

Town of Shellbrook

Bylaw 2019-06

The Fire Bylaw

A BYLAW OF THE TOWN OF SHELLBROOK TO ESTABLISH THE FIRE DEPARTMENT AND EMERGENCY MEASURES ORGANIZATION AND TO PROVIDE FOR THE PREVENTION AND SUPPRESSION OF FIRES

The Council of the Town of Shellbrook in the Province of Saskatchewan enacts as follows:

PART I – SHORT TITLE AND INTERPRETATION

SHORT TITLE

1. This Bylaw may be cited as The Fire Bylaw.

PURPOSE

2. The purpose of this Bylaw is:
 - (a) To establish the Shellbrook Fire Department;
 - (b) To establish the Emergency Measures Organization;
 - (c) To Adopt a fire prevention code which establishes a satisfactory standard for fire prevention, firefighting and life safety in buildings;
 - (d) To provide for the prevention and suppression of fires;
 - (e) To provide guidelines for the storage and handling of flammable liquids, combustible liquids, dangerous goods, hazardous substances and waste dangerous goods;
 - (f) To regulate the sale and setting off of fireworks;
 - (g) To provide for services at the site of an emergency.

DEFINITIONS

3. In this Bylaw:
 - (a) "Town" means the Town of Shellbrook;
 - (b) "Council" means the Council for the Town of Shellbrook/
 - (c) "Chief Administrative Officer" means the CAO for the Town of Shellbrook.

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- (d) "Chief" means the Chief of the Shellbrook Fire Department or such other person who may be appointed by the Council to carry out the provisions of this Bylaw;
- (e) "closure" means a closure within the meaning of *The National Fire Code*;
- (f) "combustible liquid" means a combustible liquid within the meaning of *The National Fire Code*;
- (g) "Council" means the Council of the Town of Shellbrook;
- (h) "dangerous goods" means dangerous goods within the meaning of *The National Fire Code*;
- (i) "discharge" includes to ignite, fire, or set off and the words "discharging" and "discharged" have a similar meaning;
- (j) "EMO" means the Emergency Measures Organization;
- (k) "EMO Coordinator" means the Emergency Measures Coordinator appointed by the Council;
- (l) "Fire Department" means the Voluntary Fire Department of the Town of Shellbrook;
- (m) "Fire Pit" means a temporary or permanently affixed outdoor fire receptacle.
- (n) "Fireworks" shall mean and include any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
- (o) "flammable liquid" means a flammable liquid within the meaning of *The National Fire Code*;
- (p) "Municipal Inspector" means a Municipal Inspector within the meaning of *The Fire Safety Act* and a designated officer within the meaning of *The Municipalities Act*;
- (q) "National Fire Code" means the Code declared to be in force pursuant to Subsection 3(1) of *The Saskatchewan Fire Code Regulations*;
- (r) "NFPA" means The National Fire Protection Association;
- (s) "private fireworks display" means the discharge of high or low hazard fireworks for private recreation and entertainment;
- (t) "public fireworks display" means the discharge of high or low hazard fireworks for public recreation and entertainment;

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PART II – EMERGENCY MEASURES ORGANIZATION

ESTABLISHMENT OF EMERGENCY MEASURES ORGANIZATION

4. (1) The Council shall establish an Emergency Measures Organization to manage the agencies responding to any emergency or disaster that may occur.

(2) The Committee shall consist of two (2) or more members appointed by resolution of Council. This committee shall establish policy for the Emergency Measures Organization and shall appoint a Coordinator of the organization.

(3) The Planning Committee shall consist of officers of the Town of Shellbrook and such other persons as deemed necessary. The Planning Committee, under the chairmanship of the EMO Coordinator shall formulate a Municipal Emergency Plan and keep it up to date and amended as necessary.

(4) The EMO Coordinator shall be paid a monthly stipend, as well as a fee per hour. Such amounts to be determined by Council and may be amended from time to time.

(5) The Town of Shellbrook shall provide funding as deemed necessary and appropriate in the establishment and maintenance of the Emergency Measures Organization.

(6) The Council may coordinate with Councils of other municipalities for the purpose of jointly establishing a Mutual Aid Area.

