

BY-LAW #688
OF THE TOWN OF WEMBLEY

BEING A BYLAW OF THE TOWN OF WEMBLEY IN THE PROVINCE OF ALBERTA,
TO PROVIDE FOR MEDICAL AND FIRE EMERGENCY RESPONSE SERVICES
WITHIN THE TOWN OF WEMBLEY

“WHEREAS the Section 7 of the *Municipal Government Act*, Chapter M-26, RSA, 2000 and amendments thereto, provides that the Council of a municipality may pass a by-law for municipal purposes respecting the safety, health and welfare of people and the protection of people and property,”

“AND WHEREAS the Council of the Town of Wembley wishes to continue a fire protection and prevention service and to recover a portion of the costs of doing so,”

“AND WHEREAS the Council of the Town of Wembley acknowledges that the provision of fire and emergency response services is dependent upon a number of factors including the infrastructure and resources, and that in the result, the Town is unable to provide fire and emergency response services in the same manner or to the same standards which may be available in other jurisdictions, or to provide such services in the same manner or to the same standards in all areas of the Town, or to all people within the Town.”

“NOW, THEREFORE, the Council for the Town of Wembley, duly assembled, does hereby enact as follows:

1 DEFINITIONS:

In this Bylaw words and phrases shall be construed as follows:

- 1.1 “Apparatus” means any vehicle or equipment operated for any purpose by the Wembley Fire Department.
- 1.2 “Approved Fire Pit” means a barbecue or fire pit, or a fire container, that is:
 - 1.2.1 a minimum of three (3) meters clearance from buildings, property lines, and combustible material;
 - 1.2.2 constructed of bricks, cement blocks, heavy gauge metal or other suitable non-combustible components;
 - 1.2.3 designed for a fire within a non-combustible container provided by the Town within a designated public park where burning for cooking and warming is permitted;
 - 1.2.4 any other portable device or chimenea style device.
- 1.3 “Burnable Debris” means all inflammable waste other than Prohibited Debris and includes but is not limited to:
 - 1.3.1 straw and stubble;
 - 1.3.2 leaves and tree prunings;
 - 1.3.3 brush and fallen trees on newly cleared land;
 - 1.3.4 used power, telegraph and telephone poles that do not contain wood preservatives;
 - 1.3.5 wood materials from the construction or demolition of buildings which do not contain wood preservatives or paint products.
- 1.4 “WFD” means Wembley Fire Department.
- 1.5 “Council” means the Council of the Town of Wembley.
- 1.6 “Town” means Town of Wembley.
- 1.7 “Chief Administrative Officer” means the Town Administrator.
- 1.8 “Consumer Fireworks” are commonly referred to as low hazard fireworks generally used for recreation. Examples include, but are not limited to, showers, golden rain, lawn lights, pinwheels, roman candles, volcanoes, and sparklers. These are classed as type F.1 explosives in the Regulation.
- 1.9 “Display Fireworks” are commonly referred to as high hazard fireworks generally used for public displays by trained professionals. Examples include, but are not limited to: rockets, serpents, bombshells tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination set pieces, pigeons and firecrackers. They are technically called “Fireworks” is Subdivision 2 of Division 2 in the Regulation.

- 1.10 “Emergency” means any situation to which the WFD has responded whether there is a real or perceived danger to the safety, health or welfare of a person, property or the environment.
- 1.11 “Equipment” means any tool, contrivance, device or material used by the WFD or an Ambulance Service Provider to mitigate an Incident or other Emergency whether that tool, contrivance, device or material is owned, conscripted or hired by the WFD.
- 1.12 “Fire Ban” means a Provincial Ministerial Order or an order by a member of the Town Fire Chief’s Office. The Town Fire Chief’s Office may, at their discretion, cancel any or all fire permits, prohibit the lighting or requiring the extinguishing of a fire.
- 1.13 “Fire Chief” means the person appointed as head of the Wembley Fire Department.
- 1.14 “Fire Chief’s Office” means the Fire Chief and other Fire Service Staff members.
- 1.15 “Fire Permit” means a permit issued by a Chief Administrative Officer pursuant to this Bylaw allowing for the setting of outdoor fires, structure fires, incinerator fires, or discharging fireworks within the Town.
- 1.16 “Fire Season” means from 1st April to 31st October, annually, unless otherwise directed by the Province of Alberta.
- 1.17 “Fire Protection” means that level of response to an Emergency or Incident as may be mandated by Council from time to time, including but not limited to, issues concerning fire prevention, fire suppression, pre-fire planning, fire investigation, Dangerous Goods response, public education and information, training or other staff development and advising.
- 1.18 “Fire Service” means a private, municipal or provincial fire fighting department or service with whom the Town has entered into an agreement for the provision of Fire Protection services within any portion of the Town.
- 1.19 “Fireworks” means the fireworks listed in Class 7, Division 1, Division 2, Subdivision 1 and 2 in Section 14 of the *Explosive Act (Canada)* and Regulations.
- 1.20 “Incident” means a fire or situation where a fire or explosion is imminent or any other situation presenting a danger or perceived danger to life, health or property, and to which the WFD has responded.
- 1.21 “Incident Commander” means the Member on site at an Incident or Emergency who is responsible for WFD emergency response service actions and resources at that Incident or Emergency.
- 1.22 “Light” means to start, ignite or kindle a fire, to maintain or to do any other action that allows a fire to progress and continue to burn.
- 1.23 “Medical Co-Responder” means a Member of WFD or a person with a Fire Service who is trained in emergency medical services at a level as may be determined by Council from time to time and who provides services to the Town within the Medical Co-Response Program.
- 1.24 “Medical Co-Response Program” means the emergency medical response program set out in Article 4, which is designed to facilitate the timely response of medically trained personnel to medical emergencies within the Town.
- 1.25 “Member” means any person duly appointed as a Member of the WFD as the context may require whether that Member is full time, part time, paid or volunteer and includes members of a Fire Service or a Peace Officer dispatched to assist at the mitigation of an Incident or Emergency or any persons asked or conscripted to assist with the mitigation of an Incident or Emergency.
- 1.26 “Occupant” means any person other than the registered owner who is in possession of the property including, but not restricted to, a lessee, licensee, tenant or agent of the owner.
- 1.27 “Open Fire” means all outdoor fires except unintentional vehicle fires, unintentional structural fires or small incinerator fires as described in Article 10.6 herein.
- 1.28 “Owner” means”
- 1.28.1 The person as registered on the title at the Land Titles Offices;
 - 1.28.2 A person who is recorded as the owner of the property on the assessment roll of the Town.

