The Council of The Rural Municipality of Hazel Dell No. 335, in the Province of Saskatchewan, enacts as follows:

1. This bylaw may be referred to as the “Wildland Fire Prevention and Control Bylaw”.
2. In this Bylaw the expressions:
3. “Burning Permit” - shall mean permit issued regulating outdoor and open air burning in the municipality;
4. “Municipality” shall mean the Rural Municipality of Hazel Dell No. 335;
5. “Outdoor Fire” – means a fire that is started outdoors including crop residue burning , land clearing and grass burning, but does not include a fire started in, and remains contained within, a fire pit or solid fuel burning appliance;
6. “Wildfire Season” – shall mean the period of time in each year commencing April 1st and ending on October 31st or any other period of time that may be designated by the Rural Municipality of Hazel Dell No. 335.
7. No person shall start an Outdoor Fire within the boundaries of the Rural Municipality of Hazel Dell No. 335, during the Wildfire Season, without first obtaining a written Burning Permit, as shown in the attached Schedule “A”, from the Administrator of the Rural Municipality of Hazel Dell No. 335.
8. All burning within the municipality shall be subject to the conditions and provisions of *The Wildlife Act,* 2014, including but not limited to, the following conditions, and those conditions specifically set out within the Burning Permit.
9. Any Outdoor Fire shall be supervised by the owner or occupier of the land or a person authorized by the owner or occupier of the land.
10. No person shall start an Outdoor Fire on any land without taking sufficient precautions that are reasonably necessary to protect persons and the property of others from the fire.
11. No person shall start an Outdoor Fire unless all precautions are taken to ensure that the fire can be kept under control, or when weather conditions are conducive to a fire burning out of control.
12. No person shall cause an Outdoor Fire to be started in order to guard property, clear land or burn debris, burn crop, stubble or grass, unless the land on which the fire is started is completely surrounded by a fire guard consisting of:
13. a strip of land free of flammable material, or of sufficient width to control the fire
14. by natural or man-made barriers, water, or
15. by a combination of i) and ii).
16. The smoke from an Outdoor Fire shall not pose unreasonable hazard to the health of any person or reduce the visibility on any road or highway.
17. A sufficient water supply and means of fire suppression capable of extinguishing the Outdoor Fire based on its fuel loading and size shall be available on site.
18. All fire must be extinguished when unsupervised.
19. Authorization to conduct Outdoor Fire burning does not exempt or excuse a person from the responsibility, consequences, damages, or injuries resulting from the authorized burning and does not excuse a person from complying with other applicable laws, ordinances or regulations.
20. Fires that are set in an outdoor fire pit or solid fuel burning appliance, set for cooking or warmth and would normally be considered a campfire, are for the purposes of this Bylaw, exempt from a Burning Permit, but must adhere to the following conditions:
21. Any fire that is set in a fire pit or solid fuel burning appliance shall be enclosed on all sides and constructed of masonry, concrete, heavy gauge metal or other non-combustible materials.
22. The fire pit or solid fuel appliances shall be covered with a non-combustible grate or mesh. If the fire pit or solid fuel appliance is equipped with a chimney, it shall have a non-combustible mesh or spark arrester installed.
23. The fire pit of solid fuel appliance shall be located on a flat, level and non-combustible base clear of overhangs, such as roofs, tree branches or utility wires.
24. A minimum clearance of 10 meters, measured from the nearest fire pit edge is maintained from any structures or any combustibles (i.e. fences, trees, hydro poles) and property lines.
25. Solid fuel appliances shall be installed to manufacturer’s specifications with any required distance to a structure or combustible of at least 10 meters.
26. The municipality may, by resolution, at their discretion, ban ALL BURNING (including an Outdoor Fire and fires contained within fire pits and solid burning appliances) in the Rural Municipality of Hazel Dell No. 335 if conditions exist where, in the opinion of the municipality, fires are of extremely high risk, and such a ban would prevent wildfires from occurring.
27. It is an offense to contravene any provisions of this Bylaw. Any conviction of an offense is subject to the penalties as provided in the general penalty bylaw of the municipality.
28. Where a person is in contravention under this Bylaw, in addition to imposing a fine, the municipality is entitled to be reimbursed by the person(s) for costs incurred by the municipality in fire protection and suppression operations that were undertaken as a result of the person(s) acts or omissions that resulted in the costs to be incurred.
29. The Bylaw shall come into force and take effect on the passing thereof.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

REEVE

S E A L

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ADMINISTRATOR

Certified a true and correct copy of

Bylaw 5-2017 adopted by resolution of

Council on the 15th day of September, 2017.

S E A L

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ADMINISTRATOR

SCHEDULE “A”

RURAL MUNICIPALITY OF HAZEL DELL NO. 335

Permit to Burn

Issued under the authority of Bylaw 5-2017

Permit #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This permit authorizes:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (owner/occupant)

of the \_\_\_\_\_\_\_\_ Quarter, Section \_\_\_\_\_, Township \_\_\_\_\_\_, Range \_\_\_\_, W2 Meridian,

to burn the following:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

List materials to be burned:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

on the above mentioned property between the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_. 20 \_\_\_ and

the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20 \_\_\_, in compliance with the following

conditions:

* BEFORE BURNING PLEASE CALL THE BURN CONTROL CENTRE AT

1-866-404-4911

* BURN MUST BE SUPERVISED AND UNDER CONTROL AT ALL TIMES

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* Where a permit is issued, the issuer shall determine the special precautions if any, to be taken, Unless the issuer otherwise prescribes in writing the permittee shall pile the material to be burned in heaps or rows and shall not start a fire or cause a fire to be started within fifty yards from any forest land.
* Every permittee shall:

1. Exercise every reasonable care and precaution to prevent the fire from spreading and carefully extinguish it before leaving the place;
2. Notify the owners of occupiers of any adjacent forest land before starting the fire.

* The issuance of a burning permit does not discharge the person acting thereunder from responsibility for a damage caused by a fire.
* Notwithstanding the issuance of a permit, no fire shall be started if conditions exist that may cause the fire to spread or go out of control.
* If a fire spreads or is likely to spread and expenditure is incurred by the Municipality or any person in controlling or extinguishing the fire, the permittee is liable for the amount expended, and the amount may be recovered in any Court of Competent Jurisdiction.

**This permit will be VOID when a fire ban is in effect.**

The Rural Municipality of Hazel Dell No. 335 accepts no responsibility for a liability or costs incurred as a result of authorizing this permit.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Administrator