

Being a by-law of (Name of Municipality) hereafter referred to as the "(Name of Municipality) Fire By-law", to provide for the establishment and operation of a fire department.

WHEREAS Section 158 of the Municipal Government Act, R.S.A. 1980, provides that the Council of a municipality may pass a by-law for the prevention or extinguishing of fires, the preservation of life and property and the protection of persons from injury or destruction by fire; and

WHEREAS Section 159 of the Municipal Government Act, R.S.A. 1980, provides that the Council may pass by-laws for any other matter or thing for the protection of life or property as may be considered proper.

NOW THEREFORE, the Council of the (Name of Municipality), in the Province of Alberta, duly assembled, does hereby authorize the establishment of a municipal fire department and the carrying out of its operations in the following manner:

1. In this by-law words and phrases shall be construed as specified hereunder:

"Apparatus" - means any vehicle provided with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport firefighters or supplies.

"Council" - means the Council of the VILLAGE OF HALKIRK

"Equipment" - means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

"Fire Chief" - means the member appointed as head of the Fire Department.

"Fire Protection" - means all aspects of fire safety including but not limited to fire prevention, firefighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

"Incident" - means a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.

"Member" - means any person that is a duly appointed member of the Fire Department.

2. The Fire Chief shall be appointed by the Council.
3. Other officers and members as the Fire Chief deems necessary may be appointed to the Fire Department with the approval of the Council.
4. The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his behalf.
5. The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the area and boundaries of the (Name of Municipality), and no part of the fire apparatus shall be used beyond the limits of the municipality without the express authorization of a written contract or agreement providing for the supply of firefighting services outside the municipal boundaries.
6. The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Council to which he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities such as Council directs including but not limited to:
  - (a) rescue,
  - (c) other incidents,
  - (d) pre-fire planning,
  - (e) disaster planning,
  - (f) preventive patrols.
7. The Fire Chief, subject to the ratification by the Council, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including:

- (a) use, care and protection of the department property,
- (b) the conduct and discipline of officers and members of the Fire Department, and
- (c) efficient operations of the Fire Department.


8. The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of any Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, he shall continue to act until relieved by an officer authorized to do so.
9. The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Prevention Act and regulations thereunder.
10. Officers and members of the Fire Department shall carry out duties and responsibilities assigned to the Fire Department by the Council, and the Fire Chief shall report to the Council on the operations of the Fire Department or on any other matter in the manner designated by Council.
11. The Fire Chief, or any other member in charge, at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
12. The Fire Chief, or any other member in charge, at an incident is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment of the Fire Department to enter, as he deems necessary, in order to combat, control or deal with the incident.
13. The Fire Chief, or the member in charge, at an incident may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
14. No person shall enter the boundaries or limits of an area prescribed in accordance with section 13 unless he has been authorized to enter by the Fire Chief or the member in charge.
15. The Fire Chief, or the member in charge, at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in section 13.
16. The Fire Chief, or the member in charge, at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter or pass through or over the building or property, where he deems it necessary to gain access to the incident or to protect any person or property.
17. The Fire Chief may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this by-law.
18. No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
19. No person shall damage or destroy Fire Department apparatus or equipment.
20. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
21. No person shall obstruct a member from carrying out duties imposed by this by-law.
22. No person shall falsely represent themselves as a Fire Department member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.
23. 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 firefighting purposes or any connections provided to a fire main, pipe, standpipe, sprinkler system, cistern or other body of water designated for firefighting purposes.

24. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in extinguishing a fire, 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 fire or other incident.
25. The Fire Chief or the member in charge of an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident.
26. Every person who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, or who does any act or thing or omits any act or thing thus violating any of the provisions of this by-law, shall be deemed to be guilty of an infraction of this by-law, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months or to a fine of not more than \$2,500., or to both fine and imprisonment.
27. The Fire Chief or a member of the Fire Department charged with the enforcement of this by-law, acting in good faith and without malice for the municipality in the discharge of his duties, shall not hereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties.
28. Any suit brought against the Fire Chief or a member of the Fire Department, because of an act or omission performed by him in the enforcement of any provision of this by-law, shall be defended by the (Name of Municipality) until final determination of the proceedings.

READ a first time this TENTH day of MAY, 1999.

READ a second time this TENTH day of May, 1999.

READ a third time and duly passed this TENTH day of MAY, 1999.

  
\_\_\_\_\_  
(HEAD OF COUNCIL)

  
\_\_\_\_\_  
(MUNICIPAL SECRETARY)

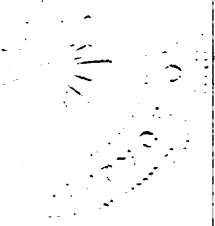
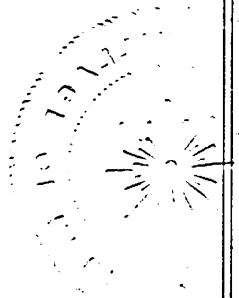
CC

C

C

CC

11/11/11



Village of Halkirk  
Bylaw no 163

A BYLAW OF THE VILLAGE OF HALKIRK IN THE PROVINCE OF ALBERTA TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF PAINTEARTH No 18, TOWNS OF CORONATION AND CASTOR FOR THE JOINT USE, CONTROL AND MANAGEMENT OF FIRE EXTINGUISHING APPARATUS AND EQUIPMENT..