- 1.29 “Peace Officer” means a member of the Royal Canadian Mounted Police; a Peace Officer appointed pursuant to the Alberta Peace Officer Act; a By-law Enforcement Officer employed by the County of Grande Prairie No. 1.
- 1.30 “Prohibited Debris” means any matter that, when burned, may result in the release into the atmosphere of dense smoke, offensive odors or toxic substances and includes but is not limited to:
- 1.30.1 animal manure;
 - 1.30.2 pathological waste;
 - 1.30.3 non-wooden material;
 - 1.30.4 waste material from building or construction sites, excluding wooden materials that do not contain wood preservatives;
 - 1.30.5 combustible material in automobile bodies;
 - 1.30.6 tires;
 - 1.30.7 rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
 - 1.30.8 solid waste from sawmills or planing mills with an annual production in excess of 9,500 cubic meters of lumber;
 - 1.30.9 used oil;
 - 1.30.10 wood or wood products containing substances for the purpose of preserving wood; or
 - 1.30.11 any other waste defined as Prohibited Debris under the *Environmental Protection and Enhancement Act*, Chapter E-12, RSA, 2000 and its Regulations from time to time.
- 1.31 “Running Fire” means a fire burning without being under the proper control of any person.
- 1.32 “Subdivision” means the division of a parcel of land by an instrument and “subdivide” has a corresponding meaning.
- 1.33 “Violation Ticket” means a violation ticket as defined in the *Provincial Offences Procedure Act*, Chapter P-34, RSA, 2000.

2 INTERPRETATION

- 2.1 In this Bylaw wherever the singular is used it also means the plural and wherever the masculine is used it also means the feminine, and the context requires.
- 2.2 Where there is any conflict between the provisions of the Bylaw and any other bylaw of the Town, the provisions of this Bylaw shall prevail.
- 2.3 The Recitals to this Bylaw form a part of this Bylaw.

3 ENACTMENT

- 3.1. The Council of the Town of Wembley hereby authorizes and enacts as follows:
- 3.1.1 The Municipal Fire Department of the Town of Wembley is hereby continued and established as the WEMBLEY FIRE DEPARTMENT (WFD);
 - 3.1.2 The fire and emergency related services contemplated herein shall be provided in accordance with the provisions of this bylaw.

4 EMERGENCY MEDICAL SERVICES

- 4.1 The Grande Prairie Regional Emergency Medical Services (AHS) shall be the Ambulance Service Provider for the Town and such service shall be provided in accordance with the terms of any agreement between the Town and AHS and this Bylaw.
- 4.2 No other person or entity shall provide Ambulance services within the jurisdiction of the Town without the express written permission of the Town. This section does not apply to:
- 4.2.1 Ambulance services operating on behalf of the Crown in right of Canada or the Province of Alberta;

- 4.2.2 A private and non-commercial Ambulance service used exclusively by employees of the owner or operator of the Ambulance;
- 4.2.3 An Ambulance service located outside of the Town when it is transporting patients under a transfer agreement with the Province of Alberta or from the scene of an emergency medical incident located outside the Town to a location within the Town.

4.3 In the event of an Emergency, and notwithstanding anything in this Bylaw, Council in its discretion may provide Ambulance services or authorize more than one Ambulance service provider to provide service in a given area until such time as the Emergency has been mitigated or Council otherwise determines.

4.4 Council may direct the development of a Medical Co-Response Program whereby Members of the WFD or a Fire Service provide assistance to the Ambulance Service Provider on emergency medical Incidents where the Town feels such a program will help the Ambulance Service Provider provide timely assistance to persons in need of emergency medical care.

5 WEMBLEY FIRE DEPARTMENT

The Wembley Fire Department shall consist of the Fire Chief, Members, Buildings, Apparatus, and Equipment as is deemed necessary by Council to safeguard the safety, health and welfare of people and to protect people, property and the environment at any level of service as may be directed by Council from time to time.

6 JURISDICTION

The limits of the jurisdiction of the WFD, its Members, Equipment and Apparatus will extend to the area and boundaries of the Town and no part of the aforementioned shall be used beyond the limits of the Town without the express authorization of a written agreement providing for the supply of fire fighting services outside the Town, or upon the express permission of the Fire Chief or his designate.

7 FIRE CHIEF

7.1 Council shall appoint the Fire Chief on the recommendations of the Members of the Wembley Fire Department.

7.2 The Fire Chief shall report to the Chief Administrative Officer.

7.3 The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his behalf.

7.4 The Fire Chief, subject to the policies of the Town and subject to approval by Council, develops rules, regulations, policies and guidelines for the management and operation of the WFD including:

- 7.4.1 use, care and protection of fire department property
- 7.4.2 the conduct and discipline of officers and members of the Fire Department, and
- 7.4.2 efficient operations of the Fire Department

The Fire Chief may delegate any such responsibilities to a Deputy Fire Chief or another officer of the WFD.

7.5 The Fire Chief or his designate shall have control, direction and management of any WFD Apparatus, Equipment or personnel assigned to an Incident or Emergency, and where a Member is in command, he shall continue to act until relieved by an officer of equal or higher rank

7.6 Under the authorization of the Chief Administrative Officer or her designate, subject to the budget and policies of the Town, the Fire Chief, with the approval of Council, may appoint such other officers or members of WFD as deemed necessary.

7.7 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

8 POWERS

- 8.1 The Fire Chief or his designate or an Incident Commander on site at an Incident or Emergency attended by the WFD, is empowered to:
- 8.1.1 Cause a building, structure or thing to be pulled down, demolished or otherwise removed if deemed necessary to prevent the spread of fire to other buildings, structures or things;
 - 8.1.2 Enter premises or property where the Incident or Emergency occurred and to cause any Member, Apparatus or Equipment of WFD to enter, as is deemed necessary, in order to combat, control, mitigate or investigate the Incident or Emergency;
 - 8.1.3 Establish boundaries or limits at his discretion and keep persons from entering or remaining within the prescribed boundaries or limits unless those persons are authorized to enter or remain by the Incident Commander;
 - 8.1.4 At his discretion, call upon Peace Officers to enforce restrictions on persons entering or remaining within the boundaries or limits outlined in (8.1.3) above or to assist in enforcing any other provision of this Bylaw;
 - 8.1.5 Enter, pass through or over buildings or property adjacent to an Incident or Emergency and to cause Members of the WFD and the Apparatus and Equipment of the WFD to enter or pass through or over the building or property, where he deems it necessary to gain access to the Incident or Emergency or to protect any person or property;
 - 8.1.6 Obtain assistance from other officials of the Town as he deems necessary in order to discharge his duties and responsibilities under this Bylaw and such assistance shall be provided forthwith.
- 8.2 The Fire Chief or his designate or the Incident Commander at 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 at or near the fire or other Incident.
- 8.3 The Fire Chief or his designate, or an Incident Commander at an Incident or Emergency is empowered to commandeer privately owned Equipment and operators which he considers necessary to deal with the Incident or Emergency and to authorize payment for that Equipment and operators at rates not to exceed those established by guidelines as may be approved by Council from time to time.
- 8.4 The Fire Chief or his designate is empowered to access any available water supply as deemed necessary for firefighting purposes.

9 FIRE PERMITS

- 9.1 An application for a fire permit for an outdoor fire or a structure fire shall be made to the Chief Administrative Officer in writing. The Chief Administrative Officer shall forward the permit to the Fire Chief. The Fire Chief will consider the application and may refuse issuance of permit on reasonable and probable grounds that a public interest risk or nuisance exists for the proposed fire.
- 9.2 When issuing the fire permit, a Chief Administrative Officer may issue the fire permit unconditionally and/or may impose conditions.
- 9.3 Fire Permits issued pursuant to this Bylaw are valid for such periods of time as shall be determined and set by the Chief Administrative Officer issuing the permit. The fire permit shall have endorsed thereon the period of time for which it is valid.
- 9.4 When an emergency or potential emergency exists, the Fire Chief or his designate shall be empowered to suspend all structure fires, incinerator fires, outdoor fires, and outdoor camping fire lit for cooking or warming purposes, or the discharge of fireworks, within all or portions of the Town for such a period of time and on such conditions as may be determined by the Fire Chief or his designate.
- 9.5 Upon receiving notice of the suspension or cancellation of a fire permit, the person concerned shall immediately extinguish any fire set, or cease any activity as described in said permit.
- 9.6 An application for a fire permit to discharge consumer fireworks shall be made to the Chief Administrative Officer's office in writing. The Chief Administrative Officer shall forward the permit to the Fire Chief's office. The Fire Chief will consider the application and may refuse issuance of permit on reasonable and probable grounds that a public interest risk exists for the

proposed permit. The fee for this permit shall be Twenty-Five (\$25.00) Dollars. A copy of the permit shall be attached as Appendix "B".

- 9.7 A Display Fireworks Supervisor shall apply for a permit in writing to the Chief Administrative Officer's office at least fourteen (14) days before the intended fireworks display. The permit will be forwarded to the Fire Chief's office for approval. The fee for this permit shall be One Hundred (\$100.00) Dollars. A copy of this permit shall be attached as Appendix "C".
- 9.8 The permit application shall include all of the following information:
- 9.8.1 The name, address and signature of the person or persons sponsoring the fireworks display;
 - 9.8.2 The name, certification number and signature of the fireworks supervisor;
 - 9.8.3 The name of the person that is conducting the fireworks display;
 - 9.8.4 The date and time of the proposed display;
 - 9.8.5 A detailed description of the proposed display;
 - 9.8.6 The exact location planned for the fireworks display including a diagram of the grounds on which it will be held, showing the point from where the fireworks will be discharged, the location of the highway, railroad, overhead wires and obstructions, buildings and other structures, and the lines behind which the audience will be restrained;
 - 9.8.7 Written consent from the owner of the property on which the fireworks display will be held;
 - 9.8.8 Written consent from the property owners in the immediate vicinity where the display will be held;
 - 9.8.9 The manner and place of storage of all fireworks prior to, during and after the display;
 - 9.8.10 The name and address of the vendor or vendors that supplied the fireworks used in the fireworks display;
 - 9.8.11 Proof of General Liability insurance with coverage of at least \$1,000,000 per occurrence in a form acceptable to the Chief Administrative Officer;
 - 9.8.12 Any other information requested by the Chief Administrative Officer.
- 9.9 A fire permit to sell, offer for sale, store for the purpose of sale of fireworks shall be obtained from the Chief Administrative Officer or her designate. The fee for this permit shall be One Hundred (\$100.00) Dollars. A copy of this permit is attached as Appendix "C".
- 9.10 A person wishing to purchase fireworks in the Town of Wembley must first obtain written permission to discharge, issued by the Chief Administrative Officer of the Municipality where the fireworks will be discharged.
- 9.11 A fire permit shall not be transferable.
- 9.12 Notwithstanding any provisions within this Bylaw the Chief Administrative Officer may issue a fire permit at her discretion and may designate any part of Town of Wembley as a "Restricted Burning Area".

10 GENERAL PROHIBITIONS

- 10.1 No person shall light an outdoor fire, a structure fire, or discharge fireworks without a fire permit if a fire permit is required under this bylaw.
- 10.2 No person shall sell, offer for sale, store, give away, distribute, discharge, or set off fireworks without a fire permit.
- 10.3 No person shall sell Consumer "Low Hazard" Recreation fireworks within the Town to any person under the age of 18 years.
- 10.4 When a fire is lit under the circumstances described in section 10.1, the owner or occupant of the property or the person having control of the property upon which such fire is set shall:
- 10.4.1 Extinguish the fire immediately; or
 - 10.4.2 If unable to extinguish the fire immediately, report the fire to the Fire Department; and
 - 10.4.3 Be liable to prosecution under conviction and/or cost incurred by the Town to respond, suppress and extinguish the fire at the discretion of the Town.
- 10.5 No person shall, either directly or indirectly, personally or through an agent, servant or employee ignite a fire and let it become a running fire on any property or allow a running fire to pass from his or her own property to another property.

- 10.6 No person shall light an outdoor fire, a structure fire, an incinerator fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times.
- 10.7 No person shall light an outdoor fire, a structure fire, incinerator fire, barbecue/fire pit, or portable appliance not fueled by propane or natural gas, during a municipal or provincial fire ban.
- 10.8 No person shall burn or permit the burning of Prohibited Debris.
- 10.9 No person shall obstruct a Peace Officer, Member of the Fire Chief's Office or firefighters in the performance of their duties. Obstruction will include but not limited to failure to provide access to property and failure to provide information as to the identity of individuals.
- 10.10 No person shall disclose false information when applying for a fire permit.
- 10.11 No person shall allow any fire to give off a dense smoke or offensive odors.
- 10.12 Any person who lights a fire or discharges fireworks for the purpose described in this bylaw is responsible to ensure that it is conducted in a safe manner.
- 10.13 No person shall damage, destroy or unlawfully remove Apparatus or Equipment belonging to WFD.
- 10.14 No person shall obstruct a Member or any person from carrying out duties imposed by this Bylaw or by the Fire Chief or his designate, an Incident Commander or the person responsible for the actions and resources of an Ambulance Service Provider.
- 10.15 No person shall falsely represent themselves as a WFD member, a member of a Fire Service or wear or display a badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.
- 10.16 No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any Incident or Emergency scene, fire alarm, fire hydrant, cistern, or body of water designated or deemed appropriate, for firefighting purposes or any connections provided to a fire main, stand pipe, sprinkler system, cistern, or other body of water designated for firefighting purposes.
- 10.17 No person shall park in any area designated for firefighter or fire department parking only or in a designated fire lane or thoroughfare.
- 10.18 No person shall use or tamper with a fire hydrant or other source of water designated specifically for firefighting without first receiving permission from an official of the Town or the Fire Chief.
- 10.19 No person shall intentionally make or cause to be made a false alarm whether or not the WFD, a Fire Service or an Ambulance Service Provider makes or attempts to make an emergency response.

