

Village of Edenwold
BYLAW 02-2024

VILLAGE OF EDENWOLD

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**A BYLAW OF THE VILLAGE OF EDENWOLD WITH RESPECT TO FIRE PREVENTION AND BURNING
CONTROL WITHIN VILLAGE OF EDENWOLD BOUNDARIES**

The Council of the Village of Edenwold in the Province of Saskatchewan enacts as follows:

Short Title

- 1) This Bylaw may be cited as **The Fire Prevention and Burning Control Bylaw.**

Purpose

- 2) The purpose of this Bylaw is to control and provide for the prevention of fire loss that affect:
 - a) The safety, health, or welfare of people in the neighbourhood;
 - b) People's use and enjoyment of their property;
 - c) The amenity of the neighbourhood.

Definitions

- 3) In this Bylaw:
 - a) *"Administrator"* means the Administrator for the Village of Edenwold or designate;
 - b) *"Council"* means the Council current council members for the Village of Edenwold;
 - c) *"Designated Officer"* means the Administrator, Fire Chief or any current member of the Edenwold Volunteer Fire Department, a RCMP officer, a Commissionaire, or a Community Safety Officer;
 - d) *"Discharge"* means to ignite, fire, or set off and the words "discharging" and "discharged" have similar meaning;
 - e) *"Fireworks"* means any article defined as a firework pursuant to the federal Explosives Act or any Regulations thereto, and shall also include Low Hazard fireworks and High Hazard fireworks;
 - f) *"Fire Chief"* shall mean the appointed head of the Edenwold Volunteer Fire Department or designate;
 - g) *"Fire Department"* means Edenwold Volunteer Fire Department and/or another local fire department with which the municipality has a mutual aid agreement or fire services agreement;
 - h) *"Municipality"* means the Village of Edenwold;
 - i) *"Open-Air Fire"* means any fire or burning practice that is conducted outside a building.

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Open-air fires and Fireworks

- 4) No person shall start an open-air fire within the Village of Edenwold unless that person has obtained a permit authorizing such a fire from the Village of Edenwold, with notification to the Village of Edenwold Volunteer Fire Department, as per **Schedule "A"**.
- a) Nothing contained in the Bylaw shall relieve any person from complying with the provisions of *The Environmental Management and Protection Act, 2010* and the regulations passed pursuant thereto;
 - b) A minimum distance of 6 metres (20 feet) from the open-air fire to any building, structure, fence, property line, highway, railway, overhead wire, or combustible material must be maintained at all times;
 - c) In accordance with Section 33 of *The Wildfire Act*, the following acts are considered to be in excess of the above restrictions and in violation of this Bylaw, and no person(s) shall:
 - i. start any fire for any purpose without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
 - ii. at the time they start a fire, fail to make themselves aware of current and predicted weather conditions and ensure weather conditions are appropriate to allow the fire to burn safely under control until the fire is extinguished;
 - iii. prior to start starting the fire, fail to make themselves aware of any fire prohibitions or, restrictions imposed pursuant to section 41 of *The Wildfire Act*;
 - iv. fail to take all necessary precautions to ensure that the fire is monitored and contained in the burn area and is kept to a controllable size to prevent escape;
 - v. fail to ensure that firefighting equipment of a type and with a capacity adequate to extinguish the fire is on site and readily accessible during the burning period;
 - vi. fail to ensure that fire is fully extinguished;
 - vii. cause a public hazard by exposing residents of the area to excessive amounts of smoke and odour, or create a hazard by impairing visibility on public roadways, or railway crossings;
 - viii. deposit, discard, or leave any burning matter or substance in a place where it might ignite other matter and result in the spreading of a fire; or
 - ix. fail to comply with any order of a Designated Officer or any official designated under *The Wildfire Act*.
- 5) No person shall light, start, allow, or cause to be discharged, ignited, any fireworks within the Village of Edenwold unless that person has obtained a permit authorizing such fireworks from the Village of Edenwold, with notification to the Village of Edenwold Volunteer Fire Department, as per **Schedule "B"**.
- 6) Notwithstanding Section 4), a permit shall not be required for an open-air fire where:
- a) The open-air fire is in a fireplace, grill, or barbeque; or,
 - b) A recreational fire pit or chiminea other than those mentioned in clause a) and the following measures are taken to limit the spread of fire:

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- i) The fire is contained in a non-combustible receptacle constructed of concrete, clay, gravel, sand, concrete, brick, or sheet metal;
 - ii) There is sufficient clear space between the fire, combustibles, and adjacent buildings (not closer in location than three (3) metres from any property line, building or other combustible structure and may not be closer than six (6) meters from any neighbouring or abutting building), and a one (1) metre radius around the edge of the receptacle in Section 6) b) i);
 - iii) Chimineas shall not be used on balconies, wooden decks, or any combustible surface;
 - iv) Fireplace, grill, barbeques, or structures that are used for cooking with charcoal briquettes, natural gas, propane, cut wood pieces to fit within the pit, or manufactured fire logs; and covered with heavy gauge metal screen of mesh size sufficient to prevent the escape of sparks or embers.
- 7) No person shall burn the following materials in an open-air fire, regardless of whether or not the person has obtained a permit:
- a) Waste including rubbish, slimes, tailings, garbage, garden refuse or leaves;
 - b) Any material classified by the Village of Edenwold as a hazardous material or dangerous good;
 - c) Any material that generates black smoke or offensive odour when burned including, but not limited to, insulation from electrical wiring, rubber tires, asphalt shingles, hydrocarbons, plastics, and lumber treated with wood preservatives.
- 8) All open-air fires shall be supervised regardless of whether or not a person has obtained a permit.
- 9) If the smoke from an open-air fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately. Continued offences of this nature could call for the immediate removal and/or suspension of its use at the discretion of the municipality. The owner of the property is responsible for any or all damages that result from burning.
- 10) Where requested by the Village of Edenwold or a designated officer as described in Section 3) c), a person shall extinguish an open-air fire. In an emergency, the Municipality may take whatever actions or measures are necessary to eliminate the emergency or threat in accordance with the provisions of Section 367 of *The Municipalities Act*.



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Fire Bans

- 11) A fire ban (including a fire restriction or fire advisory) prohibiting open fires, Council may, by resolution, implement a fire ban on open-air fires, excluding gas and charcoal barbeques for a period of up to one (1) week at a time, when weather conditions are conducive.
 - a. A fire ban shall be issued on the municipal website, social media, post boards, and communicated to provide the following information: *time and date fire ban commences, *time and date fire ban lifted or reviewed, *person or persons authorizing the fire ban, *authority allowing the fire ban, *any other pertinent information.
- 12) Pursuant to Section 11), the municipal officials authorized to communicate a fire ban are the Administrator, Mayor, Deputy Mayor, Fire Chief, or Deputy Fire Chief.
- 13) No person shall light, start, allow, or cause to be discharged, ignited, or start any fireworks in the open air during a fire ban.
- 14) Any application for open-air control burns or fireworks that is pending becomes void in the event of a fire ban.
- 15) No person shall fail to immediately comply with an order to extinguish a fire by a Designated Officer.

Penalty Provisions

- 16) No person shall:
 - i) Fail to comply with a request under Section 11);
 - ii) Obstruct or interfere with any Designated Officer or any other person acting under the authority of the Bylaw; or
 - iii) Fail to comply with any other provision of this Bylaw.
- 17) The Village provides that:
 - i) A fine of \$500.00 shall be imposed for all offences under this Bylaw.
 - ii) A person contravening any provisions of the Bylaw who has been served with a summons ticket and who wishes to plead guilty and pay a voluntary payment with fourteen (14) days of the date of the summons ticket, may deliver an amount equal to ½ of the specified amount on the summons ticket to the Village of Edenwold office.
 - iii) Any cost of fire prevention, suppression, and emergency response services for purposefully set fires during a fire ban issued pursuant to this Bylaw shall be charged directly to the person(s) who receive the service.
 - iv) The Administrator shall in accordance with Section 369 of *The Municipalities Act*, add to the taxes of any property owner, occupier, or person(s) described in Section 16), any amount which remains unpaid at the end of the calendar year.

