

**Rosburn Municipality
By-Law 2025-001**

Being a By-Law to regulate burning within the Municipality.

WHEREAS Section 232 (1) of The Municipal Act provides that a Council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and wellbeing of people and the safety and protection of property,
- (i) preventing and fighting fires,
- (o) enforcement of by-laws.

AND WHEREAS *The Wildfires Act*, C.C.S.M., c. W128, contains the following definitions, among others:

“*outdoor fire*” means any fire that is started outdoors but does not include a fire that is started in, and remains contained within a container or fire pit;

“*wildfire*” means an outdoor fire that is burning out of control or that an Fire Guardians believes may burn out of control;”

“*wildfire protection operations*” means wildfire prevention, detection, control, pre-suppression, suppression, investigation and extinguishment;”

AND WHEREAS *The Wildfires Act*, C.C.S.M. c. W128, states that:

- 2 “Subject to section 18, this Act applies to all land within Manitoba.”
- 13(1) “Subject to subsection (2), section 15, or an agreement section 6, a municipality is responsible for wildfire protection operations within its boundaries.”
- 14 “A municipality may appoint and remunerate fire guardians to carry out its wildfire protection responsibilities under this Act, the regulations or a municipal by-law, and may cancel an appointment at any time.”
- 31(1) “Where the Crown or a municipality incurs costs, expenses, loss or damage as a result of
 - (a) wildfire protection operations;
 - (b) enforcing an officer’s order which was not obeyed; or
 - (c) fire loss;

the Crown or the municipality is entitled to be reimbursed by the person who caused the Crown or the municipality to incur costs, expenses, loss or damage, and the amount of costs, expenses, loss or damage is a debt due and owing to the Crown or the municipality.”

NOW THEREFORE the Council of the Rosburn Municipality in session assembled enacts as follows:


1. **THAT** That the Fire Chief appoint up to any 3 members of the Rosburn Municipality Fire department as fire guardians for the Municipality for the purposes of the Wildfires Act and inform the CAO of those that have been appointed. The Fire Chief can be one of the appointees.
2. **THAT** burning be allowable in the Rosburn Municipality subject to the conditions and provisions of *The Fires Prevention & Emergency Response Act*, *The Wildfires Act*, and Manitoba Burning of Crop Residue Regulations.
3. **THAT** the Fire Chief and or Deputy Fire Chief(s), may at their discretion, ban ALL outdoor fires in the Municipality or designated areas within each region if conditions exist where, in the opinion of the Fire Chief(s) and or

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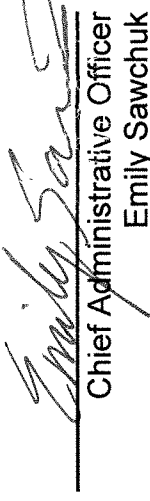
Deputy Fire Chief(s) outdoor fires are of extremely high risk, and such ban would reduce the risk of wildfire occurring. Further, if such an outdoor fire ban is designated, Clause 2 is suspended until such time as the Fire Chief and or Deputy Fire Chief(s) removes the ban and permits outdoor fires.

4. **THAT** Burn Ban in Effect signs be erected across the Municipality as soon as reasonably possible after a Fire Ban has been declared.
5. **THAT** subject to any agreements to the contrary, where any type of wildfire protection operations have been undertaken within the Municipality, during a fire ban designated by the Fire Chief and or Deputy Fire Chief(s), the Municipality may, in respect of any related costs incurred in taking such action, charge such costs to the person who caused the wildfire, or the owner or occupant of the land or property in respect to which the action was taken. Further, the Municipality may proceed to collect any costs as against the person by any means available to it in law for the collection of outstanding taxes, including, without limitation, adding the costs to the realty taxes on any property owned by the person within the Municipality.
6. **THAT** this by-law shall come into force and take effect on the passing thereof.

DONE AND PASSED in Council assembled at the Council Chambers of the Rosburn Municipality, Rosburn, in the Province of Manitoba this 5th day of June 2025.



Mayor
Shirley Kalyniuk



Chief Administrative Officer
Emily Sawchuk

Read this first time the 15th day of May 2025.

Res. #2025-289

Read a second time the 5th day of June 2025.

Res. #2025-319

Read a third time the 5th day of June 2025.

Res. #2025-320