11 PROHIBITIONS ON BURNING

- 11.1 No person shall set, permit or maintain any Open Fire such that smoke emitted from that fire impairs visibility on a highway or, in the sole opinion of the Fire Chief or his designate, becomes a nuisance or safety concern on adjacent property. The person, who set, permitted or maintained such an Open Fire shall extinguish the fire immediately upon the order of the Fire Chief or his designate.
- 11.2 No person shall maintain or neglect to extinguish a fire that is threatening to spread to property that is not their own.

12 PERMITTED BURNING

- 12.11.1 burning in approved fire pit;
- 12.11.2 burning in fireplaces in or attached to dwellings as provided by legislation;
- 12.11.3 burning in campgrounds and parks where fireplaces, stoves and fire pits are provided by or approved by the Town;
- 12.11.4 burning by the WFD for the purpose of training its Members, reducing fire hazard through a controlled burning
- 12.11.5 burning by the Town under a controlled environment

- 12.2 During a fire ban, all fires described in Article 12 may be banned at the discretion of the Fire Chief's Office.

13 FIRE CONTROL ORDERS

- 13.1 For the purpose of fire control, the Fire Chief or his designate, shall make recommendations to the Chief Administrative Officer, or designate, and upon his authorization, may issue a fire control order which may:
- 13.1.1 suspend or cancel within any or all parts of the Town or Town issued Permits and verbal permissions allowing Open Fires, and
 - 13.1.2 prohibit or ban the setting or require the extinguishing of any Open Fire within the Town including any fire listed or contemplated in Article 10.5 above
- 13.2 A Fire Control Order made pursuant to this Article shall be broadcast at least twice a day for not less than two consecutive days by radio, television or other electronic media outlets which, in the opinion of the Chief Administrative Officer or the Fire Chief or their designates, are likely to bring the matter to the attention of the general public. A Fire Control Order may also be published in print media where the Chief Administrative Officer or the Fire Chief or their designate, deems it appropriate.
- 13.3 In an area affected by a Fire Control Order, every person shall immediately proceed to extinguish every Open Fire or banned fire enumerated which has been set, permitted or maintained by them, or which has been set, permitted or maintained under their authority, or which has been set, permitted or maintained on land occupied or owned by them.
- 13.4 All fire-fighting costs incurred by the WFD in extinguishing or fighting an Open Fire or any fire that has been banned by a Fire Control Order may be recovered.
- 13.5 Where a person causes a fire to which WFD responds, that person is responsible for all direct and indirect costs incurred by the Town in extinguishing that fire.
- 13.6 Where a person:
- 13.6.1 fails to obtain a Permit or verbal authority as required under this Bylaw prior to setting or causing a person to set an Open Fire; or
 - 13.6.2 obtains a Permit or a verbal authority as provided for in this Bylaw but fails to follow the provisions of the Bylaw and those conditions outlined on the Permit or in the verbal authority; or
 - 13.6.3 fails to extinguish an Open Fire when required to do so upon the demand of the Fire Chief or his designate or a Peace Officer; and

WFD extinguishes the fire or the fire grows beyond the control of the person and an Incident or Emergency to which WFD responds occurs, then such person shall be liable to pay all direct and indirect costs incurred by the Town in extinguishing the fire.

14 PENALTIES AND OFFENCES

- 14.1 Any person who fails to comply with any provisions contained in this Bylaw is guilty of an offence and is liable, on a conviction, to a fine of not less than Two Hundred Fifty Dollars (\$250.00) or such other amount as may be specified in this Bylaw and not exceeding Ten Thousand Dollars (\$10,000.00), and to imprisonment to term of not more than one year or both.
- 14.2 Where a person contravenes this Bylaw, the specified penalty payable is prescribed in Schedule "B".
- 14.3 A Peace Officer is authorized to enforce this Bylaw under Section 7 of the *Municipal Government Act* and may, under Part 2 of the *Provincial Offence Procedures Act (Alberta)*, issue a violation ticket.
- 14.4 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day on which it continues.
- 14.5 Where the Fire Department has taken any action whatsoever for the purpose of extinguishing a fire, responding to a fire call or incident in the Town, or for the purpose of preserving life or property from injury or destruction by fire or other incidents on property within the Town, including any action taken by the Fire Department on a false alarm, the Fire Chief or Chief Administrative Officer may in respect of any cost incurred by the Fire Department in taking

such action, charge these costs to the owner or occupant of the property in respect of which the action was taken.

14.6 The cost for Fire Department services rendered shall be determined by the Fire Chief or the Chief Administrative Officer. In the event that the owner or the occupant shall feel aggrieved by any action taken by the Fire Chief or Chief Administrative Officer pursuant to Section 14.1, he or she 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 occupant of the property.

14.7 In respect of any costs or fees levied or charged under this Bylaw:

14.7.1 The Town of Wembley may recover such costs or fees as an amount due and owing to Town of Wembley pursuant to Section 552 of *the Municipal Government Act*, R.S.A 2000, Chapter M-26; and

14.7.2 In default of payment, where permitted by the Municipal Government Act R.S.A. 2000, Chapter M-26 Section 553 (1)(g), add the amounts due to the tax roll of the property in question;

15 ENFORCEMENT

15.1 The Fire Chief or his designate or a Peace Officer is hereby authorized to enforce any provision of this Bylaw, and in the event of an Incident or Emergency, may enter onto premises or property, and may make such inquiries or demands as may be necessary for those purposes.

16 INDEMNITY

16.1 A Member of WFD or a Peace Officer acting in good faith and without malice in the discharge of his duties under this Bylaw, shall not render himself liable personally and is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or by reason of any act or omission in the discharge of those duties.

16.2 The Town shall defend any suit, action or claim, commenced against a Member wherein it is alleged that the Member acted in a negligent manner during the course of the Member's duties (whether by commission or omission). Unless directed to the contrary by the member affected in writing, the Town shall defend any such suit, action or claim until the final determination of the proceedings, a negligent act or omission, brought against a Member until final determination of the proceedings.

17 FEES AND COSTS

17.1 Council may, from time to time set a fee for any service provided by WFD.

17.2 The fee shall be subject to interest rates as may be established by the Town from time to time respecting outstanding accounts.

17.3 The fee shall become a debt due and owing the Town.

17.4 In the case of response services provided to an Incident or Emergency, other than a medical Incident or Emergency, on lands within the Town where fee and interest charges are unpaid after three (3) months from the date an invoice is issued, the Town Administrator or designate is authorized to place the aforesaid fee and interest charges against the tax roll of the parcel of land on which the Emergency or Incident occurred.

17.5 The Fire Chief may establish fees based on a cost recovery basis for all consumable materials used by the WFD as per Town Policy.

17.6 A copy of the set fees shall be included as Schedule "C".

18 REPORTING

18.1 The Owner or authorized agent of a property damaged by fire shall immediately report the particulars of the fire to the Town in a manner and form satisfactory to the Fire Chief or his designate.

