

## BYLAW NO. 2025-14

### A BYLAW OF THE RURAL MUNICIPALITY OF MERVIN No. 499 TO PROVIDE FOR FIRE PREVENTION, MANAGEMENT, AND CONTROL

WHEREAS Section 8(1)(b) of *The Municipalities Act* provides that Council may pass bylaws for the safety, health, and welfare of people and the protection of people and property;

AND WHEREAS the Rural Municipality of Mervin No. 499 pursuant to the powers granted to it under *The Municipalities Act*, wishes to provide for the banning of fires within all or any part of the RM for the health, safety, and welfare of the people and protection of the people and property to provide for the banning of fires when necessary, on the terms hereinafter provided.

NOW THEREFORE, the Rural Municipality of Mervin No. 499, in the Province of Saskatchewan, enacts as follows:

#### PART I - INTERPRETATION

1. This bylaw may be cited as the "Fire Ban and Management Bylaw";
2. The preamble forms part of the Bylaw; and
3. In this bylaw:
  - a. "Administrator" shall mean the Chief Administrative Officer of the Rural Municipality of Mervin No. 499, or his/her designate;
  - b. "ATV" shall mean an all-terrain vehicle as defined in *The All-Terrain Vehicles Act*;
  - c. "Burn Permit Area" shall mean any lands lying within the Rural Municipality of Mervin No. 499
  - d. "Council" shall mean the elected Council of the Municipality;
  - e. "Designated Officer" shall mean the Administrator, a Peace Officer, and any other person appointed by Council to enforce this bylaw;
  - f. "Discharge" shall mean to ignite, fire, or set off. The words "discharging" and "discharged" shall have a similar meaning;
  - g. "Fire Chief" shall mean the head of the Volunteer Fire Department(s) or his/her designate;
  - h. "Fireworks" shall mean any article defined as a firework pursuant to *The Canada Explosives Act* or any Regulations thereto, shall also include Low Hazard Fireworks and High Hazard Fireworks and Manufactured Fireworks that include but are not limited to, fireworks for recreation such as firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes and sparklers and rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, mines and firecrackers, or any firework composition that is enclosed in any case or contrivance or is otherwise manufactured or adapted for the production of pyrotechnic effects, signals, or sound but does not include sparklers, Christmas crackers, caps for toy guns containing not in excess of twenty-five one-hundredths of a grain per explosive per cap;
  - i. "Land Owner" shall mean a registered owner of land within the Municipality;
  - j. "Municipality" shall mean the Rural Municipality of Mervin No. 499;
  - k. "Open Burn(ing)" shall mean the combustion of any material outside of a building, not contained in a fire pit, incinerator, or other approved containment device;
  - l. "Peace Officer" shall mean a Peace Officer as defined in *The Summary Offence Procedures Act, 1990*;
  - m. "Permit" shall mean a burning permit in the form Schedule "A" prescribed by the Municipality;
  - n. "Permit Holder" shall mean the person to whom the burning permit is issued; and
  - o. "Recreational use" shall mean the operation of an All-Terrain Vehicle (ATV) or Utility Task Vehicle (UTV) for leisure, sport, entertainment, or personal enjoyment, and not for the purpose of performing essential work, such as agricultural, firefighting, emergency response, or other municipally approved operational tasks.

#### PART II – GENERAL REQUIREMENTS

4. No burning of any materials shall be allowed within the boundaries of the Municipality without the prior obtainment of a burn permit. The following activities are exempt from the requirement to obtain a burn permit:
  - a. barbecues, campfires, fires used for the purpose of cooking;
  - b. burning in incinerators that comply with environmental regulations;
  - c. volunteer fire department training exercises; or
  - d. low hazard fireworks discharged on private lands between dusk and 11:00 p.m.

5. No person shall hold a fireworks display using high hazard fireworks, on any public land, or after the hour of 11:00 p.m. without first obtaining a burn permit. No person under eighteen (18) years of age shall discharge any low hazard fireworks within the Municipality except under the direct supervision of a parent, guardian, or other responsible person.

