



## RESORT VILLAGE OF TOBIN LAKE BYLAW NO. 2024.07

### A BYLAW TO ENACT A FIRE BAN

*Section 8 (1) (b) of The Municipalities Act*

The council of the Resort Village of Tobin Lake in the Province of Saskatchewan enacts as follows:

#### 1. Scope

- a. To establish a process for implementing a fire ban within the Municipality.
- b. This bylaw shall be known as the "Fire Ban bylaw".

#### 2. Interpretation and Application

In this bylaw, unless the context otherwise requires:

- a. **CAO** shall mean the Chief Administrator Officer
- b. **Council** means the Council of the Resort Village of Tobin Lake
- c. **Designated Officer** shall mean any member of the Royal Canadian Mounted Police or any employee of the Resort Village of Tobin Lake designated with responsibility for enforcing this bylaw, including but not limited to, the CAO, the Bylaw Enforcement Officer, and/or any other person designated by the CAO
- d. **Fire Ban** shall mean agricultural or commercial burning, open burning, fireworks, fire pits, fire tables (*solid or liquid fueled*), and recreation campfires shall not be permitted. Use of CSA and UL approved appliances for cooking are permitted (*liquid or solid fueled barbecues, camp stoves*).
- e. **Municipality** shall mean within the corporate limits of the Resort Village of Tobin Lake
- f. **Mayor** shall mean the mayor of the Resort Village of Tobin Lake
- g. **Notice of Violation** shall mean a ticket issued for an offense committed against any provision of this bylaw.

#### 3. Fire Bans

- a. A fire ban shall be issued in writing and shall identify;
  - i. The time and date the fire ban commences;
  - ii. The time and date the fire ban is lifted, or will be reviewed;
  - iii. Other information that may be in the public interest;
  - iv. Definition of fire ban

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- b. When a fire ban is declared, the Municipality may notify the public in any manner it deems appropriate, including registering it with the Saskatchewan Public Safety Agency's Provincial Emergency Communication Center.
- c. When determining whether to declare a Fire Ban within the Resort Village of Tobin Lake, consideration shall be given to any or all of the following:
  - i. Levels of recent precipitation;
  - ii. Future weather forecasts;
  - iii. Air Quality;
  - iv. Water shortages and/or restrictions;
  - v. Availability of fire crews, equipment and apparatus;
  - vi. The overall fire danger including fire load and level of ground fuels;
  - vii. The amount of, or increase in, recent outside fires;
  - viii. The wildfire hazard rating for the Resort Village of Tobin Lake; and
  - ix. Recommendation of the Fire Chief(s) and/or EMO Co-ordinator.
- d. Once a fire ban is implemented, if a fire is burning, the Municipality may, subject to the availability of personnel and equipment, take any action that is necessary to control and extinguish the fire.
  - i. The cost of the firefighting services, including fire prevention and fire suppression, provided by the Carrot Fire Department, shall be assessed and levied in accordance with the fire department rates.
  - ii. For the purpose of assessing and levying costs of firefighting services, the person who owns or occupies the land upon which a fire originated shall be deemed to be the person who receives the firefighting services to control and extinguish the fire(s).
  - iii. As per section 369 (1) (d) of *the Municipalities Act*, any amount with respect to firefighting services provided to a person within the Municipality hereof that remains unpaid at the end of the year in which the service was provided shall be added to and form part of the taxes on any land or improvement owned by that person.

#### 4. **General Penalties**

- a. Every person who contravenes any provisions in this bylaw is liable on summary conviction to the increasing penalties for each subsequent contravention made within 24 months, pursuant to this bylaw.
  - i. Every person who contravenes any provision in this bylaw is liable, by way of Notice of Violation to the increasing penalties for each subsequent contravention made within 24 months, as show in schedule A
- b. In the case of an offence that is of continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.

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- c. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine:
  - i. for the first offence, of \$1000.00;
  - ii. for a second offence, of \$2000.00;
  - iii. for a third or subsequent offence, of not less than \$3000.00 and not more than \$10,000.00 in the case of an individual, or \$25,000.00 in the case of a corporation.

**5. Notice of Violation**

- a. A person who contravenes this bylaw, upon being served with a 'notice of violation' as prescribed by the municipality may voluntarily pay the prescribed penalty at the administration office of the municipality.
- b. A designated officer may issue a Notice of Violation to any person committing an offence under this bylaw.
- c. The notice shall require the person to pay to the Resort Village the penalty specified in Schedule A.
- d. The penalty may be paid:
  - i. in person, during regular office hours, at the Resort Village of Tobin Lake office;
  - ii. by mail addressed to the Resort Village of Tobin Lake, Box 1479, Nipawin SK S0E 1E0
- e. If payment of the fine as provided in Schedule A is made within 60 calendar days of service of the Notice of Violation, the person shall not be liable to prosecution for that offence.
  - i. Payment of any Notice of Violation does not exempt the person from enforcement of an Order pursuant to this bylaw or violations of a continuing nature.

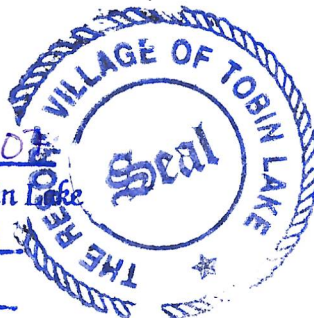


Amy Shepley  
Mayor

Nathalie Henkeis  
CAO

**CERTIFIED TRUE COPY**

Certified to be a true copy of Bylaw # 2024.01  
 adopted by the council of the Resort Village of Tobin Lake  
 on the 9 day of April, 2024  
Nathalie Henkeis  
 CAO



## SCHEDULE A

### Notice of Violation Minimum Penalties For Voluntary Payment

Offence Pursuant to The Golf Cart Bylaw		Penalty (Fine)	
		Time of issuance (paid within 15 days)	Time of issuance (paid after 15 days)
Failure to comply with an order to remedy contravention	1 <sup>st</sup> Offence	\$100.00	\$200.00
	2 <sup>nd</sup> Offence	\$250.00	\$500.00
	3 <sup>rd</sup> Offence	\$500.00	\$1000.00
Failure to comply with any other provision of bylaw	1 <sup>st</sup> Offence	\$100.00	\$200.00
	2 <sup>nd</sup> Offence	\$250.00	\$500.00
	3 <sup>rd</sup> Offence	\$500.00	\$1000.00