

THE CORPORATION OF THE VILLAGE OF ASHCROFT

BYLAW NO. 849

A bylaw to regulate outdoor burning within the boundaries of the Village of Ashcroft.

WHEREAS a municipal council may, by bylaw, regulate or prohibit the release of effluvia that is liable to foul or contaminate the atmosphere pursuant to Section 64(c), under the authority of Section 8(3)(h), of the Community Charter.

NOW THEREFORE the Council of the Corporation of the Village of Ashcroft, in open meeting assembled, ENACTS AS FOLLOWS:

- 1) That this Bylaw may be cited as "Village of Ashcroft Outdoor Burning Bylaw No. 849, 2022".
- 2) That the "Village of Ashcroft Outdoor Burning Bylaw No. 811, 2017", and all amendments thereto, are hereby repealed.

Interpretation

- 3) In this Bylaw, unless the context otherwise requires,
 - a) "Village" means the Village of Ashcroft;
 - b) "Outdoor burning" means the burning of any material outside of an enclosed building;
 - c) "Portable burning device" means a device, either manufactured or homemade for the purpose of containing or facilitating the combustion of any material or fuel;
 - d) "Permit" means a permit issued by the Corporate Officer or designate in accordance with the provisions of this Bylaw.
 - e) "Household" means a dwelling or property that contains one or more people or family units.
 - f) "Fire Chief" means the Village Fire Chief or designate, as appointed by Village Council.
 - g) "Applicant" means the owner of a property, or the tenant named on the current lease for that property who is applying for a permit.

Prohibition

- 4) All outdoor burning of any combustible material or combination of materials by any person is prohibited within the municipal boundaries of the Village.
 - a) Flammable and combustible liquids are present in all homes. Fuels and many common products like solvents, thinners, cleaners, adhesives, paints, waxes and polishes may be flammable or combustible liquids.

Exceptions

- 5) Notwithstanding Section 4, the following is permitted within the Village boundaries:

- a) Interface burning to prevent the spread of fire. This burning shall be permitted only on prior approval of the Corporate Officer by recommendation of the Fire Chief, or designate, and the Ministry of Forests; and shall be supervised by the Fire Chief or his designate and conducted by the Fire Department or Public Works.
 - i) Only natural fuels may be burned.
 - ii) Burn piles must be located at a distance of 50 meters from any structure or as designated at the discretion of the Fire Chief.
- b) Fire Department training exercises on the approval of Council.
- c) Burning lawfully conducted as part of a farm operation pursuant to the provisions of the *Farm Practices Protection (Right to Farm) Act*.
- d) Outdoor use of BBQ's or smokers that burn briquettes, charcoal, wood chips, propane or natural gas, for the purpose of cooking or preserving food.
- e) Outdoor use of portable burning devices that operate with propane or natural gas for the purposes of warmth and ambiance, subject to the following provisions:
 - i) the device shall be situated at least 3 meters from any buildings, items constructed of wood, trees, and shrubs;
 - ii) no device shall be operated under trees, branches, or wires;
 - iii) the device shall be operated on a durable, non-combustible surface.
- f) An outdoor campfire defined as an open fire that burns seasoned firewood in a fire pit. Fire size must be no larger than 0.5 m in height and 0.5 m in width and is used for recreational purposes, cooking or by a First Nation for a ceremonial purpose.
 - i) Fire pits shall be located no closer than 3 meters from a neighboring property or combustible materials
 - ii) Fire pits shall be a ring made of non-combustible materials that must be at least three metres from any buildings, property lines and anything flammable, like trees, be less than 60 centimetres high, and one metre wide, have enclosed sides made of brick, concrete or heavy-gauge metal, have a mesh screen to stop sparks on top. Fire pits must be inspected and approved by the Bylaw Enforcement Officer, Fire Chief or designate.
 - iii) Campfires are permitted all year around unless a campfire ban has been implemented by the Village or the Ministry of Forests.
 - iv) The campfire pit must be on mineral soil and have a fuel break around the firepit. This area must be cleared of debris and anything combustible. It needs to be wide enough to stop the spread of the fire. A rock ring around the fire can also help prevent it from spreading.

Permits

- 6) Permits are issued from the Village office and are valid only during the date and location specified on the permit.

