

RURAL MUNICIPALITY OF LAKEVIEW NO. 337

**BYLAW NO. 06/17
CONTROLLED BURN BYLAW**

Bylaw 06/17 is a Bylaw of the RM of Lakeview No. 337 in the Province of Saskatchewan for the purpose of establishing controlled burn regulations and the recovery of Fire Protection Charges.

WHEREAS the *Municipalities Act* provides that a council of a municipality may pass bylaws to prevent, regulate and control the lighting of fires and may collect pursuant to a bylaw, costs and expenses incurred by the Municipalities Fire Suppression provider for extinguishing fires;

AND WHEREAS the Council of the Rural Municipality of Lakeview No. 337 wished to provide for controlled burn regulations;

NOW THEREFORE, the Council of the Rural Municipality of Lakeview No. 3378 enacts as follows;

Section 1. TITLE

1.1 This Bylaw may be cited as the “Controlled Burn Bylaw”

Section 2. DEFINITIONS

2.1 In this Bylaw;

- (a) **“Administrator”** means the Administrator of the Municipality or designate;
- (b) **“Burning Barrel Fire”** means a fire confined to a non-combustible structure or container which is lit for the purpose of burning household refuse.
- (c) **“Controlled Burn”** means a fire that is lit for the purpose of burning organic material including, without limitation, trees or stubble but does not include a Burning Barrel Fire, a Recreational fire or a Smudge Fire;
- (d) **“Council”** means the municipal council of the Municipality;
- (e) **“Fire Protection charges”** means all costs or charges incurred for Fire Protection Services as per current fire service agreement entered into by the Municipality with the Wadena And District Fire Association;
- (f) **“Outdoor Fire”** means any fire in the Municipality started or caused by any person, including without limitation a Controlled Burn, a Burning Barrel Fire, a Recreational Fire and a Smudge Fire.
- (g) **“Recreational Fire”** means a fire confined within a non-combustible structure or container, which is lit for the purpose of cooking, obtaining warmth or viewing for pleasure and is fueled solely by dry wood, charcoal, natural gas or propane;
- (h) **“Smudge Fire”** means a fire which is lit for the purpose of protecting livestock from insects or for protecting garden plants from frost.

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SECTION 3. FIRE PROTECTION

- 3.1 Council pursuant to Bylaw No. 02/17 has an agreement with the Wadena & District Fire Association to provide fire suppression services for the RM of Lakeview No. 337

SECTION 4. CONTROLLED BURN

- 4.1 Any person that lights a Controlled Burn upon the land owned or occupied by such person must report the fire in advance to the controlled burn phone line designated by the Municipality.
- 4.2 In the event no advance reporting of the Controlled Burn is made and should the Wadena and District Fire Association be dispatched to the site of the Controlled Burn even though the Controlled Burn is being supervised and under control, the person supervising the Controlled Burn or the owner or occupant of the parcel of land shall be responsible for the Fire Protection Charges and Section 6 of this Bylaw will apply.

SECTION 5. PERMITTED AND PROHIBITED FIRES

- 5.1 Any person that lights or causes to be lit any Outdoor Fire or permits any Outdoor Fire upon land owned or occupied by such person or under such person's control within the boundaries of the Municipality shall do as provided by this Bylaw.
- 5.2 A Controlled Burn, Burning Barrel Fire, Recreational Fire or Smudge Fire is permitted provided that:
- (a) The fire is kept under control and supervised at all times by a responsible adult until such time as the fire has been completely extinguished.
- 5.3 This Bylaw does not apply to:
- (a) an Outdoor Fire lit by Fire Protection Services for training or preventative purposes;
 - (b) an Outdoor Fire prescribed by regulations under *The Wildfire Act*, or;
 - (c) a fire confined to an incinerator regulated under *The Environmental Management and Protection Act, 2010*.

SECTION 6. FIRE PROTECTION CHARGES

- 6.1 Upon Fire Protection Services being provided on a parcel of land within the

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Municipality's boundaries, the Wadena & District Fire Association may, in its sole and absolute discretion, invoice Fire Protection Charges to any or all of the following, namely:

(a) The owner or occupant of the parcel of land;

All persons charged are jointly and severally liable for payment of the Fire Protection Charges to the Wadena & District Fire Association.

6.2 If Fire Protection Charges are not paid Section 6.3 will apply.

6.3 The Wadena & District Fire Association may request the Municipality to add to the tax roll of the parcel of land all unpaid Fire Protection charges in accordance with *The Municipalities Act*.

SECTION 7. OFFENCES

7.1 No person shall:

(a) contravene any provision of this Bylaw

SECTION 8. EFFECTIVE DATE

8.1 This Bylaw shall come into force and effect upon third and final reading

Reeve

Acting Administrator

Read a third time and adopted on

Acting Administrator