

BYLAW 95-2020

A BYLAW FOR THE PURPOSE OF ESTABLISHING FIRE SAFETY AND FOR BANNING FIRES IN THE RESORT VILLAGE OF SUNSET COVE

BEING a bylaw of Resort Village of Sunset Cove in the Province of Saskatchewan, to establish a process for banning fires in the Municipality and include the requirements for having firepits and other outdoor fires within the Resort Village of Sunset Cove.

The regulations governing the use of firepits and outdoor fireplaces are in place to ensure your safety, improve community safety, to prevent uncontrolled fires and to minimize the nuisance to neighbours.

This bylaw does not apply to CSA or UL approved propane or natural gas devices that are portable and capable of being quickly extinguished.

NOW THEREFORE, the Council of Resort Village of Sunset Cove enacts as follows:

1. This Bylaw may be cited as the "Fire Bylaw".

2. The preamble forms a part of this Bylaw.

3. In this Bylaw:

3.1 " Administrator " shall mean the Administrator of the Resort Village of Sunset Cove.

3.2 "Council" shall mean the Council of Resort Village of Sunset Cove.

3.3 "Municipality" shall mean Resort Village of Sunset Cove.

3.4 "Fire Chief" shall mean the Fire Chief of the Strasbourg or the Fire Chief of District Volunteer Fire Department, depending upon which agency the Resort Village of Sunset Cove has a current fire suppression contract with.

3.5 "Violation Ticket" shall mean a ticket issued for an offense committed against any provision of this Bylaw.

3.6 "Firepit" shall mean a non-combustible receptacle made of cement, brick, clay, rock or sheet metal. It includes all outdoor fireplaces and ovens or similar structures and devices.

4. Fire Ban:

Notwithstanding the provision in any other Bylaw, the Fire Chief may, upon receiving input from any members of the Council, declare a Fire Ban on the use of fire pits with the Municipality. In the absence of the Fire Chief, a consensus by the majority of Council may also declare a Fire Ban within the Municipality. In the event of a Fire Ban being implemented within the municipality, the use of a firepit is prohibited until such time as the ban is removed. Signage will be erected at the entrance to Sunset Cove to notify residents when a fire ban is in effect.

4.1 Open Fires:

Fires regularly known as “Bonfires” and other open-pit fires, not contained within a firepit are prohibited within the Resort Village of Sunset Cove.

4.2 Wind Speed:

In addition to any formal fire ban that may be issued by a regulatory authority, no firepits shall be used within the municipality whenever local wind gusts are in excess of 50 kilometers per hour and such fires are prohibited until the wind gusts dissipate to less than 50 kilometers per hour.

4.3 Authority to enact Fire Ban:

(A) Recommendation of Fire Chief responsible for the Municipality.

(B) Consensus by the Majority of Council within the Municipality

4.4 Removal of Fire Ban:

The Municipality authorizes the Majority of Council , in the absence of the Fire Chief, the authority to remove any Fire Ban when conditions warrant.

4.5 Contravention:

When a Fire Ban is in effect and is contravened, any person in control of the fire or of the property, or the property owner(s) themselves, may be subject to the fines established within this bylaw.

4.6 Firepit Regulations

This Bylaw only permits outdoor fires to occur in firepits, providing the firepits meet all attached regulations.

- a) Any firepit must be a non-combustible receptacle made of cement, brick, clay, rock or sheet metal with a minimum 18-gauge thickness.
- b) The size of the firebox (burning area) of the firepit must not exceed 82 centimetres (36 inches) in diameter.
- c) Only dry seasoned wood may be used in the firepit.
- d) Flames from the fire pit may not exceed 24" in height.
- e) The firepit must be located a minimum of three metres (10 feet) from any combustible material, such as buildings, porches and decks.
- f) Firepits cannot be placed on combustible surfaces or decks.
- g) Firepits shall be clear of all overhangs, such as tree branches, utility lines and structures.
- h) Firepits must be supervised by a responsible adult at all times.
- i) Any person who uses a firepit shall have a means of extinguishing the fire readily accessible at all times.
- j) Firepits must be extinguished if smoke causes an unreasonable interference with the use and enjoyment of another person's property.

5. Penalty:

Any person who fails to comply with a Fire Ban or bylaw regulation is guilty:

1. of an offense and is liable to a fine of \$250.00 on summary conviction for the first offense;
2. to a fine of \$500.00 on summary conviction for a second offense occurring within 12 months of the first offense;

3. to a fine of \$1000.00 on summary conviction for a third offense or subsequent offenses occurring within 12 months of the second offense.

6. Violation Ticket:

Where a Fire Chief, the Administrator or a member of Council has reasonable grounds to believe that a person has committed a breach of any of the provisions of this Bylaw, he or she may have a Bylaw Officer of the Municipality or a member of the Royal Canadian Mounted Police, issue and serve such a person a Violation Ticket.

6.1 Service:

Service of such a Violation Ticket shall be sufficient if:

- (a) Personally served; or
- (b) Left for the person at his/her last or most usual place of residence with a person who appears at least 16 years of age or older.

7. Should any section or part of this Bylaw be found to have been improperly enacted, for any reason, then such section or part shall be regarded as severable from the rest of this Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section or part found to be improperly enacted had not been enacted as part of this Bylaw.

This bylaw shall come into force and effect on the date of its final adoption.

READ A FIRST TIME this _____ day of _____, 2020.

READ A SECOND TIME this _____ day of _____, 2020.

READ A THIRD TIME UPON THE UNANIMOUS CONSENT OF THE
COUNCIL this _____ day of _____, 2020.

Mayor

SEAL

Administrator

Certified a true copy of the original bylaw passed by
the unanimous consent of the Council present at
their regular meeting held on the _____ day of _____, 2020.