PART III – FIRE DEPARTMENT

ESTABLISHMENT OF DEPARTMENT

5. (1) The Fire Department is established.

(2) The Fire Department shall consist of a Fire Chief, appointed by the Council of the Town of Shellbrook.

(3) The Fire Chief may appoint two (2) Deputy Fire Chiefs, as well as other volunteer members.

(4) The Fire Department is responsible for, but not limited to:
 - (a) fire protection, including:
 - (i) fire suppression
 - (ii) fire prevention and inspection
 - (iii) fire investigations
 - (iv) educational programs, and
 - (v) emergency mass notification

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(b) rescue services

- (i) vehicle extrication
- (ii) structural collapse support operations
- (iii) attending and assisting at STARS landing sites as requested

(5) The Fire Department shall not enter into any contracts or lease agreements for service to another municipality without prior approval and signature by Council.

(6) The Fire Chief and Deputy Fire Chiefs shall receive a monthly stipend, of an amount to be determined by Council, and amended from time to time. They shall also receive a per hour fee (amount to be determined by Council, and amended from time to time) for time attending fires/vehicle extrications, STARS landings, etc.

(7) Volunteer firefighters shall be paid on a per hour basis for time attending fires/vehicle extrications, STARS landings, etc. Amount paid shall be determined by Council, and amended from time to time.

(8) Fees as mentioned in Sections 4(6) and 4(7) shall be paid out in full prior to December 31st of each year.

(9) Council shall ensure that adequate personal injury, death and liability insurance be maintained for the Fire Department, such coverage to be provided out of the Municipal Budget for the Fire Department.

(10) Failure to comply with the regulations of this Bylaw shall make any or all members of the Fire Department liable to dismissal from the Fire Department, entirely at the discretion of Council.

DUTIES OF FIRE CHIEF

6. (1) The Fire Chief is the Director of the Fire Department.

(2) The Fire Chief shall administer and enforce this Bylaw within the Town and shall perform any other duties and may exercise any other powers that may be delegated by Town Council.

(a) The Fire Chief shall have the authority to further delegate any matter delegated to him/her under this Bylaw.

(3) The Fire Chief is responsible for the maintenance of discipline within the Department and may make Policies and Procedures necessary to carry out the daily administration and operations of the Department.

(4) The Fire Chief shall prepare an inventory annually to give to the CAO, and shall prepare an Operating and Capital Budget for the following year to be presented to Council. Upon approval, this Budget shall be included and form part of the Municipal Budget.

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(5) The Fire Chief and volunteer firefighters shall control, manage and operate the fire equipment and facilities within the budgetary allowance approved by Council.

(6) It shall be the responsibility of the Fire Chief to maintain equipment in working order as provided in the budgetary allowance.

(7) The Fire Chief shall have the authority to prohibit any or all open fires when atmospheric conditions or local circumstances, in his/her opinion, make such fires hazardous. The Fire Chief shall advise the Chief Administrative Officer prior to issuing a fire ban within the corporate boundaries of the Town of Shellbrook. The Chief Administrative Officer shall then inform Council.

AGREEMENT FOR EMERGENCY SERVICES

7. The Town may enter into an agreement with any other municipality, municipal government, First Nation Band, person or other properly constituted authority, organization or agency for the furnishing or receiving of firefighting or fire prevention services or emergency services on any terms that may be agreed upon, including the setting and payment of charges.

REQUEST FOR EMERGENCY SERVICE

8. (1) The Town may provide and charge for any firefighting, fire prevention or emergency service outside the Town where no agreement exists, if a request is made by any other municipality, municipal government, First Nations Band, person or other properly constituted authority, organization or agency.

(2) The charge for any firefighting, fire prevention or emergency services provided by the Department shall be determined according to the fees and rates listed in Schedule "A" to this Bylaw.

PART IV – NATIONAL FIRE CODE

ADOPTION OF NATIONAL FIRE CODE

9. Except as modified by this Bylaw, it is declared that *The National Fire Code* is in force in the Town of Shellbrook.

PART V – INSPECTIONS, COMPLIANCE WITH ORDERS AND ENFORCEMENT PROCEDURES

INSPECTIONS

10. (1) Inspection of property by the Town to determine compliance with this Bylaw is hereby authorized, and shall be carried out in accordance with Section 362 of *The Municipalities Act*.

