

SAVONA IMPROVEMENT DISTRICT

BYLAW No. 184

The Trustees of the Savona Improvement District ENACT AS FOLLOWS:

This BYLAW may be cited at the “**Burning Regulation Bylaw No. 184, 2022.**”

INTERPRETATION

1. In this Bylaw,

- “*CONSTRUCTION DEMOLITION FIRE*” is an outdoor fire which occurs from waste as the result of the demolition or construction of a building or structure;
- “*COOKING FIRE*” a small fire that burns outdoors, whether in a dug pit, a constructed fireplace, metal or clay appliance, stove or other such device, but does not include a controlled fire ignited for the burning of tobacco products for personal consumption nor the mere striking of a match;
- “*GARDEN REFUSE FIRE*” means an outdoor fire as limited in Sec. 5 of this Bylaw in which non-toxic garden materials and yard refuse generated upon the given parcel is deliberately burned for the purpose of disposal, specifically including fully dried grass clippings, leaves and branches pruned from trees and shrubs;
- “*LAND CLEARING FIRE*” means an outdoor fire of trees, bushes, grass, and other indigenous growth piled together or spread apart in order to clear land in preparation for construction or planting;
- “*MISCELLANEOUS REFUSE FIRE*” is an outdoor fire in which miscellaneous combustibles or non-combustibles including agricultural waste, natural or noxious, are deliberately incinerated for disposal or any other purpose;
- “*NOXIOUS MATERIAL*” includes tires, oil, tar, asphalt products, shingles, batteries, plastic, special waste, railway ties, treated lumber, household waste, and other substances that produce heavy black smoke, noxious odors or toxic residue when burned;
- “*OFFICER*” means the Fire chief of the Savona Fire Department or their delegates or designates duly appointed from time to time to act in their capacity; and
- “*PERMIT*” means a permit required or issued pursuant to this Bylaw.

GENERAL PROVISIONS

2. No person or persons shall

- a. Start or maintain any outdoor fire or allow any outdoor fire to burn on property owned or occupied by that person except as expressly permitted by this Bylaw;
- b. Burn any *noxious*, explosive, corrosive or toxic material, or controlled substance such as any pesticide or herbicide in an outdoor fire regardless of size;

- c. Burn an outdoor fire comprised of material brought from another location or property;
- d. Light, ignite or start or allow or cause to be lighted, ignited or started, an outdoor fire without first obtaining a *Permit*, as and if required by this Bylaw; and
- e. Start or maintain a *land clearing fire*.

PROHIBITED FIRES

- 3. The following fires are strictly prohibited and no person shall start or maintain such fires at any time on any lands within the Savona Improvement District boundaries:
 - a. *Construction demolition fire*;
 - b. *Land clearing fire*;
 - c. *Miscellaneous refuse fire*;
 - d. A fire of any size that comprises of *noxious materials* or items; and
 - e. Burn barrels are not permitted.

PERMITTED FIRES

- 4. One *cooking fire* per parcel or per half of duplex may be started and maintained at any time without a *Permit* subject to conformance with the following:
 - a. The fire is wholly contained within a walled pit, metal appliance, masonry or clay structure;
 - b. The fire is no larger than 18" by 18" and 18" in height regardless of stove, appliance or burning chamber size;
 - c. The fire is attended at all times by a responsible adult; and
 - d. A charged water hose, extinguisher or 5-gallon bucket of water is within immediate reach.
- 5. A maximum of one *garden refuse fire* is permitted to be started and maintained on an adequately sized parcel subject to conformance with the following:
 - a. The property owner holding a valid *Permit* issued pursuant to this Bylaw;
 - b. The burning takes place on a day during the months of March, April, October and November;
 - c. The venting index as established by the Ministry of Environment is "Good" or "Fair" on the day of the fire and is forecast to remain so for the subsequent two days;
 - d. The fire during is between noon and cessation by 7pm on an appropriate day;
 - e. The fire is not within 7.5 meters (25 ft) of any building, structure, overhead wire or cable;
 - f. There is a charged water hose connected to a pressurized water supply and shovel within reach for the duration of the fire and until it is extinguished;
 - g. The *Permit* holder is present at all times at the site when the *garden refuse fire* is burning and remains on the parcel until the fire is extinguished for the purposes of supervising being responsible for, and extinguishing the fire;

