



AGENDA
Regular Council Meeting
4:30 PM – Monday May 3, 2021

Virtual Remote Meeting & Live Stream on Drumheller Valley YouTube Channel

1. CALL TO ORDER

2. OPENING REMARK

2.1 Deputy Mayor Oath – Councillor Lacher – May and June

2.2 Emergency Preparedness Week – May 2nd – 8th

2.3 2021 Statistics Canada Census – Begins May 3rd

2.4 Meeting Change - Monday May 10th will be a Regular Council Meeting

3. ADOPTION OF AGENDA

3.1 Agenda for May 3, 2021 Regular Council Meeting

Motion: That Council adopt the agenda for the May 3, 2021 Regular Council meeting as presented.

4. MINUTES

4.1 Minutes for the April 19, 2021 Regular Council Meeting

Motion: That Council adopt the minutes for April 19, 2021 Regular Council meeting as presented.

[Regular Council Meeting Minutes – 2021 Apr 19](#)

4.2 Minutes from the March 16, 2021 Drumheller Housing Administration Meeting

Motion: That Council accept as information the minutes for March 16, 2021 Drumheller Housing Administration Meeting as presented.

[Drumheller Housing Administration Minutes – 2021 Mar 16](#)

5. REQUEST FOR DECISION AND REPORTS

5.1. CHIEF ADMINISTRATIVE OFFICER

5.1.1 Board Application Drumheller Public Library Board - Mitchell Barry

Motion: That Council approve the appointment of Mitchell Barry to the Drumheller Public Library Board for a term of three (3) years starting May 2021 and ending May 2024.

[RFD – Library Board Application – M. Barry](#)

5.1.2 Fireworks Bylaw 19.20 and Fireworks Bylaw 09.21 – Discussion

Motion: That Council give second reading to Fireworks Bylaw 19.20 as presented.

Motion: That Council give first reading to Fireworks Bylaw 09.21 and set the public hearing for Monday May 17th 2021, at 5:30pm.

[RFD – Fireworks Bylaw 09.21](#)

[Fireworks Bylaw 19.20 - 2020](#)

[Fireworks Bylaw 09.21 - 2021](#)

5.2. CHIEF RESILIENCY & FLOOD MITIGATION OFFICER

5.2.1 Flood Mitigation Update

5.3. DIRECTOR OF EMERGENCY AND PROTECTIVE SERVICES

5.4.1 Covid Update

6. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

6.1 Director of Emergency and Protective Services – Greg Peters

[Emergency and Protective Services – First Quarter Report 2021](#)

6.2 Chief Administrative Officer – Darryl Drohomerski

[Chief Administrative Officer – First Quarter Report 2021](#)

7. PUBLIC HEARING TO BEGIN AT 5:30pm

Public Hearing for Bylaw 08.21

1. Mayor Open Public Hearing
2. Mayors Introduction of Matter – Public Hearing for Area Structure Plan 08.21 Amendment of 02.16
3. Area Structure Plan Amendment 08.21 to Bylaw 02.16 – Former St. Anthony’s –
Presented by Devin Diano, CEO/Director of Planning, Palliser Regional Municipal Services
[Palliser Municipal Regional Services – ASP 08.21 Presentation](#)
4. Rules of Conduct
5. Announcement of Public to Speak
6. Public - Registered to Present Remotely / Phone - 5 minute time limit
7. Public - Written Submission Read Aloud - 5 minute time limit -
[David Barry Keirle](#)
8. Mayor Call for Public Hearing to Close

7. CLOSED SESSION

- 7.1 Drumheller Flood Mitigation Project – FOIP 16 (1) – Disclosure harmful to business interests of a third party
- 7.2 Leasing of Town Owned Land – FOIP 16 (1) – Disclosure harmful to business interests of a third party

Motion: That Council close the meeting to the public to discuss the Drumheller Flood Mitigation Project and leasing of Town owned land as per FOIP 16 (1).

8. ADJOURNMENT



AGENDA
Regular Council Meeting
4:30 PM – Monday April 19, 2021

Virtual Remote Meeting & Live Stream on Drumheller Valley YouTube Channel

IN ATTENDANCE

Mayor Colberg
Councillor Jay Garbutt
Councillor Tony Lacher
Councillor Fred Makowecki
Councillor Tom Zariski
Councillor Lisa Hansen-Zacharuk

Chief Administrative Officer (CAO): Darryl Drohomerski
Chief Resiliency and Flood Mitigation Officer (CRFMO): Darwin Durnie
Director of Emergency and Protective Services: Greg Peters
Director of Infrastructure Services: Dave Brett
Director of Corporate Services: Mauricio Reyes
Finance Manager: Elin Gwinner
Community Development & Social Planning: Tiffany Scarlett
Manager of Recreation, Arts and Culture: Darren Goldthorpe
Communication Officer: Erica Crocker
Legislative Assistant: Denise Lines

REGRETS

Councillor Kristyne DeMott

1. CALL TO ORDER

1.1 Mayor Colberg call the meeting to order at 4:30pm.

2. OPENING REMARK

2.1 Volunteer Appreciation Week April 18 – 25th

The Planning and Development department has seen an increase of requests for patios.

3. ADOPTION OF AGENDA

3.1 Agenda for April 19, 2021 Regular Council Meeting

M2021.80 Moved by Councillor Zariski, Councillor Makowecki; that Council adopt the agenda for the April 19, 2021 Regular Council meeting as presented.

Carried unanimously

4. MINUTES

4.1 Minutes for the April 6, 2021 Regular Council Meeting

M2021.81 Moved by Councillor Lacher, Councillor Hansen-Zacharuk; that Council adopt the minutes for April 6, 2021 Regular Council meeting as presented.

Carried unanimously

5. REQUEST FOR DECISION AND REPORTS

5.1. CHIEF ADMINISTRATIVE OFFICER

5.1.1 Petition - Raymond Hill Access – Receipt acknowledged
Municipal Government Act RSA 2000 M-26, Part 7 Public Participation,
Petitions

5.1.2 Request for Decision – Bylaw 08.21 - Amendment to Former St. Anthony's
Area Structure Plan 02.16

M20201.82 Moved by Councillor Zariski, Councillor Garbutt; that Council gives First Reading of Bylaw 08.21 as presented and sets the Public Hearing for Monday May 3, 2021 at 5:30 pm

Carried unanimously

5.2. CHIEF RESILIENCY & FLOOD MITIGATION OFFICER

5.2.1 Flood Mitigation Update

Topics Discussed:

- Dickson Dam Information– water is being released at a steady rate therefore the ice status is good
- Emergency Preparedness Week – May 2-8, 2021
- Great Questions from the Community about the Flood Program
- Regulated Flow vs Natural Flow – policy decision of how the rivers are categorized
- Old Information vs Present
- Flood Mapping – how does it effect our critical infrastructure partners
- CN Right of Way – ongoing clearing and assessment of the embankment as part of the dyke system

5.3. DIRECTOR OF CORPORATE SERVICES

5.3.1 Request for Decision - 2021 Capital Budget - Approval

Presented by Mauricio Reyes, Director of Corporate Services.

Correction under the Financial Impact: Capital Funding, the Total is 3.84M, not the \$3.44M stated in the Request for Decision Report. M. Reyes reiterated that there is no flood mitigation budget information in this report. The graphs have been updated to reflect the break down of the Capital Expenditures.

Director of Infrastructure, Dave Brett answered Councillors questions related to Infrastructure and Public Works.

M2021.83 Moved by Councillor Garbutt, Councillor Zariski; that Council adopt the 2021 Capital Budget as presented.

Carried unanimously

5.3.2 Request for Decision - Mill Rate Bylaw 06.21 – First Reading

Presented by Mauricio Reyes, Director of Corporate Services.

