

M-11

Rural Municipality of Foam Lake No. 276

BYLAW No. 05 - 2019

A Bylaw of the RM of Foam Lake No. 276 in the Province of Saskatchewan, to establish a process for a Fire Advisory and/or Fire Ban in consultation with the Foam Lake Fire Department in the Municipality.

WHEREAS Section 8(1)(b) of *The Municipalities Act* provides that Council may pass bylaws for the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the RM of Foam Lake No. 276 pursuant to the powers granted to it under *The Municipalities Act*, wishes to provide for the advisory and/or complete banning of fires within the RM of Foam Lake for the health, safety and welfare of the people and protection of the people and property from damage or destruction by fire on the terms hereinafter provided;

NOW THEREFORE, the RM of Foam Lake No. 276 enacts as follows.

1. This Bylaw may be cited as the "Fire Advisory & Fire Ban Bylaw".
2. The preamble forms a part of this Bylaw.
3. Notwithstanding the provision in any other Bylaw the Administrator may, upon receiving input from the Fire Chief of the Foam Lake Fire Department, declare a Complete or Advisory Ban on burning of any kind within the municipality.

3.1 A Complete Fire Ban includes;

- i. Supervised Incinerators (for farm, acreage and hamlet use)
- ii. Burning barrels
- iii. Recreational Camp Fires
- iv. Fireworks
- v. Controlled Burns

3.2 Advisory or Partial Ban includes: Open burning in the municipality is not recommended due to dry conditions. It is recommended Agriculture and Industrial operations with water tanks at their disposal to have those filled and accessible at all times.

- i. Burning barrels
- ii. Controlled Burns
- iii. Fireworks

Solid Fuel Barbeques and Recreational Campfires are permitted under certain provisions of the Advisory Ban Bylaw, providing:

- i. Fires must be under constant supervision by an adult
- ii. Enclosed Fire pits or barbecues must be covered with a metal screen and must cover the entire opening.
- iii. Logs or other fuel source must be fully contained within the enclosure. Embers and ash must be prevented from escaping the enclosure.
- iv. The fire pit/barbecue must be a distance of at least 20" from any grass, and 10 feet from any combustible structure or item.
- v. Be prepared, and have a plan to extinguish a fire should it escape from the fire pit/barbecue.
- vi. Fires and embers must be extinguished completely when not under constant supervision.

4. A Fire or Advisory Ban imposed pursuant to Section 3 of this Bylaw, shall remain in force until either the date provided in the notice of the Fire Ban or until such time as the Administrator provides notice to the public that the Fire Ban is no longer in effect.

- 4.1 Notice of a Fire or Advisory Ban shall be provided to the public. Notice may be in the form of signs posted throughout the Municipality, in locations to be determined by the Municipality, through a public service message on the local radio stations, or by any other means which the Administrator determines is

appropriate for the purpose of informing the public of the Fire or Advisory Ban.

- 4.2 A fire ban or Advisory Ban may 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 Type of Fire Ban
 - c) The time and date the fire ban is lifted, or will be reviewed;
 - d) Person or persons authorizing the fire ban;
 - e) Authority allowing the fire ban;
 - f) Other information that may be in the public interest.

- 5. When determining whether to declare a Fire (or Advisory) Ban within the RM of Foam Lake No. 276, consideration shall be given to any or all of the following factors:
 - (a) Levels of recent precipitation;
 - (b) Future weather forecasts;
 - (c) Water shortages or restrictions;
 - (d) Availability of Fire crews, equipment and apparatus;
 - (e) The overall fire danger including fire load and level of round fuels;
 - (f) The amount of or increase in recent outside fires; and
 - (g) Recommendation of the Fire Chief.

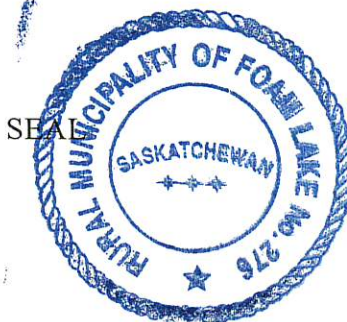
- 6. A person who contravenes any provision of this Bylaw, or fails to comply with any order or request directed to that person pursuant to this Bylaw is guilty of an offence and is liable, upon summary conviction, to the specified penalty for the offence set out in Schedule "A", attached to and forming part of this Bylaw. OR to a fine:
 - (a) For the first offense, of \$1000.00
 - (b) For the second offense, of \$2000.00
 - (c) For the third or subsequent offence \$5000.00

- 7. If the Fire Department is requested to attend to extinguish the fire, all costs incurred will be invoiced to the person responsible for the fire. The Municipality may add to the tax roll of the parcel of land unpaid penalties and fire services charges in accordance with *The Municipality Act*.

- 8. A violator of any of the subsections of this Bylaw, upon being served with a Notice of Violation, may during regular office hours, voluntarily pay the penalty at the municipal office of the R.M. of Foam Lake, No. 276, Box 490, Foam Lake, SK S0A 1A0.

Kenny Kaban
Reeve Ken Kaban

Shanna Loeppky
Administrator Shanna Loeppky



Certified a true and correct copy of Bylaw No. 05-2019 passed by resolution of the Council of the Rural Municipality of Foam Lake No. 276 on the 12th day of June, 2019.

Shanna Loeppky
Shanna Loeppky, Administrator