

RURAL MUNICIPALITY OF CLAYTON NO. 333

BYLAW NO. 2018-01

A BYLAW TO PROVIDE FOR FIRE PREVENTION AND PROTECTION, THE SUPPRESSION OF FIRE AND ASSESSING AND LEVYING THE COST OF SAME

The Council of the Rural Municipality of Clayton No. 333 in the Province of Saskatchewan enacts as follows:

DEFINITIONS:

1. For the purpose of this Bylaw:
 - a) "local assistant" means Fire Chief of the Highway 49 Fire Board, Fire Chief of the Sturgis and District Fire Board, Reeve and Deputy Reeve of the R.M. of Clayton No. 333 or designate as defined in The Fire Prevention Act, 1992;
 - b) "Rural Municipality" means the Rural Municipality of Clayton No. 333

PROHIBITIONS:

2. No person shall:
 - a) start any outdoor fire for any purpose without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
 - b) start any outdoor fire for any purpose when weather conditions are conducive to a fire's readily escaping control;
 - c) fail to take reasonable steps to control a fire for the purpose of preventing it from spreading;
 - d) deposit, discard or leave any burning matter or substance in a place where it might ignite other matter and result in a fire's spreading;
 - e) conduct any activity that involves the use of a fire or that might reasonably be expected to cause a fire to spread, unless he exercises reasonable care to prevent a fire from occurring;
 - f) leave the place where he has started an outdoor fire without fully extinguishing the fire.

FIRE HAZARDS:

3.
 - a) Where a local assistant finds conditions which, in his opinion, constitute a fire hazard endangering life or property, he may order the owner or occupant of the land to reduce or remove the hazard within a fixed period and in any manner that the local assistant prescribes in writing.
 - b) Where a local assistant finds that the order made pursuant to subsection (1) has not been carried out, he may enter upon the land with any equipment and persons that he considers necessary and may perform the required work to reduce or remove the fire hazard.
 - c) The owner or occupant of the land on which work is performed pursuant to subsection (2) shall, on demand, reimburse the department for the cost of the work performed as a fire fighting service.

POWERS RE: EXTREME FIRE HAZARDS:

4. (1) Where, in the opinion of at least two of the designated local assistants, one of which is the Reeve or Deputy Reeve of the Rural Municipality, an extreme fire hazard exists or the safety of persons or property is endangered by a prairie fire or forest fire, the local assistants may, by order, do any or all of the following:
 - a) prohibit the setting or propagation of any fire or type of fire within a specified area;
 - b) require the evacuation of any area; or
 - c) prohibit entry into or occupation of any area.
- (2) The local assistant shall cause an order made pursuant to subsection (1) to be:
 - a) posted on radio, website, Facebook and Sask Alert;
 - b) no person shall fail to comply with an order made pursuant to subsection (1).

FIRE FIGHTING

5. Where a fire is burning in the Rural Municipality, the Rural Municipality may, subject to the availability of personnel and equipment, take any action that is necessary to control and extinguish the fire.

ASSESSING AND LEVYING COSTS

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- 6. The cost of the firefighting services, including fire prevention and fire suppression, provided by the Rural Municipality including services provided through fire protections service agreements maintained by the Rural Municipality, shall be assessed and levied, at the discretion of Council;
 - a) throughout the Rural Municipality
 - b) in part throughout the Rural Municipality, or in any specified area of the Rural Municipality, and in part to persons who receive the service, or
 - c) directly on the person or persons who receive the service.
- 7. For the purpose of assessing and levying costs of firefighting services, the person who owns land or is the assessed owner of crown leased land upon which fire protection services are provided shall be deemed to be a person who receives firefighting services to control and extinguish the fire.
- 8. Any amount with respect to firefighting services provided to a person within the Rural Municipality pursuant to paragraph 6 hereof that remains unpaid at the end of the year in which the service was provided shall at the end of that year be added to and form part of the taxes on any land, improvement or business owned by that person.

PENALTY

- 9. Any person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine of not more than:
 - a) \$2,000.00 in the case of an individual;
 - b) \$5,000.00 in the case of a corporation;
 - c) \$500.00 per day in the case of a continuing offense
- 10. Costs levied pursuant to paragraph 8 hereof may be paid to the Administrator within 30 days of notice thereof and, on payment so provided, the person contravening the bylaw shall not be liable to prosecution for the offense.
- 11. This bylaw shall come into force and take effect on August 8, 2018.

X *D Hicks*
 Duane Hicks
 Reeve

X *Kelly Kim Rea*
 Kelly Kim Rea
 Administrator



Read a third time and adopted
 this 8 day of August, 2018
Kelly Kim Rea
 Administrator

WHR