(2) No person shall obstruct a municipal inspector who is authorized to conduct an inspection under this Section, or a person who is assisting a municipal inspector.

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(3) Before entering on any land or into any building, structure or premises, the Fire Chief or a municipal inspector shall notify the owner or occupant of the purpose of the entry.

ORDER TO REMEDY CONTRAVENTION

11. (1) If a municipal inspector finds that a person is contravening this Bylaw, the municipal inspector may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.

(2) Orders given under this Bylaw shall comply with Section 364 of *The Municipalities Act*.

(3) Orders given under this Bylaw shall be served in accordance with Section 390 of *The Municipalities Act*.

REGISTRATION OF ORDER

12. If an order is issued pursuant to Section 11, the Town may, in accordance with Section 364 of *The Municipalities Act*, give notice of the existence of the order by registering an interest against the title to the land that is the subject of the order.

APPEAL OF ORDER TO REMEDY CONTRAVENTION

13. (1) A person may appeal an order made pursuant to Section 11 in accordance with Section 365 of *The Municipalities Act*.

(2) Any person who considers himself aggrieved by any Order made by the Fire Chief under the provisions of this Bylaw may appeal such Order in writing to the Fire Commissioner of the Province within fifteen (15) days of being served the Order.

TOWN REMEDYING CONTRAVENTIONS

14. The Town may, in accordance with Section 366 of *The Municipalities Act*, take whatever actions or measures necessary to remedy a contravention of this Bylaw.

CIVIL ACTION TO RECOVER COSTS

15. The Town may, in accordance with Section 368 of *The Municipalities Act*, collect any unpaid expenses and costs incurred in remedying a contravention of this Bylaw by civil action for debt in a court of competent jurisdiction.

ADDING AMOUNTS TO TAX ROLL

16. The Town may, in accordance with Section 369 of *The Municipalities Act*, add any unpaid expenses and costs incurred by the Town in remedying a contravention of this Bylaw to the taxes on the property on which the work was undertaken.

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17. In the event that it becomes an emergency to remedy a contravention of this bylaw, the Town may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of Section 367 of *The Municipalities Act*.

IMMEDIATE HAZARDS

18. (1) Notwithstanding any other provision of this Bylaw, where in the course of an investigation or inspection under this Bylaw, the Fire Chief is of the opinion that a condition exists creating a serious damage to life or property, the Fire Chief may:
- (a) Use any measures that the Fire Chief deems appropriate to remove or lessen the condition;
 - (b) Evacuate and close the building, structure, premise or yard where the condition exists or any area surrounding such location for any period that the Fire Chief considers appropriate.
 - (c) Order the owner, operator or occupant to immediately take necessary steps to remove or lessen the condition. The Fire Chief may order that a building or structure be demolished, to remove any debris and waste material and to fill in any open basement or excavation remaining on the site of the building or structure after its demolition.
- (2) If closed under Clause (1)(b), the Fire Chief shall, if possible, placard the building, structure, premise, yard or area as a serious danger to life or property.
- (3) No person shall enter, attempt to enter or tamper with a building, structure, premise, yard or area that has been closed under Clause (1)(b) without the prior approval of the Fire Chief.
- (4) No person shall take down, cover up, mutilate, deface or alter a placard posted under Subsection (2).
- (5) The costs and expenses incurred under this Section are a debt due to the Town and may be recovered from the owner of the building, structure, premise, yard or area in or on which the work was carried out.

PART VI – PREVENTION AND SUPPRESSION OF FIRES

GENERAL PRECAUTIONS AGAINST FIRE

19. (1) No waste paper, hay, straw, shavings, accelerator or other flammable material shall be allowed to accumulate in any building, yard, or premises unless placed in a covered metal receptacle or in a fireproof room provided with fire doors. All such material, if not so placed, shall be removed or destroyed at the close of each business day. This shall not apply to fire wood that is neatly piled, providing there are no accumulations of bark, chips or sawdust in the immediate area.
- (2) No uncovered hay, straw, or accumulation of flammable material shall be placed within 60 meters (200 feet) of any building.

