



BURNING BYLAW

2975-1996

THIS DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY and is a consolidation of "District of Mission Burning Bylaw 2975-1996" with the following amending bylaws:

Bylaw Number	Date Adopted	Section Amended
3203-1999-2975(1)	April 19, 1999	Section 4.3
3537-2002-2975(2)	October 21, 2002	Sections 2.1, 3.1 and 5
3954-2006 (a general fees & charges amending bylaw)	December 18, 2006	Section 3.1(c)
4051-2008-2975(3)	July 7, 2008	Section 3.1(c), 4.3 and 4.4
5070-2009 (a general fees & charges amending bylaw)	December 14, 2009	Section 3.1(c)
5318-2012 (a general fees & charges amending bylaw)	November 5, 2012	Section 3.1(c)
5487-2015-4029(11) (a general fees & charges amending bylaw)	March 16, 2015	Section 3.1(c)
5599-2016 (a general fees & charges amending bylaw)	December 19, 2016	Section 3.1(c)(ii)
5800-2018 (a general fees & charges amending bylaw)	December 17, 2018	Section 3.1(c)(ii)

Individual copies of any of the above bylaws are available from the Administration Department of the District of Mission. For legal purposes, copies of the original bylaws should be obtained.

DISTRICT OF MISSION

BYLAW 2975-1996

A bylaw to regulate open burning in the District of Mission

The Council of the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. TITLE

1.1 This Bylaw may be cited as the "District of Mission Burning Bylaw 2975-1996".

2. INTERPRETATION

2.1 In this Bylaw

"approved" means acceptable to the *Fire Chief*;

"burn" includes fire and burning;

"air injection techniques" means an *approved* technique whereby large volume air blowers are used to inject air into burning material to accelerate burning and reduce smoke;

"Fire Chief" means the person appointed by Council as Fire Chief to manage the Fire/Rescue Service or his delegate;

"land clearing debris" means organic material resulting from the clearing of vegetation from land, but does not include *yard debris*;

"order" means any order or directive, whether written or verbal, given to a person by the *Fire Chief*;

"permit" means a document issued by the *Fire Chief* authorizing a person to *burn* under the terms and conditions specified in the *permit*;

"yard debris" means leaves, grass clippings and cuttings resulting from the pruning of shrubs and trees.

3. ADMINISTRATION

3.1 The *Fire Chief* may:

(a) for the purpose of administering and enforcing the provisions of this Bylaw, enter, at all reasonable times, on any real property, and take with them any persons, apparatus or equipment they deem necessary to control or put out a burn;

(b) notwithstanding any other provision of this Bylaw, at any time in their opinion conditions warrant, declare a burning ban or issue an order;

(c) issue a person a permit to:

(i) hold a special occasion or ceremonial burn (effective 2011 - no charge);

(ii) Administration Fee for a lifetime, non-transferrable fire pit registration permit (effective January 1, 2019 rate - \$40.00)

- (d) revoke a permit if there is a contravention of any of the terms or conditions under which the permit was issued.

4. APPLICATION

- 4.1 The provisions of this Bylaw apply to all burns in the District of Mission except:
 - (a) a *burn* done under the control of the District of Mission Forestry Department;
 - (b) a *burn* done under the control of the District of Mission Fire/Rescue Service;
 - (c) a *burn* contained in a fuel burning appliance, stove or fireplace within a building;
 - (d) a barbecue taking place in an appliance constructed for that purpose;
 - (e) a *burn* within a fire pit provided the fire and its use complies with the provisions of Section 4.2 of this Bylaw.

