

SMOKY LAKE COUNTY



Minutes of the **Fire Protective Services Committee Meeting** held on Monday, **December 16, 2019** at 2:39 P.M. in the County Council Chambers.

The meeting was called to Order by the Chief Administrative Officer, Cory Ollikka in the presence of the following persons:

| <b>ATTENDANCE</b>        |                      |                              |
|--------------------------|----------------------|------------------------------|
| <u>Div. No.</u>          | <u>Councillor(s)</u> | <u>Monday, Dec. 16, 2019</u> |
| 1                        | Dan Gawalko          | Present                      |
| 2                        | Johnny Cherniwchan   | Present                      |
| 3                        | Craig Lukinuk        | Present                      |
| 4                        | Lorne Halisky        | Present                      |
| 5                        | Randy Orichowski     | Present                      |
| CAO                      | Cory Ollikka         | Present                      |
| Asst. CAO                | Lydia Cielin         | Present                      |
| Finance Manager          | Brenda Adamson       | Present                      |
| Fire Chief               | Scott Franchuk       | Present                      |
| Fire Protect. Svc. Asst. | Spencer Kotylak      | Present                      |
| Legislative Svcs/R.S.    | Patti Priest         | Present                      |
| *****                    |                      |                              |

One Member of the Public in attendance.

No Media in attendance.

**1. Election of Chairperson/Vice-Chairperson:**

**Chairperson**

The Chief Administrative Officer called first (1) time for nominations for Chairperson.

304-19: Halisky

That Councillor Craig Lukinuk be nominated as the Chairperson of the Fire Protective Services Committee.

The Chief Administrative Officer called second (2) time for nominations for Chairperson.

The Chief Administrative Officer called third (3) time for nominations for Chairperson.

NO FURTHER NOMINATIONS.

305-19: Cherniwchan

That nominations for the Chairperson of the Fire Protective Services Committee, cease.

Carried.

Mr. Craig Lukinuk was declared elected by acclamation by the Chief Administrative Officer as the Chairperson of the Fire Protective Services Committee for the ensuing year and assumed the Chair.

**Vice-Chairperson**

The Chairperson called first (1) time for nominations for Vice-Chairperson.

306-19: Gawalko

That Councillor Lorne Halisky be nominated as the Vice-Chairperson of the Fire Protective Services Committee.

The Chairperson called second (2) time for nominations for Vice-Chairperson.

The Chairperson called third (3) time for nominations for Vice-Chairperson.

NO FURTHER NOMINATIONS.

307-19: Orichowski That nominations for the Vice-Chairperson of the Fire Protective Services Committee, cease.  
Carried.

Mr. Lorne Halisky was declared elected by acclamation by the Chairperson as the Vice-Chairperson of the Fire Protective Services Committee for the ensuing year.

308-19: Gawalko That Smoky Lake County Council delegate it's authority to the Smoky Lake County Fire Protection Services Committee for all purposes allowed in the Municipal Government Act.  
Carried.

**2. Agenda:**

309-19: Halisky That the Fire Protective Services Committee Meeting Agenda for Monday, December 16, 2019, be adopted, as amended:

**Deletion to the Agenda:**

7.1 Delegation: Harry Shapka – Re: Fire Invoice Appeal #45861

Carried Unanimously.

**3. Minutes:**

310-19: Halisky That the Minutes of the Smoky Lake County Fire Protective Services Committee Meeting held on Tuesday, October 15, 2019, be adopted as presented.  
Carried.

311-19: Gawalko That the Action List from the Smoky Lake County Fire Protective Services Committee Meeting held on Tuesday, October 15, 2019, be filed for information.  
Carried.

**4. Request for Decision:**

**Mutual Aid Agreement with County of Two Hills**

312-19: Halisky That Smoky Lake County execute a Mutual Aid Agreement with County of Two Hills for the Year 2017 to Year 2021 Election Term at a cost of \$200/hour/unit.  
Carried.

**Bylaw No. 1363-19: Fireworks**

313-19: Cherniwchan That Smoky Lake County **Bylaw No. 1363-19: Fireworks**, being a bylaw for the purpose of regulating and controlling setting off fireworks within Smoky Lake County, be given **FIRST READING**.  
Carried.

Moved by Councillor Orichowski that Smoky Lake County **Bylaw No. 1363-19: Fireworks**, being a bylaw for the purpose of regulating and controlling setting off fireworks within Smoky Lake County, be given **SECOND READING**.

Carried.

Moved by Councillor Gawalko that Smoky Lake County **Bylaw No. 1363-19: Fireworks**, being a bylaw for the purpose of regulating and controlling setting off fireworks within Smoky Lake County, be given **PERMISSION** for **THIRD AND FINAL READING**.

Carried Unanimously.

Moved by Councillor Halisky that Smoky Lake County **Bylaw No. 1363-19: Fireworks**, being a bylaw for the purpose of regulating and controlling setting off fireworks within Smoky Lake County, be given the **THIRD and FINAL READING** and that the Reeve and the Chief Administrative Officer are hereby authorized to fix their signatures to all necessary documents and that the corporate seal also be fastened where it is deemed to be necessary.

