

BYLAW NO. 2021-03

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

The Council of the Town of Hafford 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 Hafford 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;
 - (d) to provide guidelines for the storage and handling of flammable liquids, combustible liquids, dangerous goods, hazardous substances and waste dangerous goods;
 - (e) to regulate the sale and setting off of fireworks;
 - (f) to set minimum requirements for trailer, mobile home and manufactured home communities; and
 - (g) to provide for services at the site of an emergency.

Definitions

3. In this Bylaw,
- (a) “Town” means The Town of Hafford;
 - (b) “Council” mean the Council of Hafford;
 - (c) “CAO” mean the Chief Administrative Officer for the Town of Hafford;
 - (d) “Closure” means a closure within the meaning of *The National Fire Code*;
 - (e) “Combustible liquid” means a combustible liquid within the meaning of *The National Fire Code*;
 - (f) “Dangerous goods” means dangerous goods within the meaning of *The National Fire Code*;
 - (g) “Department” means the Fire Department of the Town of Hafford;
 - (h) “Discharge” includes to ignite, fire, or set off and the words “discharging” and “discharged” have a similar meaning;
 - (i) “Dwelling unit” means a dwelling unit within the meaning of *The National Fire Code*;
 - (j) “Fire separation” means a fire separation within the meaning of *The National Fire Code*;
 - (k) “Fireworks” means fireworks as defined in the *Explosives Regulations, C.R.C., c.599*;
 - (1) “fireworks display permit” means a permit issued pursuant to Subsection 46(2);
 - (2) “fireworks sale permit” means a permit issued pursuant to Subsection 42(1);
 - (3) “sky lantern” also known as *Flying Lantern, Kongming Lantern or Chinese Lantern*, means a small hot air balloon made of paper, with an opening at the bottom where a small fire is suspended.
 - (l) “Fireworks supervisor” means a person licensed or approved by the Chief Inspector of Explosives, Department of Energy, Mines and Resources to handle and use subdivision 2 of Division 2 fireworks as defined in the *Explosives Regulations, C.R.C., c.599*;

- (m) “Flammable liquid” means a flammable liquid within the meaning of *The National Fire Code*;
- (n) “Fire Board” refers to the previously established Hafford and District Fire Board;
- (o) “Hazardous substance” means a hazardous substance within the meaning of *The Hazardous Substances and Waste Dangerous Goods Regulations*, c. E-10.2, Reg. 3;
- (p) “High hazard fireworks” means Subdivision 2 of Division 2 fireworks as defined in the *Explosives Regulations*, C.R.C., c.599;
- (q) “Indemnification Technology” means Fire Department incident reporting, data collection and property insurance policy wording interpretation to maximize billing opportunities on behalf of fire departments by invoicing insurance companies for costs of fire department attendance with respect to insured perils;
- (r) “Low hazard fireworks” means Subdivision 1 of Division 2 fireworks as defined in the *Explosives Regulations*, C.R.C., c. 599, but does not include sparklers, Christmas crackers, caps for toy guns containing not in excess of twenty-five one-hundredths of a grain of explosive per cap;
- (s) “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*;
- (t) “*National Fire Code*” means the Code declared to be in force pursuant to Subsection 3(1) of *The Saskatchewan Fire Code Regulations*;
- (u) “NFPA” means the National Fire Protection Association;
- (v) “Public fireworks display” means the discharge of high or low hazard fireworks for public recreation and entertainment; and
- (w) “Sell” includes distribute, offer for sale, cause or permit to be sold and to possess for the purpose of sale, and the words “selling” and “sold” have a similar meaning.

Part II - Fire Department

Establishment of Department

4. (1) The Fire Department is established.
- (2) The Department shall consist of a Fire Chief, appointed by the Council.
- (3) The Fire Chief may appoint two (2) Deputy Fire Chiefs, as well as other volunteer members of the department.
- (4) The Department is responsible for:
 - (a) fire protection, including but not limited to:
 - (i) fire suppression,
 - (ii) fire prevention and inspections,
 - (iii) fire investigations,
 - (iv) educational programs, and
 - (v) emergency mass notification:
 - (b) rescue service, including but not limited to:
 - (i) attending and assisting at STARS landing sites as requested,
 - (ii) vehicle extrication,
 - (iii) structural collapse support operations,
 - (iv) rapid intervention rescue; and
 - (c) dangerous goods support operations,
 - (d) The Hafford Fire Department is hereby authorized to provide these services as referred to in Subsection (4).
 - (e) Volunteer firefighters shall be paid on a per hour basis for time attending fires/vehicle extrications, STARS landings, etc. Amount paid shall be determined by the Fire Board and amended annually.