- 4.2 Fire pits and their use shall comply with the following:
 - (a) a fire pit shall be constructed of noncombustible material, enclosed on all sides, and shall have no linear dimension exceeding 1 meter (3.28 feet) or vertical dimension exceeding 0.60 meters (2 feet);
 - (b) except for a parcel of land containing a lawful campground use, a fire pit shall not be located closer than 4.6 meters (15.09 feet) to any building, combustible structure or any type of material or vegetation that may be subject to combustion;
 - (c) except for a parcel of land containing a lawful campground use, only one fire pit is permitted on a parcel of land unless otherwise *approved*;
 - (d) except for a parcel of land containing a lawful campground use, a fire pit shall only be permitted on a parcel of land containing a dwelling unit;
 - (e) a *burn* is to be confined to within the fire pit;
 - (f) only dry wood shall be burned within a fire pit;
 - (g) An adult person shall be in attendance at the pit, or in close vicinity to the fire pit, at all times during a *burn*;
 - (h) no person shall continue to *burn* if it is the cause of an unreasonable nuisance to any other person in the neighbourhood because of drifting smoke, ash or an unpleasant odour;
 - (i) on a parcel of land containing a lawful campground use it shall be the responsibility of the owner of the land or campground to ensure that fire pits are at a safe distance from any building, combustible structure or any type of material or vegetation that may be subject to combustion.

- 4.3 Except during a burn ban, declared or ordered under the provisions of Section 3.1(b) of this Bylaw, yard debris may be burned during the entire 30 calendar days of the month of April in each calendar year, and the entire 30 calendar days of the month of November in each calendar year provided:

- (a) the property is located outside of the residential refuse collection area;
- (b) an adult person is in attendance at the *burn*, or in close vicinity to it;
- (c) the piles of *yard debris* to be *burned* or being *burned* do not exceed 1 meter (3.28 feet) in diameter and 1 meter (3.28 feet) in height;
- (d) a pile of *yard debris* to be *burned* or being *burned* is not located closer than 4.6 meters (15.09 feet) to any building, combustible structure or any type of material or vegetation that may be subject to combustion;
- (e) the *burn* does not cause an unreasonable nuisance to any person in the neighbourhood because of drifting smoke, ash or an unpleasant odour;
- (f) the *burn* is limited to *yard debris* derived from the parcel of land on which the *burn* takes place.
- (g) the appropriate equipment required to prevent the fire from spreading shall be available on site during a *burn*.

4.4 The issuance of a *permit* under this Bylaw shall not in any way relieve a person to whom a *permit* has been issued from having to comply with any Act or Regulation of the Province pertaining to a *burn*.

5. PROHIBITIONS

- (a) Unless provided for in Section 3.1(c), Section 4.2, Section 4.3 and Section 4.4 of this Bylaw, no person shall *burn* or allow a *burn* to take place;
- (b) No person shall *burn* or allow a *burn* to take place at variance with any terms or conditions specified in a *permit*;
- (c) No person shall *burn* or allow a *burn* to take place during a *burn* ban declared pursuant to Section 3.1(b) of this Bylaw;
- (d) No person shall *burn* or allow the burning of *yard debris* at variance with any of the requirements contained in Section 4.3 of this Bylaw;
- (e) No person shall construct a fire pit, or *burn* or allow a *burn* to take place in a fire pit at variance with any of the requirements contained in Section 4.2 of this Bylaw;
- (f) No person shall *burn* or allow a *burn* to take place at variance with an *order*;
- (g) No person shall interfere with, or obstruct the entry of the *Fire Chief* while acting in the conduct of administering or enforcement of this Bylaw.

6. PENALTY

- (a) Every person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by this Bylaw is guilty of an offence, and each day that the violation is caused or allowed to continue shall be constituted a separate offence.

- (b) Every person who commits an offence under this Bylaw shall be liable on summary conviction to a penalty prescribed in the Offence Act.

7. "District of Mission Fire Prevention Bylaw No. 1292-1983" is hereby repealed.

READ A FIRST TIME this 2nd day of July, 1996

READ A SECOND TIME this 2nd day of July, 1996

READ A THIRD TIME this 2nd day of July, 1996

ADOPTED this 15th day of July, 1996