

BURNING REGULATION

Bylaw No. 2406 and amendments thereto

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws listed below. The amending bylaws have been consolidated with the original bylaws for convenience only.

Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>BYLAW NO.</u>	<u>ADOPTED</u>
2406	April 21, 2009
2433	October 20, 2009
2517	October 4, 2011

The bylaw numbers in **bold** at the end of the clause refer to the bylaws that amended the principal bylaw.

**CITY OF PITT MEADOWS
BURNING REGULATION
BYLAW NO. 2406, 2009.**

WHEREAS, the *Local Government Act* authorizes Council, by bylaw, to make regulations with respect to fire suppression and prevention and other classes of circumstances that may cause harm to persons or property;

AND WHEREAS, the *Community Charter* authorizes Council to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community as related to the emission of smoke, spark, dust, ash, soot, cinders, fumes or other effluvia that is liable to foul or contaminate the atmosphere;

AND WHEREAS, the *Community Charter* authorizes Council to regulate, prohibit and impose requirements in relation to the protection of the natural environment;

NOW THEREFORE, the Council of the City of Pitt Meadows in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the **"City of Pitt Meadows BURNING REGULATION Bylaw No. 2406, 2009"**.

2. ***Burning Regulation Bylaw No. 1505 and amendments thereto are hereby repealed.***

Bylaw No.
1505
1669
1779
1922

Adopted
January 18, 1994
February 21, 1995
July 16, 1996
October 19, 1999

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INTERPRETATION

2. In this Bylaw:

Class "A" Fire (Land Clearing) is an outdoor fire which occurs in combustibles which are piled by "Machine" or are in piles not exceeding 4 cubic meters or 141 cubic feet in size.
(2517, 2011)

Class "B" Fire (Back Yard Burning) is an outdoor fire which occurs in garden waste consisting of non-toxic garden materials stored on a parcel not exceeding one hectare in size, and includes leaves and branches pruned from trees and shrubs.

Class "C" Fire (Construction Debris, dimension lumber or industrial waste) is an outdoor fire which occurs in waste resulting from the demolition or construction of a building or structure.

Class "D" Fire (Land Clearing) is an outdoor fire which occurs in waste resulting from agricultural-related activities on parcels zoned agricultural. If in piles must not exceed 4 cubic meters or 141 cubic feet in size.
(2517, 2011)

"burning season" means the two burning periods from March 1 to April 30 and October 1 to November 30.

"construction waste" means any material resulting from or produced by construction, renovation or repair of a building or structure.

"demolition waste" means any abandoned building or the material including any wood used in construction of buildings, fences, and any lumber that has been milled for construction purposes. This also includes any building materials resulting from the destruction or tearing down of any building, whether partial or complete.

"fire rescue service" means the City of Pitt Meadows Fire Rescue Service.

"garbage" means all materials discarded as waste.

"land clearing waste" natural wood or vegetative waste generated by the clearing of land and originating from the subject property.

"order" means any order, decision, requirement or direction given by the Fire Chief or his/her designate.

"parcel of land" means all land within the boundaries of the City of Pitt Meadows.

"peat soils" means local peat deposits susceptible to underground burning.

"ventilation index" means regional air venting information as forecasted daily by Environment Canada.

"garden refuse fire" means an outdoor fire in which garden refuse is deliberately burned for the purpose of disposal.

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"land clearing fire" means an outdoor fire of trees, bushes and other indigenous growth piled together by machine in order to clear land in preparation for construction or planting.

"noxious material" includes tires, oil, tar, asphalt, shingles, batteries, plastic and other substances which produce heavy black smoke, noxious odors or toxic residue when burned.

"officer" means the Fire Chief, Deputy Fire Chief, Assistant Fire Chief or a Captain of the Pitt Meadows Fire Rescue Service or their designates duly appointed from time to time to lawfully act in that capacity.

"outdoor fire" means a fire that burns outdoors in the open air that is not enclosed in a fireplace, furnace 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.*

"City" means the City of Pitt Meadows.

