

RURAL MUNICIPALITY OF NIPAWIN NO.

BYLAW NO. 20-2016

A BYLAW TO REGULATE OPEN-AIR FIRES

The Council of the Rural Municipality of Nipawin in the Province of Saskatchewan enacts as follows:

1. In this bylaw:
 - (a) ‘acceptable fire pit’ means an outdoor receptacle that meets the following specifications:
 - (i) minimum clearance of 3 meters from buildings and property lines;
 - (ii) height does not exceed 0.6 meters;
 - (iii) firebox opening does not exceed 1 meter;
 - (iv) the apparatus must be constructed of cement, brick, or sheet metal;
 - (v) the receptacle must be covered with a mesh screen or grating made of non-combustible material;
 - (b) ‘acceptable fireplace’ means an outdoor receptacle that meets the following specifications:
 - (i) minimum 1 meter clearance from buildings and property lines;
 - (ii) constructed of materials such as bricks or rocks that are heat and flame resistant;
 - (iii) fireplace is equipped with a chimney that is not less than 2.5 meters in height and equipped with a screen to reduce sparks;
 - (c) ‘Country-Residential Subdivision’ means any area which under the provisions of the Zoning Bylaw is zoned Country Residential;
 - (d) ‘Hamlet’ means any area which under the provisions of the Zoning Bylaw is zoned Hamlet;
 - (e) ‘portable barbecuing appliance’ means any appliance sold or constructed for the purpose of cooking food outdoors, normally fueled by propane, natural gas, charcoal, or charcoal briquettes .
 - (f) ‘Resort Residential Subdivision’ means any area which under the provisions of the Zoning Bylaw is zoned Resort Residential;
 - (g) “Zoning Bylaw” means either the Rural Municipality of Nipawin No. 487 Zoning Bylaw or the Codette Lake Development Plan Area Zoning Bylaw.
2. No person shall set, cause, or allow to be set, an open-air fire within a Country Residential Subdivision, a Resort Residential Subdivision or a Hamlet within the municipality without first having obtained a permit from the municipal office, in the form of Exhibit A.
3. Permits will be issued on approval of the Administrator.
4. Notwithstanding Section 1, a permit shall not be required for an open-air fire in an approved apparatus, fireplace, grill, barbeque or structures that are used for cooking with propane, natural gas, charcoal, wood or charcoal briquettes.

5. The burning of the following is prohibited:

- (a) Rubbish
- (b) Garden refuse
- (c) Manure
- (d) Livestock or animal carcasses; and
- (e) Any material which when burned will generate black smoke or an offensive odour including insulation from electrical wiring or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosoted wood or any similar material.

6. Open-air fires shall be reasonably supervised so as to prevent their spread and be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.


7. Open-air fires shall not be set in windy conditions conducive to creating a running fire or nuisance to another person. If smoke from an open-air fire causes unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately.

8. This bylaw shall come into force upon approval from the Minister of Environment, as required under subsection 18(2) of *The Clean Air Act*.


9. A person who contravenes any of the provisions of this bylaw is guilty of an offence and liable on summary conviction to the penalties provided in the general penalty bylaw of the municipality.

10. Bylaw No. 2-2003 is hereby repealed.






Reeve



Administrator

Read a third time and adopted
this 4 day of November



Administrator

"Certified to be a true copy of Bylaw No. 202016 adopted by
the council of the Rural Municipality of Nipawin No. 487

on the 2 day of November, 2016."





Administrator

**Rural Municipality of Nipawin No. 487
Bylaw No. 20-2016**

**Exhibit A
Open-Air Fire Permit**

Date: _____

Permission is granted to:

Name of Applicant: _____

Phone Number: _____

Address of Proposed Fire: _____

Materials to be burned: _____

Clearance from Buildings & Other Exposures: _____

Signature of Applicant

Contact Number: _____

Signature of Administrator