

BYLAW NO. 2001 - 09

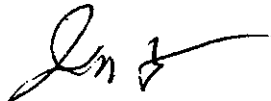
A BYLAW TO REGULATE BURNING IN COUNTRY RESIDENTIAL ZONES WITHIN THE RURAL MUNICIPALITY OF ABERDEEN NO. 373

WHEREAS Country Residential zones have been established in areas containing a minimum of cultivated land, and containing a substantial proportion of treed areas;

AND WHEREAS development in country residential zones is intensive and is at greater risk in the case of fire;

NOW THEREFORE council of the Rural Municipality of Aberdeen No. 373 enacts the following bylaw respecting burning in the country residential zone.

1. For the purposes of this bylaw the word "burning" shall mean the intentional ignition and combustion of any flammable material which takes place outside the confines of a dwelling or finished building.
2. For the purposes of this bylaw, the words "controlled burn" shall be a one-time large-scale burning of waste and/or the burning in place of excess deadfall or other organic waste material found on the land owned or occupied by the person conducting the burn.
3. For the purposes of this bylaw, the words "contained fire" shall mean a wood fire which takes place in a metal, ceramic or other containment device (a "fire containment") manufactured for such purposes. A containment device does not include a burning barrel or refuse incinerator.
4. For the purposes of this bylaw, the words "open fire" shall mean a wood fire where the area used for the fire does not exceed two meters in diameter, where the burning is not controlled by use of a fire containment.
5. For the purposes of this bylaw, the word "refuse" shall mean any and all waste material, including waste which is naturally produced by vegetation.
6. No burning shall take place within a country residential zone except as permitted by this bylaw.
7. The burning of propane, natural gas, charcoal, wood chips or any other similar fuel shall be permitted at any time, provided that such burning takes place solely for the purposes of cooking, and such burning takes place entirely within a grill, barbeque or smoker manufactured for the purposes of food preparation.
- 8) The burning of wood or wood chips or any other similar fuel by way of a contained fire shall be permitted at any time provided that the following requirements are met:
 - a) Such burning takes place completely within a fire containment;
 - b) Such burning is under the continual supervision of an adult from the time of ignition until the fire is completely extinguished;



- c) The fire containment is adequately separated from any other source of combustible fuel such as brush or dry grass;
- d) Such burning does not take place at any time where the winds observed at the site of burning exceed 30 kilometres per hour; and
- e) A ready supply of water sufficient to extinguish the fire is immediately available at the place at which the burning is conducted.

8.2) The burning of wood shall be permitted by way of an open fire shall be permitted, provided that the following requirements are met:

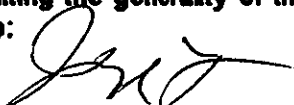
- a) Open fires are not prohibited pursuant to the provisions of this bylaw;
- b) Such burning takes place completely within an area which has been cleared of all fuel sources and any organic material which may combust;
- c) Such burning is under the continual supervision of an adult from the time of ignition until the fire is completely extinguished;
- d) The fire containment is adequately separated from any other source of combustible fuel such as brush or dry grass;
- e) Such burning does not take place at any time where the winds observed at the site of burning exceed 20 kilometres per hour; and
- f) A ready supply of water sufficient to extinguish the fire and any potential spread of the fire is immediately available at the place at which the burning is conducted.


8.3) Burning of waste other than wood prepared for a contained or open fire shall not occur except by way of a Controlled Burn. A Controlled Burn shall take place only where the person burning possesses a valid Controlled Burn permit issued pursuant to this bylaw, and where such burning is done in accordance with all terms and conditions set forth in the permit.

9. A person wishing to obtain a permit for a Controlled Burn shall:


- a) Complete an application form specifying the proposed location of the burning and the names of the person or persons who will supervise the burning;
- b) Specify the type and quantity of natural waste to be burned;
- c) Set forth any safety precautions which the applicant intends to take to prevent escape of fire from the burning site; and
- d) Transmit the Application to the Administrator.