"urban area" means lands wholly contained within the Urban Boundary as shown on Schedule 3A and 3B of Official Community Plan Bylaw No.2352, 2007 as amended from time to time.

"permit" means a burning permit required or issued under this Bylaw.

GENERAL REGULATIONS - OUTDOOR FIRES

3.

- (a) No person shall except as expressly permitted by this Bylaw, start or maintain any outdoor fire or permit any outdoor fire to burn on property owned or occupied by that person;
- (b) No person shall burn any of the following materials; oil, rubber, plastics, fertilizers, tires, material containing creosote, wiring insulation, petroleum products, biomedical waste, herbicides, pesticides, drywall, asphalt, paint, railway ties, chemicals, insulation, treated lumber, fuel and lubricant containers, garbage, recyclables, demolition waste, land clearing waste, construction waste, manure, or other manufactured material;
- (c) No person shall burn material brought from another location;
- (d) No person shall light, ignite or start or allow or cause to be lighted, ignited or started, an outdoor fire without first obtaining a permit if required by this Bylaw;
- (e) No person shall set out, start or kindle open air burning except during the designated periods as specified by this Bylaw;
- (f) No person shall set out, start or kindle open air burning on known peat soils, to protect against the ignition of underground peat deposits;
- (g) No person shall set out, start or kindle open air burning or allow or permit open air burning to continue to burn during high winds exceeding 50kph;
- (h) No person shall burn during times which the Greater Vancouver Regional District (GVRD) has restricted open burning;

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- (i) No person shall burn once the Ministry of Forests and or the Greater Vancouver Regional District (GVRD) has issued a no burning order;
 - (j) No person shall burn wood in the Urban Area except as described in 4(a) of this Bylaw;
(2517, 2011)
 - (k) No person shall set out, start or kindle open air burning between the hours of 10:00pm to 7:00am daily. No materials shall be added to permit fires under the Bylaw during this time;
 - (l) A person may apply in writing to the Fire Chief for permission to have a small ceremonial or religious fire, if approved they must pay the burning permit fee of one hundred dollars (\$100.00);
 - (m) No person shall burn unless the ventilation index is favorable. (Schedule B).
4. The following types of outdoor fires may be started and maintained at any time without a permit and are excluded from the regulations of this Bylaw:
- (a) fires started and maintained by the Pitt Meadows Fire Rescue Services for training purposes or to prevent the commencement or spreading of fire.

GENERAL REGULATIONS - COOKING FIRES

5. Cooking fires contained within a barbecue or fire pit having a surface area not greater than one (1) meter in diameter using natural gas/propane or charcoal or within a manufactured gas/propane, electric/charcoal barbecue are permitted under this Bylaw. No burning of wood in any type of outdoor appliance, device or pit is permitted at any time.
(2517, 2011)

GENERAL REGULATIONS - CLASS "A" FIRES - LAND CLEARING

6. No person shall start or maintain a Class "A" Fire.

GENERAL REGULATIONS - CLASS "B" FIRES - BACK YARD BURNING

7. No person shall start or maintain a Class "B" Fire in Urban Area as shown on Schedule 3A, 3B of the current *Official Community Plan (OCP)*.
(2517, 2011)

GENERAL REGULATIONS - CLASS "C" FIRES - CONSTRUCTION DEBRIS DIMENSION LUMBER

8. No person shall start or maintain a Class "C" Fire.

GENERAL REGULATIONS - CLASS "D" FIRES – AGRICULTURAL LANDS

9. No person shall start or maintain a Class "D" Fire if it includes one or more of Class "A", "B" or "C" fires.

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Class "D" permits may be available for only land zoned agricultural. They are available from March 1 to April 30 inclusive and from October 1 to November 30 inclusive, annually; the applicant and owner are liable for all damages and cost incurred by any fire set under this permit.