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(3) All ashes, when deposited within a building, shall be placed in a non-combustible container and shall not be placed on a combustible floor and, when deposited outside, shall be placed at least 4.5 meters (15 feet) from any wooden structure or other combustible material or placed in a non-combustible container or pit.

(4) No person shall start the burning of straw, weeds, grass or fire in a stubble field within the Town of Shellbrook boundaries.

FIRE PITS

20. (1) Open air fires shall not be permitted in the front yard (front yard as defined by the Zoning Bylaw of the Town of Shellbrook).

(2) Open cooking fires shall not be set unless the following measures are taken to limit their spread:

- (a) Fires must be contained in a non-combustible receptacle constructed of concrete, brick, stones or sheet metal with a minimum eighteen (18) gauge thickness and with a maximum diameter of eighty-two (82) centimeters (32.28 inches).
- (b) The brick, stone or concrete or sheet metal shall be separated from grass and any other vegetation by a distance of at least forty (40) centimeters (15.7 inches) by means of clean earth, sand, gravel or other non-combustible medium;
- (c) A receptacle must be covered with a heavy gauge metal with openings not exceeding thirteen (13) millimeters (0.5 inches) and;
- (d) The receptacle shall be located on private property, a distance of at least three (3) meters (9.8 feet) from any property line, building or other combustible structure.

(3) Portable fire pits shall not be used on balconies, indoors or on wooden decks. They may be used on a noncombustible surface such as earth, concrete, stone, brick, etc.

(4) The fuel for open air fires shall consist only of charcoal or cut, seasoned wood. The burning of the following material is prohibited: rubbish, garden refuse, manure, livestock or animal carcasses, and any material which, when burned, will generate black smoke or an offensive odor including insulation from electrical wiring or equipment, asphalt roofing materials hydrocarbons, plastics, rubber materials, creosoted wood or any similar material.

(5) Open air fires shall be reasonably supervised by an adult to prevent their spread.

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

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

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(8) The Fire Chief or the CAO may issue a "Permit" to a person to set an open air fire as part of a block party, community event or similar special function or celebration. In this event, the Department may waive any requirements of this Section with respect to the permitted open air fire, but the Permittee shall comply with all other requirements of this Section and any other conditions attached to the Permit by the Department.

(9) If due to excessive flames and/or smoke of any residential open air fire pit, a call is placed to the local fire department and firemen are dispersed, the owner of the fire pit may be assessed a fine.

(10) Fire pits must be clear of overhangs, such as tree branches, utility lines and structures.

(11) Any person who uses a fire pit for an open fire shall have a means of extinguishing the fire readily accessible at all times (i.e. fire extinguisher).

(12) In the event the Fire Chief issues a Fire Ban, the use of fire pits will be prohibited.

(13) Any complaints or concerns will be handled through bylaw enforcement.

BARBEQUING

21. (1) Every person who uses a barbeque or similar device shall:

- (a) Use the barbeque in a reasonable and safe manner;
- (b) Keep the barbeque, when lit, a sufficient distance from all combustible material;
- (c) Refrain from leaving the barbeque unattended when lit;
- (d) Keep the barbeque in a reasonable state of repair; and
- (e) Comply with all federal and provincial regulations governing the use and storage of propane cylinders.

(2) In addition to requirements of Subsection (1), if any person uses a barbeque or similar device on a balcony, the following provisions apply:

- (a) Solid fuel barbeques or similar cooking devices shall not be used;
- (b) propane cylinders shall not exceed the 20 pound size;
- (c) Propane cylinders shall not be repaired, stored or contained within the building;
- (d) Propane cylinders shall be shut off at the tank valve when not in use;
- (e) Propane cylinders shall be connected and secured to the barbeque;

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(f) Propane cylinders shall be kept in an upright position at all times including when cylinders are in transit, in service or in storage.

WOOD PILES

22. (1) A person may store lumber, timber or firewood on a residential property subject to the following restrictions:
- (a) The lumber, timber or firewood shall be stored at least three (3) meters (9.75 feet) from any dwelling on the property, and at least one (1) meter (39 inches) from any property line.
- (2) Subsection (1) does not apply to lumber or timber stored on site during the construction of any building on a residential property.