An annual property tax rate bylaw for levying property taxes brought forward for approval as per the Municipal Government Act, Section 353. This bylaw also established levies on behalf of the Drumheller and District Seniors Foundation, The Alberta School Foundation Fund (ASFF) and the Christ the Redeemer Catholic School Division.

M2021.84 Moved by Councillor Zariski, Councillor Garbutt; that Council give first reading to Mill Rate Bylaw 06.21.

Carried unanimously

M2021.85 Moved by Councillor Garbutt, Councillor Makowecki; that Council give second reading to Mill Rate Bylaw 06.21.

Carried unanimously

M2021.86 Moved by Councillor Garbutt, Councillor Zariski; that Council move no objection to third reading to Mill Rate Bylaw 06.21.

Carried unanimously

M2021.87 Moved by Councillor Hansen-Zacharuk, Councillor Garbutt; that Council give third reading to Mill Rate Bylaw 06.21.

Carried unanimously

5.5. DIRECTOR OF EMERGENCY AND PROTECTIVE SERVICES

5.4.1 Covid Update

6. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

6.1 Manager of Human Resources – Nicole Skiftun

BREAK

Mayor Colberg called for a break at 6:12pm

The meeting resumed at 6:20pm

6.2 Manager of Community Development and Social Planning – Tiffany Scarlett

6.3 Manager of Recreation, Arts and Culture – Darren Goldthorpe

6.4 Communications Officer – Erica Crocker

7. ADJOURNMENT

M2021.88 Moved by Councillor Zariski, Councillor Hansen-Zacharuk to adjourn the meeting.

Time: 7:26pm.

Chief Administrative Officer

Mayor

Drumheller Valley YouTube link: <https://www.youtube.com/watch?v=eAgqo-GsCFc>

DRUMHELLER HOUSING ADMINISTRATION - DRU

March 16, 2021 – 12:00 pm Virtual Meeting on ZOOM

BOARD MEETING

CALL TO ORDER

The meeting was called to order at 12:03 pm

In attendance:

- Board Chair Jay Garbutt
- Board member Gerald Martynes
- Board member Kandace Wylie-Toews
- Board member Victoria Madsen
- CAO Bob Sheddy, Cass Houston

APPROVAL OF MINUTES – January 19, 2021

On motion of Gerald and seconded by Kandace the Minutes of January 19, 2021 were accepted as read. Everyone was in favor. Carried

OLD BUSINESS

- \$1,425.08 is held in Trust by the Town of Drumheller. The Town of Drumheller will issue a cheque back to DHA and then the balance will remain \$0.

MANAGEMENT REPORT

- Audit Review - Clean audit with no findings, file review also had no issues. Endeavour is now a part of the Ascend office. Ascend suggested that Porter Hetu could conduct the audit as it is not a part of Ascend. Maybe Kevin Trudel has suggestions of Auditors that the Government likes to use.

MAINTENANCE REPORT

- 3 Furnace Replacements -#33 Pine Pl., #37 Pine Pl. & #24 Hunts - Hems Mechanical \$11,607.75. Now complete. Payment for these was done in 2020.
- 50 Year Agreement for Hunts and Greentree is over with the Province. The Town is interested in a continuation of the agreement. Jay and Bob will meet with Darryl Drohomerski.
- Hunts Annual Inspections Concrete Issues (16/21/22/24/26/27/28/30 Hunts) - Photos provided, may have to do some of that work ourselves in 2020. Bob to look into grant funding.
- Flooring Upgrades Needed 13/20/22/26/27 Hunts & 14/16/27/33/39 Greentree - \$20,000 Capital Grant, Bob emailed Andy Hau re: quoting on flooring, no response back yet.

FINANCIAL REPORTS

- No financials for review this meeting
- Rent Subsidy Budget Calculation - Program on Hold, new program start date was moved from April 1, 2021 to July 1, 2021. No information available at this time on the new program.

- \$180,841 in Sandstone Capital Reserve with the Town of Drumheller


IN CAMERA - On motion of Kandace and, seconded by Gerald the motion to proceed in camera was accepted. All in favour. Carried.

- Greentree Unit - Cleanliness Issue Resolved
- Greentree Unit - Overholding Tenant Discussed

Meeting Dates: Potential for virtual meetings due to current COVID-19 Virus outbreak encouraging Social Isolation.

Meeting adjourned at 12:45 pm.

Minutes Accepted on 20 day of April, 2021



BOARD CHAIR

REQUEST FOR DECISION

TITLE:	Drumheller Public Library Board
DATE:	April 28, 2021
PRESENTED BY:	Darryl Drohomerski, CAO
ATTACHMENT:	Mitchell Barry Application

SUMMARY:

In accordance with Bylaw 18-09 the Drumheller Public Library Board shall consist of not fewer than 5 and not more than 10 members appointed by Council. Appointments to the Municipal Board shall be for a term of up to 3 years. Currently there are 3 vacancies on the Board. An application has been submitted by Mitchell Barry to join the Board.

RECOMMENDATION:

The current members of the Drumheller Public Library Board recommend the appointment of Mitchell Barry to fill the current vacancy.

DISCUSSION:

Board and Committee volunteer roles create public participation opportunities. It is important to the health of Town boards and committees to having a broad representation of community members.

FINANCIAL IMPACT:

N/A

STRATEGIC POLICY ALIGNMENT:

Good governance.

COMMUNICATION STRATEGY:

Boards are informed when Council makes member appointments.

MOTION:

That Council approve the appointment of Mitchell Barry to the Drumheller Public Library Board for a term of three (3) years ending starting May 2021 and ending May 2024.

SECONDED:

Prepared By:

Denise Lines
SR Administrative Assistant

Approved By:



Darryl Drohomerski, C.E.T. CAO



TOWN OF DRUMHELLER BOARD / COMMITTEE APPLICATION FORM

Date: March 23, 2021

Board: Drumheller Public Library

Name of Applicant: Mitchell Barry

Full Address



Phone Number:



Do you have previous Board/Committee experience? Yes No

If yes, please list the Boards and the length of time you served.

Empty box for listing previous boards and experience.

Briefly explain why you are interested in this position and what particular skills you will bring to this Committee or Board.

Drumheller has been my home for most of my life. Having recently moved back, I am looking forward to becoming more involved in the community. Furthermore, I have seen the important role libraries play in providing access to education, specifically for a number of my family members.

As a lawyer, I have gained experience in assisting small and medium sized companies, non-profits, and societies with drafting and filing corporate documents. I also volunteered as a research assistant with the U of S library during my university studies.

Signature:

Date: March 23, 2021

If you have any questions please contact Denise Lines at 403-823-1339. Please email your completed form to dlines@drumheller.ca or submit it at Town Hall.

Personal information is being collected for the purpose of appointing individuals to Town of Drumheller public service boards under the the authority of Section 33 of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection or use of your personal information, please contact the Town of Drumheller's FOIP Coordinator at 403-823-1339.

REQUEST FOR DECISION

TITLE:	Fireworks Bylaw 09.21
DATE:	April 28, 2021
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Fireworks Bylaw 19.20 & Fireworks Bylaw 09.21

SUMMARY:

In the fall of 2020, a proposed Fireworks Bylaw 19.20 was brought forward to Council for first reading and a public hearing was conducted. Through many discussions and taking into consideration the feedback from Town Council, vendors, the Fire Chief, and the community, via survey and public hearing, Administration has decided that the best course of action would be to bring forward a new bylaw which would also lead to a public hearing and more public consultation.

The intention of Fireworks Bylaw 09.21 is to recognize the need for clear language and a practical process for vendors and consumers while keeping in mind the safety of the community.

RECOMMENDATION:

It is recommended that Fireworks Bylaw 19.20 be defeated in second reading in order to clearly document the closure on this version and move forward with first reading of Fireworks Bylaw 09.21.