### **PART III – BURN PERMIT**

6. A burn permit shall be issued by the Rural Municipality of Mervin No. 499 and may be obtained free of charge from the Municipal Office or online.
7. When authorization to burn is received, the property owner is responsible for reporting a controlled burn to 1-866-404-4911, which is monitored 24/7 - every day of the year, to inform them of the date(s) and time period of the burn, to avoid dispatching firefighters unnecessarily.
8. In a burn permit area, no person shall:
  - a. Fail to take reasonable steps to control a fire for the purpose of preventing it from spreading;
  - b. Start any outdoor fire for any purpose when weather conditions are conducive to a fire's readily escaping control;
  - c. Before starting a fire, fail to make himself or herself aware of any fire prohibitions or restrictions imposed by the municipality or fail to comply with all applicable municipal, provincial, and federal law pertaining to fires and the burning of refuse;
  - d. Deposit, discard, or leave any burning matter or substance in a place where it might ignite other matter and result in a fire spreading; and
  - e. Conduct any activity that involves the use of a fire or that might reasonably be expected to cause a fire to spread, unless he/she exercises reasonable care to prevent a fire from occurring.
  - f. Fail to ensure the fire is continuously and actively monitored by a competent adult from ignition until it is fully extinguished.
9. No person shall burn any material within the boundaries of the Municipality without first obtaining a burn permit from the Municipality.
10. Every permit holder shall comply with all conditions outlined in the burn permit.
11. A land owner shall be responsible, under this Bylaw, for any fire without a burn permit that originates on land for which they are a registered owner.
12. Burn permit applications shall be available from the RM Office or its online permit portal.
13. All burn permits are subject to cancellation by the RM in the event of a fire ban or hazardous fire conditions.
14. A burn permit will not be issued while a Fire Advisory or Ban is in effect.
15. All open burns must be:
  - a. Supervised at all times;
  - b. Located at least 15 meters away from any structure(s) or combustible material;
  - c. Surrounded by an effective fireguard or cleared area; and
  - d. Fully extinguished before being left unattended.

### **PART IV – FIRE BANS**

16. Notwithstanding the provision in any other Bylaw, the Municipality may, upon receiving input from the Fire Chief(s) of a volunteer fire department, declare a fire ban to all or part of the Municipality.
17. A fire ban prohibiting all open burning may be issued by the Designated Officer. When a fire ban is issued, all previous burn permits are suspended immediately and deemed invalid.
18. When a fire ban is declared, under delegated authority, the following activities are strictly prohibited throughout the Municipality:
  - a. Open burning of any kind, including brush piles, stubble, grass, and debris;
  - b. Use of fireworks or exploding targets;
  - c. Recreational use of off-road vehicles, including All-Terrain Vehicles (ATVs), Utility Task Vehicles (UTVs), dirt bikes, and similar off-road machinery, except as outlined below.
19. Notwithstanding the general prohibition on recreational ATV/UTV use, such vehicles may be operated within the boundaries of designated hamlets, for essential transportation purposes only provided that:
  - a. The operator remains on established roadways or driveways;
  - b. No travel occurs through grassed or vegetated area; and
  - c. The use complies with all provincial legislation and municipal traffic bylaws.
20. Agricultural or commercial use of ATVs/UTVs may be permitted during a fire ban only when necessary for essential operations, provided that a risk assessment is conducted and that appropriate fire suppression equipment is readily available.

21. Fire Bans – 2 Types:

- a. A Partial Ban may be declared when conditions present a moderate fire risk. Under a partial fire ban, all open burning, incinerators, and fireworks are prohibited.
  - i. The following are permitted, provided they are used safely and supervised at all times:
    1. CSA or UL approved appliances;
    2. Portable propane fire pits; and
    3. Campfires in approved fire pits or designated campground fire rings.
- b. A Complete Ban may be declared when conditions present a high or extreme fire risk. Under a complete fire ban, all outdoor fires, including but not limited to, incinerators and fireworks are prohibited.
  - ii. The following are permitted, provided they are used safely and supervised at all times:
    1. CSA or UL approved appliances; and
    2. Portable propane fire pits, with a flame height of no more than 2”.

22. A fire ban shall be issued in writing and shall identify:

- a. The time and date that the fire ban commences;
- b. The type of fire ban;
- c. Designated Officer(s) authorizing the fire ban; and
- d. Other information that may be in the public interest.

23. When a fire ban is declared, the Municipality shall notify the public in any manner it deems appropriate, including registering it with the Saskatchewan Public Safety Agency’s Provincial Emergency Communication Centre.

24. When determining whether to declare a fire ban within the Municipality, consideration shall be given to any or all of the following:

- a. Levels of recent precipitation;
- b. Future weather forecasts;
- c. Water shortages and/or restrictions;
- d. Availability of volunteer fire departments, equipment, and apparatus;
- e. The overall fire danger including fire load and level of ground fuels;
- f. The amount of, or increase in, recent outside fires;
- g. The wildfire hazard rating for the Municipality (posted on the Saskatchewan Public Safety Agency website); and
- h. Recommendation of the Fire Chief(s).

25. Once a fire ban is implemented, the Municipality may, subject to the availability of personnel and equipment, take any action that is necessary to control and extinguish any fire.

26. On advice of the Fire Chief(s), a Designated Officer may lift a fire ban, by following the same procedures as listed hereto in sections 22, 23, and 24.