- 7) Permits are valid for a calendar year or a portion thereof. All permits expire December 31st each calendar year.
- 8) A permit shall not be transferable.
- 9) The Corporate Officer or designate has the sole authority to issue or deny a permit. The decision of the Corporate Officer will be based on the provisions contained within this Bylaw, consultation with the Fire Chief and the prevailing current conditions as declared by the Ministry of Forests, Lands, and Natural Resources Kamloops Fire Zone, and its successors; the decision made by the Corporate Officer is final and is not open to reconsideration.
- 10) The procedure to obtain a permit is as follows:
 - a) All persons wanting a burning permit for Campfires or Ceremonial fires must complete the application located within Schedule "B" or "C", which ever is relevant of this bylaw prior to igniting any fires.
 - b) The Fire Department or Public Works wanting a burning permit for Interface Fuel Reduction must complete the application located within Schedule "D" of this bylaw, not less than 7 days prior to the proposed date for interface fuel reduction.
- 11) All persons approved for a permit for either Campfires, Ceremonial fire or Interface Fuel Reduction are bound by the terms and conditions found within Schedule "B", Schedule "C" and Schedule "D" respectively, of this bylaw.

Offence/Penalties

- 12) This bylaw is enforceable by any members of the RCMP, the Village Fire Chief, and any member of staff designated by Council. The aforementioned has the authority to enter onto private property as per the provisions contained in the Community Charter, Section 16(6)(a) and as amended.
- 13) Any person who contravenes any provision of the Bylaw, shall be deemed to be guilty of an infraction of the Bylaw and upon summary conviction, is liable to a fine not less than One Hundred Dollars (\$100.00) nor more than the maximum penalty provided under the Offence Act, and as amended.
- 14) All persons shall be liable to pay all Charge Out Fees as outlined in Schedule "A" of this Bylaw; and the Village shall be able to recover from such persons all costs as a debt owing to the municipality under the authority provided by the Community Charter Section 17 and as amended, where any person:
 - a) fails to obtain a Permit required under this bylaw; or
 - b) obtains a Permit as provided for in the Bylaw but fails to follow the provisions of the Bylaw and those conditions outlined on the Permit or the Bylaw; or
 - c) contravenes any provision of this Bylaw; or
 - d) allows a fire to spread beyond the control of the person or another emergency results therefrom.

READ A FIRST TIME THIS	22 nd	DAY OF	November	, 2021
REA A SECOND TIME THIS	22 nd	DAY OF	November	, 2021
READ A THIRD TIME THIS	13 th	DAY OF	December	, 2021
RECONSIDERED AND ADOPTED THIS	10 th	DAY OF	January,	, 2022

Barbara Roden, Mayor

Daniela Dyck, Chief Administrative Officer

Certified to be a true and correct copy
of Bylaw No. 849 as adopted by Council.

Daniela Dyck Chief Administrative Officer

**VILLAGE OF ASHCROFT
BYLAW NO. 849
SCHEDULE "A"**

Charge Out Fees and Fines

The following rates for services for manpower, vehicles and equipment shall be recoverable by the Village for violations of this Bylaw and for equipment call-outs by the Province of British Columbia. Call-out rates for manpower by the Province of British Columbia shall be as negotiated with the Village.

Violations of this Bylaw may be subject to summary conviction under the Criminal Code of Canada Section 436 (1) and 436 (2) Arson by negligence.

Manpower

Minimum two (2) hour call out for each firefighter at the rate of pay assigned to him or her, or for more than two (2) hour duration, the number of hours worked for each firefighter at the hourly rate of pay assigned to him or her, to equal the costs as paid out by the Village.

Vehicles Per Hour Rate

Equipment	Active	Standby
Engines,	\$500.00	\$250.00
Rescue Vehicle – R1	\$450.00	\$225.00

Equipment

At replacement costs.

Fines

Bylaw Infractions will be fined as per the Village of Ashcroft Bylaw Notice Adjudication Bylaw No. XXX



VILLAGE OF ASHCROFT

601 Bancroft Street, PO Box 129,
Ashcroft, BC V0K 1A0

PHONE: (250) 453-9161 / FAX: (250) 453-9664

EMAIL: admin@ashcroftbc.ca WEBSITE: www.ashcroftbc.ca

**Bylaw No. 849
SCHEDULE "B"
Village of Ashcroft**

Campfire Permit

Applicant: (Please Print) _____

Civic Address: _____

Mailing Address: _____

Email Address: _____

Telephone Number: Home/Cell: _____ Work: _____

Date of Firepit Inspection: _____ Inspected By: _____

Firepit Meets Bylaw Requirements: Yes No

Please see reverse for Conditions and Applicants Signature

Campfire Permit Approved Yes No

Corporate Officer or designate

Date of Issue

All campfire permits expire December 31st each calendar year, please contact the Village office for renewals.

**VILLAGE OF ASHCROFT
BYLAW NO. 849
SCHEDULE "B"**

PLEASE READ CAREFULLY AND INITIAL EACH ITEM.

By agreeing to these conditions and registering your residential property, you the permit holder are acknowledging that you have read, understood, and will abide by the rules and regulations of this permit.

Persons who do not comply with Section 11.1 (b) of the Village of Ashcroft Outdoor Burning Bylaw No. 849, 2022 may be subject to a fine as per Schedule "A" of this Bylaw.