18.2 The Owner or authorized agent of any property containing a dangerous goods product or products, which sustain accidental or unplanned release, shall immediately report such a spill

or release to the Town in a manner and form satisfactory to the Fire Chief or his designate. For the purpose of this Article, “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, handling, storage or transportation environment and includes those products, substances and organism covered by any applicable Federal or Provincial environmental legislation.

19 SEVERABILITY

19.1 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 enforceable as if the section found to be improperly enacted as part of this Bylaw.

20 RESCINDING OF PREVIOUS BYLAWS

20.1 Bylaw Number 669 is hereby rescinded.

21. That this Bylaw shall take effect on the date of the third and final reading.

READ A FIRST TIME THIS 25th DAY OF MAY A.D., 2015.

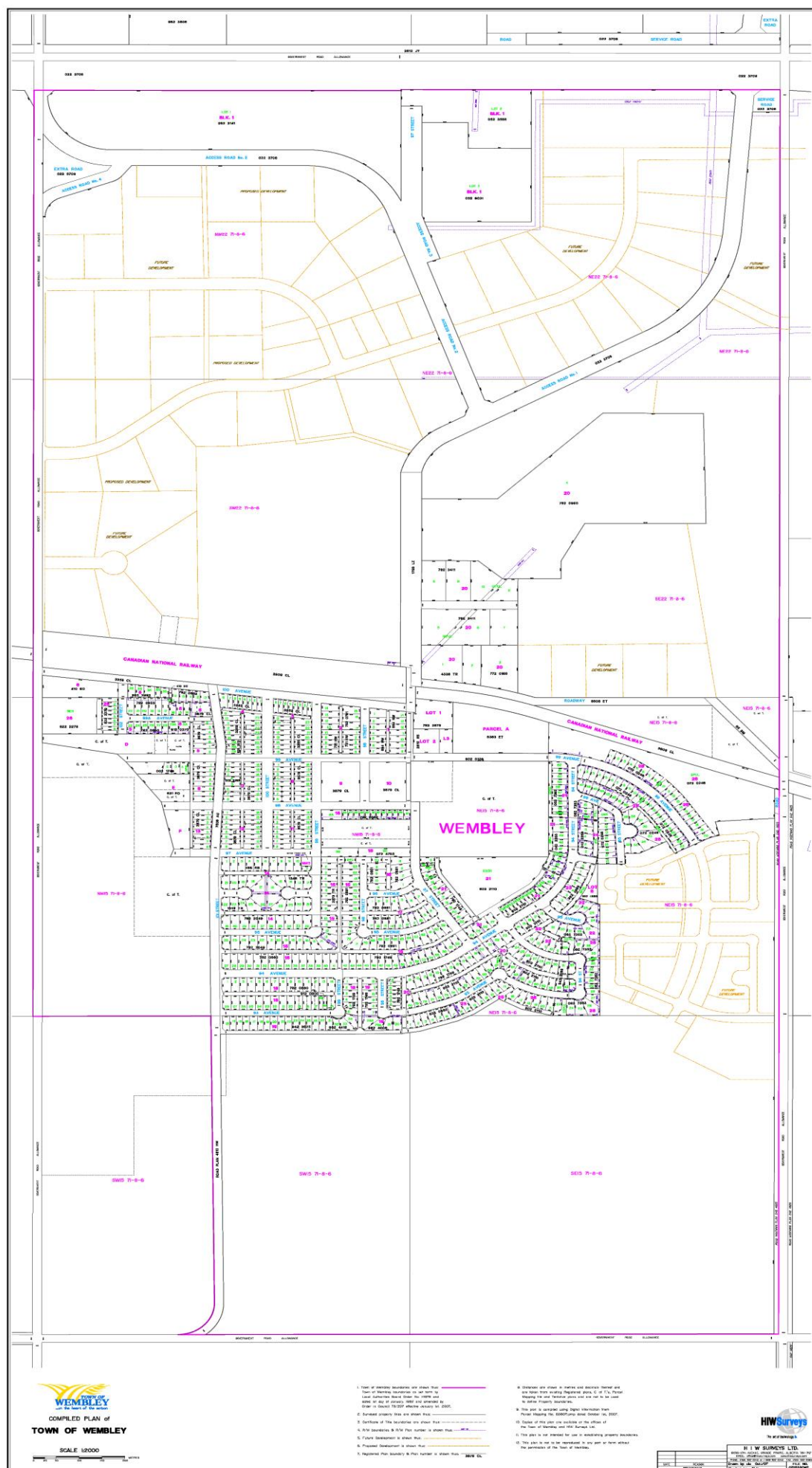
READ A SECOND TIME THIS 25th DAY OF MAY A.D., 2015.

READ A THIRD TIME AND FINALLY PASSED THIS 25th DAY OF MAY A.D., 2015.

MAYOR CHRIS TURNMIRE

CAO LORI PARKER

SCHEDULE "A"




 COMPILED PLAN of
TOWN OF WEMBLEY
 SCALE 1:2000

1. Type of boundary indicated by dashed line:
 - Town of Wembley boundary as set forth by Local Government Act, R.S.O. 1990, c. 183, s. 24(1) and 24(2) and amended by Order in Council P.02-01-0001, January 10, 2002.
2. Boundary between lots and shown by:
 - Dotted line
3. Boundary of the Municipality and shown by:
 - Solid line
4. City boundaries & R.V. Plan number is shown by:
 - Dashed line
5. Future development is shown by:
 - Dotted line
6. Present development is shown by:
 - Solid line
7. Registered Plan (boundary & Plan) number is shown by:
 - Dashed line
8. Proposed lot (shown in green) and shown by:
 - Dotted line
9. The plan is not to be considered in any part or in whole without the permission of the Town of Wembley.
 - Dotted line


HW Surveys
 10 Wembley Road
 Wembley, Ontario L9M 1S1
 Phone: (905) 871-1111
 Fax: (905) 871-1112
 Email: info@hwsurveys.com

DATE	2008
SCALE	1:2000
PROJECT	WEMBLEY

Schedule A-1

FIRE PERMIT

Permit # _____

Issued under the authority of the Town of Wembley Open Burning Bylaw No. 688

REGULATIONS

1. It is the responsibility of the applicant to:
 - a. Be familiar and abide by the requirement of this Permit and Bylaw;
 - b. Obtain permission, if necessary to burn on any land;
 - c. Telephone 780-766-2269 to commence burning;
2. Permit period is limited to one day (daylight hours only) or a reasonable time period as determined by the Fire Authority's observations of the burn site.
3. This permit may be cancelled at any time.

