

RESORT VILLAGE OF THODE

BYLAW NO. 9/2015

A BYLAW of the Resort Village of Thode in the Province of Saskatchewan, to establish a process for banning fires in the Municipality.

WHEREAS Section 8(1)(b) of the *Municipalities Act* provides that Council may pass bylaws for the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the Resort Village of Thode pursuant to the powers granted to it under the *Municipalities Act* wishes to provide for the banning of fires within the Resort Village of Thode for the health, safety and welfare of the people and protection of the people and property from damage or destruction by fire on the terms hereinafter provided;

NOW THEREFORE, the Resort Village of Thode enacts as follows:

1. This Bylaw may be cited as the "Fire Ban Bylaw".
2. The preamble forms a part of this Bylaw.
3. In this Bylaw
 - 3.1 "CAO" shall mean the Chief Administrative Officer of the municipality.
 - 3.2 "Council" shall mean the Council of The Resort Village of Thode.
 - 3.3 "Municipality" shall mean the Resort Village of Thode.
 - 3.4 "Mayor" shall mean the Mayor of the Resort Village of Thode.
 - 3.5 "Violation Ticket" shall mean a ticket issued for an offense committed against any provision of this Bylaw.
4. Notwithstanding the provision in any other Bylaw the Council may, upon receiving input from the Fire Chief of the Dundurn Volunteer Fire Department, declare a Fire Ban on burning of any kind within the municipality.
 - 4.1 Two types of Fire Bans may be implemented:
 - (a) A Complete Ban - No Fires or Fire Works; Use of CSA and UL approved appliances is permitted.
 - (b) A Partial Ban - No Fires or Fire Works; Use of CSA and UL approved appliances is permitted; campfires in approved containers as per bylaw are permitted.
 - 4.2 When determining whether to declare a Fire Ban within the Resort Village, consideration shall be given to any or all of the following factors:
 - (a) Levels of recent precipitation;
 - (b) Future weather forecasts;
 - (c) Water shortages or restrictions;
 - (d) Availability of fire crews, equipment and apparatus;
 - (e) The overall fire danger including fire load and level of ground fuels;

- (f) The amount of or increase in recent outside fires; and
- (g) Recommendation of the Fire Chief.

- 4.3 The Council authorizes the CAO the authority to remove any Fire Ban when conditions warrant.
 - 4.4 When a Fire Ban is in effect, any person who contravenes the Fire Ban may be subject to the fines established within this bylaw.
5. Any person who fails to comply with any Fire Ban is guilty of an offense and is liable to a fine of \$250.00 on summary conviction for the first offense; to a fine of \$500.00 on summary conviction for a second offense occurring within 12 months of the first offense; to a fine of \$1,000.00 on summary conviction for a third offense occurring within 12 months of the second offense. If the Fire Department is requested to attend to extinguish the fire all costs incurred will be invoiced to the person responsible for the fire.
6. Where the Fire Chief, the CAO, 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 the Bylaw Enforcement Officer issue and serve such a person a Violation Ticket.
- 6.1 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.
8. This Bylaw shall come into force and effect on the final day of passing thereof.

Read a third time and adopted
this ___ day of _____, 2015

Mayor Alan Thomarat

Certified a true copy of Bylaw #9/15

COA Jessie Williams