



TOWN OF WESTLOCK

Fire and Rescue Services Department

BYLAW NO. 2016-11

EFFECTIVE DATE – September 26, 2016

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAW

DATE OF ADOPTION

EFFECTIVE DATE

(If different from Date of Adoption)

Bylaw No. 2020-01

January 27, 2020

Bylaw No. 2021-06

March 8, 2021

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BEING A BY-LAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA AUTHORIZING THE ESTABLISHMENT OF A FIRE AND RESCUE SERVICES DEPARTMENT

WHEREAS the *Municipal Government Act* R.S.A. 2000, Chapter M-26, R. as amended or repealed and replaced from time to time, provides that Council may pass Bylaws for the municipal purposes respecting the safety, health and welfare; protection of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

WHEREAS the *Safety Codes Act*, R.S.A 2000, c. S-1, enables an accredited municipality to make Bylaws respecting fees for service provided pursuant to the Act and 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 of Westlock Council desires to establish a Fire and Rescue Services Department within the Town of Westlock;

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 Person appointed to that position and title by Council.
- b) Council** means the Municipal Council of the Town of Westlock.
- c) Dangerous Goods** means any material or substance that may constitute an immediate or long-term adverse effect to life, health, Property or the environment when burned, spilled, leaked or otherwise released from its normal use. It shall include those products, substances and organisms described in *the Dangerous Goods Transportation and Handling Act, R.S.A. 2000, c. D-4*, as amended or repealed and replaced from time to time, and any regulations thereunder.
- d) Deputy Fire Chief** means the Person designated as such by the Fire Chief for the purpose of this bylaw.
- e) Designate** means any individual designated by the Fire Chief to act in the capacity of the Fire Chief.
- f) Emergency** means a situation in which there is a perceived or real imminent danger to public safety or of serious harm to Property.
- g) Emergency Vehicle** means a fire truck, pumper truck, rescue truck, rescue boat, mobile command unit, bush truck, auxiliary truck, Dangerous Goods unit, tender, or any vehicle provided with machinery, devices, Equipment or materials including

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vehicles used to transport any Firefighter or supplies for Firefighting to any Incident to which Fire and Rescue Services has responded.

- h) **Equipment** means any tools, contrivances, devices, or materials used by the Fire and Rescue Services 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.
- i) **False Alarm** means any fire alarm that is set off either deliberately, accidentally, or through human or mechanical error to which the Fire Department has responded and determined that there is no Fire, situation where a Fire or explosion is imminent or any other situation presenting a danger to life or Property.
- j) **Fire** means the burning of any flammable or combustible material, or any combustible material in a state of combustion including hot ashes or embers.
- k) **Firefighter** means a Firefighter of the Fire and Rescue Services Department, including the Fire Chief, whose functions, duties or powers are to carry out Fire Services.
- l) **Fire Chief** means the individual who is appointed as the head of the Fire and Rescue Services Department or his Designate authorized to act in his place.
- m) **Fire Department** means the same as Fire and Rescue Services Department.
- n) **Fire and Rescue Service Department** means the department of the Town established by this Bylaw which provides Fire Services in accordance with this bylaw. Commonly referred to as the Fire Department.
- o) **Fire Services** means any service delivered by the Town that is authorized by Council and designed to prevent, combat or alleviate the effect of a Fire or other Emergency including, but not limited to, Fire prevention, Fire suppression, Fire investigation, rescue services, public education and information, training or other staff development.
- p) **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 Fire Department has responded, including without limitation, a motor vehicle collision or release of dangerous goods.
- q) **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.
- r) **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.

