

BEING A BYLAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA AUTHORIZING THE ESTABLISHMENT AND OPERATION OF A FIRE AND RESCUE SERVICES DEPARTMENT

WHEREAS the *Municipal Government Act* R.S.A. 2000, Chapter M-26, , provides that Council may pass Bylaws for municipal purposes respecting the safety, health and welfare; protection of people and Property; and for services provided by or on behalf of the municipality; and

WHEREAS the Town of Westlock Council desires to establish and operate a Fire and Rescue Services Department within the Town of Westlock; and

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c. M-26, authorizes a municipality to provide services, establish and impose fees, rates, and charges for those services, and to recover costs incurred by the municipality in providing services, including emergency and fire protection services; and

WHEREAS the *Safety Codes Act*, R.S.A. 2000, c. S-1, authorizes an accredited municipality to administer and enforce the Act and to establish and collect fees for services provided pursuant to the Act in carrying out its powers and duties as an accredited municipality; and

WHEREAS the Town of Westlock Council has been accredited by the Safety Codes Council;

WHEREAS the Town may provide Fire and Rescue Services outside its boundaries as part of mutual aid or provincial requests, subject to applicable agreements and approvals.

NOW THEREFORE the Town of Westlock Council enacts as follows:

SECTION 1 - SHORT TITLE

1.1 This Bylaw may be cited as "Fire and Rescue Services Department Bylaw".

SECTION 2 - DEFINITIONS AND INTERPRETATIONS

2.1 In this Bylaw:

- a) "Chief Administrative Officer" means the individual appointed to that position and title by Council, and their delegate
- b) "Council" means the Municipal Council of the Town of Westlock.
- c) "Dangerous Goods" has the same meaning as in the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c. D-4
- d) "Department" means the Fire and Rescue Service department of the Town established by this Bylaw which provides Fire Services in accordance with this bylaw.
- e) "Deputy Fire Chief" means the Person designated as such by the Fire Chief for the purpose of this Bylaw.
- f) "Emergency" includes a situation in which there is imminent danger to public safety or of serious harm to property;
- g) "Equipment" means any tools, contrivances, devices, or materials used by the

Department to combat an Incident, and includes rolling apparatus such as, but not limited to, fire truck, pumper truck, rescue truck, command post, or any vehicle provided with machinery device, equipment or materials used to transport Firefighters or supplies to combat any Incident.

- h) "Fees and Rates Bylaw" means the bylaw, as amended from time to time, that establishes the fees, rates, and charges imposed by the Town for goods, services, or activities provided by the Town.
- i) "Fire" means the burning of any flammable or combustible material, or any combustible material in a state of combustion including hot ashes or embers.
- j) "Firefighter" means a member, including a volunteer, of a fire service organization whose functions, duties or powers are to carry out fire services, notwithstanding that the member may carry out other functions, duties or powers for the fire service organization;
- k) "Fire Chief" means the individual who is appointed as the head of the Department.
- l) "Fire Services" means services related to the suppression or prevention of fires, rescue and emergency services and other activities of a firefighter.
- m) "Incident" means a Fire or a situation where a Fire or an explosion is occurring or may be imminent, or any other situation presenting a danger or possible danger to life or Property and to which the Department has responded, including without limitation, a motor vehicle collision or release of dangerous goods.
- n) "Incident Commander" means the Firefighter who, according to the Fire and Rescue Services command structure established by the Fire Chief, is in command at an Incident.
- o) "Incident Command System" means a standardized, scalable framework for the management of emergency Incidents, providing clear roles, responsibilities, and chain of command to ensure a coordinated, safe, and effective response by all personnel and agencies involved, and is the incident management system officially recognized and used in the Province of Alberta.
- p) "Level of Service" means the Town of Westlock Fire and Rescue Services – Level of Service Policy as adopted by Council and as may be amended from time to time by Council Resolution.
- q) "Mayor" means the chief elected official pursuant to the *Municipal Government Act*.
- r) "*Municipal Government Act*" means the *Municipal Government Act*, R. S. A. 2000, c. M-26 as amended or repealed and replaced from time to time and any regulations thereunder.
- s) "Occupier" means any Person occupying any Property, or having control over the condition of any Property and the activities conducted on the Property, whether the person is the Owner or lessee of such Property, or whether such Person resides thereon or conducts business thereon;

