

**RESORT VILLAGE OF KANNATA VALLEY
RECREATIONAL FIRES
BYLAW 41.1**

The Council of the Resort Village of Kannata Valley in the Province of Saskatchewan enacts the following articles and provisions:

PURPOSE

1. The purpose of this Bylaw is to protect, preserve and promote the safety, health, welfare of the citizens of The Resort Village of Kannata Valley by establishing minimum standards for the control of fire pits, chimneys, and other open-air fire receptacles within the municipality.

DEFINITION OF TERMS

2. The following definitions and the definitions contained in the Act apply to this Bylaw

Act	the Municipalities Act and amendments thereto
Administrative Authority (AA):	the Government of Canada and/or the Government of Saskatchewan.
Local Authority (LA):	the Council of the Resort Village of Kannata Valley
Municipality	the Resort Village of Kannata Valley
Council	the elected mayor and four elected councillors of the Resort Village of Kannata Valley
Justice	a judge of the Provincial Court of Saskatchewan or a presiding justice of the peace;
Owner	the person(s) or corporation listed as owner of private property in the municipality
Occupant	the person(s) using property in the municipality as owner or leaseholder
Property	land or improvements or both
Fire	for the purpose of this bylaw, "Fire" includes any combustion whether or not any flame is present or visible
Recreational Fire	a term used to describe a small fire (camp fire) in a pit or receptacle constructed so as to prevent the fire from spreading to surrounding vegetation or property.

GENERAL

3. A person may ignite (start) a recreational fire (camp fire) subject to the following conditions:
 - a. The fire is contained within a fire pit that is located at least 6 metres (20Ft) from any neighbouring residential dwelling and at least three metres from any combustible material;
 - b. The fire pit is less than 75 centimetres (30") in diameter with sides of the fire pit are fully enclosed and constructed from brick, concrete block, heavy gauge metal or other non-combustible material;
 - c. The fire pit has adequate ventilation to ensure proper combustion so as to prevent unreasonable accumulation of smoke
 - d. A fire extinguisher or other fire suppression products and a heavy gauge metal screen with openings not to exceed 13 mm is readily available for use to extinguish the fire and keep the fire from spreading after it has been extinguished.
 - e. The only fuel used shall be **preservative free** wood or wood products.
4. Recreational fires shall not be started or allowed to continue when the wind conditions are such that it becomes conducive to creating a running fire or nuisance to another person.
5. A recreational fire shall be extinguished immediately where smoke from the fire causes an unreasonable interference with the use and enjoyment of another person's property.
6. Notwithstanding the provisions in Article 3a and 3b above, a fire pit existing prior to the effective date of this bylaw may be used subject to an order from the municipal fire chief to comply with the provisions of this bylaw.

PROHIBITED FUELS

7. The burning of the following materials are strictly prohibited at all time:
 - a. Lawn and garden waste products
 - b. Household garbage and refuse
 - c. Paper products and boxes (other than as a starter fuel)
 - d. Products classified as hazardous materials or dangerous goods

- e. Products that generate black smoke or an offensive odour such as rubber, plastic and paint or preserved wood.

FIRE BAN

- 8. A fire ban would be in effect for the Resort Village of Kannata Valley when one councillor or the mayor and the Village administrator/manager agree that the conditions warrant such a ban. It would then be the responsibility of Village administrator / manager to advise the Fire Chief of the determined ban. Notice of a fire ban shall be posted at the entrances to the municipality. A fire ban would not include propane or natural gas barbeques.

OWNER LIABILITY

- 9. Where a person who owns land contravenes or fails to comply with any provisions of this bylaw, or permits others to use that owner shall be liable for the expenses and cost related to any damages resulting from the fire

OFFENCES AND PENALTIES

- 10. A person who, after having been given an official Notice of Violation again contravenes any of the provisions of this bylaw or fails to comply with any notice or order given there under is guilty of an offence and liable to an action in accordance with the provisions of the municipal Penalty Bylaw

SEVERABILITY

- 11. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any provision of this Bylaw shall not affect the validity of the remaining parts of this Bylaw.

BYLAW REPEALED

- 12. Bylaw #41 is hereby repealed.

EFFECTIVE DATE

- 13. This bylaw comes into force and takes effect immediately after having received third reading.

Resolution R101/17, first reading of amended Bylaw 41.1, "CARRIED" at the September 25, 2017 regular council meeting
Resolution R102/17, second reading of amended Bylaw 41.1 "CARRIED" at the September 25, 2017 regular council meeting.
Resolution R115/17, third reading of amended Bylaw 41.1 "CARRIED" at the October 16, 2017 regular council meeting.

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Mayor: Ken MacDonald

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Administrator: Jack McHardy