

TOWN OF ROULEAU

BYLAW 02 - 2017

A BYLAW TO REGULATE OPEN OUTDOOR FIRES

The Council of the TOWN of ROULEAU in the Province of Saskatchewan enacts as follows:

**TITLE**

This bylaw shall be referred to as the "Open Outdoor Fire and Fire Restriction and Control Bylaw".

**PURPOSE**

To regulate open fires, fireworks and burning of any kind.

**DEFINITIONS**

- "Administrator's" shall mean the administrator of the municipality;
- "Council" shall mean the council of the municipality;
- "Fire District" shall mean the shared organization between the Town of Rouleau and portions of the RM of Redburn No. 130 and RM of Bratt's Lake No. 129
- "Department" shall mean the Rouleau & District Fire Department;
- "Fire Chief" shall mean the Chief of the Rouleau & District Fire Department or his designate;
- "Member" means a person appointed as a Fire Chief by Council or a member of the Fire Department approved by the Fire Chief;
- "Designated Officer" shall mean the Administrator, a Peace Officer and/or any person appointed to enforce this bylaw;
- "Fireworks" means any and all articles defined as a firework pursuant to the Canada Explosives Act and any Regulations;
- "Occupant" means an owner, tenant, lessee, agent, licensee and any other person(s) who has the right of access to, and/or control of all land, buildings or premises to which this Bylaw applies;
- "Municipality" shall mean the Town of Rouleau.

**SECTION A – Open Fires**

- 1) No permit shall be required to light, ignite, or start or allow or cause to be lighted, ignited, or started, a fire pit (as described in Section 5), a barbeque, grill, outdoor oven or similar device used to cook food.
- 2) No person shall light, ignite, or start to allow or cause to be lighted, ignited, or started, a fire of any kind whatsoever in the open air without first having obtained a written permit to do so as shown in Schedule "A", as attached hereto and forming part of the bylaw.
- 3) The Department may issue a permit to a person to set an open-air fire as part of a block party, community event or similar special function or celebration. In this event, the

Department may waive any requirements of this section with respect to the permitted open-air fire, but the permittee shall comply with all the other requirements of this section and any other conditions attached to the permit by the Department.

- 4) The Department may issue a permit for the discharge of fireworks as part of a block party, community event or similar special function or celebration.
- 5) The Fire Chief or a designate may suspend a burning permit if the wind or other conditions are not conducive to fire safety on the date specified for the burn. The Fire Chief may validate the permit for another date.
- 6) A person to whom a permit has been issued under Subsection 1) shall prevent the fire from getting beyond control or causing damage or becoming dangerous.
- 7) Nothing contained in this section shall relieve any person from complying with the provisions of The Clean Air Act and the regulations passed pursuant thereto.
- 8) Burning for land clearing purposes within the municipality is prohibited.
- 9) A permitted fire, outdoor burning appliance or barbeque, which is deemed hazardous, may be extinguished or removed by order of the Fire Chief or any member.

#### **SECTION B - Exemptions to Burning Regulations**

Notwithstanding any other provision of this bylaw, the Fire Chief or any other member designated by the Fire Chief may burn buildings, structures, or other materials for the purpose of training its personnel in structural firefighting methods, fire investigation procedures, for the purpose of elimination of hazards or any other municipal purposes.

#### **SECTION C - Fire Pits**

- 1) Open cooking fires shall not be set unless the following measures are taken:<sup>1</sup>
  - a. be limited to a diameter of ninety-two (92) centimeters (36 in.) and be contained in a non-combustible receptacle constructed of cement, brick, clay (kiln dried), or sheet metal with a minimum 18 gauge thickness;
  - b. a cover of a heavy gauge metal screen with openings not exceeding 1.25 centimeters (0.5 in.) shall be available in the immediate vicinity to cover the receptacle;
  - c. the receptacle must be located on private property, a distance of at least 3.1 meters (10 feet) from any property line, building or other combustible structure; .
  - d. the receptacle must be separated from grass and any other vegetation by a distance of at least forty (40) centimeters (15.7 in.) by means of clean earth, sand, gravel or other non-combustible material.
- 2) Chimney and portable fire pits:
  - a. shall not be used on apartment balconies;
  - b. shall not be used indoors;
  - c. shall not be used on wooden decks; but may be used on a non-combustible surface such as earth, concrete, stone, etc.;

- d. shall be separated from grass and any vegetation by a distance of at least 40 centimeters (15.7 in.) by means of clean earth, sand, gravel or other non-combustible material;
- e. shall be located on private property a distance of at least 3.1 meters (10 feet) from any property line, building or other combustible structure.

