

**BYLAW NO. 2/19**

**A BYLAW TO PROVIDE FOR FIRE PREVENTION AND PROTECTION,  
THE SUPPRESSION OF FIRE AND ASSESSING AND LEVYING THE  
COST OF SAME**

The Council of the Rural Municipality of Heart's Hill No. 352, in the Province of Saskatchewan, enacts as follows:

**DEFINITIONS:**

1. For the purpose of this Bylaw:
  - a) "Reeve" means the Reeve of the Rural Municipality of Heart's Hill No. 352
  - b) "Councillor" means any Councillor of the Rural Municipality of Heart's Hill No. 352
  - c) "rural municipality" means the Rural Municipality of Heart's Hill No. 352
  - d) "person" means a human being regarded as an individual
  - e) "property owner" means the person whose name is on the registered title as the legal owner of the property
  - f) "property" means any land, buildings, vehicles, or other structures that may be deemed "owned"
  - g) "occupant" means a person who occupies the affected property, but is not the property owner.

**PROHIBITIONS**

2. No person, property owner or occupant shall;
  - a) start any outdoor fire for any purpose without first taking sufficient precautions to ensure that the fire can be kept under control at all times;
  - b) start any outdoor fire for any purpose when weather conditions are conducive to a fire's readily escaping control;
  - c) fail to take reasonable steps to control a fire for the purpose of preventing it from spreading;
  - d) deposit, discard or leave any burning matter or substance in a place where it might ignite other matter and result in a fire's spreading;
  - e) conduct any activity that involves the use of a fire or that might reasonably be expected to cause a fire to spread, unless he exercises reasonable care to prevent a fire from spreading;
  - f) leave the place where the person, property owner or occupant has started an outdoor fire without fully extinguishing the fire.

**FIRE HAZARDS**

3.
  - (1) Where the Reeve and two Councillors find conditions which, in their opinion, constitute a fire hazard endangering life or property, they may order the person, property owner or occupant of the land on which the condition exists to reduce or remove the hazard within a fixed period and in any manner that the Reeve and two Councillors prescribe in writing.
  - (2) Where the Reeve and two Councillors find that the order made pursuant to subsection (1) has not been carried out, they may enter upon the land with any equipment and persons that they consider necessary and may perform the required work to reduce or remove the fire hazard.
  - (3) The person, property owner or occupant of the land on which work is performed pursuant to subsection (2) shall, on demand, reimburse the rural municipality for the cost of the work performed as a fire fighting service.

## POWERS RE: EXTREME FIRE HAZARDS:

4. (1) Where, in the opinion of the Reeve and two Councillors, an extreme fire hazard exists or the safety of persons or property is endangered by a prairie fire or forest fire, the Reeve and two Councillors may, by order, do any or all of the following:
  - a) Prohibit the setting or propagation of any fire or type of fire within a specified area;
  - b) require the evacuation of any area; or
  - c) prohibit entry into or occupation of any area.
- (2) The Reeve and two Councillors shall cause an order made pursuant to subsection (1) to be:
  - a) published on rural municipality's website; and
  - b) posted in one or more conspicuous places in the vicinity of the area;
- (3) No person, property owner or occupant shall fail to comply with an order made pursuant to subsection (1).
- (4) Notwithstanding subsection (3), where an order has not been published and posted in a manner prescribed by subsection (2), no person, property owner or occupant shall be convicted for failing to comply with an order unless the person, property owner or occupant knew or ought to have known of the substance of the order.

## FIREFIGHTING

5. Where a fire is burning in the rural municipality, the rural municipality may, subject to the availability of personnel and equipment, take any action that is necessary to control and extinguish the fire.

## ASSESSING AND LEVYING COSTS

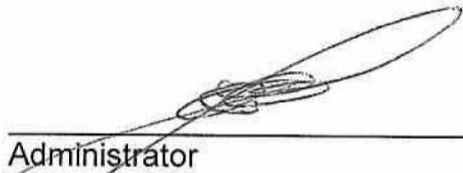
6. The cost of the firefighting services, including fire prevention and fire suppression, provided by the rural municipality shall be assessed and levied, at the discretion of council:
  - a) throughout the municipality or in any specified area of the municipality;
  - b) in part throughout the municipality or in any specified area of the municipality, and in part by charging directly a portion of the cost to person(s), property owner(s) or occupants who receive the service; or
  - c) directly on person(s), property owner(s) or occupants who receive the service.
7. For the purposes of assessing and levying the cost of firefighting services, the person who owns or occupies land upon which a fire originated shall be deemed to be the person who received the firefighting services to control and extinguish the fire.
8. Any amount with respect to firefighting services provided to a person, property owner or occupant within the municipality pursuant to paragraph 6 hereof that remains unpaid at the end of the year in which the services were provided shall at the end of the year be added to and form a part of these taxes on any land, improvement or business owned by that person, property owner or occupant.

PENALTY

9. Any person, property owner or occupant who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine of not more than:
- a) \$2,000.00 in the case of an individual;
  - b) \$5,000.00 in the case of a corporation or business;
  - c) \$500.00 per day in the case of a continuing offence.
10. Fire costs levied pursuant to paragraph 8 hereof may be paid to the administrator of the rural municipality within 30 days of notice thereof and, on payment so provided, the person, property owner or occupant contravening the bylaw shall not be liable to prosecution for the offence.



  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Administrator

Read a third time and adopted, this 9th day of May, 2019

Certified a true copy of Bylaw No. 2/19 adopted by Resolution of Council on the 9th day of May, 2019.

  
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Calvin Giggs, Administrator

