

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
FIRE SERVICES BYLAW AMENDMENT
BYLAW 1/2022
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A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO AMEND THE FIRE SERVICES BYLAW 7/2020.

WHEREAS, Council at its meeting of July 14, 2020, gave third reading to Fire Services Bylaw 7/2020;

AND WHEREAS, Council considers it desirable to amend Fire Services Bylaw 7/2020;

NOW THEREFORE, the Municipal Council of the Town of Morinville, Alberta, duly assembled, hereby enacts as follows:

1.0 Fire Services Bylaw 7/2020, is hereby amended by:

1.1 Inserting the following definitions in Section 2.0:

“2.6 **“Display Fireworks”** means high hazard recreational fireworks (Canadian Class 7.22) such as aerial shells, mines, and larger Roman candles, designed for use at public gatherings. Only Supervisors in Charge are permitted to fire display fireworks;

2.17 **“Fireworks Permit”** means a Fire Permit in a Form or Forms prescribed by the Fire Services in relation to all fireworks and related explosives;

2.19 **“Low-Hazard Consumer Fireworks”** means fireworks which are designed for recreational use and are classified as low-hazard fireworks within the Explosives Act but does not include sparklers; and

2.29 **“Pyrotechnic Special Effects”** means pyrotechnic articles, compositions, and devices created for entertainment purposes using propellant and explosive materials, black powder, smokeless powder, commercial high explosives combined with flammable liquids, gases and solids;

1.2 Replacing Section 8.0 in its entirety with the following text:

“8.0 Fireworks and Fireworks Permits

8.1 No persons shall distribute, offer for sale, store, sell, use, discharge, fire or set off Fireworks or pyrotechnics displays within The Town of Morinville unless they hold a valid Fireworks Permit or written permission from the Fire Chief or their designate.

8.2 An application for a Fireworks Permit shall be made in writing on the form approved by the Fire Chief or designate, as amended from time to time. The Fees for issuing a Fireworks Permit are set out in the Fees and Charges Bylaw of the Town, as amended from time to time.

8.3 On receipt of an application for a Fireworks Permit, the Fire Chief or designate shall, in their sole discretion:

8.3.1 Refuse to grant a Fireworks Permit;

8.3.2 Grant a Fireworks Permit; or

8.3.3 Grant a Fireworks Permit upon such additional terms and conditions as the Fire Chief or designate deems appropriate.

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- 8.4 Fireworks Permit(s) are non-transferable and may be revoked and canceled without notice by the Fire Chief or designate or by a Peace Officer for any reason, in the Fire Chief or designates sole discretion, including but not limited to:
- 8.4.1 The permit holder fails to comply with the *National Fire Code – Alberta Edition*, the *Explosives Act*, RSC 1985 c E-17, the terms of this Bylaw, or any of the conditions of the permit; or
 - 8.4.2 For any reason related to preventing damage to persons or property; or
 - 8.4.3 Any other suitable reason, within the sole discretion of the Fire Chief or designate.
- 8.5 All holders of a Fireworks Permit, and consumers, must at all times comply with this Bylaw, the current 2019 Alberta Fire and Building Codes, the Safety Codes Act (R.S.A. 2000, c. S-1), the Explosives Act (R.S.C. 1985, c. E-17), the regulations of Natural Resources Canada, and act in accordance with the requirements outlined in the Town of Morinville’s Quality Management Plan. While transporting Fireworks all Transport Canada regulations must be adhered to.
- 8.6 Any person or persons who have been issued a Fireworks Permit shall keep the Fireworks Permit available for immediate production and inspection by the Fire Chief, his delegate, or a Peace Officer, upon demand.
- 8.7 Only low-hazard consumer Fireworks can be sold or stored by any vendor within the Town of Morinville.

Fireworks Sales Permits

- 8.8 A retail vendor wishing to sell Fireworks to persons in the Town of Morinville must first apply and obtain a Fireworks Permit from the Town of Morinville.

Fireworks Use/Discharge

- 8.9 No Fireworks will be discharged within the Town of Morinville without a valid Fireworks Permit for the discharge of Fireworks. Discharge permits will only be granted to certified professional(s) who possess a fireworks supervisory card pursuant to “the Explosives Act” and its regulations, published by Natural Resources Canada as well as all certifications required by all the regulating bodies stated in Section 8.0 of the Town of Morinville Fire Services Bylaw. Discharge permits must be secured 29 days before date of Use/Discharge;” and
- 1.3 Replacing Schedule “A”, Fines and Penalties Schedule in its entirety with the updated Schedule A, attached hereto and forming part of this amendment bylaw.
- 2.0 That this Bylaw shall come into full force and effect upon the final passing thereof.

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3.0 REVIEW

3.1 This bylaw must be reviewed by Council within 1 year of coming into force.

3.2 Nothing in this section requires Council to amend or repeal this bylaw following the review required by section 3.1

4.0 SEVERABILITY

4.1 If any Section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Sections or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.

READ a first time the 11th day of January, 2022

READ a second time the 8th day of March, 2022

READ a third time and finally passed the 8th day of March, 2022

ORIGINAL SIGNED

Simon Boersma
Mayor

ORIGINAL SIGNED

Michelle Hay
Interim Chief Administrative Officer

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**SCHEDULE "A"
(Bylaw 7/2020, as amended by Bylaw 1/2022)**

FINES AND PENALTIES SCHEDULE Minimum and Voluntary Penalties

Section	Offence	Penalty/Fine
3.6	False Alarms - System maintained in accordance with the Alberta Fire Code:	
	- First	No Charge
	- Second (within six months)	No Charge
	- Third and additional (within six months)	\$100 (each response)
3.6	False Alarms - System not maintained in Accordance with the Alberta Fire Code:	
	- First	\$100
	- Second (within six months)	\$250
	- Third and additional (within six months)	\$500 (each response)
3.9	Dangerous Goods Incidents	Actual costs charged to the Town for such services plus an administration fee of \$60
7.1	Fail to report fire	\$100
7.2	Fail to report Dangerous Goods release/spill	\$250
8.1	Store fireworks in an unsafe manner	\$1000
8.1	Discharge fireworks (without permit)	\$250
8.1	Sell or distribute fireworks (without permit/permission)	\$1000
8.1	Sell fireworks to any person under the age of 18	\$500
8.1	Discharge fireworks during a Fire Ban	\$2000
8.1	Selling of fireworks during a Provincial Fire Ban	\$2000
9.1	Open Air Fire Without Fire Permit	\$100
9.1	Open Air Fire – burning during a Fire Ban	\$2000

(continued on next page)

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SCHEDULE "A" continued.

FINES AND PENALTIES SCHEDULE

Minimum and Voluntary Penalties

Section	Offense	Penalty/Fine
10.1	Fire Pit Permit – No Permit Produced	
	- 1 st Offence	No Charge / Educate & Extinguish
	- 2 nd Offence	\$35 / Extinguish
	- 3 rd Offence	\$50 / Extinguish
	- 4 th and subsequent offences	\$150 / Extinguish
	- burning during a Fire Ban	\$500.00 / Extinguish
12.4.1	Burn prohibited items	\$100
12.4.3	Conduct activity that may cause fire	\$100
12.4.4	Provide false/incomplete/misleading information	\$100
12.4.7	Interfere with persons authorized by the law	\$500
12.4.8	Interfere with equipment/apparatus	\$500
12.4.9	Damage or destroy Fire Services property	\$500
12.4.10	Falsely represent self as Fire Service member	\$100
12.4.12	Enter boundaries established by Fire Services	\$100
12.4.13	Drive vehicle over fire equipment	\$200 plus replace/repair damaged equipment