

TOWN OF WHITEWOOD

BYLAW NO. 05-2011

A BYLAW TO ADDRESS AIR QUALITY AND REGULATE THE BURNING OF REFUSE, OPERATION OF FUEL BURNING EQUIPMENT AND BACKYARD FIRE PITS

The Council of the Town of Whitewood in the Province of Saskatchewan under the authority of the Clean Air Act Section 18 enacts as follows:

Definitions

1. All terms and expressions used in this bylaw shall have the same respective meanings outlined in *The Clean Air Act*, *The Clean Air Regulations*, and *The Municipalities Act*.

(a) “outdoor solid fuel combustion appliance” means a solid fuel burning appliance/furnace located to the exterior of the building it serves and is used for the space heating of buildings and/or domestic water heating

Prohibitions

2 (a) No person shall cause or permit to be caused the open burning of trash garbage, industrial waste, or any other material in a manner or in an incinerator in a manner that causes air pollution within the boundaries of the Town of Whitewood.

(b) No person shall operate or permit the operation of any industrial source, incinerator, or fuel-burning equipment in a manner that results in the discharge of a quantity of air contaminants that, either alone or in combination with a quantity of the same air contaminants emitted from another industrial source, incinerator, or fuel-burning equipment, causes a concentration of the air contaminants in the ambient air within the boundaries of the Town of Whitewood that is:

- (1) injurious to the health or safety or comfort of the public;
- (2) injurious or damaging to the property or to plant and animal life;
- (3) an interference with normal business; or
- (4) obnoxious to the public;

(c) Outdoor solid fuel combustion appliances are prohibited from all Residential Zones including mobile home and trailer parks, within the boundaries of the Town of Whitewood

(d) No outdoor solid fuel combustion appliances shall be installed in any other zone within the geographic limits of the Town of Whitewood unless it is located not less than 30 m (100ft) from any property line

(e) No person shall operate a backyard fire pit/fireplace used for recreational purposes unless it is constructed in accordance with attached Appendix "A" which shall form a part of this bylaw.

Incinerators

3. No person shall cause or permit to be caused the burning of trash, refuse, garbage, industrial waste, or any other waste material in a manner or in an incinerator other than that approved by the Department of the Environment and Resource Management.

Fuel Burning

4. (a) An application in accordance with attached Appendix "B" must be completed for any new fuel burning equipment not utilizing natural gas or propane for residential and industrial heating within the boundaries of the Town of Whitewood. (Information as specified in *The Clean Air Regulations* Section 3 shall be used as a guide in assessing the completeness of any application for any new or existing fuel burning equipment)
- (b) Any existing fuel burning equipment for residential or industrial heating already installed must install air abatement equipment satisfactory to the Town of Whitewood. The air abatement equipment shall be installed in a manner that insures that conditions specified in the Prohibition clause 2(b) (1), (2), (3), and (4) above are met.

Exclusions

5. Sections 2 and 3 of the bylaw do not apply to:
 - (a) residential outdoor barbeques using propane, natural gas or charcoal for cooking;
 - (b) a Municipal Waste Disposal Site operating in accordance with *The Clean Air Act*;
 - (c) the burning of brush for the purpose of clearing land for a roadway, railway line, pipeline, or any other right of way; and
 - (d) a fire for the purpose of burning woods, the prevention or control of fires, or the training persons for fire fighting, if the fire is specifically authorized or required pursuant to any Act, Act of Parliament or bylaw of the, Municipality.
6. Approval from the Council if the Town of Whitewood is required prior to causing a fire the purposes outlined in Section 5(c) and (d). In an emergency situation, approval may be obtained from the local fire chief or policy authorities.

Penalties

7. Any person who violates or fails to comply with any of the provisions this Bylaw is guilty of an offense and liable on summary conviction to the penalties set out in *The Municipalities Act*, *The Clean Air Act*, *The Clean Air Regulations*, or the General Penalty Bylaw of the Municipality.

Coming Into Force

8. This bylaw shall come into force upon approval by the Minister of Saskatchewan Environment.

Administrator

Mayor

TOWN OF WHITEWOOD

Bylaw No. 05-2011

APPENDIX "A"
BYLAW No. 05-2011

FIRE PIT SPECIFICATIONS

- (a) To be located in back yards only, a minimum of 3 meters (10 feet) clearance from buildings, property lines, or other combustible material.
- (b) The burning area not to exceed 1 meter (3 feet) in width, height or diameter when measured between the widest points.
- (c) The fire pit/fire place shall have enclosed sides made from bricks, concrete blocks, and heavy gauge metal or other non-combustible material acceptable to the Fire Chief.
- (d) A spark arrester mesh screen with openings no larger than 1.25 cm (1/2 inch) and constructed of expanded metal must be used to cover the fire pit opening in a manner sufficient to contain and reduce the hazards of airborne sparks.
- (e) Persons wishing to construct a fire pit/fireplace shall make applications which shall include a site plan to the Town of Whitewood. Construction may not begin until permission is granted.

CONDITIONS FOR BURNING

- (a) At least one (1) responsible adult shall be in attendance to monitor and control the fire and have available means to extinguish the fire should an emergency situation develop.
- (b) The fire pit/fireplace shall be located in an area free of dry grass, brush or combustible soil.
- (c) The fire pit/fireplace shall be used in a manner which does not cause any inconvenience to neighbours.
- (d) Only the following material shall be permitted for burning in a fire pit/fireplace.

- Clean wood products with no preservatives
- Prefabricated burning logs
- Manufactured combustible gases or solid fuel designed for home barbecue use.

(e) Reports of non-compliance to be reported to the Town Office

(f) Any person who continues non-compliance after being advised may have their privileges revoked and be fined under the municipal general penalties bylaw.

TOWN OF WHITEWOOD

APPENDIX "B"
BYLAW No. 05-2011

APPLICATION FOR FUEL BURNING EQUIPMENT

Date: _____

APPLICANT: _____

Address: _____

RESIDENTIAL OR INDUSTRIAL USE: _____

PURPOSE: _____

DETAILED EQUIPMENT DESIGN INFORMATION AS DESCRIBED IN SECTION 3 OF
THE CLEAN AIR REGULATIONS.

Please include a diagram or photo showing location of the fire pit.

NOTE: Application may take up to 30 days for processing.

Signature

Approved: _____
Signature

Rejected: _____
Signature

Reason: _____
