

Request for Decision

Title	10:00 a.m. Appeal of Firefighting Costs Hearing – 55227 Range Road 225
Proposed Motion	There is no proposed motion.
Administrative Recommendation	That Council hear the appeal related to the recovery of firefighting costs pursuant to section 10.3 of the Fire Services Bylaw and make a decision regarding the matter.
Previous Council / Committee Direction	None.
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> On December 15, 2021, Sturgeon County Fire Services were dispatched to a reported drilling rig fire that was threatening a home under construction. Given the complexity of the well fire, a third party, Capstone, was contracted to assist with fire suppression. Upon completion of fire suppression and investigation, firefighting costs of \$206,087.45 were calculated in accordance with Fire Services Bylaw 1354/15. The contractor hired to assist with extinguishment of the well fire, Capstone, was paid by the County. As agreed to on scene between Kimberley Homes representatives and Summers Drilling, the invoice was to be directed to the attention of Summers Drilling. Subsequently, both Summers Drilling and Kimberley Homes denied liability and declined to pay the invoice. As a result, the invoice was forwarded to the property owners for payment with a deadline of June 30, 2022. The requirement for payment is being held in abeyance pending Council's decision on the matter. Administration has received legal advice that, as per section 10.1 of the Fire Services Bylaw 1354/15, the landowner is the appropriate party to receive the invoice for fire services. The Bylaw does not speak to the issue of who is responsible for causing the fire. In accordance with section 10.3 of the Fire Service Bylaw, the landowners are exercising their right to appeal the firefighting charges to Council.

	<ul style="list-style-type: none"> • A hearing has been scheduled as part of the July 12, 2022 Regular Council Meeting for Council to hear from Administration and the landowners regarding this matter. • Pursuant to section 10.3 of the Fire Services Bylaw, any such appeal shall be final and binding upon the owner or occupancy of the land and shall not be subject to any further appeal. • Should Council refuse the appeal, the landowner would likely need to work through their insurance company and/or take legal action to recover the costs. <p><u>External Communication</u> Council's decision on the matter will be communicated through Council motion at the Council meeting.</p> <p><u>Relevant Policy/Legislation/Practices</u> Fire Services Bylaw 1354/15</p>
Implication of Administrative Recommendation	<p><u>Strategic Alignment</u> Collaborative Governance – Transparent and action-oriented decision making based on sound rationale.</p>
Alternatives Considered	N/A
Implications of Alternatives	N/A
Follow up Action	1. Notify the landowners of Council's decision (Legislative Services, July 12, 2022).
Attachment(s)	1. Attachment 1: Appeal Hearing Procedure 2. Attachment 2: Bylaw 1354/15 3. Attachment 3: Applicants' Appeal Brief
Report Reviewed by:	Tim Osborne, Corporate Operations Advisor Scott MacDougall, Chief Operating Officer – COO Reegan McCullough, County Commissioner – CAO

Strategic Alignment Checklist

Vision: *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

Guiding Principles: Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
Planned Growth			
<ul style="list-style-type: none"> Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Modern broadband and digital capabilities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Low cost, minimal red-tape regulations 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thriving Communities			
<ul style="list-style-type: none"> Beautiful, surprising places with high standards; integrated natural spaces & trail systems; healthy and resilient 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental Stewardship			
<ul style="list-style-type: none"> Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Sustainable development; partnerships with industry and others to drive emission reductions 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Collaborative Governance			
<ul style="list-style-type: none"> Predictable and stable external relationships; volunteer partnerships 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Meaningful connections with Indigenous communities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Respectful and informed debate; clear and supportive governance processes 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operational Excellence			
<ul style="list-style-type: none"> Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Future focused thinking to proactively respond to emerging opportunities and challenges 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Alternative revenue generation and service delivery models integrated strategic and business planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>