



BYLAW NO. 372/17 OPEN OUTDOOR FIRES & FIREWORKS BYLAW

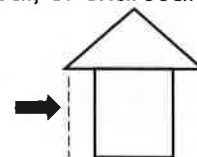
A BYLAW OF THE TOWN OF STRASBOURG, IN THE PROVINCE OF SASKATCHEWAN, TO REGULATE OPEN OUTDOOR FIRES AND FIREWORKS

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

1. DEFINITIONS

1.1 In this Bylaw:

- a) **Administrator** – The Administrator of the Town of Strasbourg.
- b) **Bylaw Enforcement Officer** - The person or persons appointed or contracted by the Council of the Town of Strasbourg for the purpose of enforcing the provisions of this Bylaw.
- c) **Council** – The Council of the Town of Strasbourg.
- d) **Department** – The Strasbourg Fire Department.
- e) **Fire Chief** – The Chief of the Strasbourg Fire Department as appointed by the Town of Strasbourg Council.
- f) **Fire Pit** – A permanent or portable outdoor receptacle for building fires, which provides a 360° view of the fire.
- g) **Fireplace** – An outdoor receptacle for building fires, complete with a firebox and a chimney, which provides a 180° view of the fire. This includes chimeneas.
- h) **Fireworks** – Firecrackers, rockets, squibs, torpedoes, roman candles, or any other object or substance designed to be exploded or burned to produce noises or brilliant lighting effects.
- i) **Fireworks Display** – A display of fireworks for the entertainment of the public at large.
- j) **Foreman** – The Foreman of the Public Works Department of the Town of Strasbourg.
- k) **Municipality** – The Town of Strasbourg.
- l) **Portable Barbequing Appliance** – Any appliance sold or constructed for the purpose of cooking food outdoors, normally fueled with propane, natural gas, charcoal, or charcoal briquettes.
- m) **Vertical Building Line** – The imaginary vertical line from the edge of a building's fascia to the ground.



2. OPEN FIRES

- 2.1 No person shall light, ignite, or start to allow or cause to be lighted, ignited, or started, a fire of any kind whatsoever in the open air within the Municipality without first having applied for a permit as shown in Schedule "A" of this Bylaw.
- 2.2 Permits, as shown in Schedule "B" of this Bylaw, will be issued after inspection of the fire pit or fireplace and upon approval by either the Foreman, the Administrator, Bylaw Enforcement Officer, or the Fire Chief.
- 2.3 The cost of the permit shall be a one-time fee of \$25.00.

- 2.4 The Municipality may issue a permit to a person or organization to set an open air fire as part of a community event or similar special function or celebration. In this event, the Municipality may waive any requirements of this section with respect to the permitted open air fire, but the permittee shall comply with all the other requirements of this section and any other conditions attached to the permit by the Municipality.
- 2.5 The Fire Chief, or a designate, may recommend to Council that all in-town burning be suspended if the wind or other conditions are not conducive to fire safety.
- 2.6 Notwithstanding Section 2.1, no permit shall be required to light, ignite, or start a portable barbequing appliance.
- 2.7 Nothing contained in this section shall relieve any person from complying with the provisions of *The Clean Air Act* and the regulations passed pursuant thereto.
- 2.8 Burning for land clearing purposes is strictly prohibited.
- 2.9 A permitted fire or portable barbequing appliance, which is deemed hazardous, may be extinguished or removed by order of the Council, Bylaw Enforcement Officer, Fire Chief, or any of its members.

3. EXEMPTIONS TO BURNING REGULATIONS

Notwithstanding any other provision of this Bylaw, the Fire Chief or any other member designated by the Fire Chief may burn buildings, structures, or other materials for the purpose of training its personnel in structural firefighting methods, fire investigation procedures, elimination of hazards, or any other municipal purposes.

4. FIRE PIT SPECIFICATIONS

- 4.1 Fire pits must be located on private property in back yards only, and have a minimum clearance of 3.1 metres (10 feet) from any property line, vertical building line, or other combustible structure, including trees.
- 4.2 The height of the fire pit cannot exceed 0.9 metres (3 feet) and the outside diameter of the fire pit cannot exceed 0.9 metres (3 feet).
- 4.3 The fire pit must be constructed of non-combustible material including cement, brick, clay (kiln dried) or sheet metal.
- 4.4 The fire pit must be covered with a heavy gauge metal screen with openings not exceeding 13 millimetres (0.5 inches).
- 4.5 Fire pits shall not be used on apartment balconies, indoors, or on wooden decks, but may be used on a non-combustible surface such as dirt, concrete, stone, etc.
- 4.6 The fire pit shall be separated from grass and any vegetation by a distance of at least 45 centimetres (1.5 feet) by means of clean earth, sand, gravel, or other noncombustible material.

