

# RURAL MUNICIPALITY OF ROSEDALE NO. 283

## BYLAW NO. 06/2019

### A BYLAW RESPECTING FIRE BANS

The Council of the Rural Municipality of Rosedale No. 283, in the Province of Saskatchewan enacts as follows:

#### SHORT TITLE

This bylaw shall be referred to as the “Fire Ban 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

(<http://www.environment.gov.sk.ca>);

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**” means the administrator of the municipality, or designate;
- b) “**Council**” means the council of the municipality;
- c) “**Designated Officer**” means the Administrator or person appointed to enforce this bylaw;
- d) “**Discharge**” includes to ignite, fire, or set off and the words “discharging” and “discharged” have a similar meaning;
- e) “**Fire Ban**” means an order issued under *The wildfire Act*, or an order issued pursuant to this bylaw, prohibiting the lighting of, and requiring the extinguishment of all fires within the municipality;
- f) “**Fire Chief**” means the fire chief of the Hanley/Rosedale Fire Protection District or designate;
- g) “**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;
- h) “**Municipality**” means the Rural Municipality of Rosedale No. 283;
- i) “**Reeve**” shall mean the person elected as Reeve to the municipality, or in their absence the Deputy Reeve.

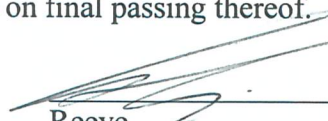
#### PART II - FIRE BAN


1. A fire ban prohibiting open fire of any kind may be issued by a resolution of council or jointly by the Reeve and the Fire Chief. 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.


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2. No person shall light, or start or allow or cause to be lighted, ignited or started a fire or fireworks of any kind whatsoever in the open air during a fire ban.
3. The Designated Officer may order any fire to be extinguished forthwith during any period for which a fire ban is in effect within the municipality.
4. No person shall fail to immediately comply with an order to extinguish a fire by the Designated Officer. A new offence is deemed to have been committed not less than two (2) hours from any previous offence.
5. The cost of providing fire prevention, suppression or emergency response services shall be charged directly to the following person, namely:
  - a. The person or persons causing or contributing to the fire; or
  - b. The owner or occupant of the parcel of land.
 The cost of fire prevention, suppression and emergency response services shall be charged as per the Hanley/Rosedale Fire District Fees.
6. 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 5 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
7. A person who contravenes any provision of this bylaw, fails to comply with any order or request directed to that person pursuant to this bylaw is guilty of an offence and is liable, upon summary conviction, to the specified penalty for the offence as set out in section 8 of this bylaw.
8. The Designated Officer may issue a notice of violation to any person committing an offence under this bylaw. The Notice of Violation Shall be Form "1", attached to and forming part of this Bylaw. The notice of violation shall require the person to pay to the Municipality a fine of \$1,000.00 for a first offence and \$2,500.00 for a second offence and \$5,000.00 for subsequent offences within one (1) year.
9. A violator of any of the sections of this bylaw, upon being served with a Notice of Violation, may voluntary pay the penalty to the R.M. of Rosedale No. 283, within 14 days from the date of service:
  - a) in person, during regular office hours, at the Municipal Office located at 107 Lincoln Avenue, Hanley, Saskatchewan, OR
  - b) by mail addressed to the RM of Rosedale No. 283 P.O. Box 150 Hanley, Saskatchewan, S0G 2E0.
10. If any portion of this bylaw is declared invalid in court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
11. This bylaw shall come into force on final passing thereof.




  
 Reeve

  
 Administrator



Read a third time and adopted  
 this 21 day of June, 2019



Certified a true copy of Bylaw No. 06/2019  
 adopted by resolution of the council of the  
 Rural Municipality of Rosedale No. 283 on  
 the 21 day of June, 2019  
  
 Administrator

## NOTICE OF VIOLATION

**RM OF ROSEDALE NO. 283**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

This official notice is issued for alleged breach of the following bylaw:

**Bylaw No. 06/2019 – The Fire Ban Bylaw**

**Section #:** \_\_\_\_\_

**Offence:** \_\_\_\_\_

**Voluntary Payment: \$** \_\_\_\_\_

DETAILS OF ALLEGED BREACH OF VIOLATION

**Date and time of violation:** \_\_\_\_\_

**Location of violation:** \_\_\_\_\_

PENALTY

Take notice that you may remit a voluntary payment to the Municipality in the amount stipulated above to avoid prosecution for this offence.

Payment may be made in person at the municipal office or by mail at R.M. of Rosedale No. 283 P.O. Box 150, 107 Lincoln Avenue, Hanley SK S0G 2E0.

If the voluntary payment indicated above is not received by \_\_\_\_\_ a summons requiring your appearance in provincial court will be issued.

Issued this \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_  
[Date] [name of Designated Officer]

\_\_\_\_\_  
Signature of Designated Officer

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