DISCUSSION:

Fireworks Bylaw 09.21 points of interest:

-Section 4. Restrictions & Requirement For The Selling of Fireworks defines and outlines the responsibility of the vendor and the fire works inspector for the safe storage and handling of fireworks.

-Section 5 Possession, Handling and Discharge of Consumer Fireworks advises the consumer that it is their responsibility to safely discharge fireworks and understand the provincial regulations that govern fireworks.

-Section 5 and Section 6 defines the differences and expectations between Consumer and Display Fireworks

-Schedule A Permit Fees are in place to cover the administrative work that that is defined under Section 4. Restrictions & Requirements for the Selling of Fireworks and Section 6. Possession, Handling and Discharge of Display Fireworks.

-Schedule B Specified Penalties fees have been adjusted.

The Fire Chief has reviewed 09.21 and agrees with the changes from the previous version. Protective Services drafted the Bylaw and has met with vendors to discuss the changes in 09.21 and incorporate their processes for the sale of fireworks into the new Bylaw.

FINANCIAL IMPACT:

The fees in Schedule A are to cover the administrative costs of fire inspections and permits in order to encourage the safe and responsible handling of fireworks within our community. The fees in Schedule B are to hold the consumer accountable for the misuse of fireworks.

STRATEGIC POLICY ALIGNMENT:

Good governance.

COMMUNICATION STRATEGY:

Circulation of the Fireworks Bylaw 09.21, Public Hearing.

MOTION:

1. That Council give second reading to Fireworks Bylaw 19.20 as presented.

Seconded:

MOTION:

2. That Council give first reading to Fireworks Bylaw 09.21 as presented.

Seconded:

Prepared By:

Denise Lines, SR Admin Assistant

Approved By:


Darryl Drohomerski, C.E.T., CAO

TOWN OF DRUMHELLER

BYLAW NO #19.20

A BYLAW OF THE TOWN OF DRUMHELLER TO REGULATE AND CONTROL THE SALE AND SETTING OFF OF FIREWORKS WITHIN THE MUNICIPALITY OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS pursuant to section 8 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended, a council may, in a bylaw, regulate or prohibit and provide for a system of licenses, permits or approvals;

AND WHEREAS Council for the Town of Drumheller recognizes that fireworks are explosive devices which are classified as dangerous goods under the Alberta Fire Code and which, when used improperly by untrained persons, can cause injury, damage, fire and death;

AND WHEREAS Council for the Town of Drumheller recognizes that fireworks are explosive devices which are classified as dangerous goods under the *National Fire Code – 2019 Alberta Edition* and present a risk to the safety, health, and welfare of persons and the safety of property within the geographic limits of the Municipality of the Town of Drumheller limits, particularly when sold, possessed, and used by persons not properly trained and certified;

NOW THEREFORE, the Council for the Town of Drumheller, duly assembled, hereby enacts as follows:

SECTION 1. NAME OF BYLAW

- 1.1 This bylaw may be cited as the "Fireworks Bylaw".

SECTION 2. PURPOSE

- 2.1 The Town wishes to enact a bylaw for the purpose of providing for the sale, possession, storage and discharge of Fireworks in compliance with:
 - i. Any applicable municipal bylaws, policies, procedures and guidelines;
 - ii. The *National Fire Code – 2019 Alberta Edition*, as amended;
 - iii. The *Safety Codes Act*, RSA 2000, C S-1, as amended; and
 - iv. The *Explosives Act* and *Explosives Regulations*.

SECTION 3. DEFINITIONS

- 3.1 "Alberta Fire Code": means the National Fire Code – 2019 Alberta Edition, as amended or repealed and replaced from time to time.
- 3.2 "CAO" shall mean the Chief Administrative Officer for the Town of Drumheller or his designate.
- 3.3 "Display Fireworks" means display fireworks classified as such under the Regulation, including outdoor, high hazard and recreational fireworks which only licensed users may use, in accordance with the Regulation;

- 3.4 "Display Supervisor" means a person who holds a fireworks operator certificate (display supervisor) issued under the Explosives Act;
- 3.5 "Distribute" means to deal out or bestow in portions or shares to one recipient, or among many recipients;
- 3.6 "Enforcement Officer" means an individual appointed or appointed by the Town pursuant to the *Municipal Government Act* to enforce Town Bylaws, including a peace officer or a member of the Royal Canadian Mounted Police;
- 3.7 "*Explosives Act*" means the *Explosives Act*, R.S.C., 1985, c E-17 and the regulations enacted thereunder, as amended or repealed and replaced from time to time;
- 3.8 "Explosive Regulations" means the *Explosives Regulations, 2013*, SOR/2013-211
- 3.9 "Fire Chief" shall mean the member of the Drumheller Fire Department appointed as head of the Fire Department by the CAO;
- 3.10 "Fire Department" shall mean the fire department as established by Council and organized by the Town consisting of, among other things, all person appointed or recruited to the various positions within the Fire Department and all buildings, equipment, apparatus, materials and supplies used in the operation, maintenance and administration of the Fire Department;
- 3.11 "Firecracker" means any device that explodes instantaneously when ignited and does not produce any subsequent display or visible effect after the explosion and includes, but is not limited to, those devices commonly known as 'Chinese' firecrackers, but does not include paper caps containing not more than 16.2 mg (¼ grain) of explosive per cap or devices to be used with the paper caps, such as Christmas crackers and caps used in cap pistols;
- 3.12 "Fireworks" shall mean those Fireworks defined by the *Explosives Act* and *Explosives Regulations*, including Consumer Fireworks, Display Fireworks and Special Effect Pyrotechnics but does not include firecrackers, explosive devices, caps for toy guns, sparklers or model rocket engines;
- 3.13 "Fireworks Permit" means any one or more of the three (3) documents issued by the Municipality which constitutes written permission for purposes of the *National Fire Code – 2019 Alberta Edition*:
- i. Consumer (low-hazard) fireworks permit;
 - ii. Display (high-hazard) fireworks permit; or
 - iii. Fireworks Vendor permit;
- 3.14 "High-Hazard Fireworks" or "Display Fireworks" shall mean those Fireworks listed as Class F.2 in Part 18 of the *Explosives Regulations*;
- 3.15 "Low Hazard Fireworks" or "Consumer Fireworks" shall mean those Fireworks listed as Class F.1 in Part 16 of the *Explosives Regulations*;
- 3.16 "Minor" means an individual who is under 18 years of age;
- 3.17 "Municipality" means the Municipality of the Town of Drumheller, a municipal corporation in the Province of Alberta and, where the context so requires, means the area contained within the corporate boundaries of the of the Town of Drumheller;

- 3.18 "Municipal Ticket" shall mean a written notice, on a form approved by the CAO, issued by any Enforcement Officer, to advise a person that a violation of this Bylaw has occurred and that, by payment of a specified amount for the offence within a set period, that person will avoid prosecution for the offence;
- 3.19 "Noise Bylaw" is referred to in Bylaw No. 06.19, section 3.35-3.37 of the Town of Drumheller, as amended or repealed and replaced from time to time;
- 3.20 "Peace Officer" includes a member of the Royal Canadian Mounted Police
- 3.21 "Permit Holder" means a person to whom a permit has been issued;
- 3.22 "Person" means:
- i. an individual;
 - ii. an incorporated entity, including a corporation, society, or cooperative; and
 - iii. the individual or individuals who are, or hold themselves out to be, legally entitled to represent an unincorporated entity such as a partnership, firm, association, organization or entity;
- 3.23 "Pyrotechnician" means an individual who is certified and authorized to purchase and supervise the display of Special Effect Pyrotechnics Fireworks under the *Explosives Act*;
- 3.25 "Regulation" means *Explosives Regulations, 2013*, SOR/2013-2011, as amended or repealed and replaced from time to time;
- 3.26 "Safety Codes Officer" means an individual designated as a Safety Codes Officer in the Fire Discipline under the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended; and;
- 3.27 "Special Effect Pyrotechnics" shall mean those Fireworks listed as Class F.3 in Part 17 of the *Explosives Regulations*;
- 3.28 "Violation Ticket" shall mean a ticket issued pursuant to the *Provincial Offences Procedure Act*, RSA 2000, C. P-34, as amended and any regulations thereunder.

