



CITY OF FORT SASKATCHEWAN

BYLAW C4-24

WHEREAS, under the provisions of the *Municipal Government Act* a municipality has direction, control and management of roads and lands within the municipality, and pursuant to the *Traffic Safety Act*, *Dangerous Goods Transportation and Handling Act*, and *Hazardous Products Act*, as amended or repealed or replaced from time to time, can make bylaws respecting the transportation and storage of Dangerous Goods;

AND WHEREAS, it is in the public interest to ensure the safe storage and transportation of Hazardous Products within the City of Fort Saskatchewan;

NOW THEREFORE, the Council of the City of Fort Saskatchewan in the Province of Alberta, in open meeting of Council, enacts as follows:

1. CITATION

This Bylaw shall be cited as the City of Fort Saskatchewan “Dangerous Goods and Hazardous Products Bylaw”.

2. DEFINITIONS

In this Bylaw:

- a. *AER* – means the Alberta Energy Regulator.
- b. *Carrier* – means the definition included in the *Canada Transportation of Dangerous Goods Regulations* as a person who, whether or not for hire or reward, has possession of DG while they are in transport.
- c. *City* – means the City of Fort Saskatchewan, a municipal corporation in the Province of Alberta, and includes the area contained within the boundaries of the City of Fort Saskatchewan where the context requires.
- d. *DG* – means Dangerous Goods, which is a product, substance or organism and is by its nature inherently dangerous, whether or not it is in transport, and is included in the *Canada Transportation of Dangerous Goods Regulations* in any of their classes.
- e. *DG for which a Placard is Required* – means consignment of dangerous goods in a quantity that requires placard(s) pursuant to the *Transportation of Dangerous Goods Regulations*; or an intermediate bulk container displaying labels pursuant to Section 4.15.3(c) of the *Transportation of Dangerous Goods Regulations*, SOR/2001-286, as amended.

- f. *DG Inspector* – means Dangerous Goods Inspector, which is a person defined as an “inspector” in the Alberta *Dangerous Goods Transportation and Handling Act*, RSA 2000 c. D-4, as amended.
- g. *DG Off Route Permit* – means a permit for the purpose of controlling the TDG, for which a label, placard and/or mark is required, off of the DG Route designated in Schedule “B”.
- h. *DG Route* – means a DG Route, which refers to the Highways in the City designated in Schedule “B” attached to and forming part of this Bylaw.
- i. *DGSM (Dangerous Goods Safety Mark)* – means the definition included in the Canada Transportation of Dangerous Goods Regulations as a label, placard, orange panel, sign, mark, letter, word, number or abbreviation that is used to identify dangerous goods and to show the nature of the danger posed by them.
- j. *DEM* – means the City Manager, or City employee appointed as Director of Emergency Management by the City Manager, pursuant to the City’s *Emergency Management Bylaw* and *Delegation of Authority Policy*.
- k. *EDGE* – means Alberta Environmental and Dangerous Goods Emergencies.
- l. *EPA* – means the Alberta Environment and Protected Areas.
- m. *EPEA* – means Alberta’s *Environmental Protection and Enhancement Act*, RSA 2000 c. E-12, as amended.
- n. *Fire Chief* – means the employee appointed as head of the City’s Fire Services.
- o. *Highway* – means the definition included in the *Alberta Traffic Safety Act*, RSA 2000, c. T-6, as amended, as any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
 - i. a sidewalk, including a boulevard adjacent to the sidewalk;
 - ii. if a ditch lies adjacent to and parallel with the roadway, the ditch; and
 - iii. if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be,
 but does not include a place declared by regulation not to be a Highway.
- p. *HP (Hazardous Product)* – means the definition included in the *Hazardous Products Act* as, any product, mixture, substance that is classified in accordance with the

regulations made under subsection 15(1) in a category or subcategory of a hazard class listed in Schedule 2.

