

POWELL RIVER REGIONAL DISTRICT

BY-LAW NO. 373 - CONSOLIDATED

Being a by-law to control open fires on Savary Island.

This document is a consolidated version of the "Savary Island Fire Control Bylaw No. 373, 2004" and amendments thereto as set out in Bylaw No. 373.1, 2004 consolidated under the authority of Section 139 of the *Community Charter* S.B.C. 2003, c.26 and Powell River Regional District Bylaw No. 309, 1998.

WHEREAS the Board of the Powell River Regional District has provided for a fire prevention service within the Savary Island Fire Protection Service Area which comprises a portion of Electoral Area "A";

AND WHEREAS the Board of the Powell River Regional District has authority under the Local Government Act to regulate fires within the Savary Island Fire Protection Service Area;

NOW THEREFORE the Board of the Powell River Regional District, in open meeting assembled, enacts as follows:

Definitions

1. In this bylaw:

“Deputy Fire Chief” means the Deputy Fire Chief, appointed by the Fire Chief.

“Enforcement Officer” means a regional district bylaw enforcement officer, a member of the Savary Island Volunteer Fire department, a local assistant to the fire commissioner or a member of the Royal Canadian Mounted Police.

“Fire Chief” means the person appointed by the Board of the Powell River Regional District as the head of the Fire Department

“Fire Department” means the Savary Island Volunteer Fire Department.

“Outdoor Fire” means a fire in the open air where the products of combustion are not conveyed and disposed of by means of a chimney.

General Conditions

2. If the Fire Chief is satisfied that an outdoor fire may not be safe, the Fire Chief may post a notice at the fire hall indicating a “No Outdoor Fire” policy is in effect.

3. In addition to the obligation to post the notice at the fire hall, the Fire Chief must also post copies of the notice in at least two (2) other conspicuous locations on Savary Island.
4. If the Fire Chief has posted a “No Outdoor Fire” notice under section 2, then no person shall start or maintain an outdoor fire while the notice is in place.
5. Every person who ignites or maintains an outdoor fire must ensure that the fire is:
 - (a) under control at all times;
 - (b) supervised by a person at least 16 years old;
 - (c) more than 15 meters from any building;
 - (d) more than 3 meters from any combustible material;
 - (e) immediately adjacent to a sufficient supply of water or other substance that could extinguish the fire;
 - (f) located in an area where all flammable material has been removed down to mineral soil for at least one (1) metre in all directions from the outer perimeter of the fire; and
 - (g) not ignited or maintained from standing trees or wooden structures.
6. Any person who ignites or maintains an outdoor fire on public land within the Savary Island Fire Protection Service Area must ensure that the fire is no larger than 1 meter in diameter.
7. No person shall obstruct or prevent an Enforcement Officer from carrying out inspections or enforcing the regulations of this bylaw.

Severability

8. If any section, subsection or clause of this bylaw is declared or held to be invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been enacted and adopted without the invalid and severed section, subsection or clause.

Penalty

9. Any person who violates any provision of this bylaw shall be liable, upon conviction, to the penalties described in the *Offence Act*.
10. Where any violation continues, each day in which it continues shall be deemed to be a separate violation for the purpose of prosecution under the bylaw.

Municipal Ticket Information Provisions

Designation of Bylaw

11. This Bylaw is designated pursuant to section 264 of the *Community Charter*, S.B.C. c. 26 as a bylaw that may be enforced by means of a ticket in the form prescribed.

Designation of Bylaw Enforcement Officers

12. Enforcement Officers are designated to enforce this bylaw by means of a ticket pursuant to section 264 of the *Community Charter*.

Ticketing

13. The words or expressions listed in Schedule “A” of this bylