

CITY OF PITT MEADOWS

Burning Regulation Bylaw

Bylaw No. 2688 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>
2774	September 19, 2017

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
BYLAW NO. 2688, 2015**

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.
 - (a) This Bylaw may be cited as the **"City of Pitt Meadows BURNING REGULATION Bylaw No. 2688, 2015"**.
 - (b) ***Burning Regulation Bylaw No. 2406 and all amendments thereto are hereby repealed.***

DEFINITIONS

2. In this Bylaw:

“Agricultural Waste Open Burning” means an outdoor fire which occurs in natural vegetative waste resulting from agricultural-related activities on parcels zoned agricultural.

“Back Yard Burning” means an outdoor fire where garden waste consisting of non-toxic garden materials are deliberately destroyed by fire.

“burning season” means the two burning periods from March 1 to May 31 and September 1 to November 30.

“City” means the City of Pitt Meadows.

“Construction or Demolition Waste” fire means an outdoor fire which involves waste resulting from the demolition or construction of fabricated materials, dimensional lumber, pallets, a building or structure or any part thereof, or any other manufactured item.

“cooking fire” means any fire that is used expressly for the cooking of food.

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

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

“foreign material” means natural vegetative matter that is not from the property where the fire is occurring. No material can be brought from off-site to be included in a permitted burn.

“garbage” means all materials discarded as waste.

“Land Clearing” means a large outdoor fire involving bulk natural wood or vegetative waste generated by the general clearing of land and piled by machine in order to change a land use.

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

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

"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.*

“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.

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

“prohibited material” means any object or product that poses a threat to personal health or the environment as a result of combustion of the product. This would include: any hydrocarbon based materials including rubber or plastic; controlled chemical products and applications; paints, stains and resins; metals; any liquid or gas contained within a vessel and any other substances which produce heavy black smoke, noxious odors or toxic residue when burned.

“smoker” means an enclosed, purpose-built device where natural wood smoke and heat are used to cure, cook and/or flavor food products; typically fish and meat.

“urban area” means lands wholly contained within the Urban Boundary as described in the Official Community Plan (OCP) Bylaw as amended from time to time.

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

“ventilation index” means regional air quality information as forecasted daily by
Metro Vancouver

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 materials previously identified as being: land clearing waste; construction or demolition waste; prohibited material; or garbage;
 - (c) No person shall burn material brought from a location other than where the permitted fire is taking place;
 - (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 add fuel to open air burning except during the designated periods as specified by this Bylaw;
 - (f) No person shall set out or start open air burning on known peat soils, to protect against the ignition of underground peat deposits;
 - (g) No person shall set out, start or add fuel to open air burning or allow or permit open air burning to continue to burn during high winds exceeding 50kph;
 - (h) No person shall burn wood or garden waste in the Urban Area, as defined by the Official Community Plan, except as described in 4(a) of this Bylaw;
 - (i) No person shall burn during a provincial fire ban or a Metro Vancouver no burning order;
 - (j) 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 fifty dollars (\$50.00);
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 Service for training purposes or to prevent the commencement or spreading of fire.

GENERAL REGULATIONS - COOKING FIRES

5. No burning of wood in any type of outdoor appliance, device or pit is permitted at any time.
- (a) Cooking fires contained within a manufactured or permitted barbecue or fire pit using natural gas/propane or charcoal or within a manufactured gas/propane, electric/charcoal barbecue are permitted under this Bylaw.
 - (b) “Smokers” are permitted. However, if there are substantiated complaints from neighbours of noxious fumes or odours the device may be ordered extinguished.

GENERAL REGULATIONS - AGRICULTURAL LAND OPEN BURNING

6. No person shall start or maintain an Agricultural Land Open Burning Fire if it can be described as Land Clearing, or contains any material categorized as Construction or Demolition Waste.

Agricultural Land Open Burning permits may be available for only land zoned agricultural. They are available from March 1 to May 31 inclusive and from September 1 to November 30 inclusive, annually; the applicant and owner are liable for all damages and costs incurred by any fire set under this permit.

CONDITIONS: 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;
- (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 water course;
- (f) for more than 120 consecutive hours;
- (g) unless more than fourteen (14) days have elapsed since the termination of any previous active 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 are appropriate resources on the property when the burning is taking place which are capable of extinguishing the fire (machine, water supply, staff as appropriate);

CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015

- (k) between dusk/sundown to the time Metro Vancouver issues the daily burning index report (approximately 0830 hrs daily). No materials shall be added to permit fires under the Bylaw during this time;
- (l) multiple fires at one time with a single permit;
- (m) any agricultural waste over 4 cubic meters (1.8m X 1.8m X 1.8m) in pile size.