- (f) The Hafford and District Fire Board shall be as stated in the Town Bylaw 2-79 relating the formation of the Intermunicipal Fire Protection Board.
- (6) The Council authorizes the Fire Board to oversee fire-fighting services as provided by the Department.
- (7) The Department shall prepare an inventory annually and may prepare an operating and capital budget for the following year to be presented to the Fire Board.
- (8) Council shall ensure that adequate personal injury, death and liability insurance be maintained for the Fire Department, such coverage is to be provided for by both parties to the Fire Board's establishment.

Duties of Fire Chief

- 5. (1) The Fire Chief is the Director of the Fire Department.
- (2) The Fire Chief shall administer and enforce this Bylaw within the Town and shall perform any other duties and may exercise any other powers that may be delegated by the Chief Administrative Officer.
 - (a) The Fire Chief shall have the authority to further delegate any matter delegated under this Bylaw.
- (3) 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. The Fire Chief shall advise the Chief Administrative Officer prior to issuing a fire ban within the corporate boundaries of the Town of Hafford. The Chief Administrative Officer shall then inform Council.
- (4) The Fire Chief is 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. (1) The Council authorizes the Fire Board to charge the applicable fees for the various services and emergency responses listed in Schedule "A".
- (2) The Council authorizes the Fire Board to review and set fees annually which may include services not listed in Schedule "A".

- (3) The cost of fire-fighting services provided within the Town shall be charged directly to the persons who receive the service.
- (4) Any unpaid amounts owing to the Fire Board for the costs charged as per Section 3, may be added to the tax roll of any parcel of land assessed to the person as incurred, in accordance with Section 369 of *The Municipalities Act*.

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 firefighting 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. (1) The Town may provide and charge for any firefighting, 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.
- (2) The charge for any firefighting, fire prevention or emergency service provided by the Department shall be determined according to the fees and rates listed in Schedule "A".

Part III - National Fire Code

Adoption of National Fire Code

9. (1) Except as modified by this Bylaw, it is declared that *The National Fire Code* is in force in The Town of Hafford.
- (2) The following NFPA standards are in force in The Town of Hafford:
 - (a) NFPA 24 Installation of Private Service Mains and Appurtenances
 - (b) NFPA 25 Water Based Fire Protection Systems
 - (c) NFPA 501A Fire Safety Criteria for Manufactured Home Installations, Sites and Communities.

Part IV – Inspections, Compliance with Orders and Enforcement Procedures

Inspections

10. (1) Inspection of property by the Town to determine compliance with this Bylaw is hereby authorized.
- (2) Inspections under this Bylaw shall be carried out in accordance with Section 362 of *The Municipalities Act*.
- (3) No person shall obstruct a municipal inspector who is authorized to conduct an inspection under this Section, or a person who is assisting a municipal inspector.
- (4) Before entering on any land or into any building, structure or premises, the Fire Chief or a municipal inspector shall notify the owner or occupant of the purpose of the entry.

Order to Remedy Contravention

11. (1) If a municipal inspector finds that a person is contravening this Bylaw, the municipal inspector may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.

- (2) Orders given under this Bylaw shall comply with Section 364 of *The Municipalities Act*.
- (3) Orders given under this Bylaw shall be served in accordance with Section 390 of *The Municipalities Act*.

Registration of Order

12. If an order is issued pursuant to Section 11, the Town may, in accordance with Section 364 of *The Municipalities Act*, give notice of the existence of the order by registering an interest against the title to the land that is the subject of the order.

Appeal of Order to Remedy Contravention

13. (1) A person may appeal an order made pursuant to Section 11 in accordance with Section 365 of *The Municipalities Act*.
- (2) Any person who considers himself aggrieved by any Order made by the municipal inspector under the provisions of this Bylaw may appeal such Order in writing to the Chief Administrative Officer of the Town of Hafford within fifteen (15) days of being served the Order.

Town Remediating Contraventions

14. The Town may, in accordance with Section 366 of *The Municipalities Act*, take whatever actions or measures are necessary to remedy a contravention of this Bylaw.

Civil Action to Recover Costs

15. The Town may, in accordance with Section 368 of *The Municipalities Act*, collect any unpaid expenses and costs incurred in remediating a contravention of this Bylaw by civil action for debt in a court of competent jurisdiction.

Adding Amounts to Tax Roll

16. The Town may, in accordance with Section 369 of *The Municipalities Act*, add any unpaid expenses and costs incurred by the Town in remediating a contravention of this Bylaw to the taxes on the property on which the work was done.

Emergencies

17. In the event that it becomes an emergency to remedy a contravention of this Bylaw, the Town may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of Section 367 of *The Municipalities Act*.