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- v) The provisions of *The Summary Offences Procedures Act, 1990* (Saskatchewan) and Regulations thereto shall apply to enforcement.

Fees

- 18) The Administrator of the Village of Edenwold is authorized to charge the applicable fees for various services, tests and emergency responses listed in **Schedule "C"**.
- 19) The Administrator of the Village of Edenwold is authorized to charge the applicable fees for open-air fires and fireworks permits as listed in **Schedule "D"**.
- 20) The fees shall be reviewed and set by Village of Edenwold Council by way of resolution, on the advice of the Fire Chief, as required.
- 21) The Village of Edenwold shall charge Residents and Non-Residents the current SGI rate for any/all Motor Vehicle Collisions, Traffic Incidents, Suppression Efforts or Emergencies involving Motor Vehicles both within and outside of the Village boundaries.

Coming into Force

- 22) This Bylaw shall come in to force upon third reading.
- 23) Upon this bylaw, coming into force, Bylaw 04-2016 is repealed.





MAYOR


Introduced for 1st Reading this 13th day of May, 2024.

Read for 2nd time this 10th day of June, 2024.

Read for 3rd time this 10th day of June, 2024.

**Certified a true copy of Bylaw 02-2024 adopted by resolution of Council at the regular scheduled council meeting held on the 10th day of June, 2024. 

ADMINISTRATOR



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SCHEDULE "A"
PERMIT
OPEN AIR FIRES

Name of Applicant: _____

Phone Number: _____

Date of Application: _____

Address of Proposed Fire: _____

Material (s) to be Burned: _____

Clearances from Buildings & Other exposures: _____

Approved _____ Not Approved _____

Town Administrator: _____

Copy to Fire Department: _____ (Administrator to provide)

Applicant Please Note:

- This application becomes void in the event of a fire ban.
- It is the responsibility of the applicant to notify the Village of Edenwold Office within 48 hours before burning.
- The measures considered limiting spread of fire, are; sufficient clear space between the fire and adjacent buildings, combustibles, the size and height of combustibles to be burned, the prevailing meteorological conditions, fire control measures such as extinguishers, hoses and water tanks and the design of the receptacle.
- It is the applicant's responsibility to ensure that smoke, fumes, or other matter does not cause a nuisance to others.
- Burning of any materials which may be hazardous requires that the applicant obtain approval from Saskatchewan Environment.

_____ Applicant Signature-(Understands information)



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SCHEDULE "B"
PERMIT
FIREWORKS

Name of Applicant: _____

Phone Number: _____

Date of Application: _____

Location of Proposed Fireworks: _____

Date of Fireworks Display _____

Approved _____ Not Approved _____

Town Administrator:

Copy to Fire Department: _____ (Administrator to provide)

Applicant Please Note:

- This application becomes void in the event of a fire ban.
- The measures considered to prevent fire, are; sufficient clear space between the fireworks and adjacent buildings, combustibles, the prevailing meteorological conditions, fire control measures such as extinguishers, hoses, and water tanks.

_____ Applicant Signature-(Understands information)



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SCHEDULE "C"
Emergency Response Charges
[Edenwold Volunteer Fire Department]

- | | | |
|------|--|--|
| i. | Motor Vehicle Collisions out of Village | |
| | Resident | Current SGI rate |
| | Non-Resident | Current SGI rate |
| ii. | Motor Vehicle Collisions in Village | |
| | Resident | Current SGI rate |
| | Non-Resident | Current SGI rate |
| iii. | Dangerous Goods Response (CN Rail) | \$500/hour per unit, plus disposable costs |
| iv. | Dangerous Goods Response
(Highway carrier out of village) | \$300/hour per unit, plus disposable costs |
| v. | Dangerous Goods Response
(Highway carrier in village) | \$300/hour per unit, plus disposable costs |

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SCHEDULE "D"
Permit Fees

i. Open Air Fire Permits

\$25

ii. Fireworks Permits

\$25