This permit authorizes the Owner/Lessee/Occupant (Please circle one):

NAME: _____ PHONE #: _____

TO KINDLE A FIRE AT THE FOLLOWING LOCATION: _____

LEGAL DESCRIPTION: LOT _____ BLOCK _____ PLAN _____

FOR THE PURPOSE OF BURNING: _____

BURING SHALL BE CARRIED OUT IN COMPLIANCE WITH THE FOLLOWING CONDITIONS

1. Materials burned must only be burnable debris in accordance with the Clean Air Act Alberta Regulation 216/75 with amendments (see definition on reverse of page).
2. Wind conditions shall be less than 20 km/hr.
3. At least one (1) responsible adult must be in attendance.
4. Consideration must be given to avoid obscuring visibility on adjacent roads.
5. Provisions are made for adequate extinguishment equipment on site.
6. The nuisance to neighbouring properties must be considered.
7. Special Conditions: _____

EFFECTIVE DATE: _____, 20____. EXPIRATION DATE: _____, 20 ____.

1. The Permittee agrees to indemnify and save harmless the Town of Wembley for all liability arising out of the operations authorized by this Fire Permit.
2. The Permittee agrees to pay the cost of fighting all fires caused by wilful or negligent violation of any condition and/or regulation set out in this Fire Permit.
3. I have read and fully understand the information on this Fire Permit.

SIGNAUTE OF PERMITTEE: _____ DATE: _____

APPROVED BY CAO/DESIGNATE: _____ DATE: _____

Definitions:

Burnable Debris means all flammable debris or waste material other than prohibited debris and includes:

- a. Straw and stubble;
- b. Grass and weeds;
- c. Leaves and tree prunings;
- d. Brush and fallen trees on newly cleared land or associated with logging operations;
- e. Untreated portions of used power, telegraph and telephone poles;
- f. Untreated wooden material;
- g. Solid waste from post and pole operations;
- h. Solid waste from tree harvesting operations;

Prohibited Debris means no person shall use a Fire Permit to burn:

- a. Manure;
- b. Livestock or other animal carcasses;
- c. Material that will result in the production of dense black smoke including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber material or creosoted wood;
- d. Herbicides, pesticides or any other toxic material or substance;
- e. Pathological wastes;
- f. Garbage or refuse from commercial, industrial and/or municipal operations;
- g. Combustible material in vehicle bodies, tires and/or oil for combustion engines;
- h. Treated wooden and/or waste material from the construction and/or demolition of buildings and/or construction sites.

SCHEDULE "B"

A notice of Form (commonly called a Violation Ticket) may be issued by a Peace Officer to any person charged with a breach of any provisions of this Bylaw and the hereto mentioned Acts shall apply in regards to the payment.

Section	Charge	First Offence	Second Offence	Third Offence
10.1	Light an outdoor fire, structure fire, discharge fireworks without a fire permit if a permit is required under this bylaw.	\$250	\$500	\$5,000
10.2	Sell, offer for sale, store, give away, distribute, discharge, or set off fireworks without a fire permit.	\$250	\$500	\$5,000
10.3	Sell Consumer 'Low Hazard' Recreation fireworks to any person under the age of 18.	\$250	\$500	\$5,000
10.5	Either directly or indirectly, ignite a fire and let it become a running fire on any property or allow a running fire to pass from his/her property to another property.	\$500	\$1,000	\$5,000
10.6	Light an outdoor fire, structure fire or incinerator fire, without first taking sufficient precautions to ensure that the fire can be kept under control at all times.	\$500	\$1,000	\$5,000
10.7	Light an outdoor fire, structure fire, or incinerator fire, barbecue/fire pit or portable appliance not fuelled by propane or natural gas during a municipal or provincial fire ban.	\$500	\$1,000	\$5,000
10.8	Burn or permit the burning of Prohibited Debris.	\$500	\$1,000	\$5,000
10.9	Obstruct a Peace Officer, fire guardian, member of the Fire Chief's office or firefighters in the performance of their duties.	\$500	\$1,000	\$5,000
10.10	Disclose false information when applying for a fire permit.	\$500	\$1,000	\$5,000
10.11	Allow any fire to give off dense smoke or offensive odours.	\$500	\$1,000	\$5,000
10.12	Failure to light a fire or discharge fireworks in a safe manner.	\$500	\$1,000	\$5,000
10.13	Damage, destroy, or unlawfully remove apparatus or equipment belonging to the Fire Service or an Ambulance Service Provider.	\$500	\$1000	\$5,000
10.14	Obstruct a member or any person from carrying out duties imposed by this Bylaw or by the Fire Chief or his designate, an Incident Commander or the person responsible for the actions of an Ambulance Service Provider.	\$500	\$1,000	\$5,000
10.15	Falsely represent themselves as a member of a Fire Service or wear or display a badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.	\$500	\$1,000	\$5,000
10.16	Obstruct or otherwise interfere with access roads or streets or other approaches to an Incident or Emergency scene, fire alarm, fire hydrant, cistern or body of water designated or deemed appropriate for firefighting purposes or any connection to a fire main, sprinkler system, cistern or other body of water designated for firefighting purposes.	\$500	\$1,000	\$5,000
10.17	Park in an area designated for firefighter or fire department parking only or in a designated fire lane with thoroughfare.	\$500	\$1,000	\$5,000
10.18	Use or tamper with a fire hydrants or other source of water designated specifically for firefighting without first receiving permission from an official of the Town or the Fire Chief.	\$500	\$1,000	\$5,000
10.19	Intentionally make or cause to be made a false alarm whether or not a Fire Service or an Ambulance Service Provided makes or attempts to make an emergency response.	\$500	\$1,000	\$5,000

11.1	Set, permit or maintain any open fire such that smoke emitted from that fire impairs visibility on a highway or, in the sole opinion of the Fire Chief or his designate, becomes a nuisance or safety concern on adjacent property.	\$500	\$1,000	\$5,000
11.4	Maintain or neglect to extinguish a fire that is threatening to spread to property that is not their own.	\$500	\$1,000	\$5,000

SCHEDULE "C-1"

Part 1	
Permits	Fee
1. Recreation Burning Permit (Back Yard Fire Pit)	No Charge
2. Open Burning Permit, per event	No Charge
3. Permits related to fireworks and pyrotechnic devices:	
a) Permit for sale of fireworks and pyrotechnic devices: per location, per year	\$100.00
b) Permit for display of high hazard fireworks: per permit, per event	\$100.00
c) Permit for the display of Low Hazard fireworks, per event	\$25.00
<i>*Non-Profit entities and/or displays operating at a registered not for profit festivals or events will be exempt from the Permit for the use of pyrotechnic devices fee.</i>	

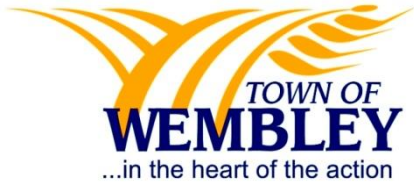
Part 2	
Fire Rescue Fees	Fee
1. Fire Rescue Response to False Alarms:	No charge
a) for the first response related to malfunctioning Fire Safety Installations or other safety monitoring devices, at the same premises responded to during each calendar year.	
b) Second (2 nd) response to a False Alarm	\$100.00
c) Third (3 rd) and each subsequent response to a False Alarm	\$500.00
2. Engines, Tenders, Rescue, Ladder; per Apparatus, per hour or portion thereof	\$700.00
3. Squad 611, Car 611 and Designated Officers Vehicle, per vehicle, per hour or portion thereof	\$350.00
4. Costs related to operational staffing: per Member, per hour or portion thereof	\$125.00

Part 3	
Administration	Fee
1. Request for the Administrative Service of a Member (including Witness Interviews)	\$125.00
a) Per Member, per hour or portion thereof plus expenses (2 hour minimum charge)	
b) Plus: thereafter, per Member, per sixty minutes or portion thereof;	\$90.00
c) Plus: actual expenses incurred	
2. Reports (<i>via Subpoena Only per FOIPP Legislation</i>)	
a) Requested copies of WFD Run Reports, Dangerous Goods Reports, Fire Investigation Reports, or Patient Care Reports, related to a specific Incident, including letters of summary and all services associated with providing the requested information:	
i) Per report, up to two hours research and preparation;	\$160.00
ii) Plus: thereafter, per sixty minutes or portion thereof;	\$80.00
b) Duplication of photographs:	
i) Hardcopy Photograph	
a) Up to 5 photographs;	\$55.00
b) Each additional photograph;	\$5.00
3. Environmental Enquiries per location	\$75.00

APENDIX "A"

Permit # _____

Permit fee: \$25.00



OFFICE USE ONLY ISSUED <input type="checkbox"/> DELETED <input type="checkbox"/>

FIREWORKS DISCHARGE / SET OFF / DISPLAY PERMIT

ALBERTA FIRE CODE SECTION 5.7

APPLICANT NAME	PERMIT #
ADDRESS	PHONE #
DATE OF BIRTH	
ADDRESS WHERE FIREWORKS ARE STORED	

THE APPLICANT IS HEREBY AUTHORIZED TO HANDLE, DISCHARGE, FIRE, SET OFF, OR DISPLAY

LOW HAZARD FIREWORKS ON: _____ / _____ / _____ / _____
Month Day Year (TIME)

AT: _____
(LOCATION WHERE FIREWORKS WILL BE DISPLAYED)

THIS PERMIT IS SUBJECT TO CANCELLATION FOR ANY BREACH OF THE ALBERTA FIRE CODE SECTION 5.7 OR ANY OF THE FOLLOWING SPECIAL PRECAUTIONS REQUIRED AS A CONDITION OF THIS PERMIT, SPECIAL CONDITIONS AND PRECAUTIONS:

Requirements:

- MUST HAVE AVAILABLE WATER SOURCE ON SITE.
- THIS PERMIT IS SUBJECT TO CANCELLATION BASED ON LOCAL FIRE HAZARDS/FIRE BANS.

A DIAGRAM OF THE DISCHARGE / SET OFF / DISPLAY SITE IS TO BE COMPLETED WITH APPLICACION.

 SIGNATURE OF APPLICANT

 DATE ISSUED

 FIRE CHIEF OR DEISIGNATE
 WEMBLEY FIRE DEPARTMENT

LOW HAZARD FIREWORKS REGULATIONS

Code requirements came into force effective September 2, 2007. All code requirements are referenced from the Alberta Fire Code 2006 edition.

Section 5.7. Fireworks

5.7.1.8. Fireworks Sales

- 1) No person shall sell, offer for sale or store for the purpose of sale, Fireworks, unless
 - (a) permission is obtained from the Fire Department for the sale and storage, and
 - (b) the building or place used for the sale or storage conforms to Part 2.
- 2) A person who sells Fireworks or offers them for sale shall ensure that:
 - (a) the manufacturer’s instructions on the safe use of Fireworks are provided with each sale.
 - (b) notices acceptable to the Fire Department are posted at the sales outlet outlining the instructions referred to in Clause (a).
 - (c) a record of each sale is kept on the premises where the sale occurs for a period of not less than two years following the date of the sale, and
 - (d) a record referred to in Clause (c) shows
 - i. the date of the sale,
 - ii. the name, address and phone number of the purchaser,
 - iii. a description of the Fireworks sold,
 - iv. the date and time the Fireworks will be discharged, and
 - v. the location and a description of the site where the Fireworks will be discharged.
- 3) A person who sells Fireworks or offers them for sale shall make available the record referred to in Clause (3) (c) in conformance with Article 2.2.1.2. of Division C.

**LOW HAZARD FIREWORKS
VENDOR PERMIT CONDITIONS**

- 1. The Town requires a full site inspection, at the expense of the Business, by an approved Safety Codes Officer in the Fire and Building Discipline, for compliance to building and storage requirements as outlined in Section 5.7 of the *Alberta Fire Code*.
- 2. Low Hazard Fireworks Vendor Permit holders are subject to random inspections / audits, at which time all Sale & Discharge Permit information must be readily made available.
- 3. The Low Hazard Fireworks Vendor Permit must be renewed on an annual basis, coinciding with the calendar year.
- 4. Low Hazard Fireworks Vendor Permits may be suspended during times of Fire Advisories or Fire Bans. Sales ARE NOT permitted under these conditions.

The Town Low Hazard Fireworks Vendor Permit may be cancelled at any time if the vendor is found to be in contravention of any of the requirements set out in the *Alberta Fire Code* and the Town of Wembley Medical and Fire Response Bylaw

All information collected must be used and stored in accordance with Regulations set out in the *Personal Information Protection Act*.

VENDOR SELF CHECKLIST

- 1. Do you have / allow smoking, open flame devices or spark producing equipment in any place, site, or building used for the sale, storage or retail display of Fireworks? Yes__ No__
- 2. Do you have a sign reading “FIREWORKS-NO SMOKING or OPEN FLAME” in letters at least 100 mm high posted in locations acceptable to the Fire Services Department? Yes__ No__
- 3. Are your Fireworks stored in lots that do not exceed 25 kg gross weight? Yes__ No__
- 4. If you have quantities of LOW HAZARD Fireworks that exceed 25 kg gross weight, are they stored in a container meeting the requirements of the Explosives Act (Canada) and its Regulations published by Natural Resources Canada? Yes__ No__
- 5. If you have quantities of LOW HAZARD Fireworks that exceed 100 kg gross weight, are they stored in a separate store or warehouse meeting the requirements of the Explosives Act (Canada) and its Regulations published by Natural Resources Canada? Yes__ No__
- 6. Do you have a portable fire extinguisher in buildings / areas where Fireworks are stored? Yes__ No__
- 7. Have you complied with all conditions set out by the Town of Wembley to obtain a LOW HAZARD Fireworks Vendor Permit? Yes__ No__
- 8. Are employees that will be selling / handling Fireworks at your store 18 years of age or older? Yes__ No__
- 9. Does your Business have the ability to store the personal information collected on the Fireworks and Discharge Permit safely and securely in accordance with Regulations set out in the Personal Information Protection Act? Yes__ No__

If you have answered “NO” to any item, please contact the Fire Services Department prior to submitting your application. A “NO” will be in contravention of Provincial or Federal Codes and Regulations and may disqualify and / or delay your application.