Immediate Hazards

18. (1) Notwithstanding any other provision of this Bylaw, where in the course of an investigation or inspection under this Bylaw, the municipal inspector is of the opinion that a condition exists creating a serious danger to life or property, the Fire Chief may:
 - (a) use any measures that the municipal inspector considers appropriate to remove or lessen the condition;
 - (b) evacuate and close the building, structure, premise or yard where the condition exists or any area surrounding such location for any period that the Fire Chief considers appropriate;
 - (c) order the owner, operator or occupant to immediately do anything necessary to remove or lessen the condition. For greater certainty, the Fire Chief may order the owner, operator or occupant to demolish a building or structure, to remove any debris and waste material and to fill in any open basement or excavation remaining on the site of the building or structure after its demolition.
- (2) If closed under Clause (1)(b), the Fire Chief shall, if possible, placard the building, structure, premise, yard or area as a serious danger to life or property.
- (3) No person shall enter, attempt to enter or tamper with a building, structure, premise, yard or area that has been closed under Clause (1)(b) without the prior approval of the Fire Chief.
- (4) No person shall take down, cover up, mutilate, deface or alter a placard posted under Subsection (2).
- (5) The costs and expenses incurred under this Section are a debt due to the Town and may be recovered from the owner of the building, structure, premise, yard or area in or on which the work was carried out.
- (6) If the costs and expenses mentioned in Subsection (5) are not paid at the end of the year in which the work was carried out, the Town may add the amount of the costs and expenses to the owner's property taxes.

Part V - Prevention and Suppression of Fires

Smoke Alarms

19. (1) Smoke alarms shall be installed in each dwelling unit and in each sleeping room not within a dwelling unit in conformance with Article 2.1.3.3 of *The National Fire Code*.
- (2) Smoke alarms shall be installed in accordance with the manufacturer's instructions.
- (3) Smoke alarms shall be maintained in an operable condition at all times. Without limiting the generality of the foregoing, smoke alarms shall be maintained in accordance with the following requirements:
 - (a) smoke alarms shall be securely fastened to the wall or ceiling;
 - (b) smoke alarms shall be kept free of any physical damage, paint application or excessive grease and dirt;
 - (c) the ventilation holes on smoke alarms shall be clean and free of any obstructions;
 - (d) smoke alarms shall have a continuous source of power, either batteries or electricity; and
 - (e) the batteries in battery operated smoke alarms shall be replaced when the low battery warning beep sounds.
- (4) Smoke alarms shall be inspected:
 - (a) in the case of alarms installed by permanent connection to an electrical circuit, at least once every 12 months;
 - (b) in the case of tamper-proof alarms with 10-year batteries, at least once every 12 months; or
 - (c) in the case of any other battery-operated alarms, at least every 3 months.
- (5) Notwithstanding Subsection (4), if a tenancy is terminated, all smoke alarms in a dwelling unit shall be inspected before the dwelling unit is re-occupied.
- (6) Inspections under this Section shall be carried out by the owner or the owner's authorized agent.

- (7) Inspections under this Section shall be done while the person doing the inspection is actually present in the premises.
- (8) Inspections under this Section shall, at a minimum, determine:
- (a) whether the smoke alarm is receiving power;
 - (b) whether the smoke alarm is working properly; and
 - (c) whether the smoke alarm has been properly maintained in accordance with the requirements of Subsection (3).
- (9) A record shall be kept of all inspections required by Subsection (4), and such records shall be retained for examination by the Department in conformance with Article 1.1.1.2 of *The National Fire Code*.
- (10) A record required by Subsection (9) shall contain the following information:
- (a) the address of the premises being inspected;
 - (b) the date of the inspection;
 - (c) the name of the person doing the inspection;
 - (d) the type of smoke alarm in the premises;
 - (e) the deficiencies, if any, in the condition, maintenance and operation of the smoke alarm;
 - (f) the corrective measures, if any, taken to correct the deficiencies; and
- (11) No person shall:
- (a) tamper with or disconnect a smoke alarm;
 - (b) remove a smoke alarm;
 - (c) remove batteries from a smoke alarm;
 - (d) place anything over a smoke alarm so as to render it inoperable.

Fireplaces

20. (1) No person shall install a fireplace or solid fuel burning appliances in any building in the Town of Hafford without first having obtained approval to do so from the Building Official. Approval shall be granted after having obtained a building permit and meeting all regulations pertaining to fireplace installations.
- (2) Where such a permit is issued to a person, such person after having commenced to install the said fireplace shall not enclose such fireplace until an inspection is carried out by the municipal inspector as to its safety.