No Persons Shall Burn:

- (a) material other than waste from agricultural related activities on parcels zoned agricultural, all materials burned must come from land on which the burn is taking place (See Section 3);
- (b) within thirty (30) meters of any building, structure, fence, hedge or overhead wire or cable;
- (c) within five hundred (500) meters of an industrial, commercial or institutional facility;
- (d) within 30 meters of any public roadway;
- (e) within 10 meters of any stream;
- (f) for more than 72 consecutive hours;
- (g) unless more than fourteen (14) days have elapsed since the termination of any previous burning permit;
- (h) if a person or property has had open burning occur four (4) times in the previous calendar year;
- (i) unless a person age nineteen (19) or over is at all times present at the fire until it is extinguished;
- (j) unless there is emergency equipment on the property when the burning is taking place which is capable of extinguishing the fire (machine, water supply, staff as appropriate).

(2517, 2011)

PERMITS

10. (a) No person shall start an outdoor fire, other than those exempt from the Bylaw in section 5 without first obtaining a permit. No permit shall be issued for a period of two years in the following circumstances:
- (2517, 2011)**
- (i) where a person including any corporation has been convicted of a second or subsequent offence against any of section 3(b) or 3(c) or section 10(a), including any conviction resulting from paying a fine imposed by the Ticket Information Bylaw, no permit shall be issued to that person for a period of two years following the second conviction; and
(2517, 2011)
 - (ii) where in respect of fires started on any parcel of land or group of parcels operated under common management there has been more than one conviction for an offence against any of section 3(b) or 3(c) or section 10(a), including any conviction resulting from paying a fine imposed by Ticket Information Bylaw, no permit shall be issued in respect of that parcel of land or group of parcels for a period of two years following the second conviction.
(2517, 2011)
- (b) No person shall start a Class "B" or Class "D" fire without first paying a permit fee of \$100.00 dollars. The fee is payable for every three days of burning allowed under the permit and may include an inspection from a Pitt Meadows Fire Rescue Officer;
- (c) The burning permit holder shall have the burning permit available on site for review by a Fire Rescue Officer or Bylaw Enforcement Officer;

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- (d) A permit shall state the dates on which a permitted outdoor fire may burn;
- (e) The permit holder shall inspect the fire site immediately following the permit expiration date and within four (4) hours of the cessation of the fire and ensure that the fire is extinguished.
- (f) Property Ownership:
(2517, 2011)
 - (i) Permit must be obtained and signed for in person by the owner of the property, or a designated officer in the case of a corporate landholding.
 - (ii) A Title Search of the property through BC On-line may be done by fire service staff in order to verify the signing authority or actual owner name for a property.

An Officer may

- 11. (a) issue a permit and;
- (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 and;
- (c) without limiting the generality of the foregoing, specify in the permit fire fighting equipment to be provided on the site of the fire *or* any other precautions deemed necessary;
- (d) 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 Rescue personal to extinguish the proposed fire;
- (e) suspend or cancel a permit issued when, in the opinion of the Officer, the fire conditions relevant to the fire become unsafe or a nuisance, and produce significant or toxic smoke and/or fly ash which endangers the health, safety or welfare of persons or animals; cause smoke to obscure visibility and thereby create a hazard to traffic on a public roadway;
- (f) may reissue the permit at a later date.

OTHER LEGISLATION

- 12. In addition to the requirements of this Bylaw, all burning must meet the requirements of the Environmental Management Act BC 2004, Open Burning and Smoke Control Regulation 145/93 including amendments.

INSPECTIONS AND ORDERS

An Officer may

- 13. (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;

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- (b) inspect premises for conditions which may cause a fire or increase the danger of a fire or increase the danger to persons;
- (c) call on Greater Vancouver Regional District/Metro Vancouver if a person is burning waste in contravention of regional regulation;**(2517, 2011)**
- (d) order that the fire be immediately extinguished if found in contravention of this Bylaw and take necessary action to carry out extinguishment if the property owner/representative is **unable** to do so. This will result in an apparatus and staff fee being invoiced to the property as per the current Greater Vancouver Regional District Mutual Aid Agreement for Emergencies on reimbursement rates for fire equipment.**(2517, 2011)**
- (e) order that the fire be immediately extinguished if found in contravention of this Bylaw and take necessary action to carry out extinguishment if the property owner/representative is **unwilling** to do so. This will result in a violation fine as well as an apparatus and staff fee being invoiced, to the property as per the current Greater Vancouver Regional District Mutual Aid Agreement for Emergencies on reimbursement rates for fire equipment.**(2517, 2011)**

OFFENCES AND FEES

14. Any person who violates 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 imposed by this Bylaw, shall be liable on summary conviction to a fine or to imprisonment, or both such fine and imprisonment, not exceeding the maximum allowed by the Offence Act, as amended.

Any fee authorized by this Bylaw may be entered upon the Assessment Roll as monies owing against the property and any such fee remaining unpaid over 90 Days will be added to and form part of the taxes payable in respect of the property as taxes in arrears, with all applicable interest and penalties.

Any person who contravenes any of the provisions of this Bylaw, in addition to any other fine provided for pursuant to this Bylaw, shall be liable to the City for the fee for fighting any fire which causes damage to lands or property as a result of such contravention, and the same may be recovered by action in any Court of competent jurisdiction at suit of the City.

Every person who breaches, or who causes or allows to be violated or breached, any of the provisions of the Bylaw shall be guilty of an offence against this Bylaw and each day that such violation is caused or allowed to continue shall constitute a separate offence.

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

SCHEDULES

16. Schedules "A", "B" and "C" form a part of and are enforceable in the same manner as this Bylaw.

**CITY OF PITT MEADOWS
BURNING REGULATION CONSOLIDATED
BYLAW NO. 2406, 2009.**

**SCHEDULE "A"
(2517, 2011)**

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
FINE SCHEDULE**

OFFENCE COMMITTED	BYLAW SECTION NO.	FINE \$
Outdoor Fire Prohibited	3(a)	\$200.00
Burn Dangerous Material	3(b)	\$300.00
Burn Foreign Material	3(c)	\$200.00
No Fire Permit	3(d)	\$200.00
Fire on Peat Soil	3(f)	\$100.00
Failure to extinguish burn under high wind conditions	3(g)	\$200.00
Burning during fire restriction or ban - Regional or Provincial	3 (h,i)	\$500.00
Burning when prohibited by Metro Vancouver Ventilation Index	3(m)	\$300.00
Class D Fire - too close	9(b,c,d)	\$200.00
Class D Fire - time restriction violation	9(f,g,h)	\$200.00
Class D Fire - no adult	9 (i)	\$200.00
Class D Fire - not equipped	9(j)	\$200.00
Failure to produce Burning Permit on request of fire official	10(c)	\$100.00
Fail To Extinguish Fire on permit expiry	10(e)	\$200.00
Failure to take corrective action when ordered by fire official	11(c), 13(d,e)	\$500.00
Burning during a local restriction penalty	10(a)	Up to \$10,000.00

**BURNING REGULATION
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“SCHEDULE B”

**AIR QUALITY VENTILATION INDEX OF THE
GREATER VANCOUVER REGIONAL DISTRICT**

Before you burn:

1. If not pre-approved by the issuing agent, you must check the current ventilation index by calling 1-900-565-5000 (charges will apply to this number) or Metro Vancouver at 604-436-6777.
2. The current ventilation index must be “Good” for the first day and “Good” or “Fair” for the next two days of burning. You are subject to a \$300.00 fine if you burn when the ventilation index is not acceptable.
3. It is your responsibility to check the index on a daily basis.
4. You may be required to extinguish your fire if smoke and/or ash are deemed to be excessive or if the smoke and/or ash adversely impacts on surrounding areas.