- q. *HPS Permit* – means HP Storage Permit, which is a permit to store, ship and/or receive HP for commercial or industrial purposes.
- r. *Incident* – means an undesired event that caused, or has potential to cause, loss (injury or damage) to a person, property or the environment.
- s. *MGA* – means the Alberta *Municipal Government Act*, RSA 2000, c. M-26, and associated regulations, as amended.
- t. *Motor Vehicle* - means the definition included in the *Alberta Traffic Safety Act* RSA 2000 c. T-6 as:
 - i. a vehicle propelled by any power other than muscular power, or
 - ii. a moped;but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.
- u. *OHS* – means the *Occupational Health and Safety Act*, SA 2020, c. O-2.2, as amended, or the office who is required to carry out the administrative occupational health and safety function.
- v. *Peace Officer* – means a Peace Officer as defined in the *Provincial Offences Procedure Act*, RSA 2000 c. P-34, as amended.
- w. *Release* – means the definition included in the EPEA as to spill, discharge, dispose of, spray, inject, inoculate, abandon, deposit, leak, seep, pour, emit, empty, throw, dump, place and exhaust.
- x. *Reportable Incident* – means any Incident that requires notification to a Provincial department such as the AER, EDGE, EPA, OHS or the WCB.
- y. *TDG* – means the Transportation of Dangerous Goods.
- z. *Vehicle* – means the definition included in the *Alberta Traffic Safety Act* RSA 2000 c. T-6 as a device in, on or by which a person or thing may be transported or drawn and includes a combination of vehicles but does not include a mobility aid.
- aa. *Vehicle Owner* – means the registered owner of a Vehicle and includes any person renting a Vehicle or having the exclusive use of a Vehicle under a lease.
- bb. *Vehicle Storage Location* – means the area within the City that has been designated for the purpose of parking a Vehicle carrying DG, as outlined in Schedule “C” attached to and forming part of this Bylaw. The business license approved by the

City must specify the property shall be used for on-site storage of DG, or the parking of a Vehicle used to transport a DG.

- cc. *Violation Tag* – means a tag or similar document issued by the City pursuant to the MGA for the purpose of notifying a person that an offence has been committed, and which fine or prosecution may follow.
- dd. *Violation Ticket* – means the definition included in the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended.
- ee. *WCB* – means the Workers Compensation Board.

3. TRANSPORTATION

- a. A Carrier shall not transport DG for which a Placard is Required on a Highway unless:
 - i. the Highway is designated as a DG Route;
 - ii. in relation to the DG Route, traveling the most direct and practical route to or from a permitted Vehicle Storage Location within an industrial area listed in Schedule “C”;
 - iii. in relation to the DG Route, traveling the most direct and practical route to or from a permitted Vehicle Storage Location within a non-industrial area listed in Schedule “C”; or
 - iv. a DG Off Route Permit authorizing the TDG has been issued by the City.
- b. A Carrier with a DG Off Route Permit may transport DG for which a Placard is Required on a Highway other than a DG Route for the purpose of delivering, and/or collecting DG from one or more locations listed on the permit provided that:
 - i. the TDG does not occur in a residential district as referenced or defined in the City’s *Land Use Bylaw* without first obtaining a DG Off Route permit; and
 - ii. the most direct and practical route to and from the DG Route and between locations is followed; or
 - iii. if the distance between one location and the next destination exceeds the distance between the location and a DG Route then a person shall not travel directly between locations and shall return to the DG Route.
- c. Unless exempted, a Carrier shall, when requested by a Peace Officer or DG Inspector, produce any documents, electronic or paper copy, showing the origin and description of the DG.

4. TRAFFIC SAFETY

- a. A Carrier transporting DG for which a Placard is Required shall not stop within the City except:
 - i. at a Vehicle Storage Location;
 - ii. while refueling;
 - iii. to deliver or collect DG;
 - iv. in compliance with a valid permit issued by the City;
 - v. in compliance with directions from a Peace Officer or a traffic control device;
 - vi. in the event of a mechanical failure of the Vehicle, or some other emergency; or
 - vii. in the event of a Release of any DG.
- b. If a Carrier transporting Class I (Explosives) DG for which a Placard is Required stops or parks within the City pursuant to Subsection 4.a.i., the Carrier shall obtain a permit issued by the City prior to stopping at a permitted Vehicle Storage Location.
- c. If a Carrier transporting DG for which a Placard is Required stops within the City pursuant to Subsection 4.a.vi., the Carrier shall notify the City's Fire Chief or designate.