10. Upon receiving a completed application form for a Controlled Burn, the Administrator shall transmit a copy of the application to the Fire Chief and to the Councillor for the Division in which the controlled burn is proposed, either of which may require, the applicant, within three days, to supply such further safety information as that person may, in their sole discretion, determine. Without limiting the generality of the foregoing, Fire Chief or Councillor may require information as to:




- a) The condition of the land in the area adjacent to the burning site; and
 - b) The views of adjacent landowners as to whether the proposed burning should occur.
11. In addition to requiring the additional information set out above, the Fire Chief or the Councillor may require an inspection of the proposed site to be conducted.
12. Upon receiving a completed application and any additional information as he/she may deem necessary, including the site inspection, the Fire Chief and the Councillor shall advise the Administrator as to whether they are prepared to approve the Controlled Burn Permit, and may, as a requirement of such approval, impose such conditions upon the Controlled Burn as the Fire Chief and the Councillor shall, in their discretion, deem appropriate. If the Fire Chief and the Councillor are in agreement as to whether the permit shall be issued, and upon the conditions to be imposed in the permit, the Administrator may immediately issue a permit, subject to the agreed conditions. In the event that such agreement shall not take place, the matter shall be referred to the next meeting of Council, at which time the Fire Chief, the Councillor and the applicant will be invited to make their submissions respecting the grant or denial of a permit and any conditions which may be imposed.
13. In the event that the matter is referred to Council, Council may, in its sole discretion, grant or deny a Controlled Burn permit and may impose any conditions it deems appropriate.
14. In addition to any conditions imposed by the Fire Chief and Councillor, or conditions imposed by Council each controlled burn permit shall be subject to the following conditions:
- a) Burning may only take place at the location specified in the permit;
 - b) Burning may only take place under the supervision of one or more of the persons specified in the permit;
 - c) The permit holder shall notify the Administrator the day before the Controlled Burn takes place.
 - d) Prior to conducting the Controlled Burn the permit holder shall be responsible to contact the dispatcher for the fire department to advise that the burn is to take place, and to again contact the dispatcher to advise when the burning is complete, and if the permit holder shall fail to properly undertake such notification, the permit holder shall be responsible for all costs incurred if any fire fighting service should be dispatched as a result of the controlled burn;
 - e) Where it is a condition of approval, the holder of a Controlled Burn Permit shall be responsible for any costs associated with having the Fire Department present or on alert; and
 - f) The permit may not be exercised at any time when a burning ban is in effect.
16. A Controlled Burn permit shall permit one burning event only.
17. A burning ban may be imposed by resolution of Council, or by directive of the Fire Chief or the Division Councillor. Any ban on burning may be a total ban, or may simply ban one or more of the following:
- a) Controlled Burns;
 - b) Open Fires; or
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- c) **Contained Fires.**
18. **Where a burning ban is imposed, it may be imposed for a definite duration or for an indefinite period. Where a ban is imposed for a definite duration, it may be further extended. Where a ban is imposed for a definite duration it may be rescinded before the expiry of the definite period. Where a ban is imposed for an indefinite duration, it may be rescinded at any time.**
19. **Where a burning ban is imposed by a Councillor or by the Fire Chief, and such burning ban is still in force at the next meeting of Council, the ban shall be referred to Council which may:**
- a) **Endorse the ban, in which case it will remain in force and effect in accordance with its original terms;**
 - b) **Vary the ban, in which case it will remain in force and effect in accordance with the terms imposed by Council; or**
 - c) **Rescind the ban, in which case it will cease immediately upon such resolution being passed by Council.**
20. **Any person who contravenes the provisions of this bylaw is guilty of an offence and liable on summary conviction to the penalties imposed in the general penalty bylaw of the municipality.**
21. **Bylaw 2001 - 04 is hereby repealed.**



REEVE



ADMINISTRATOR

...ified a true copy of Bylaw No. 2001-09
Adopted by Resolution No. 61149 of Council
on the 10th day of September, 2001

Administrator

RURAL MUNICIPALITY OF ABERDEEN NO. 373
P. O. Box 40, Aberdeen, Saskatchewan, S0K 0A0
Phone 253-4312, Fax 253-4445, email rm373@sasktel.net

APPLICATION FOR CONTROLLED BURN PERMIT

APPLICATION NO. _____

NAME _____

ADDRESS _____

LOCATION OF CONTROL BURN _____

TYPE AND QUANTITY OF NATURAL WASTE TO BE BURNED _____

NAME OF PERSON OR PERSONS SUPERVISING CONTROL BURN

A control burn permit shall be subject to the following conditions:

- a) Specify the type and quantity of natural waste to be burned;
- b) Set forth any safety precautions which the applicant intends to take to prevent escape of fire
- c) Transmit the application fee (set by resolution of council) along with the application to the administrator.
- d) Other conditions as indicated herein.

SIGNATURE OF APPLICANT _____

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CONTROL BURN PERMIT APPLICATION # _____ RECEIVED _____

APPROVED _____ DENIED _____

SPECIAL CONDITIONS _____

SIGNATURE _____