SECTION 4. PROHIBITIONS

- 4.1 No person shall display for sale, offer for sale, sell, possess, store, handle, set off, or discharge any fireworks within the Town without written permission from the Fire Chief, acting as an agent of the Town and subject to the direction of Council through the bylaw.
- 4.2 No person may obtain, purchase, set off, discharge or otherwise handle Fireworks within the Town without written permission of the Fire Chief, acting as an agent of the Town and subject to direction of Council through the bylaw.
- 4.3 No person shall knowingly sell any Fireworks to a person who is under the age of 18 years.
- 4.4 No person under the age of 18 years shall purchase, possess, handle, discharge, fire or set off Fireworks.

SECTION 5. FIRECRACKERS PROHIBITED

- 5.1 No person shall; have in that person's possession, sell, offer for sale, give away or otherwise distribute, discharge, fire, use, or set off firecrackers.

SECTION 6. REQUIREMENTS FOR FIREWORKS PERMIT

- 6.1 All persons purchasing, possessing, handling, discharging, firing or setting off of Fireworks shall conform to all requirements of the *National Fire Code – 2019 Alberta Edition*, the *Explosives Regulations* and the provisions of the bylaw.
- 6.2 An application for a Fireworks Permit must be submitted in the form prescribed by the Municipality a minimum of 5 business days prior to the Event, and be accompanied by the application fee set out in Schedule "A"
- 6.3 Upon receipt of a completed application for a Fireworks permit the Fire Chief may, in his discretion:
 - i. issue a Fireworks Permit with or without conditions; or
 - ii. refuse to issue a Fireworks Permit
- 6.4 Any person purchasing, possessing, handling, discharging, firing or setting off Fireworks shall keep the Fireworks Permit available for immediate production to the Fire Chief or Enforcement Officer upon demand.
- 6.5 The Fire Chief may suspend or revoke a Fireworks Permit if, in the opinion of the Fire Chief acting reasonably:
 - i. the holder of the Fireworks Permit has contravened this Bylaw, the *National Fire Code – 2019 Alberta Edition*, any applicable legislation or the terms and conditions of the Fireworks Permit; or
 - ii. the suspension or revocation of the Fireworks Permit is necessary or desirable for the protection of persons or Property.
- 6.6 The person to whom a Fireworks Permit is issued shall:
 - i. ensure that no fire or other damage occurs as a result of Fireworks or Fireworks debris;
 - ii. in the event that a fire occurs, extinguish the fire immediately or contact the Fire Department without delay;
 - iii. ensure that no Fireworks debris or other waste is left behind after the Fireworks are discharged; and
 - iv. ensure that:
 - a. where High Hazard Fireworks are to be discharged, all requirements of the most recent version of the Display Fireworks Manual published by Natural Resources Canada, are complied with;
 - b. where Special Effect Pyrotechnics are to be discharged, all requirements of the most recent version of the Special Effect Pyrotechnics Manual, published by Natural Resources Canada, are complied with; and
 - c. all *National Fire Code – 2019 Alberta Edition* and Fireworks Permit requirements are complied with.
- 6.7 In the event that Fireworks are discharged without a valid Fireworks Permit, the person who causes a Firework to be ignited shall be accountable for those responsibilities listed in subsection 6.6 above and shall be subject to fines as outlined in Schedule "B"

SECTION 7. CONSUMER FIREWORKS PERMITS

- 7.1 A person is not permitted to use consumer fireworks within the Town limits unless that person is in possession of a valid and subsisting consumer fireworks permit.

SECTION 8 DISPLAY FIREWORKS PERMITS

- 8.1 A person is not permitted to use display fireworks within the Town limits unless that person is in possession of a valid and subsisting high-hazard fireworks permit.
- 8.2 In addition to any other information required in a permit application, a person applying for a high-hazard fireworks permit must provide the following information:
- a) For display fireworks:
 - i. a firework display plan, as required by the Explosives Act; and
 - ii. proof of certification as a display supervisor
 - b) For special effect pyrotechnics
 - i. a pyrotechnics plan, as required by the Explosives Act; and
 - ii. proof of certification as a pyrotechnician;
 - c) Such other and further information, records, or additional permits as may be requested or required

SECTION 9. FIREWORKS VENDOR PERMIT

- 9.1 All persons distributing, offering for sale, storing for the purpose of selling, or selling, Fireworks shall conform to all requirements of the *National Fire Code – 2019 Alberta Edition* and the *Explosives Regulations*.
- 9.2 No person shall sell, offer for sale or store for the purpose of sale, Fireworks within the Town unless they hold a valid Firework Vendor Permit.
- 9.3 A Firework Vendor permit-holder must:
- a) Have a yearly Criminal Record Check done and submitted to the Director of Emergency and Protective Services of the Municipality.
 - b) Keep a record of each sale or distribution of fireworks, on the premises where the sale or distribution occurred, for a period of not less than two (2) years as outlined in the *National Fire Code – 2019 Alberta Edition* and the *Explosives Regulations*., and the record must include:
 - i. The date of the sale or distribution;
 - ii. The name, address, and phone number of the purchase;
 - iii. The quantity and type of fireworks sold;
 - iv. The date and time of the expected fireworks use; and
 - v. The location and a description of the site where the fireworks will be used
 - c) Comply with all storage requirements of the Explosives Act and the *Safety Codes Act, RSA 2000, c. S-1*
- 9.4 Upon receipt of a completed application for a Firework Vendor Permit, the Fire Chief may, in his sole discretion:

- a) issue a Fireworks Vendor Permit, with or without conditions; or
 - b) refuse to issue a Fireworks Vendor Permit.
- 9.5 Fireworks Vendor Permit shall expire one (1) year after the date on which the Firework Vendor Permit was issued unless the Firework Vendor Permit establishes a shorter time period.
- 9.6 All requirements for Fireworks sales found in the *National Fire Code – 2019 Alberta Edition, Explosives Act, and Explosives Regulations* are deemed to constitute terms and conditions of any Firework Vendor Permit.
- 9.7 No person shall sell, offer for sale or store for the purposes of sale, Fireworks in a manner that is contrary to the terms and conditions of a Firework Vendor Permit, or otherwise contravene any term of condition of a Firework Vendor Permit.
- 9.8 A person that has been issued a Firework Vendor Permit shall post the Firework Vendor Permit in a manner clearly visible to the public at the premises where the Fireworks are sold, offered for sale, or stored for the purpose of sale.
- 9.9 The Fire Chief may suspend or revoke a Firework Vendor Permit if, in the opinion of the Fire Chief, acting reasonably:
- a) the holder of the Firework Vendor Permit has contravened this bylaw, the *National Fire Code – 2019 Alberta Edition*, applicable legislation or the terms and conditions of the Firework Vendor Permit; or
 - b) the suspension or revocation of the Firework Vendor Permit is necessary or desirable for the protection of persons or property.
- 9.10 The record of sale of Fireworks shall be kept by the vendor in a manner as indicated by the Fire Chief or Enforcement Officer as defined in this bylaw.
- 9.11 The Town of Drumheller shall deny an application for, or a renewal, for all persons required to be licensed under this bylaw that has:
- a) Been convicted at any time of a sexual offence against a minor or a person with a disability under any of sections 151 to 153.1 of the Criminal Code;
 - b) Been convicted of any sexual offence under the Criminal Code in the preceding ten years;
 - c) Been convicted of an offence under the Criminal Code sections in the preceding five years:
 - i. 84 to 117.15 (Firearms and Other Weapons);
 - ii. 264.1 to 286.1 (Offences Against the Person);
 - iii. 321 to 378 (Offences Against Rights of Property);
 - iv. 379 to 462 (Fraudulent Transactions, Wilful and Forbidden Acts of Certain Property, Offences Relating to Currency);
 - v. 462.3 to 462.5 (Proceeds of Crime).
 - d) Been convicted at any time of an offence under the following Criminal Code sections:
 - i. 83.01 to 83.33 (Terrorism)