STORAGE OF CONTAINERS

23. (1) All boxes, crates, barrels and other containers, empty or otherwise, used or kept in any building or on any lot, shall be:
- (a) Stacked or piled clear of windows and doors to provide clear ingress and egress to any building; and
 - (b) Kept away from any source of fire.
- (2) If, in the opinion of the Fire Chief or a municipal inspector, any accumulation of boxes, crates, barrels or other containers or packing materials constitutes a fire hazard, the Fire Chief or a municipal inspector may order the owner or occupant of the building or lot to remove the accumulation immediately.

OUTDOOR STORAGE OF RUBBER TIRES

24. (1) Except as provided in Subsection (2), rubber tires shall be stored in accordance with *The National Fire Code*.
- (2) If the individual storage area for rubber tires is located on a site which abuts a residential site, the following size and clearance restrictions apply:
- (a) The maximum height of storage cannot exceed two (2) meters (6.5 feet); and
 - (b) The minimum clear space between the storage area and any property line which separates the site from the residential site cannot be less than three (3) meters (9.75 feet).

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FIREPLACES

25. No person shall install a fireplace, woodstove or solid fuel burning appliances in any building in the Town of Shellbrook without first having obtained approval to do so from the Building Official. Approval shall be granted after having obtained a building permit and meeting all regulations pertaining to fireplace/woodstove/solid fuel burning appliance installations.

INCINERATORS

26. (1) Except for auxiliary-fueled incinerators approved by Ministry of Environment no incinerator shall be constructed or installed within the corporate limits of the Town of Shellbrook.
- (2) Burning barrels or any similar device used for the burning of any household or yard refuse are prohibited.
- (3) Outdoor wood burning boiler heater systems shall not be allowed in any residential, commercial or industrial area within the limits of the Town of Shellbrook.

VACANT BUILDINGS

27. (1) In accordance with The National Fire Code, all vacant buildings shall be secured against unauthorized entry.
- (2) All exterior windows and doors, whether broken or intact, on the first story of a vacant building shall be boarded up to prevent unauthorized entry.
- (3) All broken exterior windows on any story above the first story of a vacant building shall be boarded up to prevent unauthorized entry

PREVENTION OF FIRE SPREAD

28. The Department may pull down or demolish any buildings or other erections when, in the opinion of the Fire Chief or the senior officer in command of a fire or any other emergency, such actions are considered necessary to prevent the spread of fire.

PERSONS PRESENT AT A FIRE

29. (1) No person shall drive any vehicle over any hose while in use or about to be used at any fire or which has been used or laid to be used at a fire or at a practice.
- (2) No person shall in any way impede or hinder any fireman, or other person who shall be assisting at the extinguishing of any fire, or who may be engaged in other duties connected therewith.
- (3) No person shall obstruct, hinder or delay any fire equipment while the same is proceeding to a fire; and every person traveling, riding, or driving on any street or place along which any fire apparatus is preceding to a fire, shall yield the right of way to the same.

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(4) No person shall park so that they are in the fire lane or yellow zone as to hinder the ability of the Fire Department to respond to a fire.

COMMANDEERING OF EQUIPMENT

30. (1) Where an extreme fire hazard exists or the safety of persons or property is endangered by a fire, the Fire Chief or the senior office in command of a fire or any other emergency may commandeer or use any privately owned equipment for the purpose of firefighting.

(2) The Department shall pay compensation to any person from whom private property is commandeered or used pursuant to Subsection (1).

(3) The amount of compensation to be paid to a person by the Department pursuant to Subsection (2) is to be determined by the Department. In the event a person does not agree with the amount of compensation offered by the Department, the person may appeal the amount of the compensation and the provisions of Sections 13, 14 and 15 shall apply.

OBTAINING ASSISTANCE IN FIREFIGHTING

31. (1) Where an extreme fire hazard exists or the safety of persons or property is endangered by a fire, the Fire Chief or the senior office in Command of a fire or other emergency may obtain the voluntary assistance of any adult for the purpose of firefighting.

(2) The Department shall pay compensation to any person who assists in firefighting pursuant to Subsection (1).