Incinerators

21. (1) Except for auxiliary-fuelled incinerators approved by Ministry of Environment no incinerator shall be constructed or installed within the corporate limits of the Town.
- (2) Burning barrels or any similar device used for the burning of any household or yard refuse are prohibited.
- (3) Outdoor wood burning boiler heater systems shall not be allowed within the limits of the Town.

Open-Air Fires

22. (1) Open-air fires shall not be set unless the following measures are taken to limit their spread:
- (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 1m (39.4 inches);
 - (d) the receptacle shall be located a minimum of 3 metres (10 feet) from combustible materials, buildings, and similar amenity space and property line.
 - (e) the receptacle shall not exceed 0.65m (25.6 inches) in height.

- (f) Fire Pits or Outdoor Fireplaces shall be clear of any overhangs such as tree branches, utility lines, and structures.
- (2) The fuel for open-air fires shall consist only of charcoal or cut, seasoned wood. The burning of the following material is prohibited:
 - (a) rubbish;
 - (b) garden refuse;
 - (c) manure;
 - (d) livestock or animal carcasses; and
 - (e) any 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.
 - (3) Open-air fires shall be reasonably supervised so as to prevent their spread.
 - (4) Open-air fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
 - (5) Open-air fires shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
 - (6) 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.
 - (7) The Town may issue a "Permit" to a person to set an open-air fire as part of a block party, community event or similar special function or celebration. In this event, the Town may waive any requirements of this Section with respect to the permitted open-air fire, but the permittee shall comply with all other requirements of this Section and any other conditions attached to the Permit by the Town.
 - (8) If due to excessive flames and/or smoke of any residential 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, and responsible for any fees associated with a response from the Fire Department.

Barbecuing

23.

- (1) Every person who uses a barbecue or similar device shall:
 - (a) use the barbecue in a reasonable and safe manner;
 - (b) keep the barbecue, when lit, a sufficient distance from all combustible material;
 - (c) refrain from leaving the barbecue unattended, when lit;
 - (d) keep the barbecue in a reasonable state of repair; and
 - (e) comply with all federal and provincial regulations governing the use and storage of propane cylinders.
- (2) In addition to requirements of Subsection (1), if any person uses a barbecue or similar device on a balcony, the following provisions apply:
 - (a) solid fuel barbecues or similar cooking devices shall not be used;
 - (b) propane cylinders shall not exceed the 20-pound size;
 - (c) propane cylinders shall not be repaired, stored or contained within the building;
 - (d) propane cylinders shall be shut off at the tank valve when not in use;
 - (e) propane cylinders shall be connected and secured to the barbecue;
 - (f) propane cylinders shall be kept in an upright position at all times including when cylinders are in transit, in service or in storage; and
 - (g) if a building has a freight or service elevator, propane cylinders shall be delivered to and from the dwelling units within the building using that elevator. If a building has a passenger elevator only, propane cylinders may be delivered to and from dwelling units within the building using that elevator as long as no passengers other than the person who owns the tank or maintenance or delivery personnel are on the elevator at the time of the delivery.

Wood Piles

24.

- (1) A person may store lumber, timber or firewood on a residential property subject to the following restrictions:
 - (a) the lumber, timber or firewood shall be stored at least three metres from any dwelling on the property, and at least 1 metre from any property line.
- (2) Subsection (1) does not apply to lumber or timber stored on site during the construction of any building on a residential property.

Storage of Containers

25.

- (1) All boxes, crates, barrels and other containers, empty or otherwise, used or kept in any building or on any lot, shall be:
 - (a) stacked or piled clear of windows and doors to provide clear ingress and egress to any building; and
 - (b) kept away from any source of fire.
- (2) If, in the opinion of the Fire Chief or a municipal inspector, any accumulation of boxes, crates, barrels or other containers or packing materials constitutes a fire hazard, the Fire Chief or a municipal inspector may order the owner or occupant of the building or lot to remove the accumulation immediately.

Outdoor Storage of Rubber Tires

26.

- (1) Except as provided in Subsection (2), rubber tires shall be stored in accordance with *The National Fire Code*.
- (2) If the individual storage area for rubber tires is located on a site which abuts a residential site, the following size and clearance restrictions apply:
 - (a) the maximum height of storage cannot exceed 2 metres; and
 - (b) the minimum clear space between the storage area and any property line which separates the site from the residential site cannot be less than three metres.
 - (c)

Occupant Load

27.