- ii. 219 to t248 (Major Offenses Against the Person);
 - iii. 267, 268, 270.01, 272, 273 (Major Assaults or Major Sexual Assaults).
- e) Been convicted of an offence under the following Controlled Drugs and Substances Act sections in the preceding ten years:
- i. 5 (Trafficking);
 - ii. 6 (Importing and exporting);
 - iii. 7 (Production);
 - iv. 7.1 (Possession for use in production or trafficking).
- f) Been Convicted of any offence under section 4 (Possession or obtaining) of the controlled Drugs and Substances Act in the preceding five years;

These screening criteria do not apply to any offence for which a licensee or applicant has been granted a criminal record suspension (i.e. a pardon) by the Parole Board of Canada.

SECTION 10. INSPECTIONS

- 10.1 The Fire chief may, at any reasonable hour of the day, and with reasonable notice to the permit-holder, conduct an inspection of:
- a) a fireworks storage site;
 - b) a fireworks sales or distribution site;
 - c) the area surrounding any of the above sites;
 - d) fireworks sales and records;
 - e) any documents related to a permit or a permit application; or
 - f) any one or more of the above.

SECTION 11. ENFORCEMENT

- 11.1 A person who contravenes or fails to comply with a provision of this bylaw is guilty of an offence.
- 11.2 Any person who interferes with or obstructs a bylaw enforcement officer in the execution of the bylaw enforcement officer's duties under this bylaw is guilty of an offence
- 11.3 Where an Enforcement Officer has reasonable grounds to believe that a person has violated any provision of this bylaw, that Enforcement Officer may serve that person with a Violation Ticket.
- 11.2 A Violation Ticket shall be served upon the person named therein in accordance with the provisions of the *Provincial Offences Procedure Act*.
- 11.3 When an Enforcement Officer has reasonable grounds to believe that a person has violated any provision of this bylaw, that Enforcement Officer may serve that person with a Violation Tag by personal service or by registered mail.
- 11.4 A Violation Tag issued pursuant to this bylaw, shall specify the penalty in lieu of prosecution payable in respect of the contravention of this bylaw as set out in Schedule "B" to this bylaw for penalties in lieu of prosecution.

- 11.5 A person who has been issued a Violation Tag pursuant to this bylaw and has paid the penalty to the Town by the date specified on that Violation Tag, shall not be liable to prosecution for the subject of contravention.
- 11.6 Nothing in this bylaw shall prevent an Environment Officer from issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this bylaw, or from laying an information.

SECTION 12. PENALTIES

- 12.1 A person who is convicted of an offence pursuant to this bylaw is liable upon summary conviction to a penalty in an amount not less than the amount specified in Schedule "B" of this bylaw, or if not prescribed in Schedule "B", not more than \$10,000.00, and any other penalties as may be prescribed in default of payment in relation to proceedings taken under Part 2 or Part 3 of the Provincial Offences Procedure Act.

SECTION 13. SEVERABILITY

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

SECTION 14. COMMENCEMENT

This Bylaw shall become effective on the date of the final passing thereof.

SCHEDULE "A"
Bylaw # *-2020
FIREWORKS BYLAW
PERMIT FEES

Permit Type	Fee
Permit for the sale of fireworks (up to 1 year)	\$500
Permit for Consumer/Low-Hazard fireworks (per event)	\$35
Permit for Display/High-Hazard fireworks (per event)	\$75

Draft - Bylaw 19.20-2 Reading

SCHEDULE "B"
Bylaw # *-2020
FIREWORKS BYLAW
SPECIFIED PENALTIES

Section	Offence	1st Offence	2nd Offence	3rd and Subsequent Offences
6	Failure to comply with requirements on a permit	\$250	\$500	\$1,000
7	Use of consumer fireworks without a valid permit	\$500	\$1,000	\$2,000
8	Use of display fireworks without a valid permit	\$1,000	\$2,000	\$5,000
9	Sale or distribution of fireworks without a valid fireworks vendor permit	\$1,000	\$2,000	\$5,000
4	Unauthorized sale of fireworks	\$1,000	\$2,000	\$5,000
9.3(b)	Failure to keep records of the sale of fireworks	\$250	\$500	\$1,000
10	Impeding an inspection	\$500	\$1,000	\$2,000
5	Possess, sell, offer for sale, distribute, discharge, use, fire, or set off firecrackers	\$500	\$1,000	\$2,000
11	Interfere with or obstruct an enforcement officer	\$500	\$1,000	\$2,000

**TOWN OF DRUMHELLER
BYLAW NO #09.21**

A BYLAW OF THE TOWN OF DRUMHELLER TO REGULATE AND CONTROL THE SALE AND SETTING OFF OF FIREWORKS WITHIN THE MUNICIPALITY OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS pursuant to section 8 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended, a council may, in a bylaw, regulate or prohibit and provide for a system of licenses, permits or approvals;

AND WHEREAS Council for the Town of Drumheller recognizes that fireworks are explosive devices which are classified as dangerous goods under the *National Fire Code – 2019 Alberta Edition* and present a risk to the safety, health, and welfare of persons and the safety of property within the geographic limits of the Town of Drumheller, particularly when sold, possessed, and used by persons not properly trained and certified;

NOW THEREFORE, the Council for the Town of Drumheller, duly assembled, hereby enacts as follows:

SECTION 1. NAME OF BYLAW

- 1.1 This bylaw may be cited as the “Fireworks Bylaw”.

SECTION 2. PURPOSE

- 2.1 The Town wishes to enact a bylaw for the purpose of providing for the sale, possession, storage and discharge of Fireworks in compliance with:
- i. Any applicable municipal bylaws, policies, procedures and guidelines;
 - ii. The *National Fire Code – 2019 Alberta Edition*, as amended;
 - iii. The *Safety Codes Act*, RSA 2000, C S-1, as amended; and
 - iv. The *Explosives Act* and *Explosives Regulations*.