(3) The amount of compensation to be paid to a person by the Department pursuant to Subsection (2) is to be determined by the Department. In the event a person does not agree with the amount of the compensation and the provision of Sections 13, 14 & 15 shall apply.

(4) No person who assists in firefighting pursuant to Subsection (1) shall be deemed to be an employee of the Department or of the Town for the purposes of this Bylaw or any other Act or law.

DUTIES OF PERSONS ASSIGNED TO FIGHT FIRE

32. Every person who assists in firefighting pursuant to Section 30 shall:

(1) Proceed as directed;

(2) Take all equipment with which the person has been supplied or which has been commandeered for the person pursuant to Section 30;

(3) Assume responsibility for the firefighting equipment in the person's care;

(4) Obey all reasonable orders and requirements of the Fire Chief or the senior officer in command of the fire; and

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- (5) Make every reasonable effort to control and extinguish the fire and to protect any life and property endangered by the fire.

HYDRANT SYSTEMS

- 33. (1) Fire hydrants shall be designed, installed, and maintained in accordance with the standards and specifications of the Town of Shellbrook Public Works Department.
- (2) No person shall allow, permit or resist or impede access or view of any fire hydrant;
- (3) No person shall grow vegetation (other than grass), or place any structures within a one (1) meter (3.25 feet) radius of a fire hydrant; and no more than at a grade higher than the base of the fire hydrant.

PART VII – HAZARDOUS SUBSTANCES

UNDERGROUND STORAGE TANKS

- 34. In accordance with *The National Fire Code* and *The Hazardous Substances and Waste Dangerous Goods Regulations*.

TESTING, REPAIR AND REMOVAL OF STORAGE TANKS

- 35. If, in the opinion of the Fire Chief or a municipal inspector, there is a reasonable suspicion that flammable or combustible liquids or vapors are escaping from an underground or above-ground storage tank or piping which may create a hazardous condition, the Fire Chief or municipal inspector may order the owner, operator or occupant of the premises where the storage tank is located to:
 - (1) Drill test holes and provide test results to the Department;
 - (2) Test the tank and associated piping; and
 - (3) Excavate the tank and piping and carry out any necessary work to correct the hazardous condition, including the removal, replacement or repair of the tank.

DISCHARGE OF HAZARDOUS SUBSTANCE INTO SEWER SYSTEM

- 36. (1) No person shall discharge or permit to be discharged any flammable liquid, combustible liquid, dangerous good, hazardous substance or waste dangerous good, whether by itself or in combination with any other liquid or solid, into any sanitary sewer, storm sewer, sewer connection, catch basin, street, alley or ditch.

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(2) Notwithstanding Section 11, the Fire Chief or a municipal inspector may use any measures that the Fire Chief or municipal inspector considers appropriate to prevent a further discharge of a substance mentioned in Subsection (1), and may suspend the operation of any activity or business suspected of being the source of the discharge.

PART VIII – FIREWORKS

SALE OF FIREWORKS

37. (1) The handling, storage and sale of fireworks shall be in conformance with the *Explosives Act and its Regulations*, and *The National Fire Code*.

DISCHARGE OF FIREWORKS

38. (1) No person shall discharge any fireworks in a manner that would create a danger or nuisance to any other person or property.

(2) No person shall discharge any fireworks into or onto any public place and no person being the owner or occupant of any premises shall permit any fireworks to be discharged into or onto any public place without first obtaining a fireworks display permit from the CAO.

(3) No person shall discharge any low hazard fireworks and no person being the owner or occupant of any premises shall permit any low hazard fireworks to be discharged except:

- i) Between the hours of dusk and 11:00 p.m. on Victoria Day, Canada Day or Labor Day; or
- ii) Such other dates and times as permitted by the CAO in the permit.

(4) No person shall discharge any fireworks on a school site without the prior written consent of the Board of Education or School Division that owns the site, and without first obtaining a fireworks permit from the CAO.

(5) No person under eighteen (18) years of age shall discharge any fireworks except under the direct supervision of a parent, guardian or other responsible adult who has obtained a fireworks permit from the CAO.

INDOOR FIREWORKS

39. (1) No person shall hold an indoor fireworks (pyrotechnics) display without first obtaining a permit from the CAO;

(2) The person holding the permit shall be responsible to ensure that the display is conducted in accordance with provisions of the current Pyrotechnic Special Effects Manual prepared by Natural resources Canada.