- h. The *Permit* holder shall monitor and inspect the fire site hourly for four hours upon cessation to ensure the fire does not re-ignite or smolder; and
 - i. The size of fire is limited to 5 feet high and 5 feet in diameter.
- 6. Fires started and maintained by the Savona Fire Department for training purposes or for fire spread control are exempt from this Bylaw and *Permit* requirements.

GARDEN REFUSE BURNING PERMITS

- 7. No person shall start an outdoor fire, other than those allowed pursuant to Section 5 of this Bylaw, without first obtaining a *Permit*; and the application for a *Permit* and the form of *Permit* shall be as prescribed and amended from time to time by the *Officer*.
- 8. The *Permit* shall be free of charge and is non-transferable; a change in name or premises shall require a new *Permit*.
- 9. The *Officer* may
 - a. Issue a *Permit* or refuse issuance if he/she deems the fire site or other particulars unsafe;
 - b. Prior to issuing a *Permit*, inspect the proposed site of the fire and direct that actions be taken to comply with the provisions of this Bylaw or decrease wild fire risk; and
 - c. Without limiting the generality of the foregoing, specify in a *Permit* any firefighting equipment to be provided on the site of the fire or any other precautions.
- 10. A *Permit* shall state the dates on which a permitted outdoor fire may burn.
- 11. An *Officer* may refuse to issue a *Permit* when the *Officer* considers that it is not safe for the proposed fire to be started or maintained and may, without limiting what the *Officer* may take into account, consider weather conditions, site conditions and availability of Fire Department personnel to extinguish the proposed fire.

INSPECTIONS AND ORDERS

- 12. An *Officer* may
 - a. Enter at all reasonable times on any property that is subject to the requirements or regulations of this Bylaw, to ascertain whether the regulations in this Bylaw or directions made under this Bylaw are being observed;
 - b. Inspect premises for conditions which may cause a fire or increase the danger of a fire or increase the danger to persons;
 - c. Order that the fire be immediately extinguished where it is in contravention of this Bylaw or if smoke and/or ash is deemed to be excessive or if it adversely impacts surrounding areas; and
 - d. Make orders directing the owners or occupiers of property to bring their premises or a fire into compliance with this Bylaw.

13. And further, an *Officer* may

- a. Suspend or cancel a *Permit* issued pursuant to this Bylaw if, in the opinion of the *Officer*, the fire conditions relevant to the fire become unsafe or a nuisance; and
- b. May reissue the *Permit* at a later date.

OFFENCES

14. Any person who violates or contravene any of the provisions of this Bylaw or suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses or omits or neglects to fulfill, observe, carry out or perform any duty to impose by this Bylaw, commits an offence and shall be liable on summary conviction to the penalties prescribed in the Offence Act and a fine not exceeding \$2,000.

SEVERABILITY

15. If any section, subsection or clause of this Bylaw is held invalid by a court of competent jurisdiction, the invalid portion shall be severed, and the remainder of this Bylaw shall be deemed to have been adopted without the invalid and severed section, subsection or clause.

OTHER LEGISLATION

16. In addition to the requirements of this Bylaw, all burning must meet the requirements of the Environmental Management Act and any orders, including fire bans, issued by the Province of British Columbia Wildfire Management Branch.

17. This Bylaw repeals Bylaw No. 165

INTRODUCED AND READ A FIRST TIME THIS	7 th	DAY OF	December 2021
READ A SECOND TIME AND ADOPTED THIS	11 th	DAY OF	January 2022

Jamie Drozda
Board Chair

I hereby certify that this is a true copy of Bylaw No. 184

Yoriko Susanj
Corporate Officer