



SECTION: Protective Services
SUBJECT: Fire Ban Policy

16-02

It shall be the policy of the Special Areas Board, for the prevention or extinguishing of fires, for the safety, health and welfare of people and the protection of people and property from injury or destruction by fire.

Definitions

In this policy:

- "Apparatus" shall mean any vehicle, machinery, device, equipment or material for firefighting, as well as any vehicle used for transporting firefighters or supplies;
- "Board" shall mean the Special Areas Board;
- "Controlled Burn" shall mean the setting of an outdoor or structure fire within the Special Areas;
- "Controlled Burn Notification" shall mean completion of the notification form by the person intending on a controlled burn to a Special Areas District Office before setting it;
- "Department" shall mean all Rural and Municipal Fire Departments within the boundaries of the Special Areas;
- "Equipment" shall mean any tools, contrivances, devices or materials used by the Department to combat an incident;
- "Fire Guardian" shall mean a person named or appointed as Fire Guardian pursuant to the *Forest and Prairie Protection Act*. The Special Areas Fire Chief shall be appointed as a Fire Guardian for the purpose of this policy;
- "Fire Protection" shall mean all aspects of fire safety, including but not limited to, fire prevention, firefighting or suppression, pre-fire planning, public education and information, training or other staff development and advising;
- "Incident" shall mean a fire or situation where an explosion is imminent or any other situation where there is a danger or a possible danger to life or property, or both, and to which the Department has responded;
- "Incinerator Fire" shall mean a fire that is confined within a non-combustible structure, container or barrel with openings covered with a heavy gauge metal screen having a mesh size not larger than 6 millimeters and which is used for the purpose of burning refuse, protecting stock from insects or for protecting garden plots from frost;
- "Member" shall mean the Fire Chief and any member of the Department;
- "Outdoor Fire" shall mean any fire other than that defined as an Incinerator Fire or Structure Fire and shall include fires involving humus, soil, farm produce, bush, grass, feed, straw, coal or any fire that has escaped or spread from a building, structure, machine, vehicle or incinerator. An Incinerator Fire without the required metal screen shall be deemed to be an outdoor fire;
- "Running Fire" shall mean a fire burning without being under the proper control of any person;
- "Special Areas" shall mean the Special Areas No. 2, 3, & 4;
- "Structure Fire" shall mean a fire confined to and within any building, structure, machine or vehicle which will or is likely to cause the destruction of or damage to such building, structure, machine or vehicle;

Duties of the Department

The Department shall be responsible for carrying out such duties, obligations and responsibilities, without limiting the generality of the foregoing, may include:

- preventing and extinguishing fires;
- preserving life and property and protecting persons and property from injury or destruction by fire;

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- providing rescue and related emergency services;
- preventing prairie or Running Fires and enforcing the provisions of the *Forest and Prairie Protection Act*;
- preventing, combating and controlling incidents;
- controlling and mitigating incidents involving dangerous goods.

Duties of the Fire Chief

The Fire Chief shall perform and carry out such duties and responsibilities pursuant to any Act or this policy. The Fire Chief shall appoint a designate to be responsible for performing the duties and obligations of the Fire Chief in the absence of the Fire Chief.

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 or she deems it necessary, to prevent the spread of fire to other buildings, structures or things. A Fire Chief may without a warrant enter on any land and premises, except a private dwelling house, for the purpose of discharging his duties under this policy. A Fire Chief may without a warrant, enter a private dwelling house which is on fire and proceed to fight the fire.

Fire Guardians

Each year before the 1st day of April, the Board shall appoint a sufficient number of Fire Guardians to enforce the provisions of the *Forest and Prairie Protection Act* and this policy within the boundaries of the Special Areas. All Fire Chiefs shall be appointed Fire Guardians.

Each Fire Guardian, in keeping with all appropriate legislation and Board policy and procedure, shall have the authority and power to:

- impose conditions upon the Controlled Burn Notifications which the Fire Guardian considers appropriate;
- may suspend or cancel at any time a Controlled Burn and, on receiving notice of the suspension or cancellation, the person concerned shall immediately extinguish any fire set;
- direct the operations of extinguishing or controlling the fire or operations to preserve life and property;
- enforce the provisions of the *Forest and Prairie Protection Act* and this policy within the boundaries of the Special Areas.