- (1) In all assembly occupancies, the occupant load shall be posted in conspicuous locations near the principal entrances to the room or floor area.
- (2) The Department shall determine the occupant load for any room or floor area and shall issue an occupant load limit sign for that room or floor area. The owner or occupant of the premises shall ensure that the sign is posted in accordance with Subsection (1).
- (3) The occupant load of a room or floor area shall be determined in accordance with *The National Fire Code*.
- (4) The number of occupants permitted to enter a room shall not exceed the maximum occupant load calculated in accordance with this Section.
- (5) If the Fire Chief or a municipal inspector reasonably believes that the number of occupants in a room may exceed the maximum occupant load, the Fire Chief or municipal inspector may temporarily close the room or building in order to determine the number of occupants in the room.
- (6) If the number of occupants in a room exceeds the maximum occupant load, the room shall not be re-opened to the public until the number of occupants is reduced to a number less than the maximum occupant load.

Property Identification

28. The civic address of any building or structure shall be prominently displayed on the front of the building or structure so as to be clearly visible from the street.

Inspection, Testing and Maintenance of Portable Fire Extinguishers

29.

- (1) In accordance with *The National Fire Code*, all portable fire extinguishers shall be inspected, tested and maintained in conformance with NFPA 10, "Portable Fire Extinguishers".
- (2) Inspection, testing and maintenance of portable fire extinguishers shall be performed by properly trained and qualified persons.

Inspection and Maintenance of Commercial Cooking Equipment

30.

- (1) In accordance with *The National Fire Code*, the inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be in conformance with NFPA 96, "Ventilation Control and Fire Protection of Commercial Cooking Equipment".
- (2) Inspection and maintenance of commercial cooking equipment exhaust and fire protection systems shall be performed by properly trained and qualified persons.

Inspection and Maintenance of Sprinkler and Standpipe Systems

31.

- (1) Inspection and maintenance of sprinkler and standpipe systems shall be performed by properly trained and qualified persons.
- (2) Any person who intends to inspect or maintain sprinkler and standpipe systems may be required to submit proof to the Department that the person holds a journeyperson's certificate in the sprinkler systems installer trade or that the person is a fourth-year apprentice in the sprinkler systems installer trade.

Inspection, Testing and Maintenance of Fire Alarm Systems

32.

- (1) In accordance with *The National Fire Code*, the inspection, testing and maintenance of fire alarm systems shall be in conformance with CAN/ULCS536, "Inspection and Testing of Fire Alarm Systems".
- (2) Inspection, testing and maintenance of fire alarm systems shall be performed by properly trained and qualified persons.
- (3) Any person who wishes to inspect, test or maintain fire alarm systems must (or the employer must):
 - (a) be a member in good standing of the Canadian Fire Alarm Association or the National Fire Protection Association; and,
 - (b) have at least one of the following qualifications:
 - i a certificate from a recognized alarm manufacturer that the person is a factory trained installer and serviceperson; or

- ii a certificate that the person has successfully completed the Canadian Fire Alarm Association “Fire Alarm Technology” program, and has worked as an apprentice to a person who holds a permit under this section for a period of not less than one year; or
 - iii a certificate that the person has successfully completed the journeyman electrician trade’s upgrading course entitled “Fire Alarm and Protection Systems”.
- (4) For purposes of this section “Addressable Fire Alarm System” means a fire alarm system that consists of initiating devices and central appliances and that is capable of individually identifying and controlling discrete components and functions of the system.
- (a) Only authorized factory trained personnel may service addressable fire alarm Systems:
- i. or the person’s employer is, member in good standing of the Canadian Fire Alarm Association or the National Fire Protection Association; and
 - ii. possesses appropriate factory training in servicing addressable fire alarm systems.

Vacant Buildings

33.

- (1) In accordance with *The National Fire Code*, all vacant buildings shall be secured against unauthorized entry. Vacant buildings frequently become the target of vandalism and arson. They should be locked, and accessible windows and doors should be barricaded to prevent unauthorized entry. However, fire department access to the interior of the building in the event of a fire should not be made unduly difficult.
- (2) In addition to the windows and doors, any other openings in the exterior of a vacant building shall be secured to prevent unauthorized entry or an infestation of pigeons or rodents.

Prevention of Fire Spread

34. 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

35.

- (1) Where an extreme fire hazard exists or the safety of persons or property is endangered by a fire, the Fire Chief or the senior officer in command of a fire or any other emergency may commandeer or use any privately owned equipment for the purpose of fire-fighting.
- (2) The Fire Board shall pay compensation to any person from whom private property is commandeered or used pursuant to Subsection (1).
- (3) The amount of compensation to be paid to a person by the Fire Board pursuant to Subsection (2) is to be determined by the Fire Board. In the event a person does not agree with the amount of compensation offered by the Fire Board, the person may appeal the amount of the compensation and the provisions of Section 13 shall apply.

Obtaining Assistance in Fire Fighting

36.