- t) "Officer" means a Firefighter appointed by the Fire Chief as a supervisory position within the Department.
- u) "Owner" means a Person who:
 - i. in the case of land, is registered under the *Land Titles Act* as the Owner of the fee simple estate in a parcel of land; or
 - ii. in the case of personal property, is in lawful possession, or has the right to exercise control over the Property, or is the registered Owner of the Property;
- v) "Order to Remedy" means an enforcement order issued pursuant to the *Municipal Government Act*
- w) "Peace Officer" means a member of the Royal Canadian Mounted Police, a Peace Officer pursuant to the *Peace Officer Act*, or a Bylaw Enforcement Officer;
- x) "Person" means individual, firm, corporation, partnership, Owner, occupier, lessee or tenant.
- y) "Property" means a parcel of land including any buildings or, where the context so requires, a chattel;
- z) "*Provincial Offences Procedure Act*" means the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended or repealed and replaced from time to time, and any regulations thereunder.
- aa) "*Safety Codes Act*" means the *Safety Codes Act*, R.S.A. 2000, c.-1, as amended or repealed and replaced from time to time, and any regulations thereunder.
- bb) "Safety Codes Officer" means an individual designated as a Safety Codes Officer under the *Safety Codes Act* and who holds an appropriate certificate of competency and meets the requirements of the regulations as a Safety Codes Officer with respect to all or part of the Act.
- cc) "State of Local Emergency" or "SOLE" means a state of local emergency declared in accordance with the Town of Westlock Emergency Management Bylaw and applicable provincial legislation, as amended from time to time.
- dd) "Town" means the Town of Westlock.

- 2.2** The Owner of a Property is ultimately responsible for all activities on their Property which may constitute contravention of this Bylaw and shall be liable for all fees and fines assessed thereunder.
- 2.3** Where this Bylaw refers to another act, bylaw, regulation, or agency; it includes reference to any Act, Bylaw, Regulation or Agency that may be substituted.
- 2.4** Every provision of the Bylaw is independent of all other provision and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 2.5** All references will be read with such changes in number and gender as may be appropriate

according to whether the reference is to a male or female Person, or a corporation or partnership.

SECTION 3 - FIRE AND RESCUE SERVICES

3.1 Council establishes the Department, for the purpose of:

- a) providing Fire Services within the Town in accordance with the approved Level of Service;
- b) protecting life, property, and the environment from fire, hazardous conditions, emergencies, and other Incidents;
- c) preventing, responding to, mitigating, and assisting in the recovery from Incidents within the Department's scope of responsibility;
- d) providing emergency response, rescue, public education, fire prevention, inspection, investigation, and related services as authorized by legislation, regulation, policy, or Council direction;
- e) fulfilling obligations under approved Mutual Aid Agreements and other emergency response agreements;
- f) supporting municipal emergency management activities and coordinating with other agencies and organizations during emergencies and disasters; and
- g) enforcing and assisting in the administration of applicable legislation, including the *Safety Codes Act* and regulations made thereunder, where authorized to do so.

3.2 The Department shall provide Fire Services in accordance with the Level of Service and any applicable standard operating guidelines as established in any applicable legislation, regulations or policy issued by the Province of Alberta or the Government of Canada, or any policy adopted by Council.

3.3 In the event of any inconsistency between the Level of Service and any legislation, regulation or policy issued by the Province of Alberta, the legislation, regulation or policy shall prevail.