SECTION 3. DEFINITIONS

- 3.1 “CAO” shall mean the Chief Administrative Officer for the Town of Drumheller or their designate.
- 3.2 “Consumer Fireworks” means fireworks which are designed for recreational use and are classified as low-hazard fireworks within the *Explosives Act* but does not include sparklers;
- 3.3 “Discharge” means to fire, ignite, explode or set-off or cause to be fired, ignited, exploded or set-off;
- 3.4 “Display Fireworks” means fireworks that are designed for professional use and are classified as such high-hazard within the *Explosives Act*;
- 3.5 “*Explosives Act*” means the *Explosives Act*, R.S.C., 1985, c E-17 and the regulations enacted thereunder, as amended or repealed and replaced from time to time;
- 3.6 “Explosives Regulations” means the *Explosives Regulations, 2013*, SOR/2013-

- 3.7 “Fire Ban” means a prohibition on all burning, including the Discharge of all Fireworks, issued by the Town;
- 3.8 “Firecracker” has the same meaning as in the *National Fire Code 2019 – Alberta Edition*;
- 3.9 “Fireworks” means Consumer Fireworks, Display Fireworks, Special Effect Pyrotechnic, or Firecrackers;
- 3.10 “Fireworks Inspector” means the Town of Drumheller Fire Chief or designate, the Chief Administrative Officer, any peace officer, municipal enforcement officer or a person designated and authorized in writing by the CAO to administer and enforce the requirements of this Bylaw;
- 3.11 “Fireworks Permit” means any one or more of the two (2) documents issued by the Fireworks Inspector which constitutes written permission for purposes of the *National Fire Code – 2019 Alberta Edition*:
 - i. Display Fireworks (high-hazard) permit, the National Fire Code 2019 – Alberta Edition which requires conformance with the Natural Resources Canada 2010 “Display Fireworks Manual”, as may be amended; or
 - ii. Fireworks Vendor permit;
- 3.12 “Fireworks Supervisor” also known as “Display Supervisor” means a person who holds a fireworks operator certificate issued under the Explosives Act;
- 3.13 “Prohibited Fireworks” includes Firecrackers and the items included on the most recent list of prohibited fireworks as published from time to time under the *Explosives Act*;
- 3.14 “Pyrotechnician” means an individual who is certified and authorized to purchase and supervise the display of Special Effect Pyrotechnics Fireworks under the *Explosives Act*;
- 3.15 “Safety Codes Act” means the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended; and
- 3.16 “Special Effect Pyrotechnics” shall mean those Fireworks listed as Class F.3 in Part 17 of the *Explosives Regulations*;
- 3.17 “Violation Ticket” shall mean a ticket issued pursuant to the *Provincial Offences Procedure Act*, RSA 2000, C. P-34, as amended and any regulations thereunder.

SECTION 4. RESTRICTIONS & REQUIREMENTS FOR THE SELLING OF FIREWORKS

- 4.1 No person shall sell, display or possess any Prohibited Fireworks.
- 4.2 No person shall knowingly sell any Fireworks to a person who is under the age of 18 years.
- 4.3 No person shall display, offer for sale or sell Fireworks without a valid Fireworks Vendor Permit
- 4.4 All requirements for Fireworks sales found in the *National Fire Code – 2019 Alberta Edition*, *Explosives Act*, and *Explosives Regulations* are deemed to constitute terms and conditions of any Firework Vendor Permit.
- 4.5 Any Vendor applying for a Firework Vendor Permit must provide, to the satisfaction of the Fireworks Inspector;
 - i. a completed Firework Vendor Permit application form;

- ii. if the applicant is not the owner of the building you must provide written confirmation from the property owner/lessee/agent of building, if applicable;
 - iii. the application fee, as set out in Schedule "A" attached hereto and forming part of this Bylaw;
 - iv. must display visible signage at all entrances, stating that fireworks are on the premises
 - v. any additional information required by the Fireworks Inspector.
- 4.6 Upon receipt of a completed application for a Fireworks permit the Fire Inspector may, in his discretion:
- i. issue a Fireworks Permit with or without conditions; or
 - ii. refuse to issue a Fireworks Permit
- 4.7 The Fire Inspector may suspend or revoke a Fireworks Permit if, in the opinion of the Fire Inspector acting reasonably:
- i. the holder of the Fireworks Permit has contravened this Bylaw, the *National Fire Code – 2019 Alberta Edition*, any applicable legislation or the terms and conditions of the Fireworks Permit; or
 - ii. the suspension or revocation of the Fireworks Permit is necessary or desirable for the protection of persons or Property.
- 4.8 The Fire Inspector may, at any reasonable hour of the day, and with reasonable notice to the permit-holder, conduct an inspection of:
- i. a fireworks storage site;
 - ii. a fireworks sales or distribution site;
 - iii. the area surrounding any of the above sites;
 - iv. fireworks sales and records;
 - v. any documents related to a permit or a permit application; or
 - vi. any one or more of the above.

SECTION 5. POSSESSION, HANDLING AND DISCHARGE OF CONSUMER FIREWORKS

- 5.1 No person shall; have in that person's possession give away, distribute, discharge, fire, use, or set off any Prohibited Fireworks.
- 5.2 Property damage or injury as a result of the firing or setting off of Fireworks shall be the responsibility of the Person setting off the Fireworks.
- 5.3 Any person who purchases, possesses, handles, discharges or sets off Fireworks must comply with all requirements for the use of Fireworks found in the *National Fire Code – 2019 Alberta Edition, Explosives Act, and Explosives Regulations*.
- 5.4 No Person shall store, handle or set off Fireworks in an unsafe manner or in a manner that creates a nuisance, taking into account the noise, danger of fire and explosion, risk of death, injury and damage to Persons and property inherent in the storage, handling or use of Fireworks
- 5.5 No person under the age of 18 years shall purchase, possess, handle, discharge, fire or set off Fireworks.
- 5.6 The Fireworks Inspector may require a person to cease the discharging, firing or setting off of fireworks when considered necessary to do so for reason of safety
- 5.7 Consumer Fireworks shall only be permitted to be set off on privately-owned property

- 5.8 No Person shall discharge, fire or set off Fireworks
- i. on or into any highway, street, lane, park or any other public place within the Town unless authorized to do so by way of a Special Events Permit.
 - ii. Within 10 metres of any building, tent, trailer, canvas shelter or motor vehicle
 - iii. Within 200 meters of any place where explosives or flammable liquids or combustible liquids or substances are manufacture or stored,
 - iv. When the wind velocity exceeds 45 km/h or when, in the opinion of the municipal fire department, weather conditions create an undue fire hazard, or
 - v. Where a municipal or provincial fire ban is in effect
 - vi. Within 250m of
 - a. A correctional institution as defined in the Alberta Corrections Act,
 - b. A nursing home within the meaning of the Alberta Nursing Homes Act,
 - c. a hospital as defined in the Alberta Hospitals Act,
 - d. an educational institutionunless deemed acceptable to a Fire Inspector.

SECTION 6. POSSESSION, HANDLING AND DISCHARGE OF DISPLAY FIREWORKS

- 6.1 No Person shall discharge or set off Display Fireworks without a valid Display Fireworks Permit
- 6.2 An application for a Display Fireworks Permit must be submitted in the form prescribed by the Municipality a minimum of 5 business days prior to the Event, and be accompanied by the application fee set out in Schedule "A"
- 6.3 Every Person applying for a Display Fireworks Permit must provide, to the satisfaction of the Fireworks Inspector:
- i. a completed Fireworks Permit application form;
 - ii. written confirmation that the property owner/lessee/agent of the land where the event will occur consents to the discharge of Fireworks on the land, if applicable;
 - iii. the application fee, as set out in Schedule "A" attached hereto and forming part of this Bylaw;
 - iv. Proof of insurance in the minimum amount of \$2,000,000.00 naming the Town of Drumheller as an additional insured
 - v. any additional information required by the Fireworks Inspector.
- 6.4 Upon receipt of a completed application for a Display Fireworks Permit the Fire Inspector may, in his discretion:
- i. issue a Display Fireworks Permit with or without conditions; or
 - ii. refuse to issue a Display Fireworks Permit
- 6.5 The Fireworks Inspector may suspend or revoke a Display Fireworks Permit if, in the opinion of the Fireworks Inspector acting reasonably:
- iii. the holder of the Display Fireworks Permit has contravened the requirements as set out in the *National Fire Code – 2019 Alberta Edition*, *Explosives Act*, and *Explosives Regulations*, or the terms and conditions of this Bylaw or the Display Fireworks Permit; or

- iv. the suspension or revocation of the Display Fireworks Permit is necessary or desirable for the protection of persons or Property.
- 6.6 The person to whom a Display Fireworks Permit is issued shall:
- i. ensure that no fire or other damage occurs as a result of Fireworks or Fireworks debris;
 - ii. in the event that a fire occurs, extinguish the fire immediately or contact the Fire Department without delay;
 - iii. ensure that no Fireworks debris or other waste is left behind after the Fireworks are discharged; and
 - iv. ensure that:
 - a. where Display Fireworks are to be discharged, all requirements of the most recent version of the Display Fireworks Manual published by Natural Resources Canada, are complied with;
 - b. where Special Effect Pyrotechnics are to be discharged, all requirements of the most recent version of the Special Effect Pyrotechnics Manual, published by Natural Resources Canada, are complied with; and
 - c. all *National Fire Code – 2019 Alberta Edition* and Display Fireworks Permit requirements are complied with.

