

Town of Port McNeill

Bylaw No. 724, 2024

A Bylaw to regulate outdoor burning within the Town of Port McNeill

WHEREAS the Municipal Council deems it desirable and necessary to regulate outdoor burning.

NOW THEREFORE the Council of the Town of Port McNeill, in open meeting assembled, ENACTS as follows:

1. TITLE

This Bylaw may be cited as "Outdoor Burning Bylaw No. 724, 2024."

2. DEFINITION

"Animal Organic Waste" means solid organic waste material of animal origin and includes flesh, carcasses, offal, hides, feces and feather;

"Campfire" means a fire lit in a permanent approved campsite fireplace located in a provincial park or a privately owned and supervised commercial campground.

"Debris" means disturbed or undisturbed vegetative matter.

"Demolition Waste" means any material resulting from or produced by the complete or partial destruction or tearing down of any structure.

"Domestic Waste Materials" means household material and food waste, including paper products.

"Garbage" means all household and commercial waste or refuse whether it contains edible material or not.

"Garden Refuse" means any non-toxic garden or vegetative materials including, but not limited to, grass clippings, foliage, leaves, pruning, weeds, crops, or stubble for agricultural, domestic, or commercial purposes.

"General Clearing Waste" means waste originating from brush clearing, tree clearing or stump removal, to facilitate use of the land.

“Incinerator” means a combustion device specifically designed for controlling high temperature burning of materials and equipped with a stack or chimney for discharge of smoke and contaminants into the air.

“Noxious Material” includes tires, oil, tar, asphalt, shingles, batteries, household garbage, plastic and any other substance which produces heavy black smoke, noxious odors or toxic residue when burned.

“Officer” means the Fire Chief or the Deputy Fire Chief, or their designate(s), duly appointed from time to time to lawfully act in that capacity and includes the Bylaw Compliance Officer.

“Open Burning” means the combustion of material without control of the combustion air and without a stack or chimney to vent the emitted products into the atmosphere.

“Outdoor Fire” means every fire that burns in the open air whether is contained within a non-combustible device or not.

“Outdoor Fireplace” means every fire that burns in the open air and is contained in a non-combustible device, covered by a grate, and protected by a screen and includes outdoor hearths and outdoor fire rings.

3. General Prohibition

- 3.1 All Open Buring and Outdoor Fires are prohibited at all times, within the boundaries of the Town of Port McNeill, (may be subject to fines).
- 3.2 No person will burn agricultural clearing waste, animal organic waste, debris, demolition waste, domestic waste materials, garbage, garden refuse, general clearing waste and/or noxious materials in an open fire, incinerator, any other similar device, (may be subject to fines).

4. Exemptions

The following are excluded from the regulations, provisions and penalties provided for under this bylaw:

- 4.1 Charcoal, wood, propane, or natural gas fires contained within a barbecue, hibachi or fire pits having a surface area not greater than 0.5 square meters and covered by a grate, for the purpose of cooking food;
- 4.2 Charcoal, wood, propane, or natural gas fires contained within an Outdoor Fireplace having a maximum diameter of 0.5 meters, a maximum width of 0.5 meters, a maximum depth of 0.5 meters and a maximum height, including chimney, of 1.8 meters;
- 4.3 Campfires (category 1) no larger than 0.5 metres high by 0.5 metres wide for cooking food purpose only (a fire larger than this is considered a Category 2 fire);
- 4.4 Avoid having a campfire when it’s windy. Choose a proper fire pit or make a ring of rocks at least ten (10) meters from trees, shrubs, structures and debris, and do not leave a campfire unattended for ANY amount of time;

- 4.5 You must keep at least eight liters of water or a hand tool on hand at all times while your campfire is lit;
- 4.6 Fires started and maintained by the Town of Port McNeill Volunteer Fire Department for training, education or other fire departments purposes;
- 4.7 Fires used or recommended by authorities having jurisdiction to manage ecosystems for purpose of silviculture, forest fuel management, fire hazard reduction, wildfire enhancement and the use of means of fire control;
5. Every person who starts, maintains, permits, or supervises fire under this section will ensure that the fire is completely extinguished and that any residue from the fire is broken up and disposed of in a manner that eliminates fire hazard.
 - 5.1 No person will start or maintain a fire permitted under this bylaw unless a person nineteen (19) years of age or older is, at all times, present at the burning site when the fire is burning for the purpose of supervising and extinguishing the fire.

6. Inspection and Orders

An Officer may:

- 6.1 Enter any property that is subject to this bylaw to ascertain whether the regulations in this bylaw or directions made under this bylaw are being observed;
- 6.2 Make order directing the owners or occupiers of property to bring their premises or a fire into compliance this bylaw;
- 6.3 No person will obstruct or prevent an Officer from carrying out an inspection under this bylaw.
- 6.3 The Fire Chief at his sole discretion may implement a complete ban on campfires, and any other type of burning that is normally exempted under this bylaw, if weather conditions or a high risk of fire hazard warrants it.

7. Fire Bans

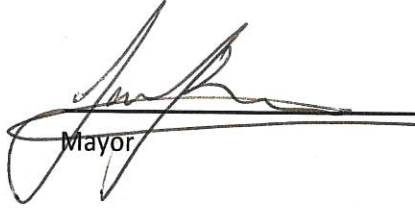
- 7.1 Every person within the Town of Port McNeill will follow any provincial fire bans issued from Coastal Fire Centre and the Port McNeill Volunteer Fire Department Officers.

READ A FIRST TIME this 23 day of *January 2024*.

READ A SECOND TIME this 13 day of *February 2024*.

READ A THIRD TIME this 13 day of *February 2024*.

RECONSIDERED and FINALLY PASSED and ADOPTED this 6 of *March 2024*.



Mayor



Corporate Officer

Certified a true copy of Bylaw No. 724, 2024 as adopted.



Corporate Officer