Controlled Burn Notification

Controlled Burn Notifications with all required information shall be made to the Special Areas Board as per Board procedure.

The Board may, in its absolute discretion, suspend or cancel a Controlled Burn at any time. Upon receiving notice of the suspension or cancellation, the person concerned shall immediately extinguish any fire set pursuant to his or her Controlled Burn Notification. If the Board suspends or cancels all Controlled Burns, Controlled Burn Notifications will not be allowed to be made until the Board so authorizes.

A Controlled Burn Notification is not required under this policy for an Outdoor Fire as described in section 18(4) the *Forest and Prairie Protection Act*, R.S.A. 2000 c. F-19. This policy does not apply to any Industrial or Commercial type incinerator that is required to be licensed under the *Environmental Protection and Enhancement Act*, R.S.A. 2000 c. E-12. This policy does not apply to fires that are set for the purposes of training firefighters.

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Recovery of Costs

Where the Department has taken any action whatsoever for the purpose of extinguishing a fire or responding to a fire call or incident in the Special Areas or for the purpose of preserving life or property from injury or destruction by fire or other incident on land within the Special Areas, including any action taken by the Department on a false alarm, the Board **may**, in respect of any costs incurred by the Department in taking such action, charge any costs so incurred to the owner or occupant of the land in respect of which the action was taken, if the Board feels that proper grounds for doing so exist.

The costs and fees to be charged by the Department for services rendered pursuant to this policy shall be the same as set by Alberta Transportation.

In the event that the owner or occupant of any land within the Special Areas shall feel aggrieved by any action taken by the Board pursuant to this policy, such owner or occupant shall have a period of thirty (30) days from the date of mailing of notice of the action taken by the Board to appeal the action taken, and the decision of Board on any such appeal shall be final and binding upon the owner or occupant of the land and shall not be subject to any further appeal.

Prohibitions

When a fire is intentionally lit DURING A FIRE RESTRICTION OR FIRE BAN, the owner or occupier of the land or the person having control of the land upon which such fire is lit shall:

- extinguish the fire immediately, or
- where he or she is unable to extinguish the fire immediately, report the fire to the Department.

No person shall light an Outdoor Fire, a Structure Fire or an Incinerator Fire without first taking sufficient precaution to ensure that the fire can be kept under control at all times.

No person shall:

- provide false, incomplete or misleading information on or with respect to the controlled burn notification;
- interfere with the efforts of persons authorized in this policy to extinguish fires or preserve life or property;
- interfere with the operation of the Department's equipment or apparatus required to extinguish fires or preserve life or property;
- damage or destroy the Department's property.

Fire Bans

It shall be the policy of the Special Areas Board to deal with fire ban situations through a Board Order upon recommendation of the Fire Chief and direction of the Board. The Fire Chief will make his recommendation on the need to request a fire ban order or lift a fire ban, adjustment based on inputs from the fire department and area staff from each area to which the ban will apply. Fire bans may be imposed in selective easily defined areas or across the whole of the Special Areas.

When a fire ban or restriction is in effect, any person who contravenes the ban or restriction may be subject to cost recovery measures as established within this policy.

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NO RESTRICTION

Controlled Burn Notifications are required for any type of burning, except campfires and incinerator fires. Safe campfires are allowed in campgrounds and random camping areas.



FIRE ADVISORY

The fire hazard rating has increased and Controlled Burns may be restricted. Safe campfires are allowed in campgrounds and random camping areas, but may be restricted if conditions do not improve. Incinerator fires are permitted at a minimum distance of 30 m away from structures and 3 m away from combustible materials.



FIRE RESTRICTION

Safe campfires are allowed in fire rings in campgrounds only. No campfires (or other open fires) or charcoal briquettes are allowed in random camping areas. Gas or propane stove/barbeques and portable propane fire pits are allowed. Incinerator fires are permitted at a minimum distance of 30 m away from structures and 3 m away from combustible materials. Existing Controlled Burns may be suspended or cancelled and no new Controlled Burns will be allowed.



FIRE BAN

No campfires or other open fires are allowed in campgrounds and random camping areas. This includes charcoal briquettes. Gas or propane stoves/barbeques and portable propane fire pits are allowed. All Controlled Burns are suspended or cancelled and no new Controlled Burns will be allowed.



Jordon Christianson
Acting Chairman
Special Areas Board

Board Motion
10-6-15