

Town of Ogema

Bylaw No. 304

A **BYLAW** of the Town of Ogema 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 Town of Ogema pursuant to the powers granted to it under *The Municipalities Act*, wishes to provide for the banning of fires within the Town of Ogema for the health, safety and welfare of the people and protection of the people and property damage or destruction by fire on the terms hereinafter provided;

NOW THEREFORE, the Town of Ogema 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 "Administrator" shall mean the Administrator of the Town
 - 3.2 "Council" shall mean the Council of the Town of Ogema
 - 3.3 "Municipality" shall mean the Town of Ogema
 - 3.4 "Mayor" shall mean the Mayor of the Town of Ogema
 - 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 hereby appoints the Fire Chief of the Town of Ogema Volunteer Fire Department, the authority to ban **ALL BURNING** within the Municipality, this including fireworks and fires that were previously permitted by way of permit for fires contained within approved fire pits .

- 4.1 When determining whether to declare a Fire Ban with the Town of Ogema , 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 increase in recent outside fires; and

- 4.2 . Notice of a fire ban shall be provided to the public in the form of:
 - a) Signs posted throughout the Municipality in locations to be determined by the Municipality.
 - b) on the Municipalities website; and
 - c) By any other means the Administrator determines to be appropriate for the purpose of inform the public of the fire ban

4.3 A fire ban imposed shall remain in force until either the date provided in the Notice of the fire ban or until such as time as the administrator, with approval from Fire chief, provides notice to the public that fire ban is no longer in effect.

4.4 When a fire ban is in place, no person shall ignite any fire and shall immediately extinguish any fire lit once the person knows or ought reasonably to know of the fire ban.

5. It is an offense to contravene any provisions of this Bylaw. Any conviction of an Offence is subject to a penalty of not less than \$250.00 or not more than \$1000.00.

5.1. Where a person is in contravention under this Bylaw, in addition to imposing a Fine, and upon fire protection services being provided on a parcel of land within the Town of Ogema boundaries, the Town of Ogema may in its sole and absolute discretion, invoice fire protection charges to any or all of the following persons;

- a). The person or persons causing or contributing to the fire ; or
- b) The owner or occupant of the parcel of land

5.2 All persons charged are jointly and severally liable for payment of the fire protection charges to the Town of Ogema .

5.3. The Council, in accordance with Section 369 of *the Municipalities Act*, may authorize the administrator to add to the tax roll for the parcel of land to which the services pertain , any amount which remains unpaid at the end of the calendar year.

6. Whereas the Fire Chief, the Administrator 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 discretion to issue and serve such a person a Violation Warning Summary.

6.1 Service of such a Violation Warning Summary shall be sufficient if;

- (a). Personally served; or
- (b). Left for the person at his/her last or usual place of residence with a person who is at least 16 years of age or older.

7. This Bylaw shall come into force and effect on the day of passing thereof.

Read a third time and adopted
This 3rd day of July, 2018



[Signature]
Mayor

[Signature]
Administrator



CERTIFIED TRUE COPY

this 4 day of Jul, 2018
[Signature]