SECTION 4 – JURISDICTION

4.1 Deployment Authorization

The Department shall not provide Fire and Rescue Services, and Fire and Rescue Service Department Equipment shall not be deployed, outside the boundaries of the Town except in accordance with one or more of the following circumstances:

- a) pursuant to a Mutual Aid Agreement between the Town and another municipality or entity for the provision of Fire and Rescue Services;
- b) where assistance is requested by the Government of Alberta or another municipality or authority under a provincial program or recognized emergency response arrangement,

- including the Alberta Emergency Management Agency Structural Protection Program; or
- c) where no Mutual Aid Agreement or formal arrangement exists, and deployment is requested by another municipality or agency, provided that:
 - i. approval is granted by the Chief Administrative Officer; and
 - ii. where time and circumstances permit, the Chief Administrative Officer consults with Council prior to deployment; and
 - iii. the decision to deploy considers available resources, operational feasibility, departmental priorities, and the safety of personnel and the public.

4.2 Authority During External Deployment

When Fire and Rescue Services are provided outside the municipal boundaries of the Town, whether as part of a provincial response, under a Mutual Aid Agreement, at the request of another municipality, or otherwise:

- a) Operational command and direction of deployed Department members, equipment, and activities shall be under the authority of the requesting municipality, agency, or provincial program for the duration of the Incident.
- b) When deployed as part of a provincial response, including under the Government of Alberta Structural Protection Program, all deployed resources shall also comply with applicable provincial legislation, directives, or program conditions.
- c) Where there is a conflict between what is required under the bylaw and what is required under provincial legislation, directives, or program conditions, the provincial legislation, directives, or program conditions takes precedence.

4.3 Cost Recovery

The Town is entitled to recover costs for Fire and Rescue Services provided outside the Town as follows:

- a) Where services are provided under a Mutual Aid Agreement, in accordance with the terms of that agreement;
- b) Where services are provided as part of a provincial response, in accordance with the fees, rates, and reimbursement provisions established by that program, billable to the requesting provincial authority or agency; or
- c) Where services are provided to another municipality in the absence of an agreement or provincial program, from the municipality to which the Fire Services were provided,

in accordance with the Town's Fees and Rates Bylaw as approved by Council from time to time.

SECTION 5 - OFFICERS AND OTHER AUTHORITIES**5.1 Fire Chief**

The Fire Chief is the head of the Department and is responsible for the overall management, administration, and operational readiness of the Department. In carrying out these responsibilities, the Fire Chief is authorized to:

- a) develop and implement departmental policies, standard operating procedures, and guidelines related to the internal operations, training, and administration of the Department;
- b) oversee the recruitment, appointment, and performance of all personnel within the Department;
- c) recommend annual budgets, resource requirements, and capital purchases to Council;
- d) provide guidance and advice to Council on Fire Services matters that impact the Town as a whole, with policies affecting the municipality requiring Council approval;
- e) ensure the Department maintains compliance with all applicable federal, provincial, and municipal legislation, regulations, and standards; and
- f) delegate authority as necessary to the Deputy Fire Chief, Officers, and other qualified personnel to carry out these responsibilities.

5.2 Deputy Fire Chief

The Deputy Fire Chief is responsible for assisting the Fire Chief in the management and administration of the Department. In the absence or unavailability of the Fire Chief, the Deputy Fire Chief may exercise all powers and authorities granted to the Fire Chief under this Bylaw, subject to any limitations imposed by Council policy or applicable legislation.

5.3 Officers of the Department

The Fire Chief may appoint Officers within the Department as necessary to support the effective administration and operation of the Department. Officers shall:

- a) be appointed by the Fire Chief;
- b) perform supervisory, leadership, administrative, and operational functions as assigned by the Fire Chief;
- c) exercise authority delegated to them by the Fire Chief in accordance with this Bylaw, departmental policies, standard operating guidelines, and lawful orders;
- d) assume command, supervisory, or other assigned roles at Incidents when designated or acting within the Incident Command System;

5.4 Firefighters

All Firefighters, including Officers, shall:

- a) be appointed by the Fire Chief;
- b) perform their duties in accordance with this Bylaw, departmental policies, standard

operating guidelines, training standards, and lawful orders of a superior officer or Incident Commander;

- c) maintain the qualifications, certifications, and competencies required for their assigned role;
- d) conduct themselves in a safe, professional, and responsible manner at all times while performing Department duties; and
- e) use and care for Department equipment and property in accordance with established procedures.

