

**VILLAGE OF PAYNTON  
BYLAW NO. 4-2011**

**A BYLAW TO REGULATE OPEN OUTDOOR FIRES**

The Council of the Village of Paynton 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 administrator of the municipality;
  - 2) “Council” shall mean the council for the Village of Paynton;
  - 3) “Department” shall mean the Paynton & District Fire Board;
  - 4) “Fire Chief” shall mean the Chief of the Paynton and District Fire Board Chief or its designate;
  - 5) “Member” means a person appointed as a Fire Chief by Council or a member of the Fire Department approved by the Fire Chief;
  - 6) “Municipality” shall mean the Village of Paynton;
- 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 in the open air without first having obtained a written permit to do so as shown in Schedule “A”, as attached hereto and forming part of the bylaw.
  - 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. In this event, the Department may waive any requirements of this section with respect to the permitted open-air fire, but the permittee shall comply with all other requirements of this section and any other condition attached to the permit by the Department.
  - 3) The Fire Chief or a designate may suspend a burning permit if the wind or other conditions are not conducive to fire safety on the date specified for the burn. The fire Chief may validate the permit for another date.
  - 4) A person to whom a permit has been issued under Subsection 1) shall prevent the fire from getting beyond control or causing damage or becoming dangerous.
  - 5) Notwithstanding Subsection 1), no permit shall be required to light, ignite, or start or allow or cause to be lighted, ignited, or started, a fire pit (as described in Section 5), a barbeque, grill or similar device used

- 8) A permitted fire, outdoor burning appliance or barbeque, which is deemed hazardous, may be extinguished or removed by order of the Fire Chief or any member.

#### **4. Exemptions to Burning Regulations**

Notwithstanding any other provisions of this bylaw, the Fire Chief or any other member designated by the Fire Chief may burn buildings, structure, or other materials for the purpose of training its personnel in structural firefighting methods, fire investigation procedures, for the purpose of elimination of hazards or any other municipal purposes.

#### **5. Fire Pits**

- 1) Open cooking fires shall not be set unless the following measures are taken:
  - a. be limited to a diameter of seventy five (75) centimetres (29.5 inches) and be contained in a non-combustible receptacle constructed of cement, brick, clay (kiln dried), or sheet metal with a minimum 18 gauge thickness;
  - b. the receptacle must be covered with a heavy gauge metal screen with openings not exceeding 13 millimetres (0.5 inches);
  - c. the receptacle must be located on private property, a distance of at least 3.1 meters (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 forty (40) centimetres (15.7 inches) by means of clean earth, sand, gravel or other non-combustible material.
- 2) Chimney and portable fire pits:
  - a. shall not be used indoors;
  - b. shall not be used on wooden decks but may be used on a non-combustible surface such as earth, concrete, stone, etc.;
  - c. shall be separated from grass and any vegetation by a distance of at least 40 centimetres (15.7 inches) by means of clean earth, sand gravel or other non-combustible material;
  - d. shall be located on private property a distance of at least 3.1 meters (10 feet) from any property line, building or other combustible structure;
- 3) General Requirements
  - a. the fire must be reasonably supervised so as to prevent its spread.
  - b. the fuel for open-air fires shall consist only of charcoal, cut seasoned wood or manufacturer's logs.
  - c. the fire shall be adequately ventilated to ensure proper combustion and to prevent an unreasonable accumulation of smoke.
  - d. the fire shall not be set in windy conditions conducive to creating a running fire or a nuisance to another person.

or equipment, asphalt roofing materials, hydrocarbons, plastics, rubber materials, creosote wood).

- f. if smoke from a fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire must be extinguished immediately. Continued offences of this nature could call for the immediate removal and/or suspension of its use for a period of one calendar year and the revoking of the permit, at the discretion of the Fire Chief.
- g. the permittee is responsible for any or all damages as a result of burning.

## **6. Barbequing**

- 1) Every person who uses any barbeque or similar device shall:
  - a. use the barbeque in a reasonable and safe manner;
  - b. keep the barbeque, when lit, a sufficient distance from all combustible materials ("combustible materials" is not to be interpreted as the railing or a balcony or deck);
  - c. ensure that a portable grill or barbeque is located on a firm base and firmly anchored;
  - d. refrain from leaving the barbeque unattended
  - e. keep the barbeque in a reasonable state of repair;
  - f. comply with all federal and provincial regulations regarding the use and storage of propane cylinders;
  - g. ensure propane cylinders be shut off at the tank valve when not in use;
  - h. ensure propane cylinders be connected and secured to the barbeque;
  - i. ensure propane cylinders be kept in an upright position at all times including when the cylinders are in transit, service or storage.
- 2) When solid fuel appliances are used, provisions for the storage of ashes or hot coals is limited to approved receptacles.

## **7. Contravention of the Bylaw**

Every person who contravenes any provision of this Bylaw for which no other penalty is specifically provided for in this Bylaws is guilty of an offence and liable on summary conviction to a fine:

- 1) for the first offence, of \$100.00;
- 2) for the second offence, \$200.00;
- 3) for a third or subsequent offence, of not less than \$200.00 and not more than as specified in the "General Penalty Bylaw".

## **8. Coming into Force**

This bylaw shall come into force and take effect on June 20<sup>th</sup>, 2011.

**SCHEDULE "A"**  
**BYLAW 4-2011**  
**VILLAGE OF PAYNTON**

**OUTDOOR FIRE PERMIT TO BURN**

Address of outdoor fire appliance \_\_\_\_\_

Applicants Name (please print) \_\_\_\_\_

Phone Number \_\_\_\_\_ Date of Issue: \_\_\_\_\_

**ATTACH A SKETCH OF AREA WHERE BURNING IS TO OCCUR (INCLUDE BUILDINGS, TREES OTHER STRUCTURES, ETC.)**

The Village of Paynton assumed no responsibility for any burning or consequence of burning. The owner is responsible for any or all damages as a result of burning g. The owner may be required to extinguish the fire at any time if it causes unreasonable interference with the use and enjoyment of other person's property.

It is an express condition of this permit that the applicant, whose signature appears hereunder, shall be responsible for any injury or damage to person or property arising from the use of this permit.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_

A permit to burn approved materials is hereby granted to the applicant noted above.

This permit is effective from the date of issue until \_\_\_\_\_.

\_\_\_\_\_  
Fire Chief

Other Comments or conditions:

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
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