5. FIREPLACE SPECIFICATIONS

- 5.1 Fireplaces must be located on private property in back yards only, and have a minimum clearance of 1.2 metres (4 feet) from any property line, building, or other combustible structure, including trees.
- 5.2 The fireplace must be equipped with a chimney that is more than 0.5 metres (1.6 feet) in height.
- 5.3 The fireplace chamber cannot exceed 0.25 cubic metres (8.8 cubic feet).
- 5.4 The fireplace must be constructed of non-combustible material including cement, brick, clay (kiln dried) or sheet metal.
- 5.5 The fireplace must be covered with a heavy gauge metal screen with openings not exceeding 13 millimetres (0.5 inches).
- 5.6 Fireplaces shall not be used on apartment balconies, indoors, or on wooden decks, but may be used on a non-combustible surface such as dirt, concrete, stone, etc.
- 5.7 The fireplace shall be separated from grass and any vegetation by a distance of at least 45 centimetres (1.5 feet) by means of clean earth, sand, gravel or other noncombustible material.

6. GENERAL REQUIREMENTS

- 6.1 Open air fires shall be reasonably supervised so as to prevent their spread and adequately ventilated to ensure proper combustion and prevent an unreasonable accumulation of smoke.
- 6.2 The fuel for open air fires shall consist only of charcoal, cut seasoned wood, or manufacturer's logs.
- 6.3 The fire shall not be set in windy conditions conducive to creating a running fire or nuisance to another person.
- 6.4 If smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately. Continued offences of this nature could call for the immediate removal and/or suspension of its use for a period of one (1) calendar year and the revoking of the permit, at the discretion of the Administrator, Bylaw Enforcement Officer, Fire Chief, or Council.
- 6.5 The burning of the following materials is prohibited:
 - a) Rubbish;
 - b) Garden Refuse;
 - c) Manure;
 - d) Livestock or animal carcasses;
 - e) Any material, which when burned, will generate black smoke or an offensive odour (i.e. insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosote wood, or any similar material.)
- 6.6 The permittee is responsible for any or all damages as a result of the burning.

7. BARBEQUING

7.1 Every person who uses any barbeque or similar device shall:

- a) Use the barbeque in a reasonable and safe manner;
- b) Keep the barbeque, when lit, a sufficient distance from all combustible materials ("combustible materials" is not to be interpreted as the railing on a balcony or deck);
- c) Ensure that a portable grill or barbeque is located on a firm base and firmly anchored;
- d) Refrain from leaving the barbeque unattended;
- e) Keep the barbeque in a reasonable state of repair;
- f) Comply with all federal and provincial regulations regarding the use and storage of propane cylinders;
- g) Ensure propane cylinders and natural gas be shut off at the tank valve when not in use;
- h) Ensure propane cylinders and natural gas be connected and secured to the barbeque;
- i) Ensure propane cylinders be kept in an upright position at all times, including when the cylinders are in transit, service, or storage.

7.2 When solid fuel appliances are used, provisions for the storage of ashes or hot coals is limited to approved receptacles.

8. FIREWORKS

8.1 No person shall set off, detonate, ignite, or cause to be ignited, any fireworks within the boundaries of the Town at any time whatsoever, provided that this section shall not apply to a fireworks display.

8.2 The Council, at their discretion, may issue a permit in writing, as shown in Schedule "C" of this Bylaw, authorizing a fireworks display for a special occasion in the Municipality.

8.3 A permit issued under section 8.2 shall prescribe to the conditions which a display of fireworks may be held in the Municipality, and no person shall conduct a display of fireworks in contravention of such prescribed conditions.

8.4 The fireworks must be held at a safe distance from all combustible materials and all highways, overhead wires, buildings, and other structures.

8.5 The fireworks must be conducted in a safe manner so that all spectators are at a safe distance and suitable fire extinguishers or other proper means of fire suppression are at hand.

8.6 The fireworks must be completed no later than 11:00 p.m.

8.7 The Council, Bylaw Enforcement Officer, or the Fire Chief may temporarily or permanently suspend or terminate any fireworks or fireworks display if:

- a) It is deemed threatening or becoming a danger to any property or to public health or safety;
- b) It is inadequately equipped with fire safety or suppression equipment;
- c) Written approval from Council has not been obtained.

8.8 All unused fireworks and debris created by the fireworks must be safely removed and disposed of immediately after the display.

8.9 The permittee is responsible for any or all damages as a result of setting off fireworks.

9. ENFORCEMENT

9.1 A person who contravenes any provision of this Bylaw or neglects or refuses to comply therewith shall be guilty of an offence and liable upon summary conviction to a fine as described in the Town's General Penalty Bylaw of not less than \$150.00 and not more than \$2,000.00.