SECTION 6 INCIDENT COMMAND AND EMERGENCY OPERATIONS

6.1 Incident Command System

During any Incident, the Department shall operate under an Incident Command System structure consistent with recognized incident management principles.

6.2 Authority of the Incident Commander

The Incident Commander has control, direction, and management of all Firefighters and Equipment assigned to an Incident and shall continue to serve as Incident Commander until relieved by a Firefighter of equal or higher rank.

6.3 Operational Powers During an Incident

For the purpose of normal firefighting and Emergency response operations, the Incident Commander may take reasonable and necessary actions to control, mitigate, or extinguish an Incident and protect life and property, including:

- a) directing Firefighters and deploying Equipment as required to suppress Fire or mitigate an Emergency;
- b) authorizing entry onto land, premises, dwellings, vehicles, or other property where emergency operations are required, including exigent entry where there is imminent risk to life, health, safety, property, or the environment;
- c) establishing operational perimeters necessary to support firefighting and emergency operations and requesting Peace Officers to assist with scene safety and access control;
- d) ordering the evacuation of persons from a building or area where there is an immediate risk to life or safety directly related to the Incident;
- e) requesting assistance from other municipal departments, emergency services, or agencies as required; and
- f) calling upon mutual aid resources in accordance with existing Mutual Aid Agreements.

6.4 Powers Of Firefighters In Emergencies

- a) For the purposes of emergency response operations under this Section, a Firefighter includes all members of the Department acting within their assigned duties and responsibilities.

- b) In the course of responding to and managing an Incident, a Firefighter is authorized to take all reasonable and necessary actions consistent with standard firefighting and emergency response duties, and under the direction of the Incident Commander where applicable, including:
 - i. entering land, structures, vehicles, or other property where there is an actual or suspected emergency, fire, or imminent risk to life, safety, or property;
 - ii. performing firefighting, rescue, extrication, hazard mitigation, and life safety operations;
 - iii. operating fire suppression equipment and deploying apparatus and resources as required to control or extinguish fire or mitigate an emergency;
 - iv. limiting or restricting access to an incident scene to protect public safety and support emergency operations;
 - v. taking reasonable steps to prevent the spread of fire or escalation of hazardous conditions, including removing or relocating hazards where necessary; and
 - vi. requesting assistance from other emergency services, municipal departments, or agencies as required to support incident operations.
- c) In an emergency, a Firefighter may take any additional actions reasonably necessary to eliminate or mitigate an immediate threat to life, safety, property, or the environment, including:
 - i. entering land, structures, vehicles, or other property;
 - ii. removing, relocating, or rendering safe hazards, obstructions, or dangerous conditions; and
 - iii. coordinating with other responders or directing persons at the scene when required for immediate life safety operations and where no Incident Commander direction is reasonably available at the time.
- d) Firefighters shall exercise these powers reasonably, proportionately, and in accordance with applicable legislation, recognized emergency response practices, and departmental policies and procedures.

6.5 Municipal Authority

Nothing in this Bylaw authorizes the Incident Commander, Fire Chief, or Department to:

- a) restrict lawful movement, seize property, compel identification, or commandeer private equipment except where expressly authorized by legislation; or
- b) exercise emergency powers beyond normal firefighting operations unless a State of Local Emergency is declared.

6.6 State of Local Emergency

Where a State of Local Emergency is declared, the Fire Chief or Incident Commander may exercise those powers expressly granted under that *Emergency Management Act*, Emergency Management

Bylaw, and any applicable emergency orders.

