

# Fire Prevention Bylaw

## TOWN OF GRAND COULEE

### BYLAW NO 04-2019

#### A BYLAW OF THE TOWN OF GRAND COULEE WITH RESPECT TO FIRE PREVENTION AND BURNING WITHIN TOWN LIMITS

The Council of the Town of Grand Coulee in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be referred to as the Fire Prevention Bylaw.
2. **PURPOSE:**
  - a) To provide for public safety in times of extreme fire hazard conditions;
  - b) To restrict or eliminate the use of fire within the municipality in areas of fire danger;
  - c) To attempt to minimize the risk of accidental fire;
  - d) To regulate open fires, fireworks and burning of any kind.
3. **DEFINITIONS:**
  - a) "Administrator" shall mean the administrator of the municipality, or in their absence their designate;
  - b) "Bylaw Officer" means a person appointed by the municipality to oversee the Enforcement and Protective Services, or their designate;
  - c) "Council" shall mean the council of the municipality;
  - d) "Designated Officer" shall mean the Administrator, a Peace Officer, Bylaw Officer, Fire Chief and any person appointed to enforce this bylaw;
  - e) "Enforcement and Protective Services" means the municipal department responsible for delivery of services and the RCMP within its jurisdictional area;
  - f) "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, bombardos, 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;
  - g) "Mayor" shall mean the person elected as Mayor of the municipality, or in the absence the Deputy Mayor.
  - h) "Municipality" shall mean the Town of Grand Coulee;
  - i) "Peace Officer" means a peace officer as defined in *Act, 1990; The Summary Offence Procedures*;
4. Open fires for the purpose of burning rubbish or other flammable combustible waste materials within the Town of Grand Coulee is prohibited.

5. Open fires for recreational purposes shall be allowed on private property in the municipality subject to the following:
  - a) Any open fire must be controlled and contained by utilizing a non-combustible container or fire barricade erected in such a manner so as not to allow the fire to spread on the ground.
  - b) Any recreational open fires shall be fully extinguished at the end of any activity.
  - c) Any ashes from open fires must be stored or disposed of in any non-combustible receptacle.
6. Where open fires are permitted in Section 5 the owner, occupants of any property, or tenant, having a fire for recreational purposes due so at their discretion and shall be liable for any damages to private or neighbouring properties resulting from smoke produced by said fires or from damages from the fire by way or sparks, embers or the spread of fire from one property to another.
7. No person shall burn the following materials in an open fire:
  - a) Waste including rubbish, slimes, tailings, garbage, garden refuse, or leaves;
  - b) Any materials classified by the *The Hazardous Substances and Waste Dangerous Goods Regulations, 2000* as a hazardous material or dangerous good; and,
  - c) Any material that generates black smoke or an offensive odour when burned, including but not limited to, insulation from electrical wiring, rubber tires, asphalt shingles, hydrocarbons, plastics, and lumber treated with wood preservative.
8. All open fires shall be supervised at all times.
9. If smoke from an open fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately.
10. A Designated Officer may make a fire safety inspection of all properties within the Town of Grand Coulee as deemed necessary by him for the purpose of ascertaining any violation of the provisions of this Bylaw or *The Fire Safety Act, 2015* and all the regulations thereunder, and to order remedying or removal of any condition likely to cause a fire.
11. Any fire pit shall be located at a safe distance, approximately 10 feet/3 m, from all combustibles (i.e. house, sheds, fences, trees, decks, power lines, etc.).
12. No person may set off any fireworks or cause any fireworks to be ignited, fired or set off, and no owner or occupant of premises may permit fireworks to be ignited, fired or set off on the premises, within the Town of Grand Coulee.
13. **FIRE BAN:**
  - a) 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 13 (b). A fire ban shall be issued in writing and shall identify:
    - i. The time and date that the fire ban commences;
    - ii. The land location(s) the fire ban covers;
    - iii. The time and date the fire ban is lifted, or will be reviewed;
    - iv. Person or persons authorizing the fire ban;
    - v. Authority allowing the fire ban;
    - vi. Other information that may be in the public interest.

- b) Pursuant to Section 13 (a) the municipal officials so authorized, in any tandem, to issue a fire ban are the Administrator, Mayor or Fire Chief.
  - c) 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. Propane or natural gas barbeques or camp stoves and any CSO approved propane tables are allowed.
  - d) A Designated Officer may order or cause any fire to be extinguished forthwith during any period for which a fire ban is in effect within the municipality.
- 14.** No person shall fail to immediately comply with an order to extinguish a fire by a Designated Officer.
- 15.** The cost of fire prevention, suppression and emergency response services shall be charged directly on the persons who receive the service.
- 16.** 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 #11 of this bylaw any amount which remains unpaid at the end of the calendar year.
- 17.** Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to:
- a) In the case of a first offence to a fine not less than \$500 and not more than \$10,000;
  - b) In the case of a second offence to a fine not less than \$750 and not more than \$10,000;
  - c) In the case of a third or subsequent offence to a fine of not less than \$1,000 and not more than \$10,000, to imprisonment for not more than one year or both.
- 18.** A new offence is deemed to have been committed not less than two (2) hours from any previous offence.
- 19.** Notwithstanding Section 17, a Designated Officer may issue a notice of violation to any person committing a first or second offence under this bylaw.
- 20.** The notice of violation shall require the person to pay the municipality:
- a) In a case of an individual, to a fine of \$300 for a first offence and \$450 for a second offence and \$1,000 for each subsequent offence.
- 21.** The amount specified in Section 20 (a) may be paid:
- i. In person, during regular office hours, to the municipality at the Municipal Office, 102 Railway Ave., Grand Coulee, SK OR
  - ii. By mail addressed to the Town of Grand Coulee, PO Box 72, Site 200 Grand Coulee, SK S4P 2Z2
- 22.** If payment of the fine as provided in Section 20 is made prior to the due date noted on the notice of violation, the person shall not be liable to prosecution for that offence.
- 23.** The imposition of any penalty for violation of this bylaw shall not relieve the person from complying with this bylaw.
- 24.** Unless otherwise specifically stated no prosecution for an offence pursuant to this bylaw is to be commenced after two years from the date on which the offence is alleged to have been committed or, in the case of a continuing offence, the last date on which the offence was committed.

**25.** If any part, section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

**26.** This bylaw shall come into force on final passing thereof.

**27.** That Bylaw 25-2017 is hereby repealed.

(SEAL)

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Mayor

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Administrator

Read a third time and adopted  
this 9<sup>th</sup> day of July, 2019.

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Administrator