

**TOWN OF BON ACCORD
BYLAW 2000-07
FIRE PIT BYLAW**

A BYLAW OF THE TOWN OF BON ACCORD FOR THE REGULATING OF FIRE PITS

WHEREAS the Municipal Government Act, provides that a Council of a municipality may pass bylaws for the prevention or extinguishing of fires, the preservation of life and property and the protection of persons from injury or destruction by fire;

NOW THEREFORE, the Council of the Town of Bon Accord of the Province of Alberta, duly assembled enacts as follows;

1. In this By-law;

- 1.1 *“Acceptable Fire Pit”* means an outdoor receptacle that meets the following specifications:
 - 1.1.1 Measured from the nearest edge, must be a minimum of 4 meters (13.1 feet) from any part of a residence including any overhang.
 - 1.1.2 Measured from the nearest edge, must be a minimum of three meters (9.84 feet) from any property line, out buildings, overhead power lines, or combustible materials such as fences, trees, etc.
 - 1.1.3 The opening shall be no greater than .8 meters (32 inches) in width as measured across its widest part.
 - 1.1.4 Shall have a depth of no less than .3 meters (12 inches).
 - 1.1.5 Shall be constructed of non-combustible sides and base and made in such a way as to limit the spread of heat and flames to the sides.
 - 1.1.6 In operation, shall have a spark arrester screen on it with maximum openings of 1.27 cm (1/2 inch).
 - 1.1.7 If there is no place on a property where a fire pit may be located using the above distances, a variance of the above clearances may be applied for. If, in the opinion of the Fire Chief or his designate, such safe guards and precautions are in place, and that the fire pit will be used safely, a variance may be granted with the person or persons obtaining the variance assuming all liability regarding the use of the pit.
- 1.2 *“Town”* means the Town of Bon Accord.
- 1.3 *“Fire Chief”* means the person who performs the duties and responsibilities of the Fire Chief, or his delegate, for the Town of Bon Accord.
- 1.4 *“Fire Pit Permit”* means the Permit to burn issued by the Fire Department in accordance with this By-law, herinafter referred to as the “Permit”.

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1.5 “*Prohibited Debris*” means any inflammable waste that, when burned, may result in the release to the atmosphere, dense smoke, offensive odors or toxic substances as defined in any applicable statutes and bylaws including but not limited to:

1.5.1 animal cadavers;

1.5.2 animal manure;

1.5.3 pathological waste;

1.5.4 non-wooden material;

1.5.5 combustible material in automobiles;

1.5.6 combustible material in automobile bodies;

1.5.7 tires;

1.5.8 rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;

1.5.9 used oil;

1.5.10 wood or wood products containing substances for the purpose of preserving wood; and,

1.5.11 household refuse.

2. No person is permitted an open air fire, or any other fire, upon land owned, occupied or under his or her control within the town, unless a Permit has been obtained, the provisions outlined on the Permit are complied with, and burnable debris is burned.
3. Any person wishing to obtain a Permit must apply at the Town Office during normal business hours.
4. Each application for a Fire Permit must contain the following information:
 - 4.1. the name and address of the applicant and the name and address of the owner of the land on which the applicant proposes to have a fire pit;
 - 4.2. the legal or municipal description of the land on which the applicant proposes to have a fire pit;
 - 4.3. a land site diagram of the fire pit in regards to the proximity to structures and fences on the property;
 - 4.4. the signature of the applicant; and

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- 4.5. the written consent of the owner of the land if different than the applicant;
- 4.6. Outdoor fireplaces are exempt from requiring a permit.
5. Upon receipt of an application for a Permit, the Fire chief shall consider the Permit application, and may, pursuant to the provisions of this By-law and the Alberta Fire Code:
 - 5.1. refuse to grant a Permit;
 - 5.2. grant a Permit with or without terms and conditions as deemed appropriate.
6. Without limiting the generality of Section 5, if a fire pit is not an Acceptable Fire Pit, the Fire Chief may issue a Permit if satisfied that the non-conforming fire pit meets appropriate safety standards.
7. A Permit shall not be transferable.
8. The fire Chief may terminate, suspend, or cancel a Fire Permit upon contravention of any provision of this By-law or the Alberta Fire code or any terms and conditions found on the Permit.
9. A person who contravenes any provision of this By-law is guilty of an offense and, upon issuance of a ticket, shall pay a fine as described on attached "Schedule A".
10. Where a person:
 - 10.1. fails to obtain a Permit as required under this By-law; or
 - 10.2. obtains a Permit as provided for in this By-law but fails to follow the provisions of the By-law and those conditions outlined on the Permit; anda fire beyond the control of the person or other emergency results, then such person shall be liable to pay all costs of all emergency response service incurred by the Emergency Response Departments, and the Town shall be able to recover from such person all such costs as a debt owing to the municipality.
11. This By-law shall come into force upon third and final reading.

Read a first time this 15th day of August, 2000

Read a second time this 15th day of August, 200

Read a third, and final time, this 15th day of August 2000

Mayor

Chief Administrative Officer

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Schedule A

Contravention of any provision of this by-law	<u>Fine</u> \$250.00
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TOWN OF BON ACCORD
P.O. Box 779, 5025 – 50 AVENUE
BON ACCORD, ALBERTA
T0A 0K0
PHONE: 921-3550 FAX: 921-3585

FIRE PIT PERMIT

Name of Applicant: _____

Mailing Address of Applicant: _____

Residential Address: _____

Legal Address: _____

Telephone Number: _____

Owner (if different than applicant): _____

Address of Owner: _____

Have you read the Fire Pits By-law? _____ yes _____ no

Please include a land site diagram of your fire pit in regards to the proximity to structures and fences on your property.

Signature of Applicant: _____

Consent of Owner of Land if different than Applicant: _____

For Office Use Only:

Approved: _____ yes _____ no Date of Inspection: _____

Conditions: _____

Signature of Fire Chief or Designate: _____