On Call : 24/7
Ph: (780) 998-3367

- d. A Carrier shall, when requested by a Peace Officer or DG Inspector, produce any documents, electronic or paper copy, showing the origin, destination or description of the DG.

5. STORAGE

- a. A person or organization who has charge, management or control of HP for commercial or industrial purposes shall:
 - i. store materials in a manner that meets the requirements set out in Provincial or Federal legislation;
 - ii. maintain and produce upon demand, all necessary records required by Provincial or Federal legislation;
 - iii. possess and retain on-site, a current and valid copy of a HPS Permit that

identifies:

1. the description of the HP;
 2. the maximum quantity of the HP held on the premises;
 3. the means of containment; and
 4. the emergency response plan(s) related to the HP; and
- iv. display a placard meeting the requirements of a DGSM at the entrance to the HP storage location that readily identifies the product number(s) and classification(s) for the benefit of emergency responders.

6. PERMITS

a. DG Off Route Permits

- i. Notwithstanding Subsection 3.a., a Carrier or Vehicle Owner may apply to the Fire Chief or designate for a permit authorizing the transport of DG for which a Placard is required on a Highway in the City other than a DG Route for the purpose of:

1. collecting and/or delivering DG to one or more locations; or
2. operation of a service Vehicle that has as a part of its design, intent and routine, supplies of DG for which a Placard is Required, contained in or on the Vehicle necessary for the performance of the service,

where:

3. for any reason an existing DG Route cannot be used by the Carrier, or
4. an existing DG Route does not reach the destination of the Carrier,

provided that such transportation may, in the opinion of the City, be conducted safely.

- ii. As a condition of issuing the permit, the Fire Chief or designate, may impose any or all of the following conditions:

1. that a electronic or paper copy of the permit shall be in the Carrier's possession at all times;

2. that the Carrier and Vehicle Owner shall indemnify and hold harmless the City, its employees, officials and agents against all actions, suits, claims, damages, losses or expenses, including legal expenses (on a solicitor and client's full indemnity basis), that may result from or be connected, directly or indirectly, to the TDG;
 3. that the Carrier and/or Vehicle Owner shall take every precaution necessary to prevent damage to property or injury to persons as a result of TDG; and
 4. such other conditions as the Fire Chief or designate may deem necessary, including but not limited to restricting the gross Vehicle weight, number of trailers, and times and dates on which such routes may be used.
- iii. A Carrier shall, when requested by a Peace Officer or DG Inspector, produce any documents, electronic or paper copy, showing the origin, destination or description of the DG.

b. Hazardous Products Storage Permits

- i. A home business operator and/or owner/operator of a commercial or industrial facility must apply to the Fire Chief for a permit authorizing the manufacturing, storage, receipt and/or distribution of hazardous products within the City for:
 1. A combined gross volume of liquid (to include liquified gas) hazardous products of ≥ 500 liters; or
 2. A combined gross solid mass of hazardous products of ≥ 500 kg; or
 3. Any combination of liquid and solid hazardous products where the combined gross mass is ≥ 500 kg.
- ii. As a condition of issuing the permit, the Fire Chief or designate, may impose any or all of the following conditions:
 1. that an electronic or paper copy of the permit shall be readily available and/or prominently displayed within the facility at all times;
 2. that the facility operator and owner shall indemnify and hold harmless the City, its employees, officials and agents against all actions, suits, claims, damages, losses or expenses, including legal expenses (on a solicitor and client's full indemnity basis), that may result from or be connected, directly or indirectly, to the HP;
 3. that the facility operator and/or owner shall take every precaution necessary to prevent damage to property or injury to persons as a result of the HP; and
 4. such other conditions as the Fire Chief or designate may deem necessary, including but not limited to restricting the gross product volumes, establishing specific containment or storage requirements, or establishing specific fire

prevention requirements.

