

**TOWN OF PILOT BUTTE
BYLAW NO. 07-2021**

**A BYLAW OF THE TOWN OF PILOT BUTTE,
TO PROVIDE OUTDOOR FIREPIT REGULATIONS.**

The Council of the Town of Pilot Butte, in the Province of Saskatchewan, enacts as follows:

1. Any person who lights, ignites, or starts or allows or causes to be lighted, ignited or started a fire of any kind whatsoever in the open air, shall place and at all times keep a competent person in charge of the fire while it is burning or smouldering. That person shall be provided with efficient equipment in order to prevent the fire from getting beyond control or causing damage or becoming dangerous. The equipment to be used may consist of a garden hose connected to the water supply or portable fire extinguishers.
2. The Fire Chief shall have the authority to prohibit any or all open fires when atmospheric conditions or local circumstances, in his opinion, make such fires hazardous in accordance with *Bylaw 8-2018 A Bylaw Respecting Fire Restriction in the Town of Pilot Butte*.
3. Open-air fires must be contained in a non-combustible receptacle constructed of cement, brick, or sheet metal and designed for the use as a fire pit. Permitted fire pits shall not consist only of a pit or hole dug in the ground.
 - The receptacle must be located on private property, a distance of at least 8 feet from any property line, building or combustible structures or from trees or combustible vegetation that might be situated on the property.
 - The receptacle must be covered with a heavy gauge metal screen with openings not exceeding 10 millimetres.
 - The area 16 inches or 40 cm on the ground around the circumference of the receptacle shall be free of combustible materials or vegetation and shall be covered with sand. The area directly under the receptacle shall also consist of sand or another type of non- combustible material such as concrete or brick.
 - The fuel for open-air fires shall consist only of charcoal briquettes or cut seasoned wood. The burning of the following or any other materials is prohibited:
 - cardboard
 - rubbish
 - garden refuse or leaves
 - manure
 - livestock or animal carcasses
 - any material classified as a dangerous good; and
 - any material which when burned will generate black smoke or an offensive odour including insulation from electrical coring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosote, wood or any similar material

4. Open-air fires shall not be permitted in any front yard.
5. Open-air fires must be reasonably supervised so as to prevent their spread.
6. Open-air fires from any fire pit are not to be set in windy conditions conducive to creating a running fire, and if smoke from an open-air fire causes unreasonable interference with the use and enjoyment of another person's property the fire must be extinguished immediately.
7. 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 shall be assessed the following penalty and fine:

In the case of a first offence, to a fine not less than \$500 and not more than \$10,000;

 - a. in the case of a second offence to a fine not less than \$750 and not more than \$10,000;
 - b. in the case of a third or subsequent offence to a fine of not less than \$1,000 and not more than \$10,000, to imprisonment for not more than one year or to both.
8. A new offence is deemed to have been committed not less than two (2) hours from any previous offence.
9. Notwithstanding Section 7, a Designated Officer may issue a notice of violation to any person committing a first or second offence under this bylaw.
10. The notice of violation shall require the person to pay to the Municipality;
 - a. in a case of an individual, to a fine of \$300.00 for a first offence and \$450.00 for a second offence and \$1,000.00 for each subsequent offence.
11. The amount specified in clause 7 may be paid:
 - a. in person, during regular office hours, to the Municipality at the Municipal Office, 222 Diamond Place, Pilot Butte, Saskatchewan, OR
 - b. by mail addressed to the Town of Pilot Butte, Box 253, Pilot Butte, Saskatchewan S0G 3Z0.

If payment of the fine as provided in clause 7 is made prior to the due date noted on the notice of violation, the person shall not be liable to prosecution for that offence.

The imposition of any penalty for violation of this bylaw shall not relieve the person from complying with this bylaw.

Nothing in this section shall relieve any person from complying with the provisions of *The Air Pollution Control Act* of the Province of Saskatchewan and the regulations passed pursuant thereto.

REPEAL OF FORMER BYLAWS

That Bylaws No. 14-84 and No. 13-1999 are hereby repealed.

EFFECTIVE

This Bylaw shall come into force once it is approved and given third reading by the Council of the Town of Pilot Butte.

First Reading: May 25, 2021

Second Reading: _____

Third Reading: _____

PER: _____

MAYOR: Peggy Chorney

SEAL

PER: _____

ADMINISTRATOR: Allen Mullen

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