

BYLAW 2639/G/20

BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA TO PROHIBIT COUNCILLORS FROM SERVING AS PAID-ON-CALL FIREFIGHTERS WITH THE STONY PLAIN FIRE DEPARTMENT

WHEREAS, pursuant to section 3 of the *Municipal Government Act*, RSA c. M-26, and amendments thereto, one of the purposes of a municipality is to provide good government; and

WHEREAS, pursuant to section 7 of *Municipal Government Act* a council of a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and services provided by or on behalf of the municipality; and

WHEREAS, pursuant to section 8 of *Municipal Government Act* a council of a municipality may in a bylaw regulate or prohibit; and

WHEREAS, the Stony Plain Fire Department is an administrative department of the Town of Stony Plain tasked with providing fire suppression and prevention services; and

WHEREAS, the Stony Plain Fire Department is comprised of full-time firefighters and Paid-on-call firefighters; and

WHEREAS, Council desires to ensure the administration of the Town of Stony Plain is a politically neutral public service; and

WHEREAS, Council desires to ensure the functioning of Council as the public's oversight body on the operations of the Town of Stony Plain; and

WHEREAS, Council desires to avoid problems for the proper administration of orders and discipline by superior officers within the Stony Plain Fire Department if a Councillor were also a Paid-on-call firefighter; and

WHEREAS, Council recognizes the difficulties arising from actual and perceived conflicts of interest that would face a Paid-on-call firefighter in their role as a Councillor;

NOW THEREFORE, the Council of the Town of Stony Plain, in the Province of Alberta, duly assembled, enacts as follows:

1.0.0 Title

1.1.0 This bylaw may be cited as "POC Firefighter Bylaw".

2.0.0 Definitions

In this bylaw,

2.1.0 "Councillor" means a duly elected member of the Council of the Town of Stony Plain whose term of office has not expired and includes the Mayor.

2.2.0 "Paid-on-call firefighter" or "POC firefighter" means a member of the Stony Plain Fire Department, other than a full-time firefighter, who is entitled to receive monetary compensation, based on approved hourly rates, for attending training and responding to emergency incidents, commonly referred to as a "volunteer firefighter", and includes a POC firefighter who has achieved the rank of officer.

3.0.0 Ineligibility

3.1.0 A person may not concurrently serve as both a Councillor and a POC firefighter for the Town of Stony Plain.

3.2.0 Nothing in this bylaw prevents a person from applying to become, or serving as, a POC firefighter once they are no longer a Councillor.

4.0.0 Severability

4.1.0 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

5.0.0 Effective Date


5.1.0 This bylaw comes into force on the date it is passed.

Read a first time this 26th day of October, AD 2020.

Read a second time this 26th day of October, AD 2020.

Given unanimous consent this 26th day of October, AD 2020.

Read a third time this 26th day of October, AD 2020.



Mayor William Choy



Jen Boleski, CPA, CA
General Manager, Corporate Services