

THE CITY OF EDMONTON

BYLAW 20958

FIRE RESCUE SERVICES BYLAW Amendment No. 11

Edmonton City Council enacts:

1. Bylaw 15309, Fire Rescue Services Bylaw, is amended by this bylaw.
2. Subsection 2(a.1) is added following subsection 2(a)

DEFINITIONS

2 (a.1) “Alarm Business” means any person in the business of:

- (i) selling, leasing, installing, maintaining, repairing, replacing or servicing Fire Alarm Systems that request a response from fire rescue services upon being activated, or
- (ii) monitoring or reporting Fire Alarm System activations to fire rescue services.

3. Section 2(f) is removed and replaced with the following definition:

DEFINITIONS

2 (f) “Fire Alarm System” means any mechanical or electrical device which is designed or used for the detection and alert of heat, smoke or fire;

4. Subsections 2(1.1) and (1.2) are added following subsection 2(1)

DEFINITIONS

2 (1.1) “Unwanted Alarm” means the activation of a Fire Alarm System at any type of property, regardless of how caused, as a result of which a fire rescue services response is provided where no actual danger or possible danger to the safety, health and welfare of people, property or the environment exists;

(1.2) “Unwanted Alarm Fee” means the amount determined by the City Manager payable for the fire rescue services response to an Unwanted Alarm;

5. Section 9 is deleted and replaced with:

- UNWANTED ALARM** 9 (1) No person, including an owner or an Alarm Business, shall cause, whether directly or indirectly, or permit an Unwanted Alarm.
- (2) No person shall provide false or misleading information about the activation of a Fire Alarm System to a Member.

6. Sections 9.1, 9.2 and 9.3 are added following section 9:

- NOTIFICATION OF WORK** 9.1 Where there is a Fire Alarm System on the property, and the owner intends to undertake, or allow the undertaking of any service, test, repair, maintenance, adjustment, alteration or installation of that system which might activate an Unwanted Alarm, prior to the work occurring:
- (a) the owner must notify the City directly through the fire drill line posted on the City website, and
- (b) where an Alarm Business is responsible for the Fire Alarm System, the owner must notify the Alarm Business, and the Alarm Business must notify the City directly through the fire drill line posted on the City website.

- UNWANTED ALARM FEE** 9.2 (1) Upon a second or any subsequent occurrence of an Unwanted Alarm during any consecutive 12 month period, the City Manager may provide the owner with an invoice setting out the Unwanted Alarm Fee owing and directions for payment.
- (2) Despite subsection (1), upon any occurrence of an Unwanted Alarm, where the City Manager has received evidence that the Unwanted Alarm was caused by the negligence of an owner, or intentionally by an owner, the City Manager may provide the owner with an invoice setting out the owing Unwanted Alarm Fee and directions for payment, which could include the entirety of the costs of the fire rescue services response for the Unwanted Alarm.

**REQUEST FOR
WAIVER OF FEE**

- 9.3 (1) An owner may request a waiver of an Unwanted Alarm Fee no later than 14 days from the date the City sends the owner an Unwanted Alarm Fee invoice.
- (2) Before a request for waiver can be processed, the owner must provide evidence in a manner and form acceptable to the City Manager within 60 days of the date the City sends the owner an Unwanted Alarm Fee invoice, showing that:
- (a) the Unwanted Alarm was caused by the action of some other person other than:
 - (i) the owner or the owner's officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the owner,
 - (ii) the person who installed, connected, operated, maintained or serviced the Fire Alarm System, or
 - (iii) the manufacturer of the Fire Alarm System, including the manufacturer's officers, agents, employees, independent contractors or any person subject to the direct or indirect control of the manufacturer; or
 - (b) based on the evidence provided it is in the public interest not to charge a fee, including where:
 - (i) the Unwanted Alarm was caused by a severe storm, lighting, tornado or other extreme act of nature,
 - (ii) the Unwanted Alarm was caused unintentionally through human accident, or
 - (iii) there was an error caused by the City in the issuance of the invoice.
- (3) A response to the request will be provided to the requesting owner within 60 days of the City receiving the evidence provided under subsection (2).

- (4) Any decision on a waiver requested under this section 9.3 will be made at the City Manager's sole discretion.

7. Sections 25 to 29, are removed in their entirety, and replaced with:

POWER TO SET AND CHARGE FEES

- 25 (1) The City Manager may set and charge fees relating to the following services provided by fire rescue services based on the actual cost of providing the service, plus an administration fee:
- (a) fire inspections;
 - (b) permits;
 - (c) fire response or requested services;
 - (d) administration; and
 - (e) any other material or service provided, or permit issued, by fire rescue services pursuant to the Safety Codes Act.
- (2) The fees provided for in subsection (1) may be charged to any person requiring or requesting one or more of the services described in subsection (1).

EXTRAORDINARY AND UNUSUAL COSTS

- 26 (1) The City Manager may charge an additional fee where the actual cost of providing a service exceeds the amount set by the City Manager under section 25 because of reasons outside of fire rescue services' control, and providing the service:
- (a) took an unusually long time;
 - (b) required specialized equipment, Apparatus or materials;
or
 - (c) required specialized labour, or additional contracted labour, that is not normally required to perform that service.
- (2) The additional fee provided for in subsection (1) must reflect the actual cost of providing the service, plus an administration fee.

- (3) If Apparatus is damaged, or contaminated by a Hazardous Material, in the course of fire rescue services providing any service, the City Manager may charge a fee reflecting the cost of the damage.
- (4) The fees provided for in this section 26 may be charged to any person who benefits from the service provided, which may include, but is not limited to, a registered owner of a vehicle, an owner of the parcel of land, an owner of any other property, or any person legally in care and control of the property.

INVOICING OF FEES 27 A person who is charged a fee pursuant to section 25 or 26 will be provided with an invoice setting out the fees owing.

- PAYMENT OF FEES** 28 (1) Any person who is charged a fee pursuant to this Bylaw must pay the fee within the time and in the manner specified on the invoice issued under section 27.
- (2) Any fee that is not paid becomes a debt owing to the City by the person to whom the fee was charged, which, where permitted under the Municipal Government Act, may be added by the City to the tax roll of the property where the services were provided.

OWNER LIABLE 29 The owner of a parcel of land is liable for expenses and costs related to the City extinguishing fires on the parcel.

8. Schedules A, B, C and D are deleted.
9. This bylaw comes into force on January 1, 2025.

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

THE CITY OF EDMONTON

MAYOR

CITY CLERK