

TOWN OF KIPLING

BYLAW NO 16-2016



A BYLAW TO PROVIDE OUTDOOR FIRES REGULATIONS WITHIN THE BOUNDARIES OF THE TOWN OF KIPLING

The Council of the Town of Kipling in the Province of Saskatchewan under the authority of *The Municipalities Act*, Section 18, hereby enacts as follows:

1. 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.
2. The burning of the following or any other materials is prohibited:
 - a. Cardboard
 - b. Garden refuse or leaves
 - c. Manure
 - d. Livestock or animal carcasses
 - e. Garbage
 - f. Any material classified as a dangerous good
 - g. 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.
3. All open air fires must be reasonably supervised so as to prevent their spread.
4. 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. Fire pits shall not consist only of a pit or hole dug in the ground.
5. All fire pits must be covered with a heavy gauge metal screen.
6. Fire pits shall not be permitted in any front yard.
7. In all cases, the Fire Chief has the authority to request further requirements if in his/her opinion it is necessary for public safety.
8. Nothing in this bylaw shall relieve any person from complying with *Bylaw 3-1995* of the Town of Kipling or *The Clean Air Act* of the Province of Saskatchewan.

PENALTY CLAUSE FOR VOLUNTARY PAYMENT

Where the Designated Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving same at his last known address and such service shall be adequate for the purpose of this Bylaw.

Such notice shall be deemed to have been served:

- a) On the expiration of twenty-four hours after it is posted, if it is mailed.
- b) On the day of actual delivery, if the notice is served personally; or
- c) On the business day following the transmission, if given by facsimile.

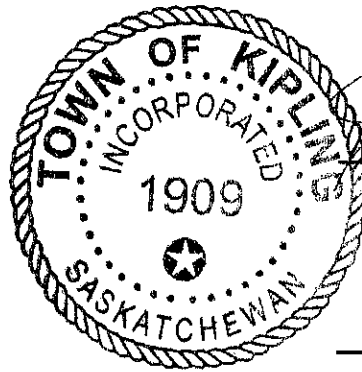
A **Bylaw Violation Notice** shall be in such form as determined in **Schedule A** and shall state the section of the Bylaw, which was contravened, and the amount pursuant to the General Penalty, Fines and Voluntary Payments Bylaw for this Bylaw that shall be accepted by the Municipality in lieu of prosecution.

Upon production of a Bylaw Violation Notice issued pursuant to this section within 14 days from the issue thereof, together with the payment of the fee as provided in the General Penalty, Fines and Voluntary Payments Bylaw of the municipality to the Administrator of the Town of Kipling, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.

Payment of any Notice of Violation does not exempt the person from enforcement of an order pursuant to Section 32, 32 and 34 of this Bylaw.

Notwithstanding the provisions of this section, a person to whom a Bylaw violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provision of the Bylaw.

(Seal)



[Handwritten Signature]

Mayor

[Handwritten Signature]

Administrator

Certified a true copy of Bylaw 16-2016
adopted by resolution of Council
on the 11th day of October, 2016.

[Handwritten Signature]

Administrator