PERMITS

7. (a) No person shall start an Agricultural Land Open Burning fire without first paying a permit fee of \$50.00. An inspection from a Pitt Meadows Fire Rescue Officer may occur or be required.
- (b) Permits can be purchased Monday–Friday at City Hall and are valid for 5 consecutive days, effective the day of purchase.
- (c) If no burning is permitted by Metro Vancouver during the 5 day permit period, a re-issue can occur. If there are any periods during the five days where burning was permitted, the permit is deemed effective and used.
- (d) The burning permit holder shall have the burning permit available on site for review by a Fire Rescue Officer or Bylaw Enforcement Officer;
- (e) A permit shall state the dates on which a permitted outdoor fire may burn;
- (f) 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.
- (g) Property Ownership:
- (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. Written authorization of the land owner must be presented if a designate is used.
 - (ii) Ownership of the property may be confirmed by City staff through BC On-line in order to verify the signing authority or actual owner name for a property.
- (h) No person shall start an outdoor fire, other than those exempt from the Bylaw in sections 4 & 5 without first obtaining a permit. No permit shall be issued for a period of two years in the following circumstances:

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

- (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
- (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.

An Officer may

- 8.
- (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 appropriate resources 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 personnel 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; 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 within the same burning season.

OTHER LEGISLATION

9. In addition to the requirements of this Bylaw, and amendments, all burning must meet the requirements of the Environmental Management Act BC 2003, the

CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015

Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008, and any other regulatory material related to the property, activity or offense. Compliance with, and knowledge of, such requirements is the sole responsibility of the property owner and/or occupant.

INSPECTIONS AND ORDERS

An Officer may:

10. (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;
- (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 Metro Vancouver if a person is burning waste in contravention of regional regulation;
- (d) order that the fire be immediately extinguished if found in contravention of this Bylaw or subsequent requirements 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 Metro Vancouver Mutual Aid Agreement for Emergencies on reimbursement rates for fire equipment.
- (e) order that the fire be immediately extinguished if found in contravention of this Bylaw or subsequent requirements 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 Metro Vancouver Mutual Aid Agreement for Emergencies on reimbursement rates for fire equipment.

OFFENCES AND FEES

11. 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

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

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

12. 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

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

READ a FIRST, SECOND and THIRD time the 19th day of May, 2015.

ADOPTED the 2nd day of June, 2015.

"Original signed by John Becker"

Mayor

"Original signed by Kelly Kenney"

Corporate Officer

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

SCHEDULE "A"

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
FINE/FEE SCHEDULE
(Bylaw No. 2774, 2017)**

OFFENCE COMMITTED	BYLAW SECTION NO.	FEE \$
Burning during a local restriction penalty	7(h)	Up to \$10,000.00 under the <i>Offense Act</i>
Unable to take corrective action when ordered by fire official, resulting in fire service/City response	10(d)	Cost recovery at Metro Vancouver rates
Unwilling to take corrective action when ordered by fire official, resulting in fire service/City response	10(e)	\$500.00 <i>plus</i> Cost recovery at Metro Vancouver rates

Every provision of the Burning Regulation Bylaw, No. 2688, 2015 and amendments, the non-compliance of which constitutes a contravention, or requires a fee, other than those specifically enumerated in this Schedule, has a penalty amount of \$200.

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

“SCHEDULE B”

**OPEN BURNING PERMIT CHECKLIST
CITY OF PITT MEADOWS BURNING BYLAW #2688**

To confirm your understanding of the restrictions of the Open Burning Permit, please answer the questions below and initial each box on the checklist once each statement has been read. Once completed, please sign and date this form.

1. Is the applicant the property owner? Please circle: YES/NO (If no, written authorization must be provided) If not, please provide the property owner's contact information:

Property Owner Name: _____

Daytime phone number: _____

Evening phone number, if different than above: _____

2. What is the zoning of the property where the burn is to take place?

Please circle the appropriate zone: A-1, A-2, A-3, A-4, A-5

3. Have any prior Burning Bylaw violation notices been issued to the owner of the property where the burn is to take place? Please circle: YES/NO
4. Are there any restrictions on burning for either applicant or the property upon which the burn will occur? Please circle: YES/NO

Checklist

- NO** fuel may be added to a burn between dusk/sundown until the time Metro Vancouver issues the daily burning index report (approximately 0830 hrs daily).
- Permits are **ONLY VALID FOR THE FIVE (5) DAYS** stipulated on the permit. *Please note this does not indicate or guarantee you can burn for five days. Applicants are responsible for ensuring controlled burns are in compliance with the Metro Vancouver Ventilation Index Open Burning Requirements.*
- Permits are conditional with compliance to the Metro Vancouver Ventilation Index Open Burning Requirements, and it is the responsibility of the permit holder to:
- check the Index before starting any fire; and
 - check the Index **DAILY** during the permit period by calling **604-436-6777**.
- Permits may be re-issued if the Metro Vancouver Ventilation Index prohibits burning on all five days provided for under the permit. *Permits will only be re-issued for the burn season in which they were taken out.*
- Permits must be kept on site at all times and be immediately available for review by City Bylaw or Fire Officers upon request.
- All materials burned must originate from the property.