- iii. A home business operator or owner/operator of a commercial or industrial facility shall, when requested by a Peace Officer or Fire Inspector, produce any permit, data sheet, hazard controls processes and/or certifications, shipping document, or any other document relevant to the hazardous products as required by the Peace Officer or Fire Inspector.

7. RELEASE REPORTING

a. Emergency response required:

- i. if a Release or anticipated Release requires or is likely to require, an emergency response by the City's Fire or Police Services, the person and/or organization who has charge, management or control of the DG shall:

1. **immediately call 9-1-1 and provide details of the emergency;**
2. as soon as possible, contact the City's on-duty DEM by calling **780.998.3367**, to provide a summary of the Incident. The DEM telephone is monitored 24/7; and
3. within 72 hours of a Release or anticipated Release submit a detailed written report of the Incident, available by contacting the City's on-duty DEM.

b. No emergency response required:

- i. if a Release does not require an emergency response by the City's Fire or Police Service but is still a Reportable Incident, the person who has the charge, management or control of the DG shall:

1. as soon as possible after the Release, contact the City's on-duty DEM by calling **780.998.3367**, to provide a summary of the Incident. The DEM telephone is monitored 24/7; and
2. within 72 hours of the Release, submit a detailed written report of Incident, available by contacting the City's on-duty DEM.

8. PENALTIES

- a. A Violation Tag may be issued by a Peace Officer to a Carrier or Vehicle Owner alleged to have breached any provision of this Bylaw.
- b. A Violation Tag issued pursuant to this Bylaw shall require payment of the specified penalty as provided in Schedule "A" attached to and forming part of this Bylaw.
- c. A Violation Tag shall be deemed to be sufficiently served if:

- i. served personally on the Carrier or Vehicle Owner; or
 - ii. mailed to the address of the Carrier or Vehicle Owner; or
 - iii. attached to or left upon the Vehicle in respect of which the offence is alleged to have been committed.
- d. Should a Carrier or Vehicle Owner not pay the specified penalty and a prosecution has been entered against them, the Carrier or Vehicle Owner shall be liable on summary conviction to pay the minimum penalty equal to the specified penalty on the Violation Tag and in default of payment, the penalty imposed by the Court.
- e. Nothing in this Bylaw shall:
 - i. prevent any person from exercising their right to defend any charge laid for contravention of this Bylaw, or
 - ii. prevent any Peace Officer, in lieu of serving a Violation Tag, from serving a Violation Ticket against any Carrier or Vehicle Owner in contravention of this Bylaw.
- f. Any Carrier or Vehicle Owner who contravenes any provision of this Bylaw, for which no penalty has been specified, shall be liable on summary conviction to a fine not exceeding \$10,000, and in default of payment, the penalty imposed by the Court.

9. INTERPRETATION AND SEVERABILITY

- a. Each section of this Bylaw shall be read and construed as being separate and severable from each other section. If any portion of this Bylaw shall be declared invalid by a Court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the bylaw shall be deemed valid and enforceable.
- b. All references in this Bylaw shall be read with such changes in number, gender or legal entity as may be appropriate, and references shall be read as a corporation or partnership, and pronouns shall be deemed not to be gender specific.
- c. References to provisions of statute, rules or regulations shall be deemed to include references to such provisions as amended, modified, or re-enacted from time to time.
- d. The headings in this Bylaw are for convenience of reference only and shall not affect the scope, intent or interpretation of any provision.
- e. The issuance of a DG Off Route Permit, or a HPS Permit means that the application has been reviewed against the relevant provisions this Bylaw. It does not remove obligations to conform with any other legislation, bylaws, or authorizations that may affect or concern the safe operation of a vehicle; storage, shipment, and/or handling of goods; and land use implications related to such goods and/or materials.

