

## TOWN OF LUSELAND

### BYLAW NO. 2019-03

#### A BYLAW TO REGULATE THE OPEN AIR FIRES, THE CONSTRUCTION AND USE OF FIRE PITS AND OUTDOOR FIREPLACES

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

1. This bylaw may be referenced as the "Fire Pit Bylaw".
2. In this Bylaw:
  - a) "Council" means the Council for the Town of Luseland;
  - b) "Fire Chief" means the Fire Chief for the Luseland Fire Department
  - c) "Fire Inspector" means a Fire Inspector for the Province of Saskatchewan;
  - d) "Open-air fire" means a fire built in the open air, for warmth, entertainment, or celebration, to burn charcoal or cut, seasoned wood;
  - e) "Peace Officer" means any member of the Luseland Police Service, Royal Canadian Mounted Police, or any other police service responsible for the policing of the Town of Luseland or any person specifically appointed by the Town of Luseland or the Province of Saskatchewan to be a Police Officer, Constable, Special Constable or Auxiliary Constable; and
  - f) "Town" means the Town of Luseland
3. (1) Open-air fires shall not be set unless the following measures are taken to limit their spread:
  - a) fires shall be contained in a non-combustible receptacle constructed of cement, brick or sheet metal with a minimum 18-gauge thickness;
  - b) a receptacle shall be covered with a heavy gauge screen with openings not exceeding 13 millimetres (1/2 inch); and
  - c) the size of the fire box of any receptacle shall not exceed 76.2 centimetres (30 inches) in any dimension.
- (2) The fuel for open-air fires shall consist only of charcoal or cut, seasoned wood. Burning of the following material is prohibited:
  - a) waste including rubbish, slimes, garden refuse, manure, tree or shrub branches, leaves, grass, painted or treated lumber, tailings, garbage, scrap, livestock or animal carcasses;
  - b) any material which when burned will generate black smoke or an offensive odour including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood, rubber tires, lumber treated with wood preservatives or any similar material; and
  - c) any material classified by the authority having jurisdiction as being hazardous material or dangerous goods.
- (3) All open-air fires shall be supervised by an adult so as to prevent the spread of fire.
- (4) Open-air fires shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
- (5) Open-air fires shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
- (6) If smoke from an open-air fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately.
- (7) Fire pits or outdoor fireplaces shall be clear of overhangs such as tree branches, utility lines and structures.
- (8) All fire pits or outdoor fireplaces shall be located a minimum of 3 metres (10 feet) from any combustible material, building, porch, deck, similar amenity space and property line.
- (9) All fire pits or outdoor fireplaces shall not be used on combustible decks or porches.
- (10) All fire pits or outdoor fireplaces shall be situated on a non-combustible surface.
- (11) 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 burning.

- (12) Fire pits or outdoor fireplaces shall not be used between the hours of 1:00am and 12:00pm on all days.
- (13) Where requested by the Fire Chief, a Fire Inspector or a peace officer, a person shall extinguish a fire in a fire pit or outdoor fireplace.
- (14) Notwithstanding any provisions of this Bylaw, a fire ban prohibiting open fire of any kind may be issued by a resolution of Council or jointly by any three officials of the Municipality.
- (15) The Administrator shall coordinate fire bans with the appropriate ministry of the Government of Saskatchewan.
- (16) No person shall ignite or allow any kind of fire when a complete ban on burning has been declared by a resolution of Council or jointly by any three officials of the Municipality.
- (17) Council may issue a "Permit" to a person to set an open-air fire as part of a block party, community event or similar special function or celebration. In this event, the Council may waive any requirements of this Section with respect to the permitted open-air fire, but the permit holder shall comply with all other requirements of this Section and any other conditions attached to the permit by the Council.

- 4. Any person convicted of an offence under any Section of this bylaw shall forfeit and pay a fine of not less than;

- First Offence: \$100.00
  - Second Offence: \$200.00
  - Third and each subsequent Offense: \$500.00

exclusive of all costs.

Bylaw 2010-06 is hereby repealed.

This Bylaw shall come into force and take effect on the day of approval by the Council of the Town of Luselnd.



  
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Mayor

  
\_\_\_\_\_  
Administrator

Read a third time and adopted  
this 9<sup>th</sup> day of July, 2019.

  
\_\_\_\_\_  
Administrator

CERTIFIED A TRUE COPY

  
\_\_\_\_\_  
Administrator