SECTION 7 – REPORTING FIRES AND HAZARDOUS RELEASES

- 7.1** The Owner, the Owner's authorized agent, or the Occupier of any Property where a Fire has occurred, whether or not the Fire has been extinguished, shall immediately notify the Department.
- 7.2** The Owner, the Owner's authorized agent, or the Occupier of any Property within or upon which an accidental or unplanned release of Dangerous Goods occurs shall immediately report the release to the appropriate regulatory authorities and provide the Department with a copy of such report.
- 7.3** Reports under this section should include sufficient details to allow the Fire and Rescue Service Department to assess the incident, including:
- a) The location and extent of the fire or hazardous release;
 - b) Any persons at risk or injured; and
 - c) Any immediate actions taken to contain or mitigate the fire or release.
- 7.4 Failure to Report**
- a) Any Owner, Owner's authorized agent, or Occupier who fails to immediately notify the Department as required under sections 7.1 or 7.2 of this Bylaw is guilty of an offence.
 - b) A person found guilty of an offence under this section is liable to a minimum fine and maximum fine in accordance with Section 12 of this Bylaw.
 - c) Each day or part of a day that a failure to report continues constitutes a separate offence, subject to the provisions of Section 12.3 (Continuous Offence).
 - d) Nothing in this section limits the Department or the Town from pursuing additional remedies or enforcement measures under provincial legislation, including the *Safety Codes Act*, or other applicable statutes.

SECTION 8 - RECOVERY OF COSTS

8.1 Authority to Recover Costs

Where the Department has taken any action or used any resources beyond normal fire suppression or routine incident management practices to extinguish a Fire, respond to an Emergency within the Town, or preserve life or property from injury, damage, or destruction, the Chief Administrative Officer may recover the costs incurred by the Town from:

- a) the Person whose actions caused the Incident;
- b) the Owner or Occupier of the Property where the Incident occurred; or
- c) both, as applicable.

8.2 Determination and Invoicing of Costs

The decision to recover costs or fees for Department actions rests with the Chief Administrative Officer. Upon determining that costs or fees are recoverable, the Chief Administrative Officer shall issue an invoice to:

- a) the Person requesting the action;
- b) the Person whose actions necessitated the response; and/or
- c) the Owner or Occupier of the Property where the action was taken, as applicable.

8.3 Consistency with Fees and Rates Bylaw

Any costs or fees recovered for Fire Services shall be consistent with those set out in the Town's Fees and Rates Bylaw.

8.4 Recovery Mechanisms

Costs or fees levied under Section 8.1 may be recovered as follows:

- a) as an amount due and owing to the Town pursuant to Section 552 of the *Municipal Government Act, R.S.A. 2000, c. M-26*; and
- b) where payment is in default, and where permitted by the *Municipal Government Act, R.S.A. 2000, c. M-26, Section 553(1)(c)*, the amounts may be added to the tax roll of the Property in question.

8.5 Other Fire Services

Where the Department provides services other than emergency response, including fire prevention services, the Town may charge fees for such services as set out in the Fees and Rates Bylaw to the Person receiving the services.

SECTION 10 - PROHIBITIONS

10.1 Obstruction of Fire Services

No Person shall impede, obstruct, abuse, or otherwise interfere with the Fire Chief, Incident Commander, or any Firefighter engaged in firefighting, rescue, or other emergency response operations.

10.2 Obstruction of Fire Access

No Person shall place, leave, or allow to remain any vehicle, article, or object in a manner that obstructs or interferes with:

- a) access to fire hydrants, water sources, or connections; or
- b) the free movement or operation of Department Equipment.

10.3 Use of Equipment

No Person shall move, operate, or otherwise interfere with any Department Equipment without the permission of the Fire Chief or Incident Commander.

10.4 Damage to Equipment

No Person shall willfully, maliciously, or negligently destroy, damage, or tamper with any

Equipment belonging to the Department.

10.5 Use of Fire Hydrants

No Person, other than an employee of the Town or a Firefighter, shall use any fire hydrant or water source for the purpose of obtaining or discharging water without first obtaining permission from the Town.

10.6 Obstruction of Access Routes

No Person shall obstruct or otherwise interfere with access roads, streets, or approaches to any fire alarm, fire hydrant, cistern, water source, or connections provided to a fire main, pipe, standpipe, sprinkler system, cistern, or other body of water designated for Fire Services.