## PART V – RECOVERY OF FIRE RESPONSE SERVICES COSTS

27. The cost of the fire response services, including fire prevention and fire suppression, provided by the nearest Volunteer Fire Department, shall be assessed and invoiced in accordance with the respective Fire Association rates.

28. For the purpose of assessing and levying costs of firefighting services, all properties affected by the fire who received the fire response services to control and extinguish the fires will be invoiced as determined by the Fire Chief.

29. All callout fees and charges, including but not limited to, consumables, extra equipment, personnel, and mutual aid, will be invoiced to the land owner by the respective Fire Association.

30. Any amount with respect to fire response services provided to a property within the Municipality, pursuant to Section 27 hereof, that remains unpaid as of December 31 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, as authorized by *The Municipalities Act*.

## PART VI – CONTRAVENTION OF THIS BYLAW

31. Any person found in contravention of any part of this bylaw shall be subject to the penalties provided in Schedule “B” as attached to and forming part of this bylaw.

32. A Designated Officer may issue a Summary Procedure - Offence Notice Ticket with a voluntary payment option for breach of any provision of this bylaw.

33. All penalties set forth in this bylaw may be recovered and enforced by summary conviction as provided by *The Summary Offences Procedures Act, 1990*, and in default of payment, the person convicted may be imprisoned for a term of not more than 90 days, unless the penalty is paid sooner.

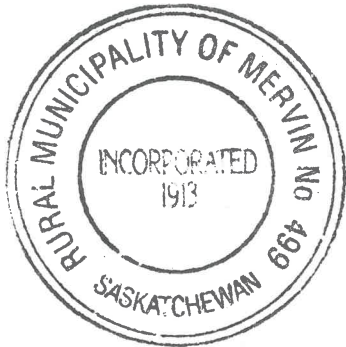
34. Conviction of a person for a contravention of any provision of this bylaw does not relieve that person from compliance with the bylaw, and the Justice may, in addition to any penalty imposed, order the



person to perform any act or work necessary for the proper observance of this bylaw or to remedy the contravention of it.

- 35. A Designated Officer may cancel any Summary Procedure – Offence Notice Ticket issued pursuant to this bylaw where, in the opinion of the Designated Officer, the Summary Procedure – Offence Notice Ticket was issued in error.
- 36. This bylaw shall come into force and effect on the day of its adoption.
- 37. Bylaw No. 2023-18 and any subsequent amendments are hereby repealed in their entirety.

(SEAL)



*[Signature]*  
Reeve

*[Signature]*  
Chief Administrative Officer

Read a first time at the May 27, 2025 regular meeting.  
Read a second time at the June 10, 2025 regular meeting.  
Read a third time with adoption at the June 24, 2025 regular meeting.

Certified a true copy of  
Bylaw No. 2025-14 adopted by  
resolution of Council this

24 day of JUNE, 2025

*[Signature]*  
Reeve



*[Signature]*  
Chief Administrative Officer

(SEAL)

**BYLAW NO. 2025-14**

**A BYLAW OF THE RURAL MUNICIPALITY OF MERVIN No. 499  
TO PROVIDE FOR FIRE PREVENTION, MANAGEMENT,  
AND CONTROL**

**SCHEDULE "A"**

**BURN PERMIT REQUEST**

**Applicant Name:** \_\_\_\_\_

**Company Name (if applicable):** \_\_\_\_\_

**Phone Number you can be contacted AT ALL TIMES during the burn:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Legal Land Description:** \_\_\_\_\_

**Civic Address:** \_\_\_\_\_

**Date(s) of Burn (max three [3] consecutive days):** \_\_\_\_\_

**Start Date:** \_\_\_\_\_

**End Date:** \_\_\_\_\_

**Materials to be burned:** \_\_\_\_\_

*Please note that burning composite wood products (ie: plywood, particle board, MDF) and any painted, varnished or otherwise treated wood products, paper, recyclables, animal carcasses, garbage and combustibles are prohibited within the RM of Mervin No. 499. Any person(s) burning prohibited materials will be fined in accordance with Schedule "B"*

*from Bylaw 2025-14. Any application with prohibited materials will be denied and every application approved or denied may be subject to random inspection by an RM official.*

**FIRE SAFETY MEASURES: Please check that you have read and agree to the following statements from The Wildfire Act:**

- ☐ I will not start an outdoor fire without first taking sufficient precautions to ensure that the fire will be kept under control at all times;
- ☐ I will not start an outdoor fire for any purpose when weather conditions are conducive to a fire readily escaping control;
- ☐ I will take reasonable steps to control a fire and prevent it from spreading, causing damage, or becoming dangerous;
- ☐ I will not deposit, discard, or leave any burning matter or substance in a place where it might ignite other matter and result in a fire spreading;
- ☐ I will not conduct any activity that might reasonable be expected to cause a fire to spread; and
- ☐ I will not leave an outdoor fire without fully extinguishing the fire.



