

## BYLAW NO 2024-03

### A BYLAW TO MANAGE FIRE SUPPRESSION SERVICES

The Council of the Rural Municipality of Aberdeen No. 373 in the Province of Saskatchewan enacts as follows:

1. This Bylaw may be referred to as the Fire Management Bylaw.

#### Definitions

2. In this bylaw:
  - a) "Administrator" shall mean the administrator of the municipality;
  - b) "Council" shall mean the council of the municipality;
  - c) "Fire Advisory" shall mean that Outdoor Fires are not recommended due to dry conditions and Ratepayers will be advised to use extreme caution when burning or using fireworks and have a plan to extinguish a fire and prevent wildfires.
  - d) "Fire Ban" shall mean that Outdoor Fires are prohibited.
  - e) "Municipality" shall mean the Rural Municipality of Aberdeen No. 373;
  - f) "Outdoor Fire" shall mean any fire within the Municipality started or caused by any person, including without limitation a Controlled Burn, a Burning Barrel Fire, a Recreational Fire, and a Smudge Fire.

#### Fire Protection Services

2. Fire suppression and/or prevention services shall be delivered subject to availability of fire fighting equipment on behalf of the Municipality. Additional service providers may be called upon if, in the opinion of the Fire Chief or his/her designate, back up or additional equipment is necessary for the suppression of the fire.

#### Controlled Burns

3. Any person that lights a Controlled Burn upon land owned or occupied by such person must report the fire in advanced to the following agencies:
  - a) The office of the Municipality or in the case of the Controlled Burn being outside of regular office hours, to the Fire Chief of the Aberdeen & District Fire Department;
  - b) The Saskatchewan Public Safety Agency's Provincial Emergency Communication Centre Hotline at 1-866-404-4911;
  - c) Any person within a Country Residential Zone must also obtain a Controlled Burn Permit pursuant to Bylaw 2001-09.
4. Any person that lights or causes to be lit any Outdoor Fire shall be responsible for the control and supervision of that fire and shall ensure that it is completely extinguished.
5. In the event no advance reporting of the Controlled Burn is made and, should Fire Protective Services be dispatched to the site of the Controlled Burn, even though the Controlled Burn may be supervised and under control, the person supervising the Controlled Burn or the owner or occupant of the parcel of land shall be responsible for the Fire Protection Services charges pursuant to Section 9.

6. In the event there is a failure to control an outdoor fire and Fire Protective Services are provided to the Fire Area, the person or persons having caused the fire or the owner or occupant of the parcel of land shall be responsible for the Fire Protection Services pursuant to Section 9.

### **Fire Advisories and Bans**

7. The Council and/or Fire Chief(s), may from time to time, issue a Fire Advisory or a Fire ban within the Municipality when the prevailing conditions increase the likelihood of a fire running out of control. The Administrator shall advertise the Fire Advisory or Fire ban by any means which the Administrator determines is appropriate, including registering it with the Saskatchewan Public Safety Agency's Provincial Emergency Communication Centre.
8. It is the responsibility of any person igniting a fire to ensure that there is no Fire Ban in effect. In proceedings pursuant to this bylaw, it is not a defense that the accused was unaware of the fire ban at the time the fire was started.

### **Fire Service Charges**

9. The cost of fire prevention, suppression, false alarm response services, and emergency response services shall be invoiced directly to the owner and/or occupant of the parcel(s) of land in which the fire was ignited in accordance with the rates contained within the Fire Charges Bylaw. All persons invoiced are jointly and severally liable for payment of the Fire Protection Costs to the Municipality.

### **Penalties**

10. Where the Administrator, members of Council or Bylaw Enforcement officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, he or she may serve upon such person a Bylaw Violation Notice.
  - a) Service of this Bylaw Violation Notice shall be sufficient if:
    - i) Personally Served; or
    - ii) Mailed by registered mail.
  - b) The Bylaw Violation Notice may provide for a voluntary payment that will be accepted by the Municipality, if paid within thirty (30) days of receiving the notice, in lieu of prosecution in the sum of:
    - i) \$1,000.00 for the first offense;
    - ii) \$2,000.00 for the second offense occurring within 12 months of the first offense;
    - iii) \$3,000.00 for the third offense occurring within 12 months of the second offense.
11. Any person who contravenes the provisions of this bylaw is guilty of an offense and liable on summary conviction to the penalties imposed in the General Penalty Bylaw of the municipality.

### **Severability**

12. Should any section or part of the 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 has not been enacted as part of the Bylaw.

**Effective Date**

13. This Bylaw shall come into force upon the approval by the Council for the RM of Aberdeen No. 373.



Walter Best  
Reeve

[Signature]  
Administrator

Read a third time and adopted  
this 9 day of May, 2024

[Signature]  
Administrator