

TOWN OF INDIAN HEAD

BYLAW NO. 16--2016

A BYLAW OF THE TOWN OF INDIAN HEAD, IN THE PROVINCE OF SASKATCHEWAN TO REGULATE OPEN AIR FIRES, THE CONSTRUCTION AND USE OF FIRE PITS AND OUTDOOR FIREPLACES.

The Council of the Town of Indian Head, in the Province of Saskatchewan, enacts as follows:

- 1 Definitions:
 - a) "Council" means the Council for the Town of Indian Head;
 - b) "Fire Chief" means the Fire Chief for the Indian Head Fire Department;
 - c) "Fire Inspector" means a Fire Inspector for the Province of Saskatchewan;
 - d) "Open-air fire" means a fire built in the open air, for warmth, entertainment, or celebration, to burn charcoal or cut, seasoned wood;
 - e) "Peace Officer" means any member of the Royal Canadian Mounted Police, or any other police service responsible for the policing of the Town of Indian Head or any person specifically appointed by the Town of Indian Head or the Province of Saskatchewan to be a Police Officer, Constable, Special Constable or Auxiliary Constable; and
 - f) "Town" means the Town of Indian Head

- 2
 - (1) Open-air fires shall not be set unless the following measures are taken to limit their spread:
 - a) fires shall be contained in a non-combustible receptacle constructed of cement, brick or sheet metal with a minimum 18-gauge thickness;
 - b) a receptacle shall be covered with heavy gauge screen with openings not exceeding 13 millimeters (1/2 inch); and
 - c) the size of the fire box of any receptacle shall not exceed one (1) meter (3 feet) in width, height or diameter when measured between the widest points.

 - (2) The fuel for open-air fires shall consist only of charcoal or cut, seasoned wood. Burning of the following material is prohibited:
 - a) waste including trash, slimes, garden refuse, manure, tree or shrub branches, leaves grass, painted or treated lumber, tailings, garbage, scrap, livestock, or animal carcasses;
 - b) any material which when burned will generate black smoke or an offensive odour including plastics, rubber materials, creosoted wood, rubber tires, lumber treated with wood preservatives or any similar material; and
 - c) any materials classified by the authority having jurisdiction as being hazardous material or dangerous goods.

 - (3) All open-air fires shall be supervised by an adult so as to prevent the spread of fire.

 - (4) Open-air fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.

 - (5) Open-air fires shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.

 - (6) If 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.

 - (7) Fire pits or outdoor fireplaces shall be clear of overhangs such as tree branches, utility lines and structures.

 - (8) All fire pits or outdoor fireplaces shall be located a minimum of three (3) meters (10 feet) from any combustible material, building, porch, deck, similar amenity space and property line.

- (9) All fire pits or outdoor fireplaces shall not be used on combustible decks or porches.
- (10) All fire pits or outdoor fireplaces shall be situated on a non-combustible surface.
- (11) Any person that uses a fire pit or outdoor fireplace shall ensure that a means of extinguishing the fire is readily accessible at all times while the fire is burning.
- (12) Fire pits or outdoor fireplaces shall not be used between 1:00 a.m. and 9:00 a.m. on all days.
- (13) Where requested by the Fire Chief, a Fire Inspector or a peace officer, a person shall extinguish a fire in a fire pit or outdoor fireplace.

- 3 (1) The municipality may impose Fire Ban's from time to time as deemed necessary for the protection of private property and general public safety.
 - a) The Council by resolution are empowered to declare when a Fire Ban is in effect, the Fire Ban notification will include the time and date the Fire Ban Commences.
 - b) The Council by Resolution shall be empowered to declare when a Fire Ban ends.
 - c) The Municipality will communicate Fire Bans that are in effect and when they end by posting such notice at the municipality administration office, in the local newspaper, on its website at www.townofindiahead.ca, on the Town of Indian Head social media sites and through a mail drop.

- 4 (1) Any person convicted of an offence under any Section of this bylaw shall forfeit and pay a fine of not less than;
 - a) First Offence: \$200.00
 - b) Second Offence: \$400.00
 - c) Third and each subsequent offence: \$600.00 exclusive of all costs.

- 5 This Bylaw shall come into force and take effect on the day of approval by the Council of the Town of Indian Head.

Mayor

{Seal}

Administrator

Read a third time and adopted
 this ____ day of _____

Administrator