1. Only clean, seasoned firewood - (NO lumber, plywood, leaves, yard waste, construction material waste, plastic, tree, hedge or grass clippings) is permitted to be burned.
2. Campfires must be on the registered property and are to be no larger than ½ metre in diameter or height.
3. The permit holder shall have an adult (19 yrs or older) in attendance until the fire is completely extinguished and is responsible for damages caused by the fire to the other person(s) and or property.
4. The permit holder is responsible for ensuring the campfire is continuously supervised and controlled by a competent adult equipped with and knowledgeable in the use of extinguishing equipment and materials.
5. A water supply must be provided with the ability to completely extinguish the fire.
6. Winds must be less than 15km an hour. NOTE: At 15 km leaves and twigs are constantly moving and a light flag is extended. At 19 km dust rises from dry ground.
7. Burning shall be conducted a minimum of 3m (10 ft.) away from dry grass, underbrush, standing or felled timber, buildings and other combustible material. Smoke from the campfire must not create a nuisance to other persons in the vicinity.
8. Must be contained within a fire pit, constructed on mineral soil and within an acceptable outdoor burning appliance as defined in this bylaw. Fire pit must be inspected and approved by the Bylaw Enforcement Officer, Fire Chief or designate.
9. This permit may be cancelled by the Fire Chief or Corporate Officer at any time.
10. Violation of this permit, by the PERMIT HOLDER constitutes a violation of the Village of Ashcroft Outdoor Burning Bylaw No. 849, 2022. The PERMIT HOLDER may be liable for costs associated to a fire department response as per Schedule "A" of this bylaw.
11. A copy of this permit must be available for viewing by the Fire Chief or designate and Bylaw Enforcement Officer on request.

Please be advised; if and when an open fire ban for the Village of Ashcroft boundaries occurs, you will be notified by email. At that time your campfire permit will be under suspension until further notice. Failure to comply with this prohibition and restrictions may result in a fine for each individual on scene. **Permit expires December 31st each calendar year.**

Signature of Permit Holder

Date



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**Bylaw No. 849
SCHEDULE "C"
Village of Ashcroft**

Burning Permit – Ceremonial

Applicant: (Please Print) _____

Civic Address: _____

Mailing Address: _____

Email Address: _____

Telephone Number: Home/Cell : _____ Work: _____

Date of Burn: _____ From: _____ To: _____

Location: _____

Purpose: _____

Fire Department Conditions: _____

Please see reverse for Conditions and Applicants Signature

Burning Permit Approved

Yes No

Corporate Officer or designate

Date of Issue

Expiration Date

**VILLAGE OF ASHCROFT
BYLAW NO. 849
SCHEDULE "C"**

PLEASE READ CAREFULLY AND INITIAL EACH ITEM.

By agreeing to these conditions and registering your residential property, you the permit holder are acknowledging that you have read, understood, and will abide by the rules and regulations of this permit.

Persons who do not comply with Section 11 of the Village of Ashcroft Outdoor Burning Bylaw No. 849, 2022 may be subject to a fine as per Schedule "A" of this Bylaw.

1. Only seasoned wood, ceremonial branches/herbs or charcoal to be burned. - (NO lumber, plywood, leaves, yard waste, construction material waste, plastic, tree, hedge or grass clippings) is permitted to be burned.
2. Ceremonial Fires must be on the registered property and are to be no larger than ½ metre in diameter or height.
3. The permit holder shall have an adult (19 yrs or older) in attendance until the fire is completely extinguished and is responsible for damages caused by the fire to the other person(s) and or property.
4. The permit holder is responsible for ensuring the ceremonial fire is continuously supervised and controlled by a competent adult equipped with and knowledgeable in the use of extinguishing equipment and materials.
5. A water supply must be provided with the ability to completely extinguish the fire.
6. Winds must be less than 15km an hour. NOTE: At 15 km leaves and twigs are constantly moving and a light flag is extended. At 19 km dust rises from dry ground.
7. Burning shall be conducted a minimum of 3m (10 ft.) away from dry grass, underbrush, standing or felled timber, buildings and other combustible material. Smoke from the ceremonial fire must not create a nuisance to other persons in the vicinity.
8. No burning in barrels or other appliances are to be used, the fire is to be on the mineral soil, in a shallow pit or in an approved fire pit as per Section 5(f) of this bylaw.
9. This permit may be cancelled by the Fire Chief or Corporate Officer at any time.
10. Violation of this permit, by the PERMIT HOLDER constitutes a violation of the Village of Ashcroft Outdoor Burning Bylaw No. 849, 2022. The PERMIT HOLDER may be liable for costs associated to a fire department response as per Schedule "A" of this bylaw.
11. A copy of this permit must be available for viewing by the Fire Chief or designate and Bylaw Enforcement Officer on request.