10.7 Entry of Safety Codes Officers or Firefighters

- a) Any Person who in any way obstructs, prevents, or refuses to admit a Safety Codes Officer or Firefighter in, to or upon any land, premises, yards or buildings in the performance of their duties, or who incites or abets such action shall be considered in breach of this Bylaw.
- b) The Safety Codes Officer(s) for the Town of Westlock shall have all powers as provided for in the *Safety Codes Act* with reference to the Fire Discipline.

10.8 False Representation

No Person shall:

- a) falsely represent themselves as a Firefighter of the Department;
- b) wear, display, or use any Department badge, cap, button, insignia, or paraphernalia for the purpose of false representation; or
- c) falsely claim to have the sanction of the Department in soliciting any Person.

10.9 Failure to Provide Information

Any Person who refuses to provide information required under this Bylaw, when requested by the Fire Chief, Incident Commander, or Firefighter, shall be deemed in breach of this Bylaw.

SECTION 11 – INSPECTING AND REMEDYING CONTRAVENTION

11.1 On behalf of the Town of Westlock, and excluding any powers granted under the *Safety Codes Act* or powers exercised during exigent or Emergency circumstances, any Peace Officer, Firefighter, or agent of the Town may enter upon any parcel of land within the Town to:

- a) conduct inspections to determine compliance with this Bylaw;
- b) address or eliminate any hazard or contravention that poses a risk to public safety;
- c) enforce compliance with this Bylaw; or
- d) take remedial actions to prevent a re-occurrence of any contravention of this Bylaw.

11.2 Except as otherwise provided in this Bylaw, notice shall be provided as follows:

- a) Where only an inspection or enforcement action is being undertaken, notice may be

given verbally or in writing to the Occupier(s) of the premises at least 24 hours in advance, and need not take the form of an Order to Remedy; and

- b) Except where immediate action is required to address an emergency or urgent safety concern, remedial actions may be undertaken following the issuance of an Order to Remedy by a Designated Officer in accordance with the *Municipal Government Act*, and amendments thereto. The timing and enforcement of such actions shall be at the discretion of the Designated Officer, based on the circumstances of each case.

11.3 An Order to Remedy shall be served by one or more of the following methods:

- a) personal service on the owner or occupant;
- b) registered mail to the address for the affected parcel as shown on the Land Titles Certificate;
- c) email delivery, where the owner or occupant has provided written consent to service by email; or
- d) posting the Order to Remedy in a conspicuous location on the affected property.

Service shall be carried out in accordance with the *Municipal Government Act*.

11.4 All expenses, costs, and legal costs incurred by the Town or its agents in undertaking any inspection, enforcement, or remedial action pursuant to this Section are amounts owing to the Town by the Person required to comply with the Order to Remedy and may be recovered in accordance with the Municipal Government Act, RSA 2000, c M-26, and amendments thereto, including sections 552 and 553(1)(c), and any other applicable provisions permitting recovery of municipal enforcement costs and addition of such amounts to the tax roll.

11.5 No Person shall obstruct or hinder any Peace Officer, Firefighter, or agent of the Town in the lawful exercise of powers under this Section.

SECTION 12 - OFFENCE AND PENALTY

12.1 General Offence

Any Person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine of not less than \$250.00 and not more than \$10,000.00, or imprisonment for a term of not more than one year, or both.

12.2 Schedule "A" Minimum Fines and Specified Penalties

- a) Notwithstanding section 12.1, the minimum fine payable for any offence listed in Column 1 of Schedule "A" to this Bylaw is the amount shown in the adjacent Column 2.
- b) Where a Violation Tag is issued, the specified penalty for any offence listed in Column 1 of Schedule "A" is the amount shown in Column 2 of the same Schedule.
- c) Where a Violation Tag is issued, the specified penalty may be reduced by 20% if paid within twenty-one (21) days of service of the Violation Tag. This reduction applies only to Violation

Tags and does not apply to Violation Tickets issued under the Provincial Offences Procedure Act, where fines are determined by the Court.