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- s) **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.
 - t) **Occupier** means any Person occupying any Property, or having control over the condition of any Property and the activities conducted on the Property, whether he is the Owner or lessee of such Property, or whether such Person resides thereon or conducts business thereon;
 - u) **Officer** means a Firefighter appointed by the Fire Chief as a supervisory position within the Fire and Rescue Services Department.
 - v) **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;
 - w) **Order to Remedy** means an Order issued pursuant to this Bylaw or to the *Municipal Government Act* to remedy a condition that is not in compliance with any provision of this Bylaw
 - x) **Peace Officer** includes a Bylaw Enforcement Officer, a Community Peace Officer or a member of the Royal Canadian Mounted Police;
 - y) **Person** means individual, firm, corporation, partnership, Owner, occupier, lessee or tenant.
 - z) **Property** means a parcel of land including any buildings or, where the context so requires, a chattel;
 - aa) **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.
 - bb) **Running Fire** means a Fire burning without being under the control of any Person.
 - cc) **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.
 - dd) **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.
 - ee) **Town** means the Town of Westlock.
- 2.2 Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial law or Regulation, other Bylaws or any requirements of any lawful permit.

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- 2.3** 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.
- 2.4** 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.
- 2.5** 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.
- 2.6** 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** The Council does hereby establish the Fire and Rescue Services Department, for the purpose of:
- a) providing Fire Services;
 - b) preserving life and Property and protecting Persons and Property from injury or destruction by Incidents.
 - c) fulfilling obligations under approved Mutual Aid Agreements;
 - d) advising Council in establishing annual budgets and on the purchase of Equipment; and
 - e) enforcing the provisions of the *Safety Codes Act* and its regulations.
- 3.2** The Fire 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** The Fire Department shall not provide Fire Services and the Equipment shall not be used beyond the boundaries of the Town except:
- a) in a municipality where an agreement has been entered into to provide for Fire Services, or
 - b) with the approval of Chief Administrative Officer.
- 4.2** In the event that Fire and Rescue Services are provided outside the municipal boundaries of the Town, the Town shall be entitled to recover a fee for the services provided:

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- a) the fee is in accordance with the terms of any agreement between the Town and the party for which the Fire Services were provided, or
- b) from the Owner of the Property to which the Fire Services were provided, in accordance with the fees set out in the Town's Fees and Rates Bylaw as approved by Council from time to time.

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

5.1 The Fire Chief is hereby authorized to take such action as may be necessary for:

- a) the development of rules, regulations and policies for the ongoing organization and administration of the Fire and Rescue Services Department;
- b) the direction of the Fire Services Organization and its Firefighters to carry out all Fire Services in accordance with this bylaw and any applicable federal, provincial or municipal regulation, policy, administrative directive, procedure or standard operating guideline.

5.2 The Fire Chief is a designated officer of the Town for the purpose of carrying out any inspection, remedy, enforcement or other action pursuant to this bylaw.

5.3 When responding to an Incident, the Fire Chief may take whatever actions or measures are necessary to mitigate the Incident or protect Persons or Property, including without limitation:

- a) cause a building, structure or thing to be pulled down, demolished or otherwise removed to prevent or reduce the risk of a Fire becoming a Running Fire or otherwise spreading to other buildings, structures or things;
- b) cause Firefighters to enter on any land or premises, with or without Equipment, including adjacent land or premises, to combat, control or deal with the Incident;
- c) issue directions or establish boundaries or limits and prohibit Persons from entering the area within the prescribed boundaries or limits;
- d) order an evacuation of any building or area which directly or indirectly is involved in an Incident;
- e) request that Persons who are not Firefighters provide assistance for the protection of Persons or Property;
- f) commandeer privately owned equipment for the protection of Persons or Property; and
- g) request Peace Officers to enforce directions and restrictions on Persons entering within the boundaries or limits referred to in this section.

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Deputy Fire Chief

- 5.4** The Deputy Fire Chief is hereby authorized, in the event that the Fire Chief is absent or unavailable, to take any action which the Fire Chief is authorized to take in accordance with this bylaw.