WHEREAS section 158 of the Municipal Government Act being Chapter M-26 Revised Statutes of Alberta 1980 provide that a council may enter into an agreement with other municipalities for the joint use, Control and management of fire extinguishing apparatus and Equipment.

AND WHEREAS The Council of the Village of Halkirk deems it necessary to enter into an agreement with the County of Paintearth no 18 and the Towns of Coronation and Castor for the Joint use, control and management of fire Extinguishing apparatus and Equipment.

NOW THEREFORE, The Municipal Council of the Village of Halkirk, in Council hereby enacts as follows;

1. That the Mayor and administrator are hereby authorized to enter into, and execute an agreement with the County of Paintearth no 18 and the Towns of Castor and Coronation to provide for the joint use, control and management of fire extinguishing apparatus and equipment.
2. That the said agreement be appended to and marked Schedules A to the Bylaw.
- 3 That Bylaw No. ... Be And is hereby repealed.

Introduced and read a first and second time and thereafter with unanimous consent and vote of all councillors present read a third time and finally passes in open Council this 8th day of March 1989. A.D

-   
MAYOR

  
SECRETARY-TREASURER.





BY-LAW NO. 152

A by-law of the Village of Halkirk, in the Province of Alberta for the purpose of PROHIBITING THE DISCHARGE OF FIREARMS WITHIN THE LIMITS.

WHEREAS, pursuant to section 156(d) of the Municipal Government Act, R.S.A., 1980 and amendments thereto, a council is empowered to prohibit the discharge of guns or other firearms in any specified part or parts of the Municipality.

NOW, THEREFORE, the council of the Village of Halkirk, duly assembled enacts as follows:

- (a) No guns, firearms, air rifles or B-B guns shall be discharged by any person within the limits of the Village of Halkirk.
- (b) No guns, firearms, air rifles or B-B guns shall be discharged by any person in the area commonly known as Nuisance Grounds, under the control of the Village of Halkirk.
- (c) R.C.M.P. and town employees, while performing their necessary duties, shall be deemed to be excluded.
- (d) That any duly organized Club or Association properly supervised may, with the written consent of the Chief Constable, be permitted to discharge guns or firearms in the said Village.
- (e) Any person guilty of any infraction, or breach of this by-law shall, upon summary conviction before a Justice, be liable to a penalty not exceed one hundred dollars (\$100.00) exclusive of costs and in the case of non-payment of the fine and costs so imposed for any breach, shall be liable to imprisonment for a period not exceeding sixty (60) days unless the fine and costs, including the costs of committal are sooner paid.
- (f) Confiscation of the gun, firearm, air rifle or B-B gun shall also apply if deemed necessary.

READ a first time this 11 day of June, 1986.

READ a second time this 11 day of June, 1986.

READ a third time and finally passed this 11 day of June, 1986.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

NOTE: Counties and Municipal Districts must obtain the approval of the Minister of Public Lands and Wildlife and the Minister of Municipal Affairs prior to third reading of this by-law.

THE VILLAGE OF HALKIRK

BYLAW-- 147

A Bylaw to regulate the discharging of guns, firearms, Airguns, sling shots or bows and arrows within the Village of Halkirk, Province of Alberta.

WHEREAS section 306(e) of the Town and Village act (1955) provides that the council of a Village may pass a by-law to regulate the discharge of guns or other fire arms within the Village

NOW THEREFORE the Municipal Council of the Village of Halkirk in Council assembled, hereby enacts as follows;

1. It shall be unlawfull for any person to discharge any gun, firearm airgun, Sling shot or bow and arrow within the corporate limits of the Village of Halkirk unless expree permission is given to any such person to discharge any gun fire arm air gun, sling shot or Bow and arrow by R.C.M.P. Officer *or Council Offt.*
2. This bylaw shall come into force and effect immediatly upon final passing thereof.
3. Any Person violating the Provisions of this by-law shall be guilty of an offence and shall upon summery conviction before a Magistrate of the Justice of the Peace, be liable to a fine not Exceeding one hundred dollars(\$100.00) exclusive of costs. and in the case of non payment of this fine, and costs forthwith after conviction, to imprisonment in the nearest goal for a period not exceeding sixty days unless such fines and costs including cost of committal, are paid sooner.

Interduced and read a First and Second time and thereafter with a unanimous vote and consent of all councillors present read a third time and finally passed this 12 Day of Sept a.d 1984

VILLAGE OF HALKIRK  
Mayor *Donald A. Enright*  
Sec. Treas. *W. J. Anderson*