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

- Adequate persons and equipment must be available to ensure the fire is controlled.
- The fire must not be left unattended and must be extinguished before persons leave the area.
- Burn piles must be set back:
 - 30 meters from any building or structure including fences and overhead wires
 - 30 meters from any roadway
 - 10 meters from any stream
 - 500 meters from any industrial, commercial, or institutional facility
- The following **prohibited material** must NOT be burned:
 - Tires, plastic, fertilizers, herbicides, pesticides, wiring insulation, oil, rubber
 - Products containing petroleum, biomedical waste, fuel and lubricant materials
 - Household garbage, recyclable items including but not limited to paper, cardboard, and recyclable plastics
 - Demolition waste, drywall, asphalt shingles
 - Treated lumber, pallets, dimensional lumber, railway ties
 - Land clearing debris and stumps, manure
- Only one pile may be burned at a time and the pile must be no greater than 4 cubic meters in size.
- A burn may be terminated by the Pitt Meadows Fire & Rescue Service:
 - if it is believed to be a hazard;
 - if burning is prohibited by either Metro Vancouver or the BC Forest Service; or
 - if the permit holder violates any requirement of the Bylaw in relation to the fire.
- Burning is not permitted at any time on peat soil.
- A burning permit allows for the *unconditional* inspection by City or Fire officials to confirm compliance with the Bylaw. The permit may be revoked upon inspection if non-compliance is found, and NO REFUND of the permit fee will be provided in such cases.

Confirmation of understanding:

I, _____, am entitled to apply for and execute the requirements of this permit as either the registered owner of the lands involved or as an official representative of the registered owner who has full awareness of my actions in this regard. I confirm that I have been made aware of and fully understand the requirements of Burning Regulation Bylaw 2688, 2015 and the Burn Permit Checklist which I have completed and submitted as required.

Applicant Signature

Date: _____

City Representative Witness Signature

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

“Schedule C”



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

PERMIT No: _____

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:
(WRITTEN AUTHORIZATION FROM OWNER IS REQUIRED)***

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. 2688 plus amendments, and attached sheet of conditions. I confirm I will carry out an Agricultural Waste Fire only and in accordance with these conditions.

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

PERMIT FEE \$50.00

Signature of Applicant

Signature of Issuing Officer
Per Fire Chief or Designate

NO PERSON WILL START OR MAINTAIN ANY FIRE UNLESS THE METRO VANCOUVER OPEN BURNING INDEX IS FORECAST TO BE GOOD. YOU ARE RESPONSIBLE FOR CHECKING THE INDEX ON A DAILY BASIS PRIOR TO BURNING EACH DAY BY CALLING 604-436-6777 - 7 DAYS A WEEK.

Various fines will be levied if you burn in contravention of the requirements of the Bylaw.

IMPORTANT: SEE REVERSE SIDE

PERMIT MUST BE AVAILABLE ON SITE WHILE BURNING

**CITY OF PITT MEADOWS
BURNING REGULATION BYLAW
BYLAW NO. 2688, 2015**

**CITY OF PITT MEADOWS
OUTDOOR BURNING REGULATIONS**

Is outdoor burning allowed in Pitt Meadows?

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

General Regulations – Agricultural Waste Open Burning Fires

Agricultural Waste Open Burning Fire permits may be available on land zoned agricultural from March 1 to May 31 inclusive and from September 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.

Please visit www.pittmeadowsfire.com for more information on the Burning Regulation Bylaw No. 2688 and amendments.

Are Burning Permits required?

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

How much do Burning Permits cost?

Permit cost = \$50.00

Where can Burning Permits be obtained?

Permits may be obtained from reception at Pitt Meadows City Hall, located at 12007 Harris Road during the hours of 8:30am – 4:30pm, Monday through Friday.

How long is a permit valid for?

A permit is issued for a five (5) day consecutive period, during the above noted dates and may include an inspection from a Pitt Meadows Fire Rescue Officer.

What am I allowed to burn?

Only vegetative matter originating from the site is allowed to be burned. You may **not burn** any items transported from other sites or properties.

What am I prohibited from burning?

To prevent the release of dangerous toxins, the following materials must not be burned:

Fencing, pallets or any other manufactured wood products, tires, plastics, furniture, drywall, demolition waste, domestic waste, special waste, biomedical waste, asphalt and asphalt products, treated lumber, railway ties, manure, rubber, paint and paint products, tar paper, fuel and lubricant containers, appliances, and any other fabricated or chemical based product.

What are the alternatives to Burning?

Pitt Meadows residents can take garden waste, leaves and branches to a local compost site for a fee. Larger material and construction waste can be taken to the Maple Ridge Recycling and Residential Transfer Station at 10092 – 236th Street, Maple Ridge. Contact the Transfer Station at 604-466-1106. For more information on recycling options, please phone **604-RECYCLE**.

For further information please contact the Pitt Meadows Fire Rescue Service at 604-465-2401.