

BYLAW NUMBER 18M2016

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND BYLAW 55M2014,
THE FIRE OPERATIONS AND FEES BYLAW**

WHEREAS Council has considered CPS2016-0083 and deems it necessary to amend Bylaw 55M2014, the Fire Operations and Fees Bylaw;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 55M2014, the Fire Operations and Fees Bylaw, as amended, is further amended.
2. In subsection 2(1):
 - (1) after the definition of "*apparatus*", the following is added:

"*blasting*" means handling, preparing, firing, burning or destroying an *explosive*";
 - (2) after the definition of "*equipment*", the following is added:

"*explosive*" means a chemical compound or mixture that by fire, friction, impact, percussion or detonation, may cause a sudden release or gases at a pressure capable of producing destructive effects to adjacent objects or killing or injuring a person, but does not include *firecrackers* or *fireworks*";
 - (3) after the definition of "*Fire Code*", the following is added:

"*firecrackers*" means firecracker as defined in the *Explosives Act*, R.S.C. 1985, c. E-17, the *Explosives Regulations*, 2013 SOR/2013-211 and the *Alberta Fire Code* 2014;"

and
 - (4) after the definition of "*fire protection*", the following is added:

"*fireworks*" means fireworks as defined in the *Explosives Act*, R.S.C. 1985, c. E-17, the *Explosives Regulations*, 2013 SOR/2013-211 and the *Alberta Fire Code* 2014;

3. After section 19, the following is added:

"PART V.1

BLASTING PERMITS

Prohibition

- 19.1 (1) A *person* must not engage in *blasting* unless that *person* possesses a valid and subsisting *blasting* permit issued by the *Fire Chief*.
- (2) A *property owner* must ensure that there is a valid and subsisting *blasting* permit in place for any *blasting* on that *property owner's* property.
- (3) A *person* must not engage in *blasting* in a manner contrary to the terms and conditions set out in the *blasting* permit relating to that *blasting*.

Permits

- 19.2 (1) The *Fire Chief* may:
- (a) issue *blasting* permits;
 - (b) issue a *blasting* permit on a one-time or multiple basis;
 - (c) charge a fee for the issuance of a *blasting* permit;
 - (d) amend or revoke a *blasting* permit at any time;
 - (e) require a site inspection before issuing a *blasting* permit;
 - (f) require a site inspection prior to any *blasting* conducted pursuant to a *blasting* permit;
 - (g) charge a fee for any inspections relating to a *blasting* permit; and
 - (h) attach terms and conditions to a *blasting* permit.
- (2) In the case of a multiple *blasting* permit containing terms and conditions meant to apply to all *blasting* pursuant to the permit, the *Fire Chief* may waive terms and conditions in relation to a specific *blasting* activity or activities, upon application in writing by the *person* to which the *blasting* permit has been issued.
- (3) The *Fire Chief* is not required to issue a *blasting* permit unless the required fee for the permit has been paid by the *person* applying for the permit.
- (4) Fees paid for a *blasting* permit are not refundable.

- (5) *Blasting* permits are not transferable.
- (6) If, in the sole opinion of the *Fire Chief*, a *blasting* activity poses a danger or does not comply with the requirements of this Bylaw or the terms and conditions set out in a *blasting* permit, the *Fire Chief* may:
- (a) direct the *blasting* activity to stop forthwith;
 - (b) issue a stop work order until the terms and conditions are met;
 - (c) revoke the *blasting* permit; or
 - (d) take any other step the *Fire Chief* deems necessary to ensure public safety.

19.3 An application for a *blasting* permit must be in the form and contain the information prescribed by the *Fire Chief*."

4. In **SCHEDULE "B" – MINIMUM AND SPECIFIED PENALTIES**, under the headings indicated, after:

<u>Section</u>	<u>Offence</u>	<u>Minimum Penalty</u>	<u>Specified Penalty</u>
"18(4)	Ground thawing fire using solid fuel	\$250	\$500"

the following is added:

<u>Section</u>	<u>Offence</u>	<u>Minimum Penalty</u>	<u>Specified Penalty</u>
"19.1(1)	Engage in <i>blasting</i> without a permit	\$5000	\$7500
19.1(3)	Engage in <i>blasting</i> contrary to permit	\$5000	\$7500"

5. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2016.

READ A SECOND TIME THIS ____ DAY OF _____, 2016.

READ A THIRD TIME THIS ____ DAY OF _____, 2016.

MAYOR
SIGNED THIS ____ DAY OF _____, 2016.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2016.

PROPOSED