



BYLAW 04/22

A BYLAW RESPECTING FIRE RESTRICTION

The Council of the Town of Aberdeen, in the Province of Saskatchewan enacts as follows:

SHORT TITLE

This bylaw shall be referred to as the "Fire Restriction Bylaw".

PURPOSE

To provide for public safety in times of extreme fire hazard conditions as published daily on the Minister of Environments website, Daily Fire Danger Maps

(<https://www.saskatchewan.ca/residents/environment-public-health-and-safety/wildfire-in-saskatchewan>) or future website or fire danger notification system of the government of Saskatchewan;

To restrict or eliminate the use of fire within the municipality in areas of fire danger;

To attempt to minimize the risk of accidental fire;

To regulate open fires, fireworks and burning of any kind;

PART I – DEFINITIONS

- a) "**Administrator**" shall mean the administrator of the municipality, or in their absence their designate;
- a) "**Council**" shall mean the council of the municipality;
- b) "**Designated Officer**" shall mean the Administrator and any person appointed to enforce this bylaw;
- c) "**Discharge**" includes to ignite, fire, or set off and the words "discharging" and "discharged" have a similar meaning;
- d) "**Enforcement and Protective Services**" means the municipal department responsible for delivery of services law enforcement within its jurisdictional area.
- e) "**Fireworks**" means any article defined as a firework pursuant to The Canada Explosives Act or any Regulations thereto, shall also include Low Hazard Fireworks and High Hazard Fireworks and Manufactured Fireworks and include fireworks for recreation such as firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes and sparklers and rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, waterfalls, fountains, mines and firecrackers, or any firework composition that is enclosed in any case or contrivance or is otherwise manufactured or adapted for the production of pyrotechnic effects, signals or sound but does not include sparklers, Christmas crackers, caps for toy guns containing not in excess of twenty-five one-hundredths of a grain of explosive per cap.
- f) "**Mayor**" shall mean the person elected as Reeve to the municipality, or in their absence the Deputy Mayor.
- g) "**Municipality**" shall mean the Town of Aberdeen;

- h) “**Supervising Officer**” means a person appointed by the Municipality to oversee the Enforcement and Protective Services Department, or their designate.

PART II - FIRE BAN

1. A fire ban prohibiting open fire of any kind may be issued by a resolution of Council or jointly by any two officials of the Municipality identified in section 2 of this bylaw. A fire ban shall be issued in writing and shall identify;
 - a. The time and date that the fire ban commences;
 - b. The land location(s) the fire ban covers;
 - c. The time and date the fire ban is lifted, or will be reviewed;
 - d. Persons authorizing the fire ban;
 - e. Authority allowing the fire ban;
 - f. Other information that may be in the public interest;but shall not include restriction on the use of propane or natural gas barbeques or propane or natural gas fire tables unless specifically stated.
2. Pursuant to section 1 of this Bylaw, the municipal officials so authorized, in any tandem, to issue a fire ban are the Administrator and Mayor or Supervising Officer.
3. No person shall light, or start or allow or cause to be lighted, ignited or started a fire of any kind whatsoever in the open air during a fire ban.
4. No person shall discharge, or start or allow or cause to be discharged, ignited or started any fireworks of any kind whatsoever during a fire ban.
5. A Designated Officer may order any fire be extinguished forthwith during any period for which a fire ban is in effect within the Municipality.
6. No person shall fail to immediately comply with an order to extinguish a fire by a Designated Officer.
7. A Designated Officer may cause a fire to be extinguished forthwith during any period for which a fire ban is in effect within the Municipality.
8. The cost of fire prevention, suppression and emergency response services shall be charged directly on the persons who receive the service in accordance with Schedule “A” which is attached to and forming a part of this bylaw.
9. The Administrator shall as per Section 369 of *The Municipalities Act* add to the taxes of any property owned, occupied or inhabited by the person referred to in Section 8 of this bylaw any amount which remains unpaid at the end of the calendar year or 31 days after the person has been invoiced for said services, whichever is earlier.
10. A new offence is deemed to have been committed not less than two (2) hours from any previous offence.

11. A Designated Officer may issue a notice of violation to any person committing an offence under this bylaw.
12. The notice of violation shall require the person to pay to the Municipality;
 - a) in a case of an individual, to a fine of \$300.00 for a first offence and \$450.00 for a second and subsequent offences.
13. The amounts specified in clauses 8 and 12 may be paid:
 - a) in person, during regular office hours, to the Municipality at the Town Office, 401C Main Street, OR
 - b) by mail addressed to the Town Office, PO Box 130, Aberdeen, Saskatchewan, S0K 0A0.
14. The imposition of any penalty for violation of this bylaw shall not relieve the person from complying with this bylaw.
15. The Administrator shall as per Section 369 of *The Municipalities Act* add to the taxes of any property owned, occupied or inhabited by the person referred to in Sections 12 of this bylaw any amount which remains unpaid at the end of the calendar year or 31 days after the person has been invoiced for said penalty for violation, whichever is earlier.
16. This bylaw shall come into force on final passing thereof.





Mayor



Administrator

Certified a true copy of Bylaw 04/2022
passed by resolution of council May 17, 2022



Bylaw 04/22 – Fire Restriction Bylaw

Schedule “A”

Fees and Charges for Enforcement and Fire Fighting Services

- Fire Department or other Fire Suppression Services or other fees and charges respecting fire as per:
- the full rate and all charges from the provider of firefighting or fire suppression service (currently \$962.17 per hour at the time of the passing of this bylaw); and
 - All reasonable costs incurred by the municipality.