- (1) Where an extreme fire hazard exists or the safety of persons or property is endangered by a fire, the Fire Chief or the senior officer in command of a fire or other emergency may obtain the voluntary assistance of any adult for the purpose of fire-fighting.
- (2) The Department shall pay compensation to any person who assists in fire-fighting pursuant to Subsection (1).
- (3) The amount of compensation to be paid to a person by the Department pursuant to Subsection (2) is to be determined by the Department. In the event a person does not agree with the amount of compensation offered by the Department, the person may appeal the amount of the compensation and the provisions of Sections 13, 14 and 15 shall apply.
- (4) No person who assists in fire-fighting pursuant to Subsection (1) shall be deemed to be an employee of the Department or of the Town for the purposes of this Bylaw or any other Act or Law.

Duties of Persons Assigned to Fight Fires

37. Every person who assists in fire-fighting pursuant to Section 37 shall:

- (1) proceed as directed;
- (2) take all equipment with which the person has been supplied or which has been commandeered for the person pursuant to Section 37;

- (3) assume responsibility for the fire-fighting equipment in the person's care;
- (4) obey all reasonable orders and requirements of the Fire Chief or the senior officer in command of the fire; and
- (5) make every reasonable effort to control and extinguish the fire and to protect any life and property endangered by the fire.

Persons Present at a Fire

38.

- (1) No person shall drive any vehicle over any hose while in use or about to be used at any fire or which has been used or laid to be used at a fire or during training operations.
- (2) No person shall in any way impede or hinder any firefighter, or other person who shall be assisting at the extinguishing of any fire, or who may be engaged in other duties connected therewith.
- (3) No person shall obstruct, hinder or delay any fire equipment while the same is proceeding to a fire; and every person travelling, riding, or driving on any street or place along which any fire apparatus is proceeding to a fire, shall yield the right of way to the same.
- (4) No person shall park a vehicle or other piece of equipment so as to block access for fire apparatus to leave and return to the fire hall; or impede access to an emergency scene.

Hydrant Systems

39.

- (1) No person shall allow, permit or resist or impede access or view of any fire hydrant.
 - (2) No person shall grow vegetation (other than grass) or place any structures within a one (1) metre radius of a fire hydrant, and no more than at a grade higher than the base of the fire hydrant.

Part VI - Hazardous Substances

Underground Storage Tanks

38. In accordance with *The National Fire Code* and *The Hazardous Substances and Waste Dangerous Goods Regulation*.

Testing, Repair and Removal of Storage Tanks

39.

If, in the opinion of the Fire Chief or a municipal inspector, there is a reasonable suspicion that flammable or combustible liquids or vapours are escaping from an underground or above-ground storage tank or piping which may create a hazardous condition, the Fire Chief or municipal inspector may order the owner, operator or occupant of the premises where the storage tank is located to:

- (1) Drill test holes and provide test results to the Department;
- (2) Test the tank and associated piping; and
- (3) Excavate the tank and piping and carry out any necessary work to correct the hazardous condition, including the removal, replacement or repair of the tank.

Discharge of Hazardous Substance Into Sewer System

40.

- (1) No person shall discharge or permit to be discharged any flammable liquid, combustible liquid, dangerous good, hazardous substance or waste dangerous good, whether by itself or in combination with any other liquid or solid, into any sanitary sewer, storm sewer, sewer connection, catch basin, street, alley or ditch.
- (2) Notwithstanding Section 11, the Fire Chief or a municipal inspector may use any measures that the Fire Chief or municipal inspector considers appropriate to prevent a further discharge of a substance mentioned in Subsection (1), and may suspend the operation of any activity or business suspected of being the source of the discharge.

Part VII - Fireworks

Sale of Fireworks

41.

- (1) No person shall sell any fireworks and no person being the owner, occupant or person in charge of any premises shall permit any fireworks to be sold on the premises:
 - (a) without first having obtained a fireworks sale permit from the Town; and
 - (b) except to a person who is 18 years of age or older.
- (2) No person shall sell any high hazard fireworks and no person being the owner, occupant or person in charge of any premises shall permit any high hazard fireworks to be sold on the premises to anyone other than a fireworks supervisor.
- (3) No person shall sell, and no person being the owner, occupant or person in charge of any premises shall permit any fireworks to be sold other than as specified in the fireworks sale permit.
- (4) The handling and storage of fireworks shall be in conformance with the *Explosives Act* and its *Regulations*, and *The National Fire Code*.

Discharge of Fireworks

42.