Firefighter Appointment and Responsibilities

- 5.5** All Firefighters except the Fire Chief shall be appointed to their positions within the Fire Department by the Fire Chief.
- 5.6** All Firefighters shall have the authority, duties and responsibilities as established under this bylaw, any applicable federal, provincial or municipal legislation, policy, administrative directive, procedure, or standard operating guideline.

Powers of Incident Commanders

- 5.7** The Incident Commander has control, direction and management of any Equipment and Firefighter assigned to the Incident. The Incident Commander shall continue to serve as Incident Commander until relieved by another Officer.
- 5.8** The Incident Commander shall have the authority to take any actions at an Incident that the Fire Chief could take pursuant to this bylaw.
- 5.9** The Incident Commander may, pursuant to any mutual aid agreements entered into between the Town and any other municipality, call upon any Firefighters or Equipment as he may deem necessary and as the circumstances may require to respond to a request for assistance.
- 5.10** The Incident Commander shall have control, direction and management of all Equipment and Firefighters assigned to an Incident and shall continue to exercise such control, direction and management until the Incident Commander transfers the control, direction and management of the Incident to a Firefighter of equal or higher rank or until relieved by a Firefighter of an equal or higher rank also appointed by the Fire Chief to be an Incident Commander.
- 5.11** The Incident Commander may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this Bylaw.
- 5.12** The Incident Commander, or a Firefighter directed by the Incident Commander, shall have the authority to:
- a) require, in a safe manner and under the direction of a Firefighter, any able-bodied adult Person to assist in extinguishing Fires and to assist in the prevention and spread thereof, assist in removing furniture, goods and merchandise from any building on Fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the Incident;

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- b) commandeer such privately owned Equipment as he/she considers necessary to deal with an Incident;
- c) authorize payment for the possession or use of any Equipment for the purpose of fighting a Fire;
- d) enter a closed area without a permit or written permission for purposes of controlling or mitigating a Fire or Incident;
 - i. obtain from any Person found leaving, entering, or situated on public land:
 - ii. that Person's name, address and an account of activities;
 - iii. the activities the Person proposes to carry out; and
 - iv. the route the Person intends to travel.
- e) without warrant, enter on to any land or premises which is on Fire and proceed to extinguish the Fire, rescue an individual whose life is in imminent danger or prevent the spread of Fire thereof.

SECTION 6 - REQUIREMENT TO REPORT

- 6.1** The Owner or authorized agent of the Owner, or Occupier of any Property damaged by Fire shall immediately report the particulars of the Fire to the Fire Department in a manner set out and in accordance with the *Safety Codes Act R.S.A. 2000, c. S-1*, as amended.
- 6.2** The Owner or authorized agent of the Owner, or Occupier of any Property within or upon which an accidental or unplanned release of Dangerous Goods occurs, shall immediately report the release to the proper regulatory authorities and provide the Fire Department with a copy of such report.

SECTION 7 - INDEMNIFICATION

- 7.1** The Town shall indemnify and save harmless any Firefighter, acting in good faith and without malice, from any and all actions, causes of actions, claims and demands arising out of any act or omission made by him or her while he was engaged in the exercise of his duties and responsibilities under this Bylaw.
- 7.2** The Town shall undertake to defend any action or suit brought against a Firefighter for whom indemnification is allowed under Section 5 of this Bylaw.

SECTION 8 - RECOVERY OF COSTS

- 8.1** Where the Fire Department has taken any action or used any resource outside normally accepted fire suppression or incident management practices whatsoever for the purpose of extinguishing a Fire, responding to an Incident in the Town, or for the purpose of preserving life or Property from injury or destruction by Fire or other incident on Property within the Town, including any action taken by the Fire and Rescue Services Department, the Chief Administrative Officer may, in respect of any costs incurred by the Town in taking

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such action, charge these costs to the Person who caused the Incident, the Owner or Occupier of the land where the Incident occurred, or both, in respect of which the action was taken.