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(3) The handling, storage and use of indoor fireworks shall be in conformance with The *Explosives Act and its Regulations*, and *The National Fire Code*.

FIREWORKS DISPLAY PERMITS

40. (1) The Town of Shellbrook shall have the sole discretion to issue a permit to allow a person to:

- (a) Sell fireworks; or
- (b) The types of permit that may be issued by the CAO include:
 - i) Fireworks permits;
 - ii) Fireworks display permits in respect of outdoor and indoor fireworks.

(2) Application for a permit shall be made to the CAO on such forms and accompanied by such information as may be prescribed by the CAO from time to time.

(3) The CAO may issue a permit upon such terms and conditions as the CAO considers appropriate.

(4) Without limiting the generality of Subsection (3), the Fire Chief may, in any permit:

- (a) place restrictions on the quantity and the type of fireworks that may be sold or discharged in the display;
- (b) require the applicant to submit specific information
- (c) place restrictions on the location, date and time of the display;
- (d) require the applicant to provide security and fire safety measures
- (e) place restrictions on the manner in which fireworks may be discharged; and
- (f) require the permit holder to, at the conclusion of the public fireworks display, immediately remove and dispose of all unused fireworks and debris.

PART IX – FEES, OFFENCES AND PENALTIES

FEES FOR SERVICE

41. (1) The Town of Shellbrook and Shellbrook Fire Department are authorized to charge the applicable fees for the various services and emergency responses listed in Schedule "A".

(2) The fees shall be reviewed and set by Town Council as required from time to time.

(3) The fees provided for by this section may be charged to a property owner, a business owner, the person requesting the service, or the person who benefits from this service, commencing January 1, 2020.

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- (4) The Rural Municipality of Shellbrook No. 493 shall invoice the Town an amount equal to 50% of the fees charged for services that occur in the rural municipality.
- (5) The Rural Municipality of Shellbrook No. 493 shall pay the Town an amount equal to 50% of all monies received in payment of fees charged out for emergency services rendered within the Town of Shellbrook boundaries, commencing January 1, 2020.
- (6) In the event of a false alarm, the Town shall issue a warning to the owner, and for every subsequent false alarm which reoccurs during that calendar year, due to the similar circumstances the owner shall be issued a fine listed in Schedule "A". Each calendar year this will reset and the process will start again by issuing a warning for the first offence of the year.
- (7) Vehicle/Automobiles(any vehicle listed in *The Automobile Accident Act, The All-Terrain Vehicles Act, The Traffic Safety Act, The Snowmobile Act, and The Highways and transportation Act*) Fire suppression services will be charged to the vehicle/property owner or their insurer(s) and for all vehicle accidents, jaw of life services, vehicle fires, and fires caused by a vehicle fire occurring within the boundaries of the Town of Shellbrook or the Rural Municipality of Shellbrook No. 493 and all other areas which the Fire Department responds to.

COMPENSATION FOR DEMOLITION

42. (1) Where action is taken as provided by Section 26 hereof, compensation shall be provided by the Council for loss or damage sustained by reason of the said pull down or demolition.

(2) If the owner, tenant or occupant responsible for the building or premises refuses or neglects to do any matter or thing required to be done by him/her hereunder by the authority having jurisdiction, the matter or thing may be done by the Town of Shellbrook at the expense of the person in default and the Town of Shellbrook may recover the expenses of doing so with costs by adding the expenses to, and they thereby form part of the taxes on the land on which or with respect to which the work is done in accordance with *The Municipalities Act*, as amended from time to time.

(3) The costs incurred by the Town of Shellbrook for additional protective services required that are over and above the normal services provided by the Town of Shellbrook for fire prevention, suppression, emergency response services and administrative fees and disbursements, shall be charged directly to the owner, tenant or occupant responsible for the building or premises receiving the benefit of such services, and they thereby form part of the taxes on the land on which or with respect to which the work is done in accordance with *The Municipalities Act*, as amended from time to time.

