

Rural Municipality of Sherwood No. 159

Bylaw No. 04/20

Refuse Disposal & Burning Bylaw

In accordance with Section 8(1)(b) of *The Municipalities Act* the Council of the Rural Municipality of Sherwood No. 159 enacts as follows:

1. This Bylaw may be cited as the "Refuse Disposal & Burning Bylaw"
2. In this Bylaw, the following definitions shall apply:
 - a. "Agricultural Burning" means the burning of crops, or stubble, or burning ordered for the purpose of fire safety, but excluding controlled burns.
 - b. "Burning Barrel" means a fire confined to a non-combustible structure or container which is lit for the purpose of burning refuse;
 - c. "Burn Notification Number" means an approved controlled burn number an applicant receives from the municipality.
 - d. "Controlled Burn" means a fire that is lit for the purposes of burning organic material, including, but not limited to, trees or stubble but does not include a Burning Barrel Fire, a Recreational Fire, or a Smudge Fire;
 - e. "Clean/dry Wood" means wood or wood products which have not been treated with paint, stains, dyes, oils, varnishes, adhesives, or polishes;
 - f. "Council" means the municipal council of the Rural Municipality of Sherwood No. 159;
 - g. "Fire Ban" means an order issued under *The Wildfire Act*, or an order issued pursuant to this Bylaw, prohibiting the lighting of, and requiring the extinguishment of all fires within the Municipality;
 - h. "Fire Protection Organization" means the organization providing Fire Protection Services under contract with the Municipality;
 - i. "Fire Protection Services" means any and all services enumerated in Section 3 and includes any other service delivered by or for the Fire Protection Organization that is authorized by Council;
 - j. "Fire Suppression Devices" means any tool or device which could be utilized to extinguish a fire, including, but not limited to: Fire extinguishers, fire blankets, water tanks, and gaseous agents.
 - k. "Municipality or RM" means the Rural Municipality of Sherwood No. 159;
 - l. "Open-Air Fire" means any fire or burning practice that is conducted outside a building, including without limitation a Controlled Burn, a Recreational Fire and a Smudge Fire but does not include fires in a Burning Barrel;
 - m. "Owner", with respect to land, means:
 - i. The registered owner of the land as defined in *The Land Titles Act, 2000*; or
 - ii. A purchaser of the land pursuant to an agreement for sale who has registered an interest based on the agreement for sale against the title to that land pursuant to *The Land Titles Act, 2000*
 - n. "Recreational Fire" means a fire confined within a non-combustible structure or container with a heavy gauge metal screen which is lit for the purposes of cooking, obtaining warmth, or viewing for pleasure, and is fueled by clean/dry wood, natural gas, or propane

- o. "Refuse" means all waste including domestic waste, street cleanings, any useless, unused, unwanted or discarded material resulting from ordinary community and/or household activities.
 - p. "Smudge Fire" means a fire which is lit for the purpose of protecting livestock from insects or for protecting garden plants from frost.
3. Council will contract Fire Protection Services in the Municipality with a Fire Protection Organization for the purpose of:
- a. preventing and extinguishing fires;
 - b. preserving life and property and protecting persons and property from injury or destruction by fire;
 - c. enforcing the requirements of the Municipality under *The Wildfire Act*,
 - d. carrying out preventable controls;
 - e. maintaining and operating apparatus and equipment for extinguishing fires and preserving life and property;
- in accordance with the policies and guidelines established by the Municipality from time to time and all applicable legislation.
4. Burning barrels and the burning of refuse, treated pallets, painted/treated wood, leaves, construction materials, Styrofoam, plastics, paper, recyclable materials, flammable/combustible waste materials and/or dangerous goods are prohibited within the Municipality.
5. Burning particleboard, plywood, MDF, and other composite wood products held together by adhesives are prohibited within the municipality, unless for an approved industrial activity, pursuant to *The Environmental Management and Protection Act*.
6. Notwithstanding Sections 3-5, Open-Air Fires may occur within the Agricultural and Residential Districts as defined within the *RM of Sherwood Zoning Bylaw*, provided they occur within a:
- a. fireplace, grill, barbecue or structure that is used for cooking with natural gas, propane, clean/dry wood or charcoal briquettes or
 - b. recreational use pit or chimney provided the material being burned is clean, dry wood and;
 - c. a location wherein the groundcover is bare rock, gravel, sand, mineral soil, concrete, or other non-combustible material
7. Notwithstanding Section 3-5, Agricultural Burning may occur within Agricultural Zoning Districts as defined within the *RM of Sherwood Zoning Bylaw*.
8. Controlled Burn
- a. A Controlled Burn Permit must be obtained from the RM prior to any controlled burn commencing. Additionally, all controlled burns must be reported to RM Contracted Fire Service Organizations.
 - b. In the event no permit was obtained and/or no notice was provided to the RM contracted Fire Protection Service Organizations the owner of the parcel of land shall be responsible for all fire protection charges and RM penalties as per sections 13 & 14 of this bylaw.