- (1) No person shall discharge any fireworks in a manner that would create a danger or nuisance to any other person or property.
- (2) No person shall discharge any fireworks into or onto any public place and no person being the owner or occupant of any premises shall permit any fireworks to be discharged into or onto any public place without first obtaining a firework display permit from the CAO.
- (3) No person shall discharge any fireworks on a school site without the prior written consent of the Board of Education that owns the site, and without first obtaining a firework display permit from the Town. Only low hazard fireworks may be discharged in a public display on a school site.
- (4) No person under 18 years of age shall discharge any fireworks except under the direct supervision of a parent, guardian or other responsible adult.

- (5) No parent or guardian of a child under 18 years of age shall suffer or permit the child to discharge any fireworks, except when under the direct supervision of the parent or guardian.
- (6) No person shall discharge any fireworks other than as specified in the fireworks display permit and in accordance with the terms and conditions of the fireworks display permit.
- (6) No person shall discharge any Sky Lantern at any time.

Indoor Fireworks

43.

- (1) No person shall hold an indoor fireworks (pyrotechnics) display without first obtaining a permit from the CAO.
- (2) The person holding the permit shall be responsible to ensure that the display is conducted in conformance with provisions of the current Pyrotechnic Special Effects Manual prepared by Natural Resources Canada.
- (3) The handling, storage and use of indoor fireworks shall be in conformance with the *Explosives Act* and its *Regulations*, and *The National Fire Code*.

High Hazard Fireworks Displays

44.

- (1) No person shall hold a public fireworks display using high hazard fireworks without first obtaining a permit from the Town.
- (2) A public fireworks display using high hazard fireworks shall be conducted under the direct supervision of a fireworks supervisor.
- (3) The person holding the permit shall be responsible to ensure that the display is conducted in conformance with the current Fireworks Display Manual prepared by Natural Resources Canada.
- (4) The handling, storage and use of high hazard fireworks shall be in conformance with the *Explosives Act*, its *Regulations*, and *The National Fire Code*.

Fireworks Display Permits

45.

- (1) The Town shall have the sole discretion to issue a permit to allow a person to:
 - (a) sell fireworks; or
 - (b) discharge fireworks.
- (2) Application for a permit shall be made to the Town or CAO in writing and accompanied by such information as may be prescribed by the Town from time to time.
- (3) The Town or CAO may issue a permit upon such terms and conditions as the Town or CAO considers appropriate.
- (4) Without limiting the generality of Subsection (4), the Town or CAO may, in any permit:
 - (a) place restrictions on the quantity and the type of fireworks that may be sold or discharged in the display;
 - (b) require the applicant to submit specified information;
 - (c) place restrictions on the location, date, and time of the display;
 - (d) require the applicant to provide security and fire safety measures;
 - (e) place restrictions on the manner in which fireworks may be discharged; and
 - (f) require the permit holder to, at the conclusion of the public fireworks display, immediately remove and dispose of all unused fireworks and debris.
- (5) A permit for an indoor fireworks display shall only be issued to persons holding a valid Pyro technician or Special Effects Pyro technician card issued by Natural Resources Canada. Applicants with pyrotechnic accreditation from other jurisdictions shall not receive a permit unless the Town is satisfied that the applicant is properly trained and qualified in indoor pyrotechnics.
- (6) A fireworks display permit for a public fireworks display using high hazard fireworks shall only be issued to persons holding a valid Fireworks Supervisor - Level I or Level II card issued by Natural Resources Canada. Applicants with Fireworks Supervisor accreditation from other jurisdictions shall not receive a

permit unless the Town is satisfied that the applicant is properly trained and qualified in the use of high hazard fireworks.

- (7) The applicant for a fireworks display permit or a fireworks distribution permit shall procure and provide the Town, at least 7 days prior to the scheduled date of the display, a Certificate of Insurance which shall name the Town as insured under the applicant's insurance policy evidencing public liability insurance in the amounts hereinafter specified:
 - (a) for a permit regarding an indoor fireworks display or a public fireworks display using high hazard fireworks, a minimum of \$5,000,000.00;
 - (b) for a permit regarding a public fireworks display using low hazard fireworks, a minimum of \$2,000,000.00; or
 - (c) for a permit regarding sale of low hazard fireworks, a minimum of \$2,000,000.00.
- (8) The Town or CAO may, upon application from the holder of a permit, or at his or her discretion, amend the terms and conditions of the permit.
- (9) No person shall assign or transfer a fireworks distribution permit or a fireworks display permit.

Part VIII - Trailer, Mobile Home and Manufactured Home Communities

Maintenance of Trailers, Mobile Homes and Manufactured Home Communities

46.

Every trailer, mobile home or manufactured home shall be maintained in conformance with FPA 501A Standard for Fire Safety Criteria for Manufactured Home Installations, Sites and Communities.

Part IX - Offences and Penalties

Owner's Responsibility

47.