APPENDIX "B"

Town of Wembley



VENDOR LOW HAZARD FIREWORKS PERMIT
PERMIT TO SELL, STORE, DISTRIBUTE OR GIVE AWAY
LOW HAZARD FIREWORKS

Permit Number: _____
Permit Fee: \$100.00

ISSUED TO:

Business Name: _____

Operating Name (If different from above): _____

Owner's Name: _____

Business Address _____

Mailing Address: _____

Contact Phone Numbers: _____

Application Date: _____

Applicant / Owner Signature: _____

ANY PART / BUSINESS THAT INTENDS TO GIVE AWAY, SELL, STORE, OR DISTRIBUTE
LOW HAZARD FIREWORKS MUST CONFORM TO
SECTION 5.7 OF THE ALBERTA FIRE CODE 2006

Town of Wembley Office Use ONLY

Approval Date: _____

Town Low Hazard Fireworks Vendor Number: _____

Wembley Fire Department Representative: _____
(Please Print)

Representative Signature: _____

APPENDIX "C"

**TOWN OF WEMBLEY
HIGH HAZARED (DISPLAY) FIREWORKS PERMIT**

PERMIT TO DISCHARGE HIGH HAZARED FIREWORKS (CLASS 7.2)

Permit Number: _____

Permit Fee: \$100.00

ISSUED TO:

Name: _____

Mailing Address: _____

Phone: (Bus.) _____ (Res.) _____

DISPLAY INFORMATION (Required)

Location of Display: _____

Display Date: _____ Time: _____

Legal Land Description: Lot _____ Block _____ Plan _____

Civic Address: _____

Fireworks Supervisor: _____

Certificate#: _____

Property Owner: _____

Property Owner Contact Phone #: _____

Signature of Property Owner: _____

(Not valid without property owner signature)

Name of Permit Holder: _____

(Please Print)

Permit Holder Signature: _____

- Detailed Site Plan Attached
- Site Security/Emergency Plan Attached
- Insurance Certificate Attached

- Written Permission from: Landowner/
Adjacent Landowners
- Detailed Description of Fireworks Being
Displayed at Event

SPECIAL CONDITIONS

This permit is subject to the conditions on the reverse and to cancellation if any breach of the Requirements of Section 5.7 of the Alberta Fire Code 2006

Additional Precautions: _____

Wembley Fire Department Representative: _____

(Please Print)

Representative Signature: _____

**TOWN OF WEMBLEY
HIGH HAZARD (DISPLAY) FIREWORKS PERMIT**

CONDITIONS:**Excerpts from the Alberta Fire Code 2006****Section 5.7 Fireworks**

A-5.7.1. Municipalities have the authority to regulate fireworks within their jurisdiction under the Municipal Government Act. Municipalities can use the Municipal Government Act to establish a fireworks permit bylaw allowing the municipality to permit fireworks. A fireworks permit bylaw established by a municipality may have provision that include or exclude any activity involving fireworks.

5.7.1.1 Application

- 1) Except as permitted by Sentence (2), this Section shall apply to the sale and discharge of fireworks and pyrotechnic devices.
- 2) This Section shall not apply to a person who possesses or discharges fireworks commonly used as distress flares.

5.7.1.2. Manufacture, Importation, and Transportation

- 1) The manufacture and importation of fireworks shall be in conformance with the "Explosives Act" and its Regulations, published by Natural Resources Canada.
- 2) The transportation of fireworks shall be in conformance with the "Transportation of Dangerous Goods Act" and its Regulations.

5.7.1.3. Discharge

- 1) Except as permitted in Clause 5.7.1.7.(1)(b), no person shall discharge, fire or set off fireworks from, on, or over
 - a) public land as defined by the Public Lands Act, or
 - b) a forest protection area designated under the Forest and Prairie Protection Act.

5.7.1.7. Written Permission

A-5.7.1.7. Due to the fact that fireworks can be purchased in one municipality and discharged in another, individuals must ensure that written permission is obtained from all of the appropriate authorities if this is the case.

- 1) No person shall
 - a) Purchase, possess, handle, discharge, fire or set off fireworks unless written permission issued by the fire department for that purpose has been obtained, or
 - b) Discharge, fire off, set off fireworks in a forest protection area unless written permission issued by a forest officer for that purpose has been obtained.
- 2) Written permission issued under Sentence (1)
 - a) Shall specify the date, time and location on which the fireworks are to be discharged, and considers necessary to ensure the safe use of the fireworks.
- 3) Permission shall not be granted under this Section in respect to High-Hazard fireworks unless the applicant possesses a fireworks supervisor card issued pursuant to the "Explosives Act" and its Regulations, published by Natural Resources Canada.

5.7.1.9. Age Requirement

- 1) No person who is under 18 years of age shall purchase, possess, handle, discharge, fire or set off fireworks.

5.7.1.10. Discharging

- 1) Fireworks from which a projectile is discharged shall be set up in such a manner so that when ignited the projectile will go into the air in a vertical direction not more than 15° off the perpendicular.
- 2) Where ground level fireworks are discharged
 - a) they shall be positioned out of the fringe or aerial fireworks and in a location where there is no dry grass or combustible material on the ground beneath them, and
 - b) the area shall be thoroughly wet down immediately before the fireworks are discharged.
- 3) A portable extinguisher having a rating of not less than 2-A shall be provided and kept in the immediate discharge area.

5.7.1.11. High-Hazard Display

- 1) Where high-hazard fireworks are discharged, the person responsible for discharging the fireworks shall ensure that
 - a) they have at least 2 assistants who are competent persons over 18 years of age and have been trained in the proper handling of fireworks,
 - b) the fireworks are set up in conformance with the "Display Fireworks Manual", published by Natural Resources Canada,
 - c) at least 2 portable extinguishers each having a rating not less than 1-A shall be not more than 45 m from the location at which the fireworks are discharged,
 - d) the potential landing area is cleared of spectators, vehicles, dry grass and other combustible material immediately prior to the beginning of the display and during the display,
 - e) nothing other than a flashlight or electrical lighting is used for artificial illumination,
 - f) no person, other than persons responsible for discharging the fireworks, is closer than 45 m from the location at which the fireworks are being discharged,
 - g) the location at which the fireworks are discharged is at least
 - i) 60 m from any highway or other similar means of travel used by the public, and
 - ii) 15 m from the nearest overhead obstruction,
 - h) a complete search is conducted of the display area for any duds within 12 hours of the conclusion of the display, and
 - i) any unused fireworks or duds remaining are disposed of in a safe manner within 12 hours of the conclusion of the display