SECTION 7. ENFORCEMENT

- 7.1 A person who contravenes or fails to comply with a provision of this bylaw is guilty of an offence.
- 7.2 Any person who interferes with or obstructs a Fireworks Inspector in the execution of their duties under this bylaw is guilty of an offence
- 7.3 Where a Municipal Enforcement Officer has reasonable grounds to believe that a person has violated any provision of this bylaw, that Municipal Enforcement Officer may serve that person with a Violation Ticket.
- 7.4 A Violation Ticket shall be served upon the person named therein in accordance with the provisions of the *Provincial Offences Procedure Act*.
- 7.5 When a Municipal Enforcement Officer has reasonable grounds to believe that a person has violated any provision of this bylaw, that Municipal Enforcement Officer may serve that person with a Violation Tag by personal service or by registered mail.
- 7.6 A Violation Tag issued pursuant to this bylaw, shall specify the penalty in lieu of prosecution payable in respect of the contravention of this bylaw as set out in Schedule "B" to this bylaw for penalties in lieu of prosecution.
- 7.7 A person who has been issued a Violation Tag pursuant to this bylaw and has paid the penalty to the Town by the date specified on that Violation Tag, shall not be liable to prosecution for the subject of contravention.
- 7.8 Nothing in this bylaw shall prevent a Municipal Environment Officer from issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this bylaw, or from laying an information.

SECTION 8. PENALTIES

- 8.1 A person who is convicted of an offence pursuant to this bylaw is liable upon summary conviction to a penalty in an amount not less than the amount specified

in Schedule “B” of this bylaw, or if not prescribed in Schedule “B”, not more than \$10,000.00, and any other penalties as may be prescribed in default of payment in relation to proceedings taken under Part 2 or Part 3 of the Provincial Offences Procedure Act.

SECTION 9. SEVERABILITY

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

SECTION 10. COMMENCEMENT

This Bylaw shall become effective on the date of the final passing thereof.

DRAFT - Bylaw 09.21

SCHEDULE "A"
Bylaw #09.21
FIREWORKS BYLAW
PERMIT FEES

Permit Type	Fee
Permit for the sale of fireworks (up to 1 year)	\$100
Permit for Display Fireworks (per event)	\$50

DRAFT - Bylaw 09.21

**SCHEDULE “B”
Bylaw #09.21
FIREWORKS BYLAW
SPECIFIED PENALTIES**

Section	Description of Offence	First Offence	Second Offence	Third and Subsequent Offences
4.1	Sell, display or possess Prohibited Fireworks	\$250	\$500	\$750
4.3	Display, offer for sale or sell, without a valid Fireworks Vendor Permit	\$250	\$500	\$750
4.5 iv	Failure to display proper signage	\$250	\$500	\$750
4.6	Failure to comply with a Fireworks Vendor Permit	\$500	\$2,000	\$5,000
5.1	Purchase, possess, handle, discharge or set off Prohibited Fireworks	\$250	\$500	\$750
5.3	Store, handle or discharge fireworks in an unsafe manner or manner that creates a nuisance	\$250	\$500	\$750
5.7 i	Discharge of fireworks on or into a highway, street, lane, park or any other public place without approval	\$500	\$1,000	\$5,000
6.1	Discharge or set off Display Fireworks without a valid Display Fireworks Permit	\$500	\$1,000	\$5,000
7.2	Interfere with or obstruct a Fireworks Inspector in the execution of their duties under this bylaw	\$500	\$1,000	\$5,000

Quarterly Report for Emergency & Protective Services – 2021 Strategic Priorities

Name: Greg Peters - *Director of Protective and Emergency Services*

Period: January – March 2021

Q1 File Stat Comparison

Year	Incident Type		Total File Count
	Snow Notices	Unsightly Premises	
2019	39	9	214
2020	59	19	147
2021	72	5	184

Derelict & Vacant Properties

Currently working with the town solicitor on a policy, community guide and advice for moving forward in an effort to deal with these locations. Properties have been identified and Municipal Enforcement is actively working on them and others.

Bylaw Staff Capacity Review

Review is underway, a report will be provided to Council in May.

Bylaw Review

This is a comprehensive review of all TOD active bylaws to ensure they are all current and relevant. This is being reviewed by CAO office and Protective Services.

Fire Safety Code Inspections

Presently the CAO and Director are reviewing the available options and may seek a further review by an external party in order to decide which is the most efficient and feasible path moving forward. This initial plan was to report to Council this month but may be delayed until May.

Traffic Bylaw

The draft is underway, plans to report to Council in September.

Fireworks Bylaw

New bylaw draft is being compiled to reflect the changes made to the 2019 Alberta Fire Code, allowing local authorities to manage the use of fireworks in their communities.

Greg Peters
Director of Emergency & Protective Services

Quarterly Report for CAO

Name: Darryl Drohomerski, C.E.T.

Period: January – March 2021

Vacancy Strategy – The roles of both the Manager of Economic Development and Director of Corporate Services were filled in the first quarter of 2021. Reg Johnston started with the town on March 29 and Mauricio Reyes joined the organization on March 22. With these two positions, all senior staff positions within the organization have been filled and this priority is considered complete.

Elections – The Province changed the date that nomination papers may be filed for the 2021 municipal election to January 1, 2021, from the date of XX, 2017. Work began in the CAO office on the 2021 Election Package, Candidates Guide, and other important information for candidates to know. A draft Council Procedures Bylaw was presented to Council for review and comment. The old Bylaw is 13 years old and requires updating to modern language and standards. Work will continue from this office until well after the 2021 election. Next update will be July 5.

Service / Staff Capacity – This Strategic Priority is about making organizational and structural changes to better serve the community. Council adopted both the 2021 Utility Budget and 2021 Operating Budget which included position changes that will contract in an Instrumentation Technician for our SCADA system and building control systems. This position was drafted in the first quarter and is out for review prior to posting in quarter two. Organizational alignment in Corporate, Recreation and Protective Services are currently being worked on to better serve the organization and public. Next update will be June 21.

Records Management – This work began in 2020 and will continue until at least December 2021. Work completed in quarter one includes cleaning up the network file structure, culling paper records in accordance with the policy and working on the draft of a new Records Management Bylaw. Draft Bylaw will come to Council in June.

Covid Update – Just as in the larger community, the town has had to adapt to the changing conditions of Covid-19 in the first quarter. From closed facilities to shifting workers to home and back again, the challenge has been great.

Development – the statistics for building permits in quarter one is attached.


