

**TOWN OF KAMSACK
BYLAW NO. 26/2020**

**A BYLAW OF THE TOWN OF KAMSACK IN THE PROVINCE OF
SASKATCHEWAN TO REGULATE OPEN OUTDOOR FIRES**

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

1. This bylaw shall be referred to as the “Open Outdoor Fire Bylaw”.
2. In this bylaw:
 - 1) “Administrator” shall mean the Kamsack Town Administrator;
 - 2) “Council” shall mean Kamsack Town Council;
 - 3) “Department” shall mean the Kamsack Volunteer Fire Department;
 - 4) “Fire Chief” shall mean the Chief of the Kamsack Volunteer Fire Department acting under the power of local authority as per *Saskatchewan Fire Safety Act 2015 section 15(1)*;
 - 5) “Member” means a person appointed as a Fire Chief by Council or a member of the Fire Department approved by the Fire Chief and appointed by Council;
 - 6) “Municipality” shall mean the Town of Kamsack;
3. Open Fires
 - 1) No person shall light, ignite, or start to allow or cause to be lighted, ignited, or started, a fire of any kind whatsoever if it is deemed to be dangerous to health and safety of human or animal life.
 - 2) The *Department* may issue a permit to a person to set an open-air fire as part of a block party, community event or similar special function or celebration.
 - 3) The Town Council may place a burning ban within town limits based on recommendation of the Fire Chief.
 - 4) The property owner and or tenant shall prevent the fire from getting beyond control or causing damage or becoming dangerous.
 - 5) 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.
 - 6) Burning for land clearing purposes is prohibited unless written permission is received from Town Council.
 - 7) An outdoor fire, or outdoor burning appliance, which is deemed hazardous, may be extinguished or removed by order of the Fire Chief as per *Saskatchewan Fire Safety act 2015 Section 18(1)*.

4. Fire pits

- 1) Open fires shall not be set unless the following measures are taken:
 - a. be limited to a diameter of 30 inches; and be contained in a non-combustible receptacle constructed of cement, brick, clay (kiln dried), or sheet metal with an adequate thickness;
 - b. the receptacle must be covered with a heavy gauge metal screen with openings not exceeding 0.5 inches;
 - c. The receptacle must be located on private property, a distance of at least 3.1 meters or 10 feet from any property line, building or other combustible structure;
 - d. The receptacle must be separated from grass and any other vegetation by a distance of at least 12 inches by means of clean earth, sand, gravel or other non-combustible material.
 - e. Fire cannot be built under or over existing utilities on the property
- 2) Chimemnea and portable fire pits:
 - a. shall not be used on apartment balconies;
 - b. shall not be used indoors;
 - c. shall not be used on wooden decks; but may be used on a noncombustible material;
 - d. shall be separated from grass and any vegetation by a distance of at least 12 inches by means of clean earth, sand, gravel or other noncombustible material;
 - e. shall be located on private property a distance of at least 3.1 meters or 10 feet from any property line, building or other combustible structure.
- 3) General Requirements
 - a. The fire must be supervised by a competent adult at all times so as to prevent its spread.
 - b. The fuel for open-air fires shall consist only of charcoal, cut seasoned wood, manufacturer's logs, or propane gas.
 - c. The burning of the following materials is prohibited:
 - i. Rubbish;
 - ii. garden refuse;
 - iii. manure;
 - iv. livestock or animal carcasses;
 - v. any material when burned will generate black smoke or an offensive odor (i.e. insulation from electrical wiring or equipment , asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosote wood)
 - d. The fire shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.

- e. The fire shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.
 - f. The property owner and or tenant is responsible for any or all damages as a result of burning.
 - g. The property owner or tenant is responsible for having means to extinguish the fire in close proximity.
5. When solid fuel appliances are used, provisions for the storage of ashes or hot coals is limited to approved receptacles.
6. Contravention of the Bylaw
- 1) First time offences will be given a warning granted the issue is remedied immediately.
 - 2) The applicable penalties for contravention of the Bylaw shall be as provided for in Schedule “A” attached to and forming part of this bylaw.
7. That Bylaw 17/2018 is hereby repealed.
8. This bylaw shall come into force and take effect on final passing thereof.

Read a third time and adopted
This ____ day of October, 2020.

(SEAL)

Mayor

Administrator

Schedule “A”

Offence under	Offense	Amount
Section 4(1)	Fire Deemed to be dangerous to health & Safety	\$200
Section 6(1)a	Fire containers found to be inadequate	\$100
Section 6(1)d	Fire located too close to combustible materials	\$100
Section 6(3)c	Burning of non-approved materials	\$100

**Subsequent Offense committed within three (3) months of the first offense-
DOUBLE THE ABOVE SCHEDULE**