At the time of Burn, Applicant must call:	St. Walburg and District Fire and Rescue Association Fire Chief Keith Craig 780-205-5823  Town of Turtleford & RM of Mervin Fire Association Fire Chief Brent Edwards 639-844-7604	APPLICANTS MUST ENSURE THAT THE CONTROLLED BURN IS SUPERVISED AT ALL TIMES.  ALL FIRE CALL RESPONSES INCLUDING FALSE ALARMS AND OUT OF CONTROL PERMITTED CONTROLLED BURNS, WILL BE INVOICED TO THE AFFECTED PROPERTIES.
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**RM of Mervin No. 499 Burn Permit Conditions**

Please check each box to show that you have read and understand the conditions. All boxes must be checked off by the applicant before a burn permit will be issued.

- ☐ It is the responsibility of the applicant to become familiarized with Bylaw 2025-14 and the allowable materials, and proper procedures for controlled burns within the RM.
- ☐ It is the responsibility of the applicant to ensure that the controlled burn is supervised at all times.
- ☐ The applicant must provide a phone number in which they can be reached at all times during the burn.
- ☐ Controlled burns are allowable only during a maximum three (3) day period. If additional days are required, a new permit application must be submitted to the RM office.
- ☐ It is the responsibility of the applicant to ensure that the appropriate bodies are notified prior to the burn.
- ☐ Applicants may only burn clean, non-toxic material. Any person(s) burning prohibited materials as specified by Bylaw No. 2025-14 will be fined in accordance with Schedule “B”.
- ☐ If the contracted fire/protective services for the Rural Municipality of Mervin No. 499 receive a fire call, and they have not received Notice, or if they cannot reach you at the number provided, they will respond to the fire call and the landowner shall be invoiced for the emergency response call.
- ☐ In the event that a fire alarm which dispatches contracted fire/protective services, the company or person(s) holding title to the affected land will be invoiced for the fire call. If you alarm sends an emergency response signal to the contracted fire/protective services and it is not an emergency (ex: the fire is controlled or there is no fire at all), please call the contracted fire/protective services immediately to report a false alarm. You will be invoiced for an emergency response call out if emergency services respond to your fire alarm call and they do not receive notification from you stating that it is a false alarm prior to emergency response equipment being dispatched.
- ☐ In the event that you notify the contracted fire/protective services of a false alarm, and the fire/protective services deems it necessary to continue the emergency response in order to ensure public safety, the affected property owner will be invoiced for the fire call.
- ☐ All amounts owed to the Rural Municipality of Mervin No. 499 that are left unpaid, as of December 31, will be added to the tax roll of any parcel of land for which the person(s) or company responsible for the emergency fire call is the assessed person.

Signature \_\_\_\_\_

Date: \_\_\_\_\_



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TO PROVIDE FOR FIRE PREVENTION, MANAGEMENT,  
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**SCHEDULE “B”**

**SUMMARY OFFENCE TICKET INFORMATION**

1. Any person who is in violation of this bylaw may be issued a Summary Offence Ticket Information with respect to a violation of any Section of this bylaw.
2. Any person, upon being served with a Summary Offence Ticket Information, may voluntarily pay the penalty as identified in this schedule within the time specified on the Summary Offence Ticket Information at the Court of King’s Bench.

Offence	First Offence	Second Offence	Subsequent Offences
Burning materials without obtaining a burn permit	T4 - \$200	T7 - \$400	T9 - \$750
Holding a fireworks display using high hazard fireworks without a burn permit	T4 - \$200	T7 - \$400	T9 - \$750
Failure to contact Control Burn Centre	T4 - \$200	T7 - \$400	T9 - \$750
Burning wood in campfires or cooking receptacles, or burning garbage, or discharging fireworks during a fire ban	T4 - \$200	T7 - \$400	T9 - \$750
Starting an outdoor fire without precautions to ensure that the fire can be kept under control	T4 - \$200	T7 - \$400	T9 - \$750
Starting any outdoor fire when weather conditions are not conducive	T4 - \$200	T7 - \$400	T9 - \$750
Failing to be aware of any fire prohibitions or restrictions or complying with any law pertaining to fires and the burning of refuse	T4 - \$200	T7 - \$400	T9 - \$750
Leaving burning matter in a place where it might ignite other matter and spread	T4 - \$200	T7 - \$400	T9 - \$750
Conducting any activity that might be expected to cause a fire to spread	T4 - \$200	T7 - \$400	T9 - \$750
Leaving an outdoor fire without fully extinguishing the fire	T4 - \$200	T7 - \$400	T9 - \$750
Failing to remove fire hazard within a fixed period	T4 - \$200	T7 - \$400	T9 - \$750