TOWN OF DRUMHELLER QUARTERLY STATS

Town of Drumheller Building Permits ending March, 2021

Category	Values	Months			Total
		Jan	Feb	Mar	
COMMERCIAL	PERMITS ISSUED	3	2	4	9
	CONSTRUCTION VALUE	\$56,000	\$79,500	\$118,450	\$253,950
INSTITUTIONAL	PERMITS ISSUED	1	1		2
	CONSTRUCTION VALUE	\$497,000	\$6,000		\$503,000
RESIDENTIAL	PERMITS ISSUED	3	1	5	9
	CONSTRUCTION VALUE	\$274,000	\$200	\$182,000	\$456,200
Total PERMITS ISSUED		7	4	9	20
Total CONSTRUCTION VALUE		\$827,000	\$85,700	\$300,450	\$1,213,150

Town of Drumheller Building Permits ending March, 2020

Category	Values	Months			Total
		Jan	Feb	Mar	
COMMERCIAL	PERMITS ISSUED		1	1	2
	CONSTRUCTION VALUE		\$14,000.00	\$300,000.00	\$314,000.00
INSTITUTIONAL	PERMITS ISSUED	1			1
	CONSTRUCTION VALUE	\$17,500.00			\$17,500.00
RESIDENTIAL	PERMITS ISSUED	2	2		4
	CONSTRUCTION VALUE	\$125,387.75	\$5,100.00		\$130,487.75
Total PERMITS ISSUED		3	3	1	7
Total CONSTRUCTION VALUE		\$142,887.75	\$19,100.00	\$300,000.00	\$461,987.75



Proposed Bylaw 08.21
Amendment to the Previous St Anthony's
School Site East Drumheller District Area
Structure Plan

TOWN OF DRUMHELLER

PRESENTED BY: PALLISER REGIONAL MUNICIPAL SERVICES

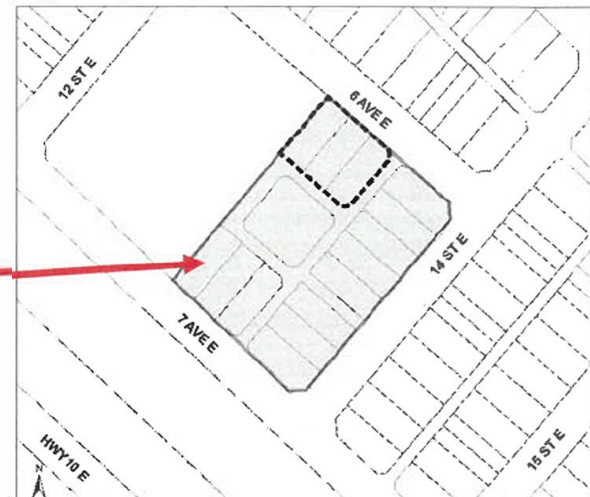
BACKGROUND




Applicant: Joe Castonguay

General Purpose:

- The **purpose** of the proposed amendment is to update the proposed uses and lot sizes in the Previous St Anthony's School Site East Drumheller District Area Structure Plan (ASP) to support the subdivision and development of two duplexes on the remaining vacant lots in the northwest corner of the plan area (Civic Addresses of 1311, 1321 & 1331 6 Avenue East). The remainder of the ASP area will remain as the predominate single-family dwelling parcels.
- PRMS is currently processing subdivision file 80-161 which proposes to subdivided the existing 3 vacant residential lots into 4 vacant residential lots to accommodate the duplexes. The approval of this subdivision will be dependent on this amendment.

LOCATION



-  AMENDMENT AREA
-  AREA STRUCTURE PLAN BOUNDARY
-  LEGAL PARCELS

Why is the proposal being reviewed?

- The existing ASP currently includes language that proposes the area to be developed with single family dwellings on 45 ft lot widths. After reviewing the proposed subdivision application with the Towns Municipal Planning Commission (MPC) it was determined that the ASP should be amended to ensure that any landowners within the ASP area or other that may be affected, are notified of the change. Overall, the proposed amending Bylaw would make the following changes to the ASP text:
 - Minor Changes (with no policy impacts):
 - Update the History, Existing Land use, and general background information to acknowledge the new Drumheller Land Use Bylaw 16.20, and more specifically the new Neighbourhood District zoning that is now covers this neighbourhood.
 - Major Changes (with policy impacts):
 - Update the proposed land use and lot sizes to permit the subdivision and development of two duplexes on the vacant lots:
 - The proposed text updates to the bylaw are intended to permit the development of duplexes on the three parcels of 1311, 1321 & 1331 6 Avenue East, as seen on the previous Map. This change will be facilitated by removing the 45 ft. lot width minimum and allowing smaller parcel sizes on only on those lots. The change would also permit duplexes to be a proposed use for these lots.
 - Further, the proposed text amendments include language to specify that the remainder of the ASP area is proposed to remain as the existing predominate single-family dwelling developments.

STATUTORY DOCUMENT REVIEW

Municipal Development Plan
17.20 (MDP)

The proposed ASP amendment is in alignment with the Towns Municipal Development Plan, and would be supported by the following policies:

- 9.3.1 b) Encourage a mix of uses in all residential neighborhoods.
- 9.3.1 d) Through the Land Use Bylaw, support the development of a wide variety of housing forms and densities scaled to fit within traditional single-unit areas, such as cottages, courtyard housing, row housing, duplexes, triplexes, and stacked flats

LAND USE BYLAW 16.20

Neighbourhood District

Parcel is current designated as the **Neighbourhood District** under Land Use Bylaw 16.20

Intent of the Neighbourhood District:

“To enable primarily ground-oriented residential development with an emphasis on diverse, walkable neighbourhoods with varying built forms and housing typologies.”

“Development shall be predominantly residential and may have a wide range of building types: single detached, duplex, rowhouses, and secondary suites. All development, regardless of use, shall have a built form that is consistent with surrounding residential properties.”

The proposed duplexes would be supported by the existing land use district, providing the built form of the development is consistent with surrounding residential properties (e.g. consistent height, massing, scale).



AFFECTED PARTY CIRUCLATION

- The proposed application has been circulated in accordance the *Municipal Government Act*, Section 606:
 - Circulation letters were sent to all landowners within the ASP area and across the street from the proposed duplexes. The proposal was also posted in the newspaper.
- The applicant has also voluntarily reached out to surrounding landowners to provide information on the proposal and inquire if there were any questions or concerns with the proposal. To date, PRMS is not aware of any concerns that were raised by surrounding landowners through this engagement.
- PRMS received one responses from an adjacent landowner who was not opposed to the proposal to amend the ASP to accommodate the smaller lots and duplexes. However, they did want to be assured that when the development stage occurred, the new duplexes would not be higher then the existing homes in the area.

PALLISER'S RECOMMENDATION

The proposed amendment is consistent with the Town's MDP and LUB. As such, PRMS recommends council consider second and third reading for proposed Bylaw 08.21

From: [CAO](#)
To: [Denise Lines](#)
Subject: FW: Website Submission: Send us a Message - drumheller.ca
Date: Thursday, April 29, 2021 4:10:03 PM

From: [REDACTED]
Sent: April 29, 2021 9:05 AM
To: CAO <cao@drumheller.ca>
Subject: Website Submission: Send us a Message - drumheller.ca

Drumheller, Town of - Website Submission: Send us a Message - drumheller.ca

Website Submission: Send us a Message - drumheller.ca

Form Submission Info

Your Name: David Barry Keirle

Your Phone: [REDACTED]

Your Email: [REDACTED]

Message: here is my sybmission for the proposed changes to the St Anthonies project. I am unable to attend the meeting. I think you ae the person i can get to presnt this for me if not pls forward or let me know thank you.

Hello my name is David Keirle and I am writing this submission as I am against the proposed bylaw 08.21. The current development plan has increased the housing density in this neighborhood and further increasing the density by going to duplexes. I do not think this is in the community's best interest. The current developments on that block have a 2 car garage for each residence I do not see how this would be possible with the new proposal as building 4 2 car garages in the space of where there where 3 before does not seem feasible, so parking may be an issue. The houses in this development are already too close to each other as when the snow slides off the roof of my parents house it lands on the side walk of the adjoining property. So to conclude this submission I am against the proposed bylaw 08.21. David Keirle.

Privacy

Drumheller, Town of