

RURAL MUNICIPALITY OF LOON LAKE NO. 561

BYLAW NO. 2006-02

A BYLAW OF THE RURAL MUNICIPALITY OF LOON LAKE, NO. 561 TO PROVIDE FOR FIRE PREVENTION AND PROTECTION, THE SUPPRESSION OF FIRE AND ASSESSING AND LEVYING THE COST OF SAME PURSUANT TO SECTION 42 OF THE MUNICIPALITIES ACT AND SECTION 7 OF THE PRAIRIE AND FOREST ACT

DEFINITIONS

1. For the purpose of this Bylaw:

- a) "local assistant" means any fire chief appointed by the rural municipality or, where there is none, the secretary treasurer of the rural municipality.
- b) "rural municipality" means the Rural Municipality of Loon Lake No. 561

PROHIBITIONS

2. No Person shall:

- a) start any other 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 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 he has started an outdoor fire without fully extinguishing the fire.

PERMITS

3. A permit from the rural municipality shall be required for persons wishing to burn brush piles, stubble, grass or other materials on land owned or occupied outside of the provincial burning permit area.

FIRE HAZARDS

4. 1) Where a local assistant finds conditions which, in his opinion, constitute a fire hazard endangering life or property, he may order the 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 local assistant prescribes in writing.
- 2) Where a local assistant finds that the order made pursuant to subsection (1) has not been carried out, he may enter upon the land with any equipment and persons that he considers necessary and may perform the required work to reduce or remove the fire hazard.
- 3) The 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

5. 1) Where in the opinion of the local assistant, an extreme fire hazard exists or the safety of persons or property is endangered by a prairie fire or forest fire, the local assistant may, by order, do any or all of the following:

Paragraph 5, continued.....

- 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 local assistant shall cause an order made pursuant to subsection (1) to be:
- a) published in a daily or weekly newspaper that is widely circulated in the vicinity of the area; and
 - b) posted in one or more conspicuous places in the vicinity of the area;
- 3) No person 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 shall be convicted for failing to comply with an order unless the person knew or ought to have known of the substance of the order.

FIRE FIGHTING

6. 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

7. The cost of the fire fighting 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;
- b) in part throughout the municipality, or in any specified area of the municipality, and in part to persons who receive the service; or
- c) directly on persons who receive the service.

8. For the purpose of assessing and levying costs of fire fighting services, the person who owns or occupies land upon which a fire originated shall be deemed to be a person who receives the fire fighting services to control and extinguish the fire.
9. Any amount with respect to fire fighting services provided to a person within the municipality pursuant to Paragraph 6 hereof that remains unpaid at the end of the year in which the service was provided shall at the end of that year be added to and form part of the taxes on any land, improvement or business owned by that person.

PENALTY

10. Any person 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) \$2000.00 in the case of an individual;
 - b) \$5000.00 in the case of a corporation;
 - c) \$500.00 per day in the case of a continuing offence.


11. Fines levied pursuant to Paragraph 10 hereof may be paid to the administrator within 30 days of notice thereof and, on payment so provided, the person contravening the bylaw shall not be liable to prosecution for the offence.

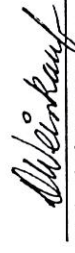
12. Bylaw 1998-04 is hereby repealed.

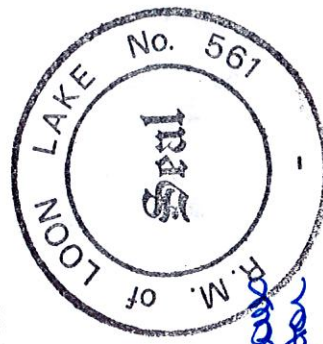


READ a First time this 12 day of April 2006
READ a Second time this 12 day of April 2006
READ a Third time this 12 day of April 2006

Certified a true and correct copy of Bylaw No. 2006-02 read a third time and finally adopted on April 12, 2006.


Reeve


Administrator




Administrator

Donna Weinkauf, Administrator