10. SEVERABILITY

10.1 A decision of the court that one or more of the provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts thereof with respect to this Bylaw.

11. REPEAL OF BYLAWS

11.1 Bylaw No. 293/05 being a Bylaw to Regulate Open-Air Fires is hereby repealed.

11.2 Bylaw No. 323/09 being a Bylaw Respecting Fireworks is hereby repealed.

12. COMING INTO FORCE

12.1 This Bylaw shall come into force and take effect on the final date of passing by Council.



Mayor
Jennifer Josephsen

Administrator

Certified to be a true copy of Bylaw No. 372/17 adopted by the Council of the Town of Strasbourg, on the 12th day of April, 2017.

Jennifer Josephsen

Administrator





SCHEDULE "A" to Bylaw 372/17 FIRE PIT/FIREPLACE PERMIT APPLICATION

Date: _____ Phone Number: _____

Applicant: _____ Signature: _____

Mailing Address: _____

Civic Address: _____

Please check off (✓) that you will be constructing your fire pit/fireplace as per the following specifications:

- _____ The fire pit is located in the back yard and has a minimum clearance of 3.1 metres (10 feet) from any property line, building, or other combustible structure, including trees. *(For fireplaces, a minimum clearance of 1.2 metres (4 feet) is needed).*
- _____ The outside diameter of the fire pit cannot exceed 0.9 metres (3 feet) and the height of the fire pit cannot exceed 0.9 metres (3 feet). *(For fireplaces, the chimney must be more than 0.5 metres (1.6 feet) in height and the fireplace chamber cannot exceed 0.25 metres (8.8 cubic feet)).*
- _____ The fire pit/fireplace must be constructed of non-combustible material including cement, brick, clay (kiln dried) or sheet metal.
- _____ The fire pit/fireplace must be covered with a heavy gauge metal screen with openings not exceeding 13 millimetres (0.5 inches).
- _____ Fire pits/fireplaces shall not be used on apartment balconies, indoors, or on wooden decks, but may be used on a non-combustible surface such as dirt, concrete, stone, etc.
- _____ The fire pit shall be separated from grass and any vegetation by a distance of at least 45 centimetres (1.5 feet) by means of clean earth, sand, gravel or other noncombustible material.

Please check off (✓) that you agree to adhere to the following conditions of burning:

- _____ Open air fires shall be reasonably supervised so as to prevent their spread and adequately ventilated to ensure proper combustion and prevent an unreasonable accumulation of smoke.
- _____ There should be a means to extinguish the fire should an emergency situation develop.
- _____ The fuel for open air fires shall consist only of charcoal, cut seasoned wood, or manufacturer's logs.
- _____ The fire shall not be set in windy conditions conducive to creating a running fire or nuisance to another person.
- _____ The permittee is responsible for any or all damages as a result of the burning.

Please check off (✓) that you agree to adhere to the following general conditions:

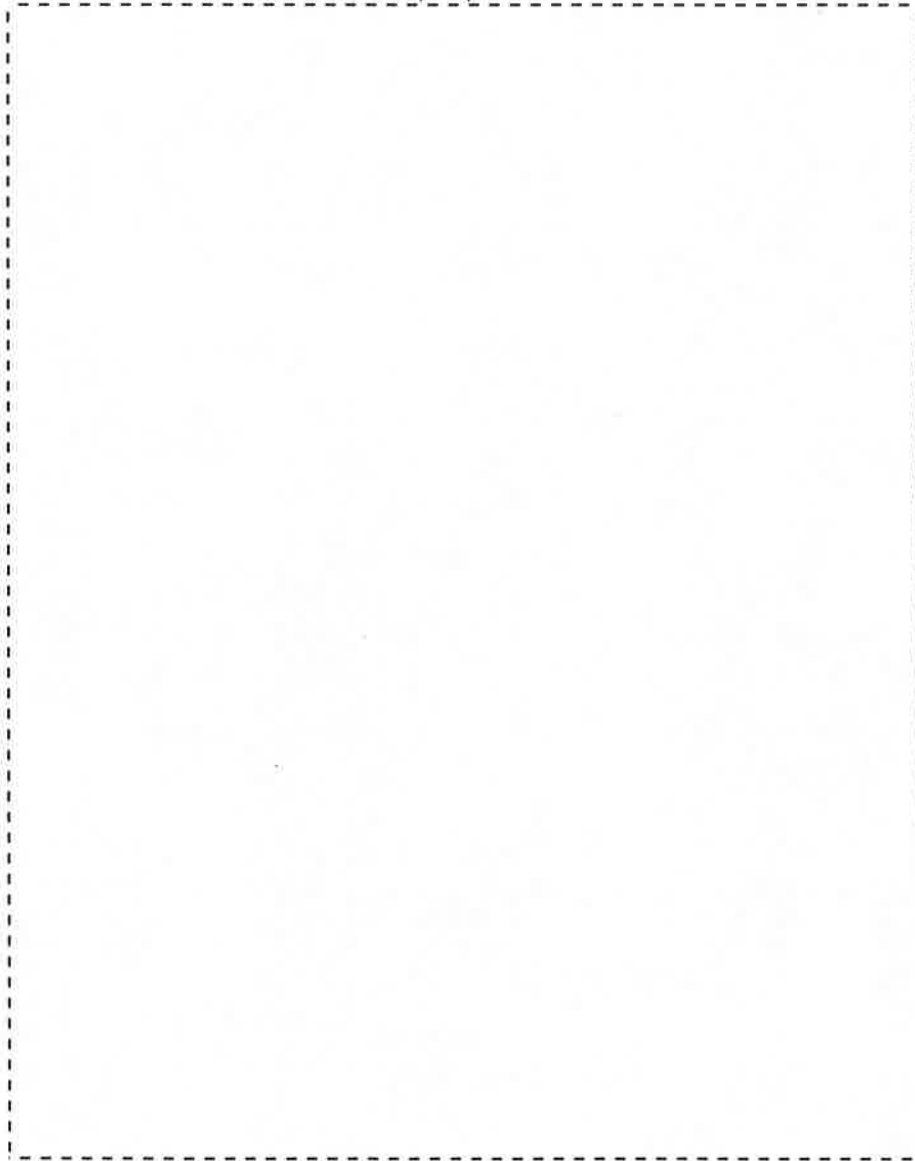
_____ I understand that I must supply a site plan and that I cannot begin construction of a fire pit/fireplace until a permit has been granted.

_____ I understand that the Town Foreman, Bylaw Enforcement Officer, or the Fire Chief shall review all applications and inspect all fire pits/fireplaces to insure compliance.

_____ I understand that if there is non-compliance to the above rules after being advised, the permit I have may be revoked with the possibility to be fined under the Town of Strasbourg's General Penalty Bylaw.

SITE PLAN

Property Line





SCHEDULE "B" to Bylaw 372/17 FIRE PIT PERMIT

Permission to construct and use a fire pit/fireplace is hereby granted to the applicant noted below.

APPLICANT: _____

CIVIC ADDRESS: _____

PHONE NUMBER: _____

- *The Town of Strasbourg assumes no responsibility for any burning or consequence of burning. The owner is responsible for any and all damages as a result of burning. The owner may be required to extinguish the fire at any time if it causes unreasonable interference with the use and enjoyment of other person's property.*
- *It is an express condition of this permit that the applicant as noted above shall be responsible for any injury or damage to person or property arising from the use of this permit.*
- *The fire pit/fireplace meets all specifications as described in the Bylaw.*
- *This permit is effective from date of issue until such time that the fire pit is removed or relocated.*

Special Conditions: _____

DATED this _____ day of _____, 20__.

Signature of Inspection Approval

Signature of Administration Approval

Town of Strasbourg



SCHEDULE "C" to Bylaw 372/17 PERMIT TO SET OFF FIREWORKS IN THE TOWN OF STRASBOURG

Fireworks Location: _____

Event or Celebration: _____

Name of Person/Company Setting Off Fireworks: _____

Date: _____

Time: _____

Permission to set off fireworks within the Town of Strasbourg has been granted by the Council as per resolution _____.

As per Section 8 of Bylaw 372/17, the following terms must be adhered to as part of this permit:

- The fireworks must be held at a safe distance from all combustible materials and all highways, overhead wires, buildings, and other structures.
- The fireworks must be conducted in a safe manner so that all spectators are at a safe distance and suitable fire extinguishers or other proper means of fire suppression are at hand.
- The fireworks must be completed no later than 11:00 p.m.
- The Town Council, Bylaw Enforcement Officer or the Fire Chief may temporarily or permanently suspend or terminate any fireworks or fireworks display if:
 - It is deemed threatening or becoming a danger to any property or to public health or safety;
 - It is inadequately equipped with fire safety or suppression equipment;
 - Written approval from Council has not been obtained.
- All unused fireworks and debris created by the fireworks must be safely removed and disposed of immediately after the display.
- The permittee is responsible for any or all damages as a result of setting off fireworks.

Special Conditions: _____

DATED this _____ day of _____, 20__.

Signature of Administration Approval