Unless otherwise specified, the owner or the owner's authorized agent shall be responsible for carrying out the provisions of this Bylaw.

Notice of Violation Offences

48. (1) 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) no person shall park 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) contravenes the provisions of Section 19 regarding smoke alarms;
- (h) fails to store flammable and combustible liquids or compressed gases in any building, structure or open space in conformance with *The National Fire Code*;
- (i) blocks or wedges open a closure in a fire separation in any building;
- (j) contravenes the provisions of Section 22 regarding the setting of open-air fires;
- (k) contravenes the provisions of Section 42 regarding the sale of fireworks;

- (l) contravenes the provisions of Section 43 regarding the discharge of fireworks;
- (m) fails to obtain an indoor fireworks display permit as required by Subsection 44;
- (n) fails to obtain a high hazard fireworks display permit as required by Subsection 45(1); or
- (o) contravenes the provisions of Subsection 44 regarding assignment or transfer of a fireworks distribution permit or fireworks display permit.

Minimum Penalty

49.

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.

Failure to Comply

50.

- (1) Every person commits an offence who fails to comply with an Order to Remedy Contravention made under Section 11 of this Bylaw.
- (2) A person who contravenes Subsection (1) is guilty of an offence and liable on summary conviction to a fine:
 - (a) for a first offence, of not less than \$500;
 - (b) for a second offence, of not less than \$750; and
 - (c) for a third or subsequent offence, of not less than \$1,000.

Maximum Penalty

51.

- (1) No person shall:

- (a) fail to comply with an order made under this Bylaw;
 - (b) obstruct or hinder the Fire Chief or any municipal inspector acting under the authority of this Bylaw; or
 - (c) fail to comply with any other provision of this Bylaw.
- (2) Except where a penalty is specifically provided for in this Bylaw, every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$10,000 and, in the case of a continuing offence, to a further fine of not more than \$2,500 for each day during which the offence continues; and
 - (b) in the case of a corporation, to a fine of not more than \$25,000 and, in the case of a continuing offence to a fine of not more than \$2,500 for each day during which the offence continues.
- (3) A conviction for an offence for failing to comply with an order does not relieve the 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.
- (4) The Court may, in default of payment of a fine imposed under this Bylaw, order imprisonment of an individual for a term not exceeding one year.

Fine Levied

52. The following procedure shall apply to offences committed under this bylaw:

- (1) the Fire Chief, a municipal inspector or any member of the Department may issue a notice of bylaw violation to any person committing a first or second offence under Subsection (1). The notice shall require the person to pay to the Town the amount specified in clause (2)(a), (b) or (c);
- (2) the fine may be paid:
 - (a) in person, during regular office hours, to the CAO or Administration Assistant located at the Town Office, Hafford, Saskatchewan,
 - (b) by mail addressed to the CAO or Administration Assistant, Town Office, Hafford, Saskatchewan, S0J 1A0;

- (3) if payment of the fine as provided in clause (52)(a), (b), or (c) is made prior to the date when the person contravening the Bylaw is required to appear in court to answer a charge, the person shall not be liable to prosecution for that offence;
- (4) upon payment, the person contravening the Bylaw shall not be liable to prosecution for that offence.

Part X - Miscellaneous

53. Bylaw No. 2011-12 and 2020-10 are hereby repealed.

54. This Bylaw shall come into force and take effect upon the final passing thereof.

April 13, 2021
Date

Moses

Mayor



(SEAL)

J. Gaufer
Administrator

Schedule "A"

Service	Fee
Fire Alarm Response Each Firefighter Responding	\$700.00/hour per Unit, plus disposable costs \$50.00/hour per firefighter
False Alarm (2 nd Call) False Alarm (3 rd Call) Each subsequent false alarm will increase \$100.00 per occurrence.	\$100.00 \$200.00
Fire/Rescue Calls Each Firefighter Responding	\$700.00/hour per Unit, plus disposable costs \$50.00/hour per firefighter
Emergency Response Charges <ol style="list-style-type: none"> i. Extrication Services ii. Dangerous Goods Response <i>Highway Carrier out of Town.</i> iii. Dangerous Goods Response <i>Highway Carrier In Town</i> 	Current SGI Rate \$950.00/hour per Unit, plus disposable costs. \$50.00/hour per firefighter \$950.00/hour per Unit, plus disposable costs. \$50.00/hour per firefighter
Indemnification Technology®	\$700.00/hour per Unit Plus cost Plus disposables Plus any cost to Fire Dept. or Municipality for each call.
Fireworks Permit as defined in the <i>Explosives Regulations</i>	\$25.00
Disposables but not limited to: -Air Tanks Refill -Firefighting Foam -Medical Supplies -Water	Current Market Costs