- 8.2** The decision to recover the costs or fees for actions taken by the Fire Department shall be made by the Chief Administration Officer. Upon determining that costs or fees are to be recovered for actions taken by the Department, the Chief Administration Officer shall issue an invoice for such costs or fees to the Person requesting the action, the Person whose actions necessitated the action by the Department, or the Owner of the Property towards which the action was taken, as the case may be.
- 8.3** The costs for Fire Services rendered shall be consistent with the fees set out in the Fees and Rates Bylaw.
- 8.4** In the event that the Owner or Occupier shall feel aggrieved by any action taken by the Fire Chief pursuant to Section 8.1, he shall have a period of thirty (30) days from the date of mailing of the notice to appeal to Council the action. The decision of Council on any such appeal shall be final and binding upon the Owner or Occupier of the Property.
- 8.5** In respect of any costs or fees levied or charged under section 8.1:
- a) The Town of Westlock may recover such costs or fees as an amount due and owing to the Town pursuant to Section 552 of *the Municipal Government Act R.S.A. 2000, Chapter M-26*; and
 - b) In default of payment, where permitted by the *Municipal Government Act R.S.A. 2000, Chapter M-26 Section 553(1)(c)*, add the amounts due to the tax roll of the Property in question.
- 8.6** Where the Fire Department has provided any other Fire Services, including services relating to the prevention of Fires, the Town may charge the fees set out in the Fees and Rates Bylaw to the Person to whom the Fire Services are provided.

SECTION 9 - PROHIBITIONS

- 9.1** No Person shall impede, obstruct, abuse or in any hinder the Fire Chief, Incident Commander, or any Firefighter at any Incident.
- 9.2** No Person shall place or leave in place any vehicles, article, thing or matter in such a manner as to interfere with free access or approach to any fire hydrant or service connection.
- 9.3** No Person shall move or drive over any Equipment without permission of the Fire Chief or Incident Commander.
- 9.4** No Person shall willfully or maliciously destroy or damage any Equipment at an Incident belonging to the Fire Department.
- 9.5** No Person other than an employee of the Town or a Firefighter shall use any fire hydrant for the purpose of obtaining or discharging water from such hydrant without first receiving permission from the Town.

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- 9.6** No Person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for the provision of Fire Services or any connections provided to a fire main, pipe, standpipe, sprinkler system, cistern or other body of water.
- 9.7** 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. 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.
- 9.8** No Person shall falsely represent themselves as a Firefighter of the Fire Department or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of false representation.
- 9.9** No Person shall falsely state that he has the sanction of the Fire Department in soliciting any Person.
- 9.10** Any Person who refuses to provide or furnish any information required under this bylaw, when requested shall be in breach of this bylaw.

SECTION 10 - OFFENCE AND PENALTY

- 10.1** 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
- 10.2** Notwithstanding the foregoing, the minimum fine payable in respect of a contravention of this Bylaw shown for any offence referred to in Column 1 of Schedule "A" to this Bylaw is the immediately adjacent amount shown in Column 2 of same Schedule.
- 10.3** When a voluntary payment option is provided, the specified penalty payable in respect of a contravention of this Bylaw shown for any offence referred to in Column 1 of Schedule "A" to this Bylaw is the immediately adjacent amount shown in Column 2 of same Schedule.
- 10.4** The specified penalty prescribed by this Bylaw shall be reduced by 20% if paid within 21 days of service of the corresponding Violation Tag or Violation Ticket.
- 10.5** A contravention of this Bylaw constitutes a separate offence in respect of each day or part of a day on which it continues. A Person guilty of such offence is liable to a fine in an amount not less than that established by this bylaw for each such day. No proceedings may be instituted under this Bylaw more than 6 months after the last occurrence of the alleged offence.
- 10.6** Notwithstanding the foregoing, the minimum fine and specified penalty payable in respect of a second or subsequent contravention of the same section of this Bylaw committed within twenty-four (24) months, the minimum fine and specified penalty of the previous

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offence, is indicated in Column 3 and 4 of Schedule "A", up to a maximum penalty of \$10,000.00.