10. REVIEW

This Bylaw shall be reviewed every 4 years or more often if required by provincial legislation.

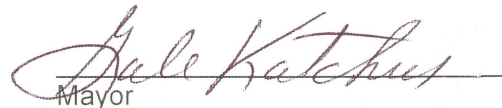
11. REPEAL

- a. Upon third reading of Bylaw C4-24, Bylaw C7-08, and all amendments thereto, shall be repealed.
- b. Upon third reading of Bylaw C4-24, Section 6.2 of C14-16 Fire Services Bylaw, and the reference to section 6.2 in Schedule A (Specified Offences), shall be repealed.

12. EFFECTIVE DATE

This Bylaw shall come into force and effect when it receives third reading and is duly signed.

READ a first time in Council this 2nd day of July 2024.



Mayor



Legislative Services Director

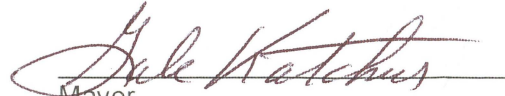
APPROVED by the Minister responsible for Alberta Transportation and Economic Corridors, or their delegated representative, this 21 day of November 2024.



Signature

READ a second time in Council this 22 day of October 2024.

READ a third time in Council this 22 day of October 2024.



Mayor



Legislative Services Director

Date Signed: October 22, 2024

SCHEDULE "A"

PENALTIES

OFFENCE	SECTION	FINES		
		1 st Offense	2 nd Offense	3 rd Subsequent Offense or
Transportation				
Carrier transporting DG for which a Placard is Required on a City Highway other than a designated DG Route	3.a.	\$500	\$1000	\$10,000
Failure to travel the shortest route from or to a DG route	3.a.ii. 3.a.iii.	\$500	\$1000	\$10,000
Carrier transport DG for which a Placard is Required where prohibited	3.b.i.	\$500	\$1000	\$10,000
Carrier transport DG for which a Placard is Required in residential area without permit	3.b.ii.	\$500	\$1000	\$10,000
Failure to produce required documents	3.c.	\$500	\$1000	\$10,000
Traffic Safety				
Stopping a Vehicle in the City transporting DG for which a Placard is Required	4.a.	\$500	\$1000	\$10,000
Failure to obtain permit when stopping while transporting Class I (Explosive) DG for which a Placard is Required	4.b.	\$500	\$1000	\$10,000
Stopped carrier fail to notify the Fire Chief or designate	4.c.	\$500	\$1000	\$10,000
Failure to produce required documents	4.d.	\$500	\$1000	\$10,000
Storage				
Failure to store HP as required by Provincial or Federal legislation	5.a.i.	\$500	\$1000	\$10,000
Failure to produce necessary records	5.a.ii.	\$500	\$1000	\$10,000
Failure to possess and retain on site a HPS Permit	5.a.iii.	\$500	\$1000	\$10,000
Failure to display a placard - HP storage location	5.a.iv.	\$500	\$1000	\$10,000
Release Reporting				
Failure to submit written report of Incident within 72 hours	7.a.i.2.	\$500	\$1000	\$10,000
Failure to notify the DEM as soon as possible of an Incident	7.b.i.1.	\$500	\$1000	\$10,000
Failure to submit written report of Incident within 72 hours	7.b.i.2	\$500	\$1000	\$10,000