Carried.

**Policy Statement: 02-22-03 – Fireworks Permit Agreement**

314-19: Orichowski

That Smoky Lake County Policy Statement 02-22-03 – Fireworks Permit Agreement be amended:

|  |                    |                          |
|--|--------------------|--------------------------|
| <b>Title: Fireworks Permit Agreement</b> |                    | <b>Policy No.: 22-03</b> |
| <b>Section: 02</b>                       | <b>Code: P - R</b> | <b>Page No.: 1 of 4</b>  |

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|                               |   |
|-------------------------------|---|
| <b>Legislation Reference:</b> | <i>Municipal Government Act and<br/>National Fire Code – Explosives Act</i> |
|-------------------------------|---|

|                 |  |
|-----------------|--|
| <b>Purpose:</b> | To monitor the discharge of Fireworks. |
|-----------------|--|

| <b>Policy Statement and Guidelines:</b> |  |
|---|--|
| <b>1. STATEMENT:</b>                    |  |
| 1.1                                     | Fireworks are a safety issue that can result in harm to individuals and property.  |
| 1.2                                     | Smoky Lake County, will allow fireworks in respect to “ <b>Bylaw No. 1363-19</b> ” to regulate and control the setting off of fireworks within the geographical area of the County by a permit issued by the County Fire Chief or delegate (Deputy Fire Chief or Peace Officer). |
| <b>2. DEFINITIONS</b>                   |  |
| 2.1                                     | <b>County Fire Chief:</b> means the individual who is appointed Fire Chief of the County, or his or her delegate (Deputy Fire Chief or Peace Officer).   |
| 2.2                                     | <b>Consumer Fireworks:</b> are low-hazard and designed for recreational use. They include items like Roman candles, sparklers, fountains, volcanoes, mines, and snakes. Classified as F.1.   |
| 2.3                                     | <b>Display Fireworks:</b> are high-hazard and designed for professional use. They include items like areal shells, cakes, Roman candles, waterfalls, lances and wheels. Classified ad F.2.   |

|  |                    |                          |
|--|--------------------|--------------------------|
| <b>Title: Fireworks Permit Agreement</b> |                    | <b>Policy No.: 22-03</b> |
| <b>Section: 02</b>                       | <b>Code: P - R</b> | <b>Page No.: 2 of 4</b>  |

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**Policy Statement and Guidelines:**

**3. GUIDELINES**

3.1 No person shall discharge Fireworks within Smoky Lake County unless he/she holds a valid permit for that purpose issued by the County Fire Chief or his/her delegate (Deputy Fire Chief or Peace Officer)

3.2 Valid Permit is the application, as per **Schedule "A": Permit to Display / Discharge Fireworks**, approved by the County Fire Chief or his/her delegate (Deputy Fire Chief or Peace Officer).

3.3 Persons who discharge Fireworks within Smoky Lake County must comply with the provisions of **Bylaw No. 1363-19**.

3.4 Permit issued under this Policy is not transferable.

3.5 Fireworks Permits are required all year round.

3.6 The County Fire Chief may refuse a permit application or cancel any permit. In the event a permit is cancelled, the permit holder shall be notified by the County of the cancellation and the reason for the cancellation, as soon as is practicable.

3.7 Fireworks shall not be discharged during times of fire advisory or fire ban, as **referenced in Smoky Lake County Fire Protection Services Bylaw**.

**SCHEDULE "A"**

**PERMIT TO DISPLAY / DISCHARGE FIREWORKS**

**THIS PERMIT IS ONLY VALID IN SMOKY LAKE COUNTY to Discharge Fireworks**

This Permit authorizes: \_\_\_\_\_  
Applicant's Name

of Address \_\_\_\_\_  
Box City or Town Postal Code

Phone: \_\_\_\_\_ Cellular: \_\_\_\_\_

Low-hazard Consumer Fireworks |  High-hazard Display Fireworks

Request copy of **Fireworks Bylaw** | Fireworks Operator Certificate  
 Yes  No | - Display Supervisor # \_\_\_\_\_

Paper Copy  E-mail Copy | Expires: \_\_\_\_\_

E-mail: \_\_\_\_\_

Land Owner  Occupant  I have received written Permission Authorized from Landowner/Occupant on the land from which I shall discharge fireworks.

Location of Display / Discharge: \_\_\_\_\_

Date and Time of Discharge: \_\_\_\_\_

**Special Conditions:** \_\_\_\_\_

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The Applicant acknowledges the risks of using Fireworks and understands the conditions of display/discharge as outlined in the Smoky Lake County Fireworks Bylaw No. 1363 – 19; Policy excerpts and special conditions shown below and furthermore understands that this permit may be subject to cancellations.

I have read and understand all the conditions and accept full responsibility.