Please be advised; if and when an open fire ban for the Village of Ashcroft boundaries occurs, you will be notified by email. At that time your campfire permit will be under suspension until further notice. Failure to comply with this prohibition and restrictions may result in a fine for each individual on scene.

Signature of Permit Holder

Date



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**Bylaw No. 849
SCHEDULE "D"
Village of Ashcroft**

Burning Permit – Interface Fuel Reduction

To be completed by the Fire Chief or the Director of Public Works

Location of Proposed Fuel Reduction _____
(please attach map or sketch of property highlight area to be burned)

Nearest Civic Address: _____

Dates (7 day window) from: _____ To: _____

Purpose: _____

Ignition method: _____

Method to control height of flames:

Resources to limit/prevent escape of fire: _____

Is there a fuel break in place? _____

How will adjacent property owners be notified? _____

Fire Chief's conditions/comments: _____

Corporate Officer or designate

Issue Date

Expiration Date

Bylaw No. 849
SCHEDULE "D"
Village of Ashcroft

Fires are to be extinguished or not started when wind and weather conditions are such that the fire becomes a hazard or creates a nuisance to surrounding properties.

Neighbors of adjoining properties are to be notified by the permit holder as to the times of the burn.

Conditions of fire:

- a) Fire to be kept of a minimum of _____ meters from any house, structure or property line.
- b) The Provincial Government Venting Index must be adhered to.
- c) No material is to be piled unless permission is granted in writing by the Fire Chief or designate.
- d) The applicant will ensure thorough knowledge of prescribed burning practices are demonstrated by Fire Department members or Public Works employees.
- e) Daylight hours only.

It is the applicant's responsibility to ensure "Optimum burning conditions" are present and likely to continue prior to starting any burns and extinguished immediately upon any indications that conditions are deteriorating.

Signature of Permit Holder

Date



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Bylaw No. 849
SCHEDULE "E"
Village of Ashcroft

Campfire Permit - Renewal

Applicant: (Please Print) _____

Civic Address: _____

Mailing Address: _____

Email Address: _____

Telephone Number: Home/Cell: _____ Work: _____

Date of Firepit's Last Inspection: _____

Date of Current Inspection; _____ Inspected By: _____

Firepit Meets Bylaw Requirements: Yes No

Please see reverse for Conditions and Applicants Signature

Campfire Permit Renewal Approved

Yes No

Corporate Officer or designate

Date of Issue

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**VILLAGE OF ASHCROFT
BYLAW NO. 849
SCHEDULE "E"**

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Persons who do not comply with Section 11.1 (b) of the Village of Ashcroft Outdoor Burning Bylaw No. 849, 2022 may be subject to a fine as per Schedule "A" of this Bylaw.

1. Only clean, seasoned firewood - (NO lumber, plywood, leaves, yard waste, construction material waste, plastic, tree, hedge or grass clippings) is permitted to be burned.
2. Campfires must be on the registered property and are to be no larger than ½ metre in diameter or height.
3. The permit holder shall have an adult (19 yrs or older) in attendance until the fire is completely extinguished and is responsible for damages caused by the fire to the other person(s) and or property.
4. The permit holder is responsible for ensuring the campfire is continuously supervised and controlled by a competent adult equipped with and knowledgeable in the use of extinguishing equipment and materials.
5. A water supply must be provided with the ability to completely extinguish the fire.
6. Winds must be less than 15km an hour. NOTE: At 15 km leaves and twigs are constantly moving and a light flag is extended. At 19 km dust rises from dry ground.
7. Burning shall be conducted a minimum of 3m (10 ft.) away from dry grass, underbrush, standing or felled timber, buildings and other combustible material. Smoke from the campfire must not create a nuisance to other persons in the vicinity.
8. Must be contained within a fire pit, constructed on mineral soil and within an acceptable outdoor burning appliance as defined in this bylaw. Fire pit must be inspected and approved by the Bylaw Enforcement Officer, Fire Chief or designate.
9. This permit may be cancelled by the Fire Chief or Corporate Officer at any time.
10. Violation of this permit, by the PERMIT HOLDER constitutes a violation of the Village of Ashcroft Outdoor Burning Bylaw No. 849, 2022. The PERMIT HOLDER may be liable for costs associated to a fire department response as per Schedule "A" of this bylaw.
11. A copy of this permit must be available for viewing by the Fire Chief or designate and Bylaw Enforcement Officer on request.

Please be advised; if and when an open fire ban for the Village of Ashcroft boundaries occurs, you will be notified by email. At that time your campfire permit will be under suspension until further notice. Failure to comply with this prohibition and restrictions may result in a fine for each individual on scene. **Permit expires December 31st each calendar year.**

Signature of Permit Holder

Date