



**TOWN OF HINTON  
BY-LAW NO. 781-4**

**A BY-LAW OF THE TOWN OF HINTON  
IN THE PROVINCE OF ALBERTA  
TO AMEND BY-LAW NO. 781, THE TOWN OF HINTON FIRE BY-LAW.**

WHEREAS,

By-law No. 781 authorizes the establishment of a Municipal Fire Department and the carrying out of its duties.

AND WHEREAS,

it is necessary to amend certain portions of the By-law to clarify areas of concern.

NOW THEREFORE,

The Council of the Town of Hinton, in session duly assembled hereby enacts as follows:

That By-Law No. 781 be amended as follows:

1. In this Bylaw words and phrases shall be construed as specified hereunder:

“Apparatus” means any Fire Department vehicle or any other vehicle used in dealing with an incident.

“Council” means the Council of the Town of Hinton.

“Accepted” means acceptable to the Fire Chief.

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

“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, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

“Member” means any person that is a duly appointed Member of the Fire Department.

2. Other Officers and Members as the Fire Chief deems necessary may be appointed to the Fire Department.
3. The Fire Chief may appoint other Officers of the Fire Department to act as Fire Chief on his behalf.
4. 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 Town of Hinton, and no part of the fire apparatus shall be used beyond the limits of the Municipality. However, upon a request being made of the Fire Department for use of the fire equipment and manpower outside the limits of the Municipality, the Fire Chief or acting Fire Chief shall have the authority to authorize such use if in the opinion of the Fire Chief or acting Fire Chief, such request represents an emergency situation. At all times, the Fire Chief or acting Fire Chief shall ensure that sufficient equipment and manpower remains on standby in the Town.
5. 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 may be required to carry out all fire protection activities and such other activities as Council directs including, but not limited to:
  - a) Rescue
  - b) Fire suppression
  - c) other Incidents
  - d) Pre-fire planning
  - e) Fire prevention
6. The Fire Chief may establish rules, regulations, policies and committees necessary for the proper organization of the Fire Department including:
  - a) Use, care and protection of Fire Department property.
  - b) The conduct and discipline of Officers and Members of the Fire Department; and
  - c) Efficient operations of the Fire Department.

7. 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 of higher rank.
8. The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Safety Codes Act and the regulations thereunder.
- 9(a) 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 Town Manager, and be responsible to Council, for the operations of the Fire Department or for any other matter in the manner designated by Council.
- 9(b) A full time or volunteer Firefighter may carry on or in a vehicle, other than an emergency vehicle, a lamp issued by the Fire Chief, that produces intermittent flashes of green light and may operate the lamp if the vehicle is proceeding to a fire or emergency.
10. The Fire Chief, or any other Member, in charge, at an incident 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.
11. 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 deal with the incident.
12. 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.
13. 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

14. The Fire Chief, or the Member in charge, at an incident may at his discretion call upon Police Officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 13.
15. 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 persons or property.
16. 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 Bylaw.
17. 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.
18. No person shall damage or destroy Fire Department apparatus or equipment.
19. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the Member in charge.
20. No person shall obstruct a Member from carrying out duties imposed by this Bylaw.
21. No person shall falsely represent himself/herself 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.
22. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a water main, pipe, stand pipe, sprinkler

system, cistern or other body of water designated for fire fighting purposes.

23. The Fire Chief or the Member in charge of an incident is empowered to compel 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 or any other thing at or near the incident.
24. 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.
25. Open burning within the Hinton town limits is not permitted without authorization and permit issued by the Fire Chief or his designate. Open burning may not include barbecues, small approved fire pits, home fireplaces or stoves, or campfires in Town owned campgrounds.
26. Any person conducting open burning, whether by permit or otherwise, shall be held responsible for any damage caused by the fire or smoke from that open burning. That person shall also be responsible for any costs incurred to extinguish the open burning.
27. Burning of construction materials or trees and brush from clearing or thinning operations may be permitted by the Fire Chief or his designate.
28. Ground thawing within the Hinton town limits is not permitted without authorization and permit issued by the Fire Chief or his designate. Ground thawing utilizing straw and coal is not permitted in residential neighbourhoods, except in cases of emergency or for work necessary for public safety.
29. (i) Permits shall spell out the terms and conditions of the permitted open burning or ground thawing.  
(ii) The form "Permit Addendum" shall form part of the permit procedure and understanding.

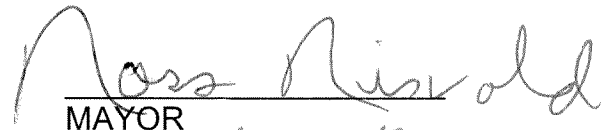
30. Every person who violates any of the provisions of this Bylaw, or who allows or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing or omits any act or thing thus violating any of the provisions of this Bylaw, and upon a summary conviction is liable to imprisonment for a term not more than six (6) months or to a fine of not more than twenty-five hundred dollars (\$2,500.00), or to both fine and imprisonment.
31. The Fire Chief or a Member of the Fire Department charged with the enforcement of this Bylaw, 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.
32. 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 Bylaw, shall be defended by the Town of Hinton until final determination of the proceedings.

That this By-Law shall come into full force and effect on the day of the final passing thereof.

READ A FIRST TIME THIS 17<sup>TH</sup> DAY OF AUGUST, AD, 1999

READ A SECOND TIME THIS 17<sup>TH</sup> DAY OF AUGUST, AD, 1999

READ A THIRD TIME THIS 17<sup>TH</sup> DAY OF AUGUST, AD, 1999

  
MAYOR

  
DIRECTOR OF ADMINISTRATION