**BURNING REGULATION
BYLAW NO.2406, 2009**

City of Pitt Meadows



The *Natural* Place

**CITY OF PITT MEADOWS
604-465-5454
BURNING REGULATION BYLAW
BURNING PERMIT**

Schedule "C"

PERMIT

Where fire will occur _____

Applicant: Name _____

(Please Print)

Address _____

Home Phone No. _____ Business or Cell Phone _____

If Applicant is not Registered Owner, please fill out below:

Registered Owner: Name _____

(Please Print)

Address _____

Home Phone No. _____ Business or Cell Phone _____

I agree to be bound to all the requirements of the City of Pitt Meadows Bylaw No. 2406 and attached sheet of conditions. I confirm I will carry out a: (Circle One)

Class B Fire

Class D Fire

in accordance with these conditions.

Fire Permit in effect from _____ to _____
DAY/MONTH/YEAR DAY/MONTH/YEAR

PERMIT FEE \$100.00

Signature of Applicant

Signature of Issuing Officer
Per Don Jolley, Fire Chief

NO PERSON WILL START OR MAINTAIN ANY FIRE UNLESS THE GREATER VANCOUVER REGIONAL INDEX IS FORECAST TO BE GOOD. THE VENTILATION INDEX CAN BE REFERENCED BY CALLING 604-436-6777 - 7 DAYS A WEEK.

A \$300.00 fine may be levied if you burn when the ventilation index is not acceptable. You are responsible for checking the index on a daily basis prior to burning each day.

IMPORTANT: SEE REVERSE SIDE

**BURNING REGULATION
BYLAW NO.2406, 2009**

PITT MEADOWS
OUTDOOR BURNING REGULATIONS

Is Outdoor burning allowed in Pitt Meadows?

Only owners of agriculturally zoned land are able to burn in the City of Pitt Meadows and only during designated times.

General Regulations - Class "D" Fires - Agricultural Lands

Class "D" permits may be available on land zoned agricultural from **March 1 to April 30 inclusive** and from **October 1 to November 30 inclusive**, yearly; the applicant and owner are liable for all damages and costs incurred by any fire set under this permit.

General Regulation - Class "B" Fires - Back Yard Burning

Class "B" permits may be granted for special occasions and may be applied for in writing to the Fire Chief. Rural areas under this class are also considered applicable during the above noted dates.

Please visit www.pittmeadowsfire.com for more information on the Burning Regulation Bylaw 2406, 2009 and amendments.

Are Burning Permits required?

Open burning requires a permit and is only applicable for the dates and types specified above.

How much do Burning Permits Cost?

Permits cost \$100.00/permit

Where can Burning Permits be obtained?

Permits may be obtained from the receptionist at the Pitt Meadows Fire Rescue Service located at 19240 122A Ave. during the hours of 9:00 am - 4:30 pm Monday through Friday. Once authorization has been made payments must immediately be made at the City of Pitt Meadows Municipal Hall located at 12007 Harris Rd. during the hours of 9:00 am - 4:30 pm Monday through Friday.

How long is a permit good for?

A permit is issued for three days, at the above noted dates and may include an inspection from a Pitt Meadows Fire Rescue Officer.

Why were the Regulations amended?

Pitt Meadows Council approved the amendments to the Burning Regulation Bylaw in an effort to reduce air pollution and avoid costly Fire Department call outs while attempting to meet the needs of the agricultural segment of our community.

What are the alternatives to Burning?

Pitt Meadows residents can take garden waste, leaves, and branches to the Municipal Compost Site at Meadows Landscape Supply free of charge. Branches can be no bigger than 3" in diameter. For information phone:

Located at: 18020 Kennedy Road, Pitt Meadows 604-465-1311

Larger material and construction waste can be taken to the Maple Ridge Recycling and Residential Transfer Station at 10092 - 236th Street, Maple Ridge. More information is available from Pitt Meadows Municipal hall or phone:

Transfer Station	604-466-1106
GVRD	604-436-6800
Ridge Meadows Recycling	604-463-5545