### 3) General Requirements

- a. The fire must be reasonably supervised so as to prevent its spread.
- b. The fuel for open-air fires shall consist only of charcoal, cut seasoned wood, or manufacturer's logs.
- c. The fire shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
- d. The fire shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
- e. The burning of the following materials is **prohibited**:
  - 1. rubbish;
  - 2. garden refuse;
  - 3. manure;
  - 4. livestock or animal carcasses;
  - 5. any material classified as a dangerous good;
  - 6. any material when burned will generate black smoke or an offensive odour (i.e. insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosote wood)
  - 7. if smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately. Continued offenses of this nature could call for the immediate removal of the fire pit and/or suspension of its' use for a period of one (1) calendar year, at the discretion of the Fire Chief.
- f. The permittee is responsible for any or all damages as a result of burning.

### SECTION D - Barbecuing

- 1) Every person who uses any barbecue or similar device shall:
  - a. Use the barbecue in a reasonable and safe manner;
  - b. Keep the barbecue, when lit, a sufficient distance from all combustible materials ("combustible materials" is not to be interpreted as the railing on a balcony or deck);
  - c. Ensure that a portable grill or barbecue is located on a firm base and firmly anchored;
  - d. Refrain from leaving the barbecue unattended;
  - e. Keep the barbecue in a reasonable state of repair;
  - f. Comply with all federal and provincial regulations regarding the use and storage of propane cylinders;

- g. Ensure propane cylinders be shut off at the tank valve when not in use;
  - h. Ensure propane cylinders be connected and secured to the barbecue;
  - i. Ensure propane cylinders be kept in an upright position at all times, including when the cylinders are in transit, service or storage.
- 2) When solid fuel appliances are used, provisions for the storage of ashes or hot coals is limited to approved receptacles.

**SECTION E - Contravention of the Bylaw**

Every person who contravenes any provision of this Bylaw, or who permits any act to be done in contravention of the Bylaw, or who neglects to do or refrain from complying with this bylaw, shall be guilty of an offence and liable to a fine:

- A) for the first offence, of \$250.00;
- B) for the second offence, of \$500.00;
- C) for a third or subsequent offence, of not less than \$500.00 and not more than as specified in the "General Penalty Bylaw".
- D) The cost of fire prevention, suppression and emergency response services MAY be charged "for each offence" directly to the person(s) who receive the service in accordance with Schedule "A", which is attached and forms a part of this Bylaw.
  - a) The Administrator shall as per Section 369 of The Municipalities Act add to the taxes of any property any amount which remains unpaid at the end of the calendar year or 30 days following the invoicing for said services, whichever is earlier.
  - b) A new offence is deemed to have been committed *following two (2) years of any previous offence.*

2 Coming into Force

This bylaw shall come into force and take effect on date July 10, 2017

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Administrator

Subsection 8(1) (b) of The Municipalities Act

Read a third time and adopted this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Administrator

SCHEDULE "A" BYLAW NO.02-2017 TOWN of ROULEAU

SPECIAL EVENT

OUTDOOR FIRE PERMIT TO BURN

ADDRESS OR LOCATION OF OUTDOOR FIRE APPLIANCE:

\_\_\_\_\_

(Please Print)

APPLICANT(S) NAME: \_\_\_\_\_

(Please Print)

PHONE # \_\_\_\_\_

ATTACH A SKETCH OF AREA WHERE BURNING IS TO OCCUR (INCLUDE BUILDINGS, TREES, OTHER STRUCTURES, ETC.)

The TOWN of ROULEAU assumes no responsibility for any burning or consequence of burning. The owner is responsible for any or all damages as a result of burning. The owner may be required to extinguish the fire at any time if it causes unreasonable interference with the use and enjoyment of other person's property.

It is an express condition of this permit that the applicant, whose signature appears hereunder, shall be responsible for any injury or damage to person or property arising from the use of this permit,

APPLICANT'S SIGNATURE:

\_\_\_\_\_

A permit to burn approved materials is hereby granted to the applicant noted above.

This permit is effective for the date of \_\_\_\_\_ and hours of \_\_\_\_\_ to \_\_\_\_\_

FIRE CHIEF/DESIGNATE

\_\_\_\_\_ DATE: \_\_\_\_\_

## SCHEDULE A

Fees and Charges for Fire Prevention, Suppression and Emergency Response Services provided by the Rouleau and District Fire Dept (Subject to SGI rates and inflation)

Fire Prevention - \$887.00/hour  
- Minimum charge of one hour

Fire Suppression - \$887.00/hour  
- Minimum charge of one hour

Emergency Response - \$887.00/hour  
- Minimum charge of one hour

### Other Fees and Charges

Fire Department or other Fire Suppression Services:  
\$887.00 – per call out **OR** actual invoiced amount from the provider of the firefighting or fire suppression services (call in of supporting Fire Departments)