

# VILLAGE OF CHAUVIN BYLAW 2020-05

## A BYLAW TO CONTROL AND REGULATE BURNING, FIRE PITS AND FIREWORKS WITHIN THE VILLAGE OF CHAUVIN

**WHEREAS** under provisions of Section 7 of the Municipal Government Act being chapter M-26.1 of the Revised Status of Alberta 1994 (as amended) council may pass a bylaw for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and;

**WHEREAS** the Council of the Village of Chauvin in the Province of Alberta, assembled in duly constituted meeting deems it necessary that the Bylaw be passed to regulate burning fire pits and fireworks within the Village of Chauvin,

**NOW THEREFORE** be enacted that:

### Part 1            SHORT TITLE AND DEFINITIONS

This Bylaw may be cited as “The Fire Burning Bylaw”

In this Bylaw:

- a) Burnable Debris means material other than Prohibited Debris burned in accordance with the Permit and all applicable Statutes and Bylaws including but not limited to materials such as:
  - I. straw and stubble
  - II. grass and weeds
  - III. leaves and tree pruning’s
  - IV. brush and fallen trees on newly cleared land
  - V. used power, telegraph and telephone poles that do not contain wood preservatives
  - VI. wooden materials from the construction or demolition of buildings which does not contain wood preservatives
- b) Prohibited Debris means any inflammable waste that, when burned may result in the release to the atmosphere of dense smoke, offensive odors or toxic substances as defined in any applicable Statutes and Bylaws including but not limited to:
  - I. animal cadavers
  - II. animal manure
  - III. Pathological waste
  - IV. non-wood material
  - V. combustible material in automobiles and automobile bodies

- VI. tires
  - VII. rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel
  - VIII. used oil
  - IX. wood or wood products containing substances for the purpose of preserving wood; and
  - X. household refuse
- c) Acceptable Fire Pit means:
- I. a minimum of 3 meters clearance, measured from the nearest fire pit edge is maintained from buildings, property lines or any combustible materials.
  - II. the fire pit height does not exceed 0.6 meters when measured from the surrounding grade to the top of the pit opening.
  - III. the fire pit opening does not exceed 1 meter in width or in edge and is covered ¼ inch metal mesh grate at all times, except when wood is being put into the fire pit.
  - IV. the fire pit installation has enclosed sided constructed from bricks, heavy gauge metal or other non-combustible materials and is built on a non-combustible base, acceptable to the Development Officer or Fire Chief
  - V. only clean wood shall be burned in the fire pit and consideration should be given to neighbours when wind is blowing in the direction of their open windows. Smoke shall be kept to a minimum.
- d) Open Air Fire Permit means the permit to burn, issued by the Development Officer or Fire Chief in accordance with this Bylaw.
- e) Portable Barbeques means any appliance sold or constructed for the purpose of cooking food outdoors, normally fueled by liquid propane gas, natural gas, compressed briquettes or charcoal.

## Part 2

### OPEN AIR FIRE PERMITS

No person shall burn and no owner or occupier of land shall permit or allow to be burned any Prohibited Debris in the Village of Chauvin.

No person shall burn and no owner or occupier of land shall permit or allow to be burned any Burnable Debris unless such person holds a Burning Permit.

No person shall burn and no owner or occupier of land shall permit or allow to be burned any Burnable Debris except in accordance with the terms of the Burning Permit.

There will be no burning barrels permitted on property within the Village of Chauvin.

## PART 3

### FIRE PITTS

Notwithstanding Part 2, a permit shall not be required under this Bylaw to conduct the cooking of food using a Barbeque.

No burning in an unacceptable fire pit shall take place unless:

- a) a means acceptable to the Development Officer or Fire Chief of controlling or extinguishing the fire is available on the property and within reasonable distance from where the fire occurs; and
- b) a responsible adult is present on the property when the fire is burning.

## PART 4

### PERMITS REQUIRED FOR BURNING

- a) Any application for a Burning Permit that does not conform to the Bylaw shall be forwarded to the Municipal Planning Commission.
- b) Each application for a Burning Permit must contain the following information:
  - I. the name and address of the applicant and the name and address of the owner of the land on which the burning is to take place

- II. the legal or municipal address of the land on which the applicant proposes to conduct burning
- III. the type and description of material which the applicant proposes to burn
- IV. the signature of the applicant
- V. the written consent by the owner of the land for the proposed burning (if different than the applicant)

## PART 5

### FIREWORKS

Fireworks means the Fireworks listed in class 7, Division 1 ,and Class 7, Division 2 Subdivision 1 and 2 in Section 14 of the Explosives Act (Canada) and regulations under the Act.

Any persons wanting to use fireworks inside the Village of Chauvin is required to apply for a Fireworks Permit and must adhere to the following:

- a) Applicant must be the person supervising the firing of fireworks.
- b) Chauvin Fire Department must be made aware of the permit and give approval prior to discharge of fireworks.
- c) Applicant takes on full responsibility of any damage to neighbouring property.
- d) Applicant must, to the best of their ability, clean up any debris remaining after fireworks have been discharged, this includes neighbouring properties.
- e) Failure to both apply and/or receive approval to discharge fireworks may result in fines.
- f) a responsible adult is present on the property when the fireworks are discharged

The Chauvin Fire Department reserves the right to refuse the discharge of fireworks if they deem it unsafe on the scheduled day due to weather, fire ban or other extenuating circumstances.

PART 6

EFFECTIVE DATE

This Bylaw shall come into force upon receipt of its third and final reading and will replace previous Bylaws and policies pertaining to fire burning, fire pits and fireworks.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

By unanimous consent of council, read a third time and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

-----  
Mayor

-----  
Acting CAO

**BYLAW 2020-05 PERMIT FEES & PENALTIES**

**PERMIT FEES**

Burning Permit	No Charge
Fire Pit Permit	\$5.00 (charged yearly)
Fireworks Permit	No Charge

**FINES**

Burning without Permit	\$500.00
Failure to Comply with Burning Regulations	\$500.00
Use of Fire Pit without Permit	\$100.00
Failure to Comply with Fire Pit Regulations	\$100.00
Discharge of Fireworks without Permit	\$500.00
Failure to Comply with Fireworks Regulations	\$500.00