

## BYLAW #13-2024

# A BYLAW OF THE RESORT VILLAGE OF AQUADEO TO SET A MINIMUM STANDARDS FOR SAFE USE OF OUTDOOR RECREATONAL FIRES IN ALL ZONES

The Council of the Resort Village of Aquadeo in the Province of Saskatchewan, enacts as follows:

### PART I - INTRODUCTION

1. Title
  - a. This Bylaw shall be known and may be cited as the Outdoor Recreational Fire Bylaw.
2. Purpose
  - a. The purpose of this Bylaw is to regulate and control the use of woodburning outdoor appliances within the Resort Village of Aquadeo.
3. Scope
  - a. This Bylaw shall apply to all properties located in the limits of the Resort Village of Aquadeo.

### PART II - INTERPRETATION

4. Whenever in this Bylaw the following words or terms are used they shall, unless the text provides otherwise, be held to have the following meanings:
  - a. “Appliance” shall mean a receptable for containing a recreational fire, including fire pits, chimineas, fireplaces or stoves;
  - b. “CAO” shall mean the Chief Administrative Officer for the Resort Village of Aquadeo;
  - c. “Fire Chief” shall mean the Fire Chief as appointed by the Resort Village of Aquadeo Council;
  - d. “Municipality” means the Resort Village of Aquadeo;
  - e. “Nuisance” shall mean a condition of property, object or activity that adversely affects or may adversely affect:
    - i. The safety, health or welfare of people in the neighborhood;
    - ii. People’s use and enjoyment of their property; or
    - iii. The amenity of a neighborhood;And includes such things as excessive noise, smoke or odor.
  - f. “owner” shall mean the person, persons or corporate entity designated as the registered owner of a property on the tax rolls of the Resort Village of Aquadeo;
  - g. “Recreational Fire” shall mean an outdoor fire burning wood and suitable for cooking food, complying with the standards set out in this Bylaw.

### PART III - REGULATIONS

5. No person may install an appliance as defined in this Bylaw unless that person complies with the standard as set by this bylaw. No person shall start, or permit to be started or continued, an outdoor fire that is not contained within an appliance as defined in this Bylaw.
6. All appliances must meet the following requirements:
  - a. The appliance shall be sturdily constructed of non-combustible materials, which may include concrete, brick, stone, clay, terra-cotta, steel and iron;
  - b. The following materials are not acceptable:
    - i. Hollow concrete blocks;
    - ii. Steet metal of less than 18 gauge (1.27mm) thick;
    - iii. Any metal with low melting point; and
    - iv. Any material which can release harmful fumes, vapours or particulate.
  - c. The appliance shall not exceed 760 mm (30 inches) in width or diameter, measured on the inside of the fire box;
  - d. The appliance must be fitted with a spark arrestor consisting of heavy gauge metal screen with openings not exceeding 13 mm (0.5 inches).

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7. The appliance shall be located on the property in accordance with the following clearances:
  - a. No less than 3 metres (9.8 feet) from any property line, fence, combustible deck., roof projection, accessory building, coniferous tree or other combustible material;
  - b. No less than 6 metres (19.7 feet) from the outside wall of any dwelling; and
  - c. Not directly beneath a power line.
8. Permitted materials which may be burned in a recreational fire appliance are dry, seasoned, untreated wood and charcoal. Burning any of the following is prohibited:
  - a. Wood that has been painted or treated with preservation, green wood, leaves, synthetic material, household garbage, garden refuse, or any material which, when burned, will cause a hazard or a nuisance.
9. Materials shall not be burned in such quantities as to produce excessive flame height. Determination of excessive flame height will be at the discretion of the Fire Chief and may take into account such things as appliance location and surrounding yard features.
10. Hours of use are not restricted, provided that no nuisance is caused to any other person. All activity are subject to the provisions of the Noise Bylaw.
11. This Bylaw does not apply to any cooking appliance designed and used to burn charcoal, natural gas or propane. CSA approved electric or gas fired meat smokers are also exempt from the provisions of this Bylaw.

#### PART IV - ENFORCEMENT

12. Recreational fire may be requested to be extinguished immediately if the CAO, Fire Chief or their designate is convinced that any of the following have occurred:
  - a. Unsafe use;
  - b. Burning of garbage or other unapproved fuel;
  - c. Creating a nuisance; or
  - d. Any use contradictory to the provision of this Bylaw.
13. Complaints – Residents are encouraged to settle disputes directly with their neighbours. Complaints received by the Municipality will be dealt with in the following manner:
  - a. Written complaints will be investigated by the Fire Chief or designate, who will determine whether the complaint is valid. Valid complaints may be addressed as follows:
    - i. Written instruction to remedy;
    - ii. Revocation of permit; or
    - iii. Removal of the appliance and fuel. In this case a service fee will be levied at the rate set out in Schedule A.
  - b. Calls to 911 about unsafe fires will result in the Fire Department response, as follows:
    - i. If the appliance is found to be used in a hazardous manner, the fire will be extinguished and the appliance and fuel removed. Service fees will be assessed to the Owner in accordance with the rates set out in Schedule A;
    - ii. If the use of the appliance contravenes another provisions of this Bylaw or is causing a nuisance, the fire will be extinguished. The Fire Chief or designate will take further action as deemed necessary. Service fees will apply as set out in Schedule A; or
    - iii. If the complaint is unwarranted or spurious, the complainant will be issued a warning by the Fire Chief or designate. Repeated spurious complaints will result in service fees being assessed, at the discretion of the CAO, to the complainant or complainant's landlord.
14. If appliance is to be removed through recommendation of Fire Chief or designate, the cost will be borne by the landowner.
15. Any owner found guilty of a breach of any provision of this Bylaw shall be subject to the penalties as set out in the General Penalties Bylaw of the Municipality.

#### PART V - GENERAL

16. This Bylaw shall come into force on the date of approval.

P.S. AB



*Peter Delain*  
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Mayor

*[Signature]*  
\_\_\_\_\_  
Chief Administrative Officer

This Bylaw is read a first time on June 21, 2024  
This Bylaw is read a second time on June 21, 2024  
This Bylaw is read a third time and adopted on June 21, 2024

Certified true copy of *Bylaw #13/2024*  
of the Resort Village of Aquadeo,  
dated this *21* day of *June*, 2024.  
*[Signature]*  
\_\_\_\_\_  
Administrator

