

VILLAGE OF PARADISE HILL

BYLAW # 03/2016

A BYLAW OF THE VILLAGE OF PARADISE HILL TO REGULATE OPEN OUTDOOR FIRES.

The Council of the Village of Paradise Hill in the Province of Saskatchewan enact as follows:

- 1) This bylaw shall be referred to as the "Open Outdoor Fire Bylaw".
- 2) In this bylaw:
 - a) "Administrator" shall mean the administrator of the Village of Paradise Hill;
 - b) "Council" shall mean the council of the Village of Paradise Hill;
 - c) "Department" shall mean the Paradise Hill Fire Department;
 - d) "Designated Officer" shall mean the administrator of the Village of Paradise Hill;
 - e) "Fire Chief" shall mean the Fire Chief or the Deputy Fire Chief of the Paradise Hill Fire Department;
 - f) "Member" shall mean a member of the Paradise Hill Fire Department designated by the Fire Chief to act in the absence of the Fire Chief and the Deputy Fire Chief;
 - g) "Municipality" shall mean the Village of Paradise Hill;
- 3) Open Fires
 - a) 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 the consent or assistance of the Paradise Hill Fire Department.
- 4) Recreational Use
 - a) Notwithstanding Subsection 1), consent or assistance of the Department shall not be required to light, ignite, or start or allow or cause to be lighted, ignited, or started, a fire in a fire pit, fire ring, fire box, or a similar device designed for cooking or recreational use, provided that it meets the following criteria:
 - i) be contained in a non-combustible receptacle constructed of cement, brick, clay (kiln dried), or sheet metal, and
 - ii) be contained within a receptacle located on private property, a distance of at least 3.1 meters (10 feet) from any property line, building or other combustible structure;
 - b) Open cooking fires or fires for recreational use started in a receptacle that does not meet the standard outlined in Section 4 a) may be extinguished, or the receptacle may be removed, by order of the Fire Chief or a member.
 - c) No person shall light a fire in a receptacle that meets the criteria set out in Section 4) a) if a fire ban has been issued pursuant to Section 7) a).
- 5) If smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately.
- 6) The burning of the following materials is prohibited:
 - a) rubbish;
 - b) garden refuse;
 - c) manure;
 - d) livestock or animal carcasses;
 - e) any material classified as a dangerous good;
 - f) any material that, 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) Fire Bans

- a) The Council, the administrator, or the Fire Chief may prohibit all outdoor fires within the municipality if the wind or other conditions are not conducive to fire safety.
- b) Notice of a fire ban shall be posted in the Village Office and on the Village website.
- c) A fire ban issued pursuant to Section 7) a) shall remain in effect until the Council, administrator, or the Fire Chief issues an end to the fire ban.
- d) A fire ban issued pursuant to section 7) a) shall apply to all fires, including fires started in a fire pit, fire box, fire ring, or similar device designed for recreational use.

8) Any fire which is deemed hazardous, may be extinguished or removed by order of the Fire Chief or a Member.

9) Nothing contained in this bylaw shall relieve any person from complying with the provisions of *The Clean Air Act* and the regulations passed pursuant thereto.

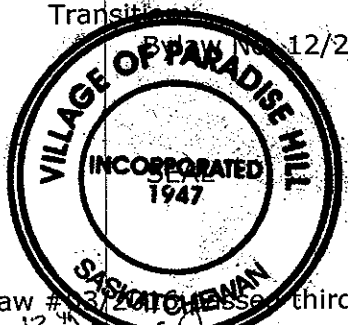
10) Exemptions to Burning Regulations

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.

11) Contravention of the Bylaw

- a) Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of \$1000.00.
- b) Where the Designated Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving same at his last known address and such service shall be adequate for the purpose of this Bylaw.
- c) Such notice shall be deemed to have been served:
 - i) on the expiration of three days after it is posted, if the notice is mailed;
 - ii) on the day of actual delivery, if the notice is served personally; or
 - iii) on the business day following the transmission, if given by facsimile.
- d) Schedule "A" to this bylaw is the form to be used for a "Bylaw Violation Notice" given under Section 8 a).
- e) The person to whom a Bylaw Violation Notice was issued may make a voluntary payment of \$500.00, deposited with the Administrator of the Municipality, within twenty 20 days from the issue of the Bylaw Violation Notice. Upon payment of said voluntary payment, the person shall not be liable for prosecution for the contravention in respect of which the ticket was issued.
- f) Where any person contravenes the same provision of this Bylaw two or more times within one twelve month period, the specified voluntary payment payable in respect of the second or subsequent contravention is double the voluntary payment for the first offense.

12) Transitional provisions of Bylaw No. 372013 shall be repealed.



Bernard Ecker
Mayor

Cynthia Bell
Administrator

Bylaw # 372013 passed at third reading
this 13th day of September, 2016.

Cynthia Bell
Administrator

SCHEDULE "A"
BYLAW NO. 03/2016

Village of Paradise Hill
Bylaw Violation Notice

Name: _____
Address: _____

This notice is issued for alleged breach of Bylaw #03/2016.

Offense: _____

Voluntary Payment Option: _____

Details of Alleged Violation: (date and time, location, other)

Penalty:

Take notice that you may remit a voluntary payment to the Municipality in the amount stipulated above to avoid prosecution for this offence.

Payment may be made in person at the Village Office or by mail to:

Village of Paradise Hill
Box 270
Paradise Hill, Sask. S0M 2G0

If the voluntary payment indicated above is not received by _____,
(20 days from date of service)
a summons requiring your appearance in provincial court will be issued.

Issued this _____ day of _____, 20__ .

Signature