OWNER'S RESPONSIBILITY

Town of Shellbrook

Bylaw 2019-06

The Fire Bylaw

43. Unless otherwise specified, the owner or the owner's authorized agent shall be responsible for carrying out the provisions of this Bylaw and ensure that they have adequate fire-fighting coverage within their insurance policy.

PENALTY

44. No person shall:

- (a) Fail to comply with an order made under this Bylaw;
- (b) Obstruct or hinder the Fire Chief or any municipal inspector acting under the authority of this Bylaw; or
- (c) Fail to comply with any other provision of this Bylaw.

45. (1) Any person who contravenes any of the provisions of this Bylaw for which no other penalty is specifically provided is guilty of an offence and liable on summary conviction to:

- (a) In the case of an individual, a fine of not more than \$5,000.00 and in the case of a continuing offence, to a further fine of not more than \$5,000.00 for each day during which the offence continues;
- (b) In the case of a corporation, to a fine of not more than \$10,000.00 and in the case of a continuing offence, to a further fine of not more than \$10,000.00 for each day during which the offence continues;

- (2) The fine may be paid:

- (a) in person, during regular office hours, to the cashier at the Town Office in Shellbrook, Saskatchewan.
- (b) by deposit, at the depository located at the main entrance to the Town Office;
- (c) by mail addressed to: Town of Shellbrook, Box 40, Shellbrook SK S0J 2E0.

- (3) Upon payment, the person contravening the Bylaw shall not be liable to prosecution for that offence.

Town of Shellbrook

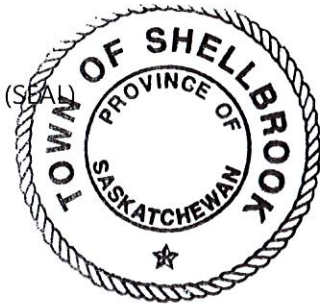
Bylaw 2019-06

The Fire Bylaw


PART X – MISCELLANEOUS

46. Bylaw 11-1965, Bylaw 11-1986, Bylaw 4-1993, Bylaw 4-1994, Bylaw 6-1999, Bylaw 13-2001 and Bylaw 4-2002 are hereby repealed.

47. This Bylaw shall come into force and take effect upon the final passing thereof.



TOWN OF SHELLBROOK


Mayor


Chief Administrative Officer

Read a third time and adopted
This 19 day of August, 2019


Kelly Hoare, CAO

Town of Shellbrook

Bylaw 2019-06

The Fire Bylaw

SCHEDULE "A" TO BYLAW 2019-06

FEES FOR SERVICES

The fees to be charged for a fire/emergency call out:

1. A basic call out fee of \$700.00 per truck, per hour or portion thereof, shall be charged to the owner or occupant of any property in the Town or Rural Municipality of Shellbrook No. 493 to which the Fire Department is called for the purpose of extinguishing a fire or attending to the scene of an accident.
2. A basic call out fee of \$700.00 per truck, per hour or portion thereof, shall be charged to the owner or occupant of any property outside the boundaries of the Rural Municipality of Shellbrook No. 493 to which the Fire Department is called for the purpose of extinguishing a fire or attending to the scene of an accident.
3. In addition to the fees set out in Sections 1 and 2 above, the following fees shall also apply:
 - a) A fee of \$50.00 per hour for each fireman responding to a call.
 - b) A flat rate of \$300.00 per load of water hauled.
 - c) Consumables shall be charged at cost. Consumables shall include but not be limited to:
 - i) fire suppression foam
 - ii) fire extinguishers
 - iii) recharging of breathing apparatus
 - d) Outside contracted equipment required to assist in fire suppression, which the Fire Chief or his/her designate deems necessary, shall be charged at cost.
 - e) Response to a motor vehicle accident is charged out as per fees set by SGI
 - f) False Alarm charge will be the basic call out fee of \$800.00. The charge is broken down as follows: \$700.00 for the truck and a \$100.00 for which is the equivalent of two (2) Fireman responding to the call. This fee would be implemented upon a 2nd callout to a false alarm at the same residence within a calendar year.

Town of Shellbrook
Bylaw 2019-06
The Fire Bylaw

SCHEDULE "B" TO BYLAW 2019-06

APPROVED FIRE PIT DESIGNS