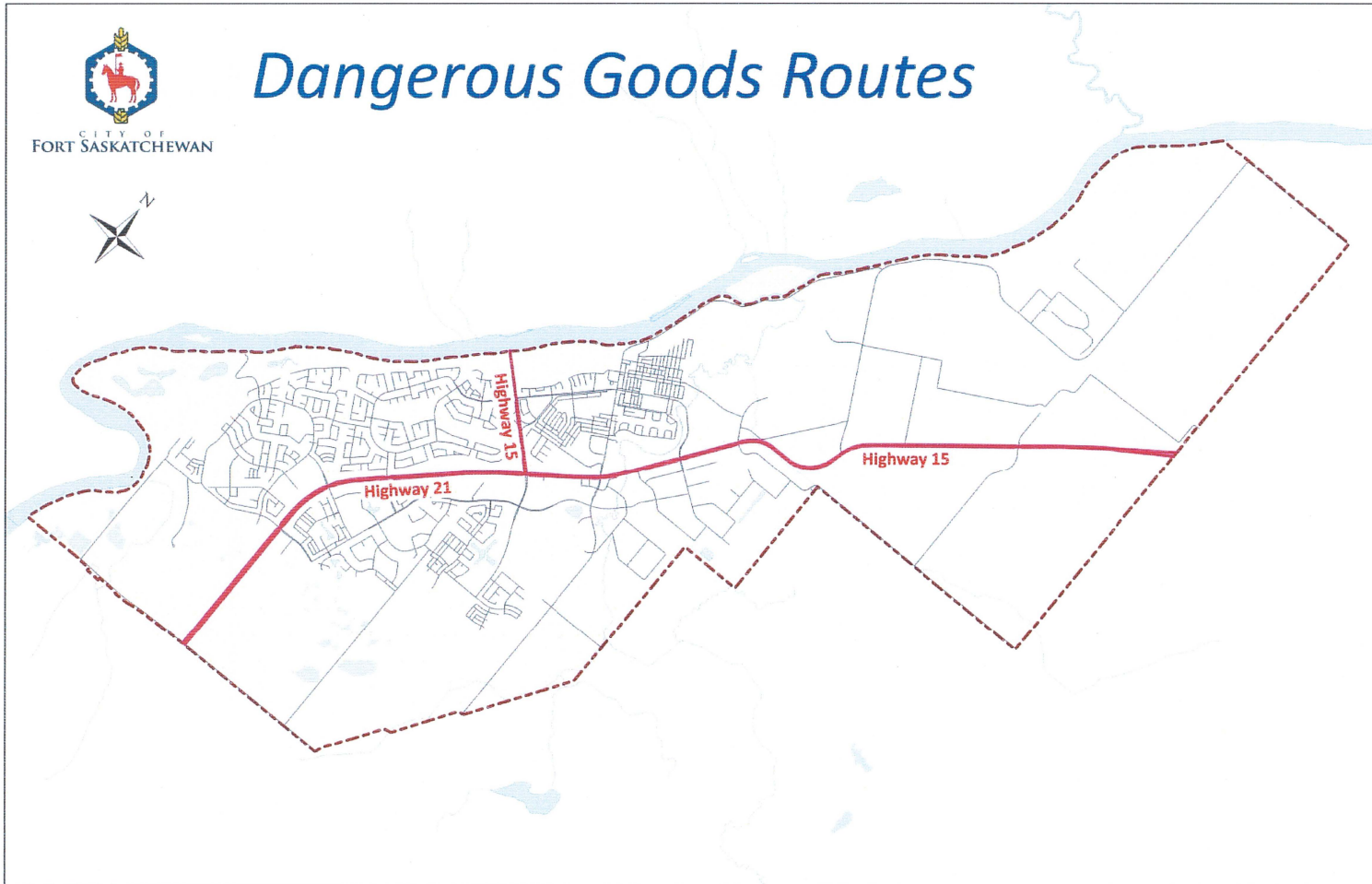
SCHEDULE "B"

