

BYLAW NO. 08/23

A BYLAW OF THE TOWN OF TISDALE IN THE PROVINCE OF SASKATCHEWAN, TO PROVIDE FOR FIRE AND RESCUE SERVICES WITHIN THE TOWN OF TISDALE

The Council of the Town of Tisdale 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 Tisdale Fire Department;
 - (b) to adopt a fire prevention code which establishes a satisfactory standard for fire prevention, fire fighting and life safety in buildings;
 - (c) to provide for the prevention and suppression of fires; and
 - (d) to provide for services at the site of an emergency.

Definitions

3. In this Bylaw,
 - (a) “Department” means the Fire Department of the Town of Tisdale;
 - (b) “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*;
 - (c) “*National Fire Code*” means the Code declared to be in force pursuant to Subsection 3(1) of *The Saskatchewan Fire Code Regulations*;
 - (d) “NFPA” means the National Fire Protection Association; and
 - (e) “Town” means The Town of Tisdale.

Part II - Fire Department

Establishment of Department

4. The Fire Department is established and responsible for:
 - (a) fire protection, including:
 - (i) fire suppression,
 - (ii) fire prevention and inspections,
 - (iii) fire investigations, and
 - (iv) educational programs.
 - (b) rescue service, including:
 - (i) surface water / ice rescue,
 - (ii) basic rope rescue,
 - (iii) vehicle extrication,
 - (iv) trench rescue support operations, and
 - (v) rapid intervention rescue.
 - (c) dangerous goods support operations,
 - (d) pre-hospital emergency medical support service: Advanced First Aid Level.

Duties of Fire Chief

5. The Fire Chief is the Manager of the Fire Department and shall:
 - (a) administer and enforce this Bylaw within the Town of Tisdale
 - (b) shall perform any other duties and may exercise any other powers that may be delegated by the Chief Administrative Officer, and shall have the authority to further delegate any matter delegated under this Bylaw;
 - (c) have the authority to advise the Chief Administrative Officer to prohibit any or all open fires when atmospheric conditions or local circumstances, in his/her opinion, make such fires hazardous; and

(d) be responsible for the maintenance of discipline within the Department and may recommend Policies and Procedures necessary to carry out the daily administration and operations of the Department.

Fees for Service

6. The Department is authorized to charge the applicable fees for the various services, tests and emergency responses at applicable rates set by the Council of the Town of Tisdale. Furthermore, the Department may charge Residents and Non-Residents the current SGI rate for any/all Motor Vehicle Collisions, Traffic Incidents, Suppression Efforts, or Emergencies involving Motor Vehicles both within and outside of the Town boundaries.

Agreement for Emergency Service

7. The Town may enter into an agreement with any other municipality, municipal government, First Nations band, person or other properly constituted authority, organization or agency for the furnishing or receiving of fire fighting 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. The Department may provide and charge for any fire fighting, 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. The charge for such fire fighting, fire prevention or emergency service provided by the Department shall be determined according to the fees and rates set by the Town of Tisdale,

Outdoor Incinerators & Devices

9. The following shall be prohibited within the limits of the Town of Tisdale:
 - (a) incinerators;
 - (b) burning barrels or any similar device used for the burning of any household or yard refuse; and
 - (c) outdoor wood burning boiler heater systems.

Open-Air Fires

10. Open-air fires shall not be set unless the following measures are taken:
 - (a) fires shall be contained in a non-combustible receptacle constructed of concrete, brick or sheet metal with a minimum 18-gauge thickness, with openings not exceeding 13 millimetres (0.5 inch);
 - (b) a receptacle shall be covered with a heavy gauge screen with openings not exceeding 13 millimetres (0.5 inch);
 - (c) the size of the fire box of any receptacle shall not exceed 75cm (30 inches)
 - (d) the receptacle shall be located a minimum of 2.4m (8 feet) from combustible materials, buildings, and similar amenity space and property line;
 - (e) the receptacle shall not exceed 51cm (20 inches) in height;
 - (h) open-air fires shall be reasonably supervised so as to prevent their spread.
11. Fuel for open-air fires shall consist only of charcoal or cut, seasoned wood. The burning of rubbish, garden refuse, manure, carcasses, or any dangerous good or material which when burned will generate black smoke or an offensive odour including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood or any similar material is prohibited at all times.
12. Open-air fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke. Open-air fires shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person. If smoke from an open-air fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately.

13. If due to excessive flames and/or smoke of any open-air fire pit, a call is placed to the local fire department and firefighters are dispersed, the owner of the fire pit may be assessed a fine.
14. Open-air fires shall not be permitted in any front yard, as defined in the Zoning Bylaw as amended from time to time.

Prevention of Fire Spread

15. 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.

Commandeering of Equipment and Manpower

16. Where an extreme fire hazard exists or the safety of persons or property is endangered by a fire, the Fire Chief may commandeer or use any privately owned equipment or the voluntary assistance of any adult if deemed necessary.
17. The Department may pay compensation to any person from whom private property is commandeered or used pursuant to Section 16 at a rate determined by the Town of Tisdale.

False Alarms

18. The Department will respond to all alarms in a timely fashion, including Intrusion Alarms communicated as Fire or CO Alarms. The Department is considered to be responding when dispatched and enroute to the event location. The Department may charge a fee for responding to a false alarm at a rate set by the Town of Tisdale.

Part III - Offences and Penalties

Notice of Violation Offences

19. Every person commits an offence who:
 - (a) blocks an exit or access to an exit in any building;
 - (b) fails to maintain a fire exit door or fire exit hardware on a fire exit door in any building in operating condition;
 - (c) parks a vehicle whether occupied or unoccupied within a fire lane;
 - (d) fails to maintain portable fire extinguishers in any building in conformance with *The National Fire Code*;
 - (e) fails to maintain a commercial cooking equipment exhaust and fire protection system including duct work, an automatic sprinkler system or a fire alarm system in conformance with *The National Fire Code*;
 - (f) permits combustible materials to accumulate in or around any building in quantities or locations that will constitute an undue fire hazard;
 - (g) fails to store flammable and combustible liquids or compressed gases in any building, structure or open space in conformance with *The National Fire Code*;
 - (h) blocks or wedges open a closure in a fire separation in any building;
 - (i) contravenes the provisions of Sections 10-14 regarding the setting of open-air fires;

Minimum Penalty

20. When a contravention occurs, the person responsible for the contravention is guilty of an offence and liable on summary conviction to a fine:
 - (a) for the first offence, of \$250;
 - (b) for a second offence, of \$500;
 - (c) for a third or subsequent offence, of not less than \$750 and not more than \$10,000 in the case of an individual or \$25,000 in the case of a corporation.
 - (d) a conviction for an offence for failing to comply with an order does not relieve a person convicted from complying with the order and the convicting judge or justice of the peace may, in addition to any fine imposed, order the person to

- do any act or work, within a specified time, to comply with the order with respect to which the person was convicted.
- (e) the Court may, in default of payment of a fine impose under this Bylaw, order imprisonment of an individual for a term not exceeding one year.

Part IV - Miscellaneous

21. Bylaw No. 08/13 is hereby repealed.
22. This Bylaw shall come into force and take effect upon the final passing thereof.

(SEAL)

Mayor

Chief Administrative Officer