Permit Holder: \_\_\_\_\_ Date: \_\_\_\_\_

Countersigned by: \_\_\_\_\_  
Fire Chief or Delegate Print Name

**NOTE: THIS PERMIT IS NOT VALID UNLESS COUNTERSIGNED AND MAY BE CANCELLED AT ANY TIME.**

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**CONDITIONS:**

1. Any person must have a valid Fireworks Permit issued by Smoky Lake County. **Fire Permits are required year round** and can only be obtained and approved by a County Fire Chief or Delegate. **ALL APPROVED FIREWORKS BY PERMIT, ARE SUBJECT TO NATIONAL OR LOCAL REGULATIONS.**

2. Smoky Lake County may charge any fire suppression response cost to person responsible or the owner or occupancy of the property where a fire occurred from the use of fireworks.

| <b>EXCERPTS FROM THE<br/><i>Smoky Lake County Fireworks Bylaw # 1363-19</i></b> |   |
|---|---|
| 5.6   | While there is no charge for obtaining a fireworks permit, there are penalties for discharging without one or for being in violation of a fireworks permit regulation.          |
| 6.1   | A Person to which a Fireworks Permit has been issued:   |
| 6.1.1   | must comply with the terms and conditions of the Fireworks Permit and <b>Policy Statement No. 02 - 22: Fireworks Permit.</b>  |
| 6.1.2   | shall not Discharge Fireworks during a Fire Advisory, Fire Restriction or Fire Ban.   |
| 6.1.3   | must produce a copy, upon request, of the Fireworks Permit and all applicable fireworks operator certificates at the location of the Fireworks show; and                        |
| 6.1.4   | must immediately notify the County of any change to the information provided to the County.   |
| 6.2   | No Person shall discharge, fire or set off Fireworks in, into, over, on or from,  |
| 6.2.1   | a building.   |
| 6.2.2   | a Motor Vehicle.  |
| 6.2.3   | a Highway.  |
| 6.2.4   | a park or other public place, unless  |
| 6.2.4.1   | the person obtains written permission and special conditions from the Fire Chief or designate (Deputy Fire Chief or Peace Officer) .  |
| 6.2.5   | a treed area or area where there is cured grass   |
| 6.2.6   | within 200 meters of any place where explosives or flammable or combustible liquids or substances are manufactured or stored.   |
| 6.2.7   | within 250 meters of a correctional institution, health care facility, mental health institution, nursing home, social care facility, educational institution or Church, unless |
| 6.2.7.1   | the person obtains written permission and special conditions from the Fire Chief or designate (Deputy Fire Chief or Peace Officer)  |
| 6.2.8   | the wind velocity exceeds 15 km/h or when the Fire Chief or designate deems the weather conditions create an undue fire hazard.   |
| 6.3   | No Person shall have in their possession, sell, offer for sale, give away or other wise distribute, discharge, fire or set off Firecrackers.                                    |
| 6.4   | The Person named on the Fireworks Permit shall be responsible for any property damage or injury caused by the discharge, firing or setting off of Fireworks.                    |
| 6.5   | Fireworks may be permitted on privately-owned residential property if:  |
| 6.5.1   | the property has an area of at least one hectare.   |
| 6.5.2   | the location from which the Fireworks are to be set off is at least 50 metres from the property line.   |

Carried.

**Fire Invoice Appeal 45861: 59213 - RR145**

315-19: Gawalko

That Smoky Lake County **defer** discussion of Fire Invoice #45861 and Appeal Notice dated October 15, 2019: in regard to a wildfire and structure fire which occurred during the period of May 15-16, 2018 on the land legally described as NE-7-59-14-W4, 59213 Range Road 145, to the next scheduled Fire Protective Committee Meeting.

Carried.

**Fire Invoice Appeal 45860: 13306 Township Road 620**

316-19: Halisky

That Smoky Lake County Fire Chief obtain a physical home address for the registered owner of the vehicle involved in a single-vehicle-rollover which occurred on July 31, 2019 near the address 13306 Township Road 620, in respect to Fire Invoice #45860 and Appeal Notice dated September 25, 2019, for the purpose of forwarding it to a Collection Agency.

Carried.

**5. Issues for Information:**

**Fire Chief's Report**

317-19: Halisky

That the Smoky Lake County Fire Chief's Report prepared by Fire Chief: Scott Franchuk, dated December 12, 2019, be accepted as presented and filed for information.

Carried.

**6. Correspondence:**

No Correspondence.

**7. Delegation:**

**8. Executive Session:**

No Executive Session.

**Next Meeting**

318-19: Orichowski

The next Smoky Lake County **Fire Protective Services Committee Meeting** be scheduled for **Monday, February 24, 2020 at 9:00 a.m.** to be held in County Council Chambers.

Carried.

**ADJOURNMENT:**

319-19: Lukinuk

That the Smoky Lake County Fire Protective Services Committee Meeting of December 16, 2019, be adjourned, time 3:51 p.m.

Carried.

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CHAIRMAN

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CHIEF ADMINISTRATIVE OFFICER