

RURAL MUNICIPALITY OF ANTELOPE PARK NO. 322

BYLAW NO. 2018-02

A BYLAW OF THE RURAL MUNICIPALITY OF ANTELOPE PARK NO. 322 TO PROVIDE FOR FIRE AND BURNING RESTRICTIONS WITHIN THE MUNICIPALITY.

The Council of the Rural Municipality of Antelope Park No. 322, in the Province of Saskatchewan in Council assembled enacts as follows:

1. Title:

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

2. Purpose:

To provide for public safety in times of extreme fire hazard conditions;
To restrict or eliminate the use of fire within the municipality in areas of fire danger;
To attempt to minimize the risk of accidental fire;
To regulate open fires, fireworks and burning of any kind.

PART 1 – DEFINITIONS

3. Definitions:

- (a) “Administrator:” shall mean the Administrator of the Municipality, or in their absence their designate;
- (b) “Council” shall mean the Council of the Municipality;
- (c) “Designated Officer” shall mean the Administrator, Fire Official, a Peace Officer, and any person appointed to enforce this bylaw;
- (d) “Discharge” includes to ignite, fire, or set off and the words “discharging” and discharged” have a similar meaning;
- (e) “Fireworks” means any article defined as a firework pursuant to The Canada Explosives Act or any Regulations thereto, shall also include Low Hazard Fireworks and High Hazard Fireworks and Manufactured Fireworks and include fireworks for recreation such as fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes and sparklers and rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfall, fountains, mines and firecrackers, or any firework composition that is enclosed in any case or contrivance or is otherwise manufactured or adapted for the production of pyrotechnic effects, signals or sound 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;
- (f) “Municipality” shall mean the Rural Municipality of Antelope Park No. 322.

PART 2 – FIRE BAN

4. A fire ban prohibiting open fire of any kind may be issued by a resolution of Council or jointly by the Reeve and any two members of Council. A fire ban shall be issued in writing and shall identify;
 - (a) The time and date the fire ban commences;
 - (b) The area and 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 fire ban;
 - (e) Other information that may be in the public interest.
5. No person shall light, or start or allow to cause to be lighted, ignited or started a fire of any kind whatsoever in the open air during a fire ban.
6. No person shall discharge, or start or allow to cause to be discharged, ignited or started any fireworks of any kind whatsoever during a fire ban.
7. A Designated Officer may order any fire be extinguished forthwith during any period for which a fire ban is in effect within the Municipality.
8. No person shall fail to immediately comply with an order to extinguish a fire by a Designated Officer.
9. The cost for fire prevention, suppression and emergency response services shall be charged directly on the persons who receive the service.
10. 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 9 of this bylaw any amount which remains unpaid at the end of the calendar year or thirty (30) days after the person has been invoiced for said services, whichever is earlier.
11. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to the General Penalty Bylaw of the Municipality.
12. A new offence is deemed to have been committed not less than two (2) hours from any previous offence.
13. The imposition of any penalty for violations of this bylaw shall not relieve the person from complying with this bylaw.

PART 3 – LIMITATION OF PROSECUTION

14. 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.
15. 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.
16. This bylaw shall come into force and take effect on the 23rd day of May, 2018.

[Redacted Signature]

Reeve

[Redacted Signature]

Administrator



Read a third time and adopted
this 23 day of May, 2018

[Redacted Signature]

Administrator



This photocopy is a true copy of the original document which has not been altered in any way.

Robin Busby Name

[Redacted Signature] Signature

Administrator Title

Signed at Marengo, Saskatchewan on May 25, 2018 Date