12.3 Continuous Offence

A contravention of this Bylaw constitutes a separate offence for each day or part of a day on which it continues. A Person guilty of such an offence is liable to a fine for each such day, in an amount not less than that established by this Bylaw for each day. No proceedings may be instituted more than six (6) months after the last occurrence of the alleged offence.

12.4 Repeat Offences

Notwithstanding the foregoing, in the case of a second or subsequent contravention of the same section of this Bylaw committed within twenty-four (24) months:

- a) The minimum fine and specified penalty shall be as indicated in Columns 3 and 4 of Schedule "A".

SECTION 13 - LIABILITY

13.1 Vicarious Liability

For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

13.2 Corporations & Partnerships

- a) When a corporation contravenes or fails to comply with this Bylaw, every principal, director, officer, manager, employee or agent of the corporation who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted.
- b) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence

SECTION 14 - VIOLATION TAGS

14.1 A Peace Officer is hereby authorized to issue a Violation Tag to any Person who has contravened any provision of this Bylaw.

14.2 A Violation Tag may be issued:

- a) Personally;
- b) By leaving a copy at their last known address; or
- c) By mailing a copy to such person at their last known address.

14.3 The Violation Tag shall be in a form approved by the CAO and shall include:

- a) a) the name of the Person;

- b) b) the date of the offence;
- c) c) the section(s) of this Bylaw contravened; and
- d) d) the specified penalty or minimum fine applicable to the offence as set out in this Bylaw.

14.4 Where a Violation Tag has been issued and the specified penalty is not paid within the time prescribed on the Tag, the matter may be enforced in accordance with applicable legislation, including the issuance of a Violation Ticket pursuant to the Provincial Offences Procedure Act or any other enforcement mechanism available under law.

SECTION 15 - VIOLATION TICKETS

15.1 A Peace Officer is authorized, at their discretion, to issue a Violation Tag or a Violation Ticket for any contravention of this Bylaw. The issuance of a Violation Tag is not a prerequisite to the issuance of a Violation Ticket.

15.2 A Peace Officer may, where appropriate, proceed directly to enforcement by issuing a Violation Ticket pursuant to the Provincial Offences Procedure Act, R.S.A. 2000, c P-34, and amendments thereto, or may lay an Information pursuant to the Criminal Code, R.S.C. 1985, c C-46, and amendments thereto.

15.3 Where a Violation Tag has been issued and the specified penalty has not been paid within the time prescribed, a Peace Officer may issue a Violation Ticket or pursue any other applicable enforcement process under applicable legislation.

SECTION 18 - REPEAL

18.1 Bylaw No. 2016-11 and any amendments thereto, relating to Department Bylaw within the Town of Westlock, are hereby repealed in their entirety.

18.2 All actions, permits, approvals, or enforcement measures undertaken under the repealed bylaw remain valid to the extent that they do not conflict with this bylaw, unless specifically revoked or amended by Council.

SECTION 19- EFFECTIVE

This Bylaw shall come into force and effect on the date of the third and final reading.

READ a first time this 13 day of July, 2026

READ a second time this 13 day of July, 2026

Unanimous consent for third reading this 13 day of July, 2026

READ a third time this 13 day of July, 2026

Signed by Mayor and CAO this 13 day of July, 2026



Mayor Jon Kramer



CAO Simone Wiley

Schedule "A" OFFENCE PENALTIES

Column 1 Section of Bylaw	Column 2 First Offence	Column 3 Second Offence	Column 4 Subsequent Offence
Section 7.4	\$250	\$750	\$2,000
Section 10.1	\$250	\$750	\$2,000
Section 10.2	\$250	\$750	\$2,000
Section 10.3	\$500	\$2,000	\$10,000
Section 10.4	\$500	\$2,000	\$10,000
Section 10.5	\$500	\$2,000	\$10,000
Section 10.6	\$1,000	\$5,000	\$10,000
Section 10.7	\$5,000	\$7,500	\$10,000
Section 10.8	\$2,500	\$7,500	\$10,000
Section 10.9	\$500	\$2,000	\$10,000
Section 11.5	\$250	\$750	\$2,000