaid costs and expenses to the tax roll if the Municipality passes a By-Law making the owner of a parcel liable for the costs, and

NOW THEREFORE the Council of the County of Two Hills duly assembled, does hereby enact as follows:

Section 1 Definitions

Council Council of the County of Two Hills

County County of Two Hills No. 21

Fire Fighting Costs any expenditures, costs, or debt associated with the prevention, control or extinguishments of fires or the preservation of life or property from injury or destruction by fire or other incident which has been made or incurred either directly or indirectly by the County.

Fire Guardian any person appointed by resolution of Council to be a fire guardian.

Fire Permit any permit issued by a fire guardian.

Fire Bylaw By-Law 2-2001 of the County of Two Hills.

a) Section 2 Permits

- a) No person shall light or cause to be lit an outdoor fire on land unless that person is in possession of a Fire Permit.
- b) No person shall allow any outdoor fire that is not authorized by a permit on land that is owned or occupied by him or under his control.
- c) No permit is required for an outdoor campfire used for cooking in an approved pit or fireplace.
- d) No person or persons shall light or cause to be lit a fire in a receptacle or container utilized for garage storage within the boundaries of any Hamlet or Lake Subdivision within the County of Two Hills No. 21.

b) Section 3 Penalties

- 3.1 Any person who directly or indirectly, personally or through any employee or agent:

- a) allows a fire under his control or under the charge, custody or control of any employee or agent to run at large: or
- b) allows a fire to pass from his own land: or
- c) allows or permits any contravention of this By-Law or By-Law 2-2001: or
- d) does not obtain a permit :or
- e) fails to comply with the conditions on the permit

is guilty of an offence and upon summary conviction:

- i. For the first offence, to a fine of not less than three hundred dollars (\$300.00) or in default of payment of the fine, to imprisonment for a period of not more than 90 days.
- ii. For the second and subsequent offences, to a fine of not less than five hundred dollars (\$500.00) or in default of payment of the fine, to imprisonment for a period of not more than 90 days.

Section 4 Costs

- 4.1 Where the County has incurred costs as a result of an incident, the County may charge a fee and/or costs to:
 - a) the person who directly or indirectly, personally or through any employee or agent is responsible for the incident; or
 - b) In the case of fire the owner, occupant or the person in control of the land where the fire originated.

- 4.2 With respect to the fee and/or costs described in Section 4.1, the County may;
 - a) in default of payment and after the expiration of thirty days (30) from the levy of the fee and/or costs recover such fee and/or costs as a debt due and owing to the County; or
 - b) In the case of a fire, in default of payment and after the expiration of thirty (30) days from the levy of the fee and/or costs, and where the land from which the fire originated is situated within the County, charge such fee and/or costs against the land on which the fire originated as taxes due and owing in respect of the land.
 - c) Section b) applies whether or not an action has been commenced by the County under Section a).

This By-Law shall come into force on the day it is enacted by Council

MOVED BY COUNCIL - That By-Law No. 3-2001 be given first reading this 9th day of May 2001. Carried

REEVE

ADMINISTRATOR

MOVED BY COUNCIL - That By-Law No. 3-2001 be given second reading this 13th day of June, 2001. Carried

MOVED BY COUNCIL - That By-Law No. 3-2001 be given third reading this 13th day of June, 2001. Carried

REEVE

ADMINISTRATOR