SECTION 11 - VICARIOUS LIABILITY

- 11.1** In this Bylaw, employees, employers, principals, and agents, are each severally liable and each guilty of the offence for any contravention of or any failure to comply with this Bylaw committed in the course of employment or in the course of the agent's exercising powers or performing duties on behalf of their principal. 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 severally liable and guilty of the offence.
- 11.2** In this Bylaw, the legal and beneficial Owner(s) of any land are each severally liable and each guilty of the offence if the tenant(s), lessee(s), or occupier(s) of such land contravene or fail to comply with this Bylaw in relation to such land.
- 11.3** In this Bylaw, the Owner(s) and/or Occupier(s) of any Property are each severally liable and each guilty of the offence if either of them contravenes or fails to comply with this Bylaw in relation to any such Property.

SECTION 12 – INSPECTING AND REMEDYING CONTRAVENTION

- 12.1** On behalf of the Town of Westlock, any Peace Officer, Firefighter, or agent of the Town of Westlock may enter upon any parcel of land within the Town of Westlock and take any actions or measures deemed necessary by such Person(s) to achieve any of the following purposes:
- a) To carry out any inspections to determine compliance with this Bylaw;
 - b) To eliminate any danger to public safety caused by a contravention of this Bylaw;
 - c) To extinguish fires;
 - d) To enforce this Bylaw; or
 - e) To prevent a re-occurrence of any contravention of this Bylaw.
- 12.2** Except as otherwise provided in this Bylaw, notice shall be provided as follows:
- a) If a Peace Officer, Firefighter, or agent of the Town of Westlock reasonably believes that there may be an emergency related to the subject premises, a Fire located upon the subject premises no notice is required;
 - b) Where only an investigation to determine compliance is conducted, notice may be effected upon the Occupier(s) of the premises in writing or verbally not less than 24 hours in advance, and need not be in the form of an Order to Remedy; and
 - c) Subject to the foregoing, no such action or measures referred to in the preceding section may be performed until 7 days have elapsed following the mailing of an order to remedy the danger, condition, or contravention, as prescribed by the *Municipal*

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Government Act, RSA 2000, c M-26, and all amendments thereto (an "Order to Remedy").

- d) An Order to Remedy shall be served personally or by registered mail to the address specified in the Land Titles Certificate for any parcel of land which will be affected by such action or measures. Such mailing shall be effective notwithstanding that the registered mail is not accepted or retrieved.
- 12.3** All expenses, costs, and legal costs on a solicitor-client basis incurred by the Town of Westlock or its agents for any such action or measure performed pursuant to this Bylaw or the *Municipal Government Act*, RSA 2000, c M-26, and all amendments thereto, are amounts owing to the Town of Westlock by the Person who was required to do something by the Order to Remedy, shall be paid within 30 days of any such Person receiving notice of the amount due by registered mail served and effective in the same manner as the Order to Remedy, and are amounts which may be added to the property tax roll, the business tax roll, or both pursuant to the *Municipal Government Act*, RSA 2000, c M-26, and all amendments thereto.
- 12.4** No Person shall obstruct or hinder any other Person in the exercise or performance of that Person's powers pursuant to this Bylaw.

SECTION 13 - VIOLATION TAGS

- 13.1** Any Peace Officer, in that Officer's sole discretion, is hereby authorized and empowered to issue a Violation Tag to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened or failed to comply with any provision of this Bylaw. In this Bylaw, "Peace Officer" shall have the same definition as contained in the *Provincial Offences Procedure Act*, RSA 2000, c P-34 and all amendments thereto.
- 13.2** A Violation Tag may be issued to any Person either:
 - a) Personally;
 - b) By placing a copy of the Violation Tag upon a vehicle registered to such Person; or
 - c) By mailing a copy to such Person by registered or ordinary mail to their last known mailing address.
- 13.3** A Violation Tag shall be in a form approved by the Town of Westlock and shall include:
 - a) the name of the Person;
 - b) the date upon which the offence was committed;
 - c) the section number(s) of this Bylaw which were contravened;
 - d) the appropriate specified penalty or minimum fine for the offence as prescribed by this Bylaw;
 - e) the time within which the entire penalty must be paid to the Town of Westlock; and