DANGEROUS GOODS ROUTES

Roadway
Highway 21
Highway 15

From
South City Limits
North Saskatchewan River

To
Highway 15
North City Limits



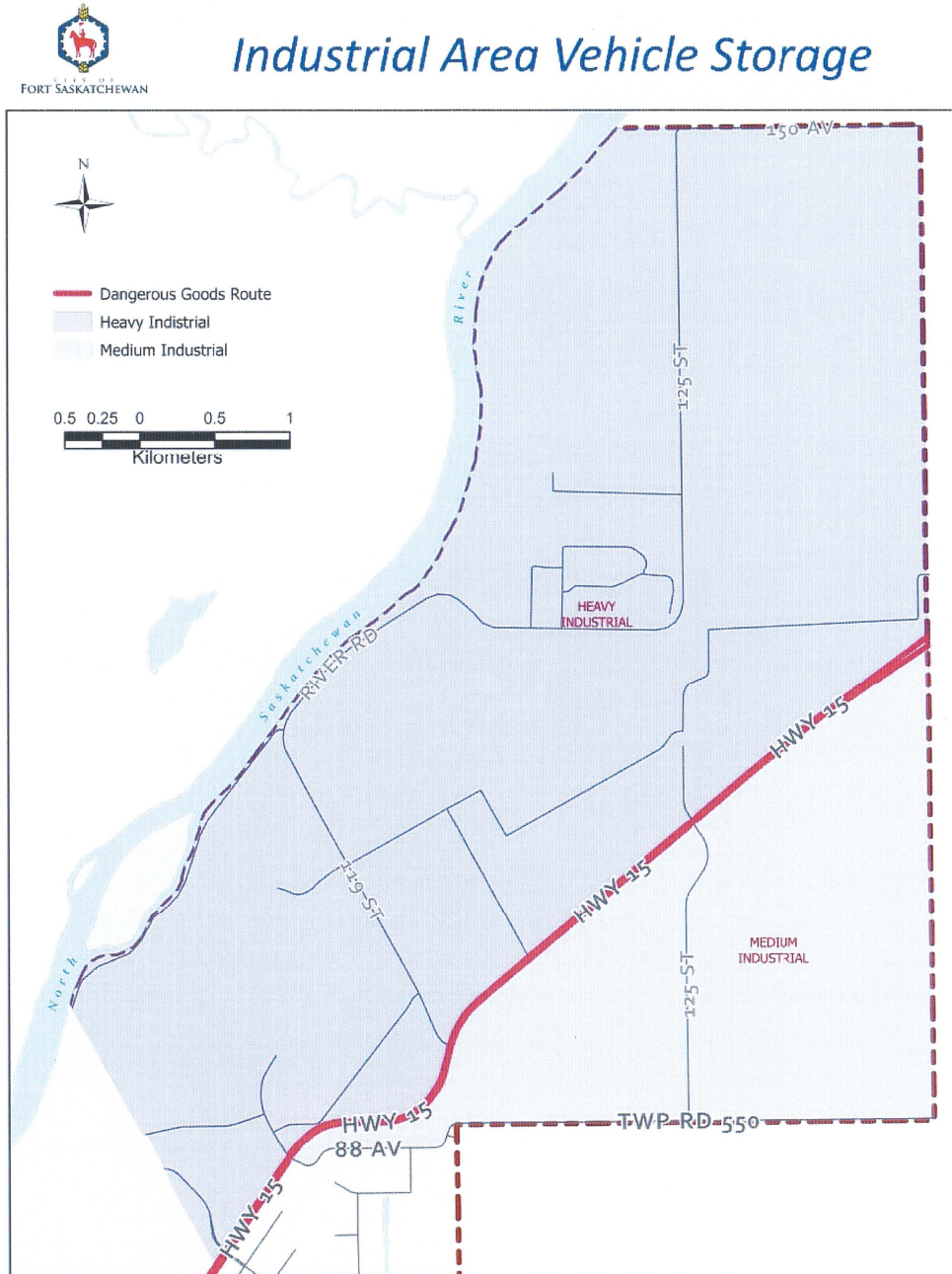
SCHEDULE "C"

VEHICLE STORAGE LOCATIONS

Permitted Vehicle Storage locations may include properties within the City of Fort Saskatchewan's Industrial Areas and Eastgate Business Park as shown below, excluding City Highways (i.e., no DG on-street parking).

Check development permit and storage permit requirements.

Industrial Areas





Non Industrial Area Vehicle Storage

