

FIRE RESTRICTION BYLAW
RESORT VILLAGE OF WAKAW LAKE
BYLAW NO 005-2016
A BYLAW RESPECTING FIRE RESTRICTIONS

The Council of The Resort Village of Wakaw Lake, in the province of Saskatchewan enacts as follows: A bylaw to enact fire restrictions as deemed necessary.

This bylaw shall be referred to as the “Fire Restriction Bylaw”

Purpose:

To provide for public safety in times of extreme fire hazard conditions by:

- restricting or eliminate the use of fire with the Resort Village in areas of fire dangers:
- attempt to minimize the risk of accidental fire:
- Regulate open fires, fireworks and burning of any kind.

Part 1 Definitions:

1. The “Administrator “ shall mean the Administrator of the Resort Village of Wakaw Lake, of in their absence their designate:
2. “Council” shall mean the elected Council of the Resort Village of Wakaw Lake.
3. “Designated Officer: shall mean the Administrator, a Peace Officer, Bylaw Officer, Fire Chief any person appointed to enforce this bylaw:
4. “Peace Officer” means a peace officer as defined in Act 1990: *The Summary Offence Procedures*
5. “By Law Officer” means a person appointed by the Resort Village of Wakaw Lake to oversee the Enforcement and Protective Services, or their designate:
6. “Discharge” includes to ignite, fire or set off and the words “discharging” and “discharged” have a similar meaning.
7. “Enforcement and Protective Services: means the municipal department responsible for delivery of services and the RCMP within its jurisdictional areas.
8. “Fireworks” means nay article defined as a firework pursuant to the Canada Explosive Act or any Regulations thereto, shall also include but not limited to: 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, rockets serpents, shells , bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombards, waterfalls, fountains, mines and firecrackers, or any firework composition this is enclosed in any case or contrivance or is

otherwise manufactured or adapted for the productions of pyrotechnic effects, signal or sounds 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.

Part II Fire Ban

9. 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 Resort Village of Wakaw Lake identified in 11. A fire ban shall be issued in writing and shall identify:
 - a. The time and date that the fire ban commences
 - b. The land location the fire ban covers
 - c. The time and date the fire ban is lifted, or will be reviewed
 - d. Person or persons authorizing the ban
 - e. Authority allowing the fire ban
 - f. Other information that may be in the public interest.
10. Pursuant to section 11 the Resort Village of Wakaw Lake Officials so authorized, in any tandem, issue a fire ban are the Administrator, Mayor, Bylaw Officer, Deputy Mayor or Fire Chief.
11. No person shall light, or start or allow or cause to be lighted, ignited or started a fire of any kind in the open air during a fire ban. Barbeques and camp stoves are permitted unless otherwise stated in writing at issue of fire ban.
12. No person shall discharge, or start or allow or cause to be discharged, ignited or started any fireworks of any kind whatsoever during a fire ban.
13. A Designated Officer may order any fire be extinguished forthwith during any period for which a fire ban is in effect within the Resort Village of Wakaw Lake.
14. No person shall fail to immediately comply with an order to extinguish a fire by a Designated Officer.
15. A Designated Officer may cause a fire to be extinguished forthwith during any period for which a fire ban is in effect within the Resort Village of Wakaw Lake.
16. The cost of fire prevention, suppression and emergency response services shall be charged directly on the persons who receive the service.
17. 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 Section 18 of this bylaw any amount which remains unpaid at the end of the calendar year or 21 days after the person has been invoiced for said services, whichever is earlier.
18. Every person who contravenes any provision of this any 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 to both.
21. A new offence is deemed to have been committed not less than two (2) hours from any previous offence.

25. Notwithstanding Section 20, a Designated Officer may issue a notice of violation to any person committing a first or second offence under this bylaw.

27. The amount specified in clause 20 may be paid:

a. in person, during regular office hours, to the Resort Village of Wakaw Lake at , 126 First Street Wakaw, Saskatchewan, OR

b. By mail addressed to the Resort Village of Wakaw Lake, SK S0K 4P0.

28. The imposition of any penalty for violation of this bylaw shall not relieve the person from complying with this bylaw.

Limitation of Prosecution

29. 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.

30. 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.

31. This bylaw shall come into force on final passing thereof.

Mayor

(SEAL)

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Read a third time and adopted

This 9th day of August 2016

Administrator