- c. Controlled burns within the RM must be supervised and fire suppression devices must be present at all times.
9. In all cases, smoke and fumes or other matter from an open-air fire shall not cause a nuisance to others. If smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately. Continued offences of this nature may result in the immediate removal and/or suspension of its use at the discretion of the RM. The owner of the property is responsible for any or all damages as a result of burning.
10. Nothing contained in this Bylaw shall relieve any person from complying with the provisions of the *Canada's Clean Air and Climate Change Act, 2012* or *Canadian Environmental Protection Act, 1999* and the regulations passed pursuant thereto.
11. Burning shall immediately cease and be suppressed if a fire has caused or is causing an air contaminant or adverse effect as defined by *The Saskatchewan Environmental Management and Protection Act, 2010*.
12. A minimum of three (3) metres distance must be maintained between any fire and adjacent buildings or other combustibles.
13. In accordance with *The Wildfire Act* no person shall:
 - a. start an outdoor fire for any purpose without first taking sufficient precautions to ensure that the fire be kept under control at all times;
 - b. start an outdoor fire for any purpose when weather conditions are conducive to a fire readily escaping control;
 - c. fail to take reasonable steps to control a fire and prevent it from spreading, causing damage or becoming dangerous;
 - 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 might reasonably be expected to cause a fire to spread;
 - f. leave an outdoor fire without fully extinguishing the fire.
14. Any person found guilty of an infraction of any of the provisions of this Bylaw shall be liable to a financial penalty in accordance with Schedule A. In addition, the owner of the property shall be responsible for all damages and costs resulting from the fire.
15. Upon Fire Protection Services being required on a parcel of land within the Municipality's boundaries, the Municipality may, in its sole and absolute discretion, invoice Fire Protection Charges to the owner of the parcel of land.
16. All landowners are liable for payment of the Fire Protection Charges to the Municipality. Fire Protection Charges shall be paid within thirty (30) days of receipt. The Municipality has the authority to add to the tax roll of the parcel of land all unpaid Fire Protection Charges in accordance with *The Municipalities Act*.

17. The Administrator may, from time to time, issue a Fire Ban in the Municipality, when in the opinion of the Administrator, the prevailing environmental conditions give rise to an increased risk of a fire burning out of control.
18. A Fire Ban imposed pursuant to Section 17 of this Bylaw, shall remain in force until such time as the Administrator provides notice to the public that the Fire Ban is no longer in effect.
19. Notice of a Fire Ban shall be provided to the public on the R.M. website. Additional notice may be in the form of signs posted throughout the Municipality, in locations to be determined by the Municipality, through a public service message on local radio stations, or by any other means which the Administrator determines is appropriate for the purpose of informing the public of the Fire Ban.
20. When a Fire Ban is in place no person shall ignite any fire.
21. Bylaw No. 07/01 shall be repealed when this bylaw takes effect.
22. The Bylaw shall come into force and take effect on on the day of its final adoption.

Read a first time on the 11th day of March, 2020.

Read a second time on the 11th day of March, 2020.

Read a third time and adopted the 11th day of March, 2020.





Reeve



Administrator

SCHEDULE "A"—SPECIFIED PENALTIES

Contravention of any provision within this Bylaw	\$300.00
Second or subsequent offence within One (1) Year	\$500.00