

**BYLAW 12-04
TOWN OF BLACK DIAMOND**

BEING A BYLAW OF THE TOWN OF BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, REGULATING THE COST OF FIRE DEPARTMENT INSPECTIONS.

WHEREAS the Town of Black Diamond has been authorized by Section 66(3) of the Safety Codes Act, Chapter S-1 of the Revised Statutes of Alberta 2000 as amended to enact a bylaw respecting fees for the carrying out of its powers and duties as an accredited municipality;

AND WHEREAS it is considered desirable that such a bylaw be enacted;

NOW THEREFORE the Council of the Town of Black Diamond enacts as follows:

This Bylaw shall be known and may be cited as the "Fire Department Inspection Fees Bylaw" of the Town of Black Diamond.

1. DEFINITIONS

a) In this Bylaw, unless the context other requires:

- Group "A" Division "1" Assembly occupancies intended for the production and viewing of the performing arts.
- Group "A" Division "2" Assembly occupancies not elsewhere classified in Group A.
- Group "A" Division "3" Assembly occupancies of the arena type.
- Group "A" Division "4" Assembly occupancies in which occupants gather in the open air.
- Group "B" Division "1" Care or Detention occupancies in which persons are under restraints or are incapable of self-preservation because of security measures not under their control.
- Group "B" Division "2" Care or Detention occupancies in which persons having cognitive or physical limitations require special care of treatment.
- Group "C" Residential Occupancies
- Group "D" Business and personal services occupancies
- Group "E" Mercantile Occupancies

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- Group "F" Division "1" High Hazard Industrial Occupancies
- Group "F" Division "2" Medium Hazard Industrial Occupancies
- Group "F" Division "3" Low Hazard Industrial Occupancies
- Safety Codes Officer (SCO) means an individual designated as a safety codes officer under section 31

2. INSPECTIONS AND RECORD KEEPING

- a) All inspections and record keeping shall be undertaken in accordance with the inspection and record keeping requirements of the Town of Black Diamond Quality Management Plan as adopted by Council.
- b) Each A, B, C, D, E, F type occupancy in the Town of Black Diamond requires one (1) Fire Safety Inspection annually.
- c) No personal residence under the C type occupancy will have a Fire Safety Inspection conducted, unless by written request of the owner.
- d) Only Safety Codes Officers and those training to be Safety Codes Officers (under the guidance of a certified and designated Safety Codes Officer) can conduct a Fire Safety Inspection.
- e) In the event that re-inspection(s) are required, the time limit accorded shall be at the sole discretion of the SCO and shall, at all times, be reasonable and based on the safety concerns related to the infraction(s).

3. FEES

The fees, charged to the owner and/or operator of the facility (as applicable), as per Schedule "A" Fire Inspection Fees shall be payable in advance or upon receipt of invoice, unless included in the Business License fee.

4. ENFORCEMENT

The Town is not required to enforce this bylaw. In deciding whether to enforce this Bylaw, the Town may take into account any practical concerns, including available municipal budget and personnel resources.



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5. SEVERABILITY

Each provision of this Bylaw is independent of all other provisions. If any provision is declared invalid for any reason by the Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

6. COMING INTO FORCE

- a) This Bylaw comes into force upon third and final reading.

This Bylaw shall repeal Bylaw 11-10 and any amendments thereto.

READ A FIRST TIME this 5th day of September, A.D. 2012.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

READ A SECOND AND THIRD TIME this 5th day of September, A.D. 2012.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE "A" FEES

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| Municipal Facilities | No Charge |
| <u>Group B, Division 2</u> Hospitals, senior citizen lodges, daycare facilities | \$200.00 per inspection |
| <u>Group C</u> Apartments, condominiums | \$200.00 per inspection |
| Residential homes (<i>by written request</i>) | \$50.00 per inspection |
| Bed & Breakfasts Hotels, motels (<i>non-licensed, no food service</i>) | \$100.00 per inspection <i>Included in Business License fee</i> |
| <u>Group A, Division 2</u> Schools and churches | \$200.00 per inspection |
| Hotels, motels (<i>licensed and/or food service</i>) Restaurants/food preparation facilities | \$100.00 per inspection <i>Included in Business License fee</i> |
| <u>Group D, Group E, Group F Division 1, 2 and 3</u> All other businesses | \$50.00 per inspection <i>Included in Business License fee</i> |
| Construction Plan Review | \$75.00 per set of plans (<i>excludes single family dwellings</i>) |
| Re-inspection First follow-up - to ensure compliance, as directed by an SCO | No Charge |
| Re-inspection Second follow-up - to ensure compliance, as directed by an SCO | \$200.00 |
| Re-inspection Third follow-up - to ensure compliance, as directed by an SCO | \$400.00 |