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- f) that if payment is not received within the time permitted by such Violation Tag, there shall be an administrative surcharge of \$20.00, or 20% of the specified penalty, whichever amount is greater.
- 13.4** If payment is received by the Town of Westlock within the period of time permitted by any such Violation Tag, no Information or Violation Ticket may be issued against the same offender for the same offence.
- 13.5** Except where a Violation Tag has been paid as prescribed herein, nothing in this Bylaw shall limit a Peace Officer's discretion to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, RSA 2000, c P-34 and all amendments thereto, or instead lay an Information pursuant to the *Criminal Code*, RSC 1985, c C-46 and all amendments thereto, at any time within 6 months of the last occurrence of the offence, regardless of whether or not a Violation Tag has been issued.
- 13.6** Any Peace Officer, in that Officer's sole discretion, is authorized to issue a Violation Ticket which permits the voluntary payment of the fine or specified penalty indicated thereon in the manner specified by the *Provincial Offences Procedure Act*, RSA 2000, c P-34, and all amendments and regulations thereto.
- 13.7** Any fine or penalty imposed upon conviction for any offence occurring within the Town of Westlock enures to the benefit of the Town of Westlock.

SECTION 14 - VIOLATION TICKETS

- 14.1** Notwithstanding Section 13, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 14.2** A Violation Ticket issued with respect to a violation of this Bylaw may be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 14.3** The Person to whom the Violation Ticket has been issued may plead guilty by making voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided by this Bylaw.
- 14.4** Where a Clerk of the Court records in the court records the receipt of a voluntary payment pursuant to this Bylaw and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and imposition of a fine in the amount of the specified penalty.

SECTION 15 - SEVERABILITY

- 15.1** Should any section or part of this Bylaw be found to have been improperly enacted, for any reason, then such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and

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enforceable as if the section found to be improperly enacted had not been enacted as part
of this Bylaw.

SECTION 16 - VALIDITY

- 16.1** The invalidity of any section, clause, sentence or provision of this Bylaw shall not affect the validity of any other part of this Bylaw, which can be given effect with such invalid part or parts severed.

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SECTION 17 - REPEAL

17.1 Fire and Rescue Services Bylaw 2010-15 and all amendments are hereby repealed.

SECTION 18 - EFFECTIVE

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

READ a first time this 26 day of September, 2016

READ a second time this 26 day of September, 2016

Unanimous consent for third reading this 26 day of September, 2016

READ a third time this 26 day of September, 2016.

Signed by Mayor and CAO this 26 day of September, 2016.

Mayor Ralph Leriger

CAO Dean Krause

Province of Alberta

BEING A BY-LAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA AUTHORIZING
THE ESTABLISHMENT OF A FIRE AND RESCUE SERVICES DEPARTMENT

Schedule “A”

OFFENCE PENALTIES

Column 1 (Section Number of Bylaw)	Column 2 First Offence	Column 3 Second Offence	Column 4 Subsequent Offence
Section 9.1	\$250	\$750	\$2,000
Section 9.2	\$250	\$750	\$2,000
Section 9.3	\$500	\$2,000	\$10,000
Section 9.4	\$500	\$2,000	\$10,000
Section 9.5	\$500	\$2,000	\$10,000
Section 9.6	\$1,000	\$5,000	\$10,000
Section 9.7	\$5,000	\$7,500	\$10,000
Section 9.8	\$2,500	\$7,500	\$10,000
Section 9.9	\$500	\$2,000	\$10,000
Section 9.10	\$500	\$2,000	\$10,000
Section 12.4	\$250	\$750	\$2000.00