

TOWN OF BIGGAR
OPEN OUTDOOR FIRE BYLAW
BYLAW NO. 19-820

A BYLAW TO REGULATE OPEN OUTDOOR FIRES

The Council of the Town of Biggar in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

This bylaw shall be referred to as the “Open Outdoor Fire Bylaw”.

2. INTERPRETATION

In this bylaw:

- 1) “Chief Administrative Officer” shall mean the Chief Administrative Officer of the municipality;
- 2) “Council” shall mean the council of the municipality;
- 3) “Department” shall mean the Biggar Fire Department;
- 4) “Fire Chief” shall mean the Chief of the Biggar Fire Department or his designate;
- 5) “Member” means a person appointed as a Fire Chief by Council or a member of the Fire Department approved by the Fire Chief;
- 6) “Municipality” shall mean the Town of Biggar;

3. EXEMPTIONS TO BURNING REGULATIONS

- 1) Notwithstanding any other provision of this bylaw, the Fire Chief or any other member designated by the Fire Chief may burn buildings, structures, or other materials for the purpose of training its personnel in structural firefighting methods, fire investigation procedures, for the purpose of elimination of hazards or any other municipal purposes.
- 2) Notwithstanding any provisions of this Bylaw, the Town may declare a complete ban of any burning of any kind within the town limits.
- 3) The Town shall coordinate fire bans with the appropriate ministry of the Government of Saskatchewan.
- 4) No person shall ignite or allow any kind of open fire when a complete ban on burning has been declared by the Town, with the exception of Section 5 and Section 6.

4. FIRE PITS

1) Open cooking fires shall not be set unless the following measures are taken: ¹

- a. be limited to a diameter of seventy-five (75) centimeters (29.5 in.) and be contained in a non-combustible receptacle constructed of cement, brick, clay (kiln dried), or sheet metal with a minimum 18 gauge thickness;
- b. the receptacle must be covered with a heavy gauge metal screen with openings not exceeding 13 millimeters (0.5 in.);
- c. the receptacle must be located on private property, a distance of at least 3.1 meters (10 feet) from any property line, building or other combustible structure;
- d. the receptacle must be separated from grass and any other vegetation by a distance of at least forty (40) centimeters (15.7 in.) by means of clean earth, sand, gravel or other non-combustible material.

2) Chimney and portable fire pits:

- a. shall not be used on apartment balconies;
- b. shall not be used indoors;
- c. shall not be used on wooden decks; but may be used on a noncombustible surface such as earth, concrete, stone, etc.;
- d. shall be separated from grass and any vegetation by a distance of at least 40 centimeters (15.7 in.) by means of clean earth, sand, gravel or other noncombustible material;
- e. shall be located on private property a distance of at least 3.1 meters (10 feet) from any property line, building or other combustible structure.

3) General Requirements

- a. The fire must be reasonably supervised so as to prevent spreading.
 - b. The use of Fire Pits or Outdoor Fireplaces shall not be used in windy conditions, conducive to the spreading of fire.
 - c. Any person that uses a Fire Pit or Outdoor Fireplace shall ensure that a means of extinguishing the fire is readily accessible at all times while the fire is ablaze.
 - d. Where requested by the Fire Chief, a Fire Inspector, a Peace Officer or a Bylaw Enforcement Official, a person shall extinguish a fire in a Fire Pit or Outdoor Fireplace.
 - e. The fuel for open-air fires shall consist only of charcoal, cut seasoned wood, or manufacturer's logs.
 - f. The fire shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
 - g. The burning of the following materials is prohibited:
 - i. rubbish;
 - ii. garden refuse;
 - iii. manure;
 - iv. livestock or animal carcasses;
 - v. any material classified as a dangerous good;
 - vi. any material when burned will generate black smoke or an offensive odour (i.e. insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosote wood)
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- h. If smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately.
- i. The party whom started the fire is responsible for any or all damages as a result of burning.

5. BARBECUING

- 1) Every person who uses any 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 materials ("combustible materials" is not to be interpreted as the railing on a balcony or deck);
 - c. Ensure that a portable grill or barbecue is located on a firm base and firmly anchored;
 - d. Refrain from leaving the barbecue unattended;
 - e. Keep the barbecue in a reasonable state of repair;
 - f. Comply with all federal and provincial regulations regarding the use and storage of propane cylinders;
 - g. Ensure propane cylinders and natural gas be shut off at the tank valve when not in use;
 - h. Ensure propane cylinders and natural gas be connected and secured to the barbecue;
 - i. Ensure propane cylinders be kept in an upright position at all times, including when the cylinders are in transit, service or storage.
- 2) When solid fuel appliances are used, provisions for the storage of ashes or hot coals is limited to approved receptacles.

6. OTHER PROPANE AND NATURAL GAS APPLIANCES

- 1) When using any outdoor appliances please adhere to the manufacturers specified directions
- 2) Ensure that all propane and natural gas be shut off when not in use when using outdoor heaters, outdoor deep fryers and any other outdoor appliance

7. CONTRAVENTION OF THE BYLAW

Every person who contravenes any provision of this Bylaw for which no other penalty is specifically provided for in this Bylaw is guilty of an offence and liable on summary conviction to a fine:

- a) for the first offence, of \$100.00;
- b) for the second offence, of \$200.00;
- c) for a third or subsequent offence, of not less than \$200.00 and not more than as specified in the "General Penalty Bylaw".

8. BYLAWS REPEALED

Bylaw No. 12-733 passed on July 17, 2012 is hereby repealed.

9. COMING INTO FORCE

This bylaw shall come into effect from, and after the date of the final passing thereof.

READ a first time this 16th day of July, 2019.

READ a second time this 16th day of July, 2019.

READ a third time and adopted this 16th day of July, 2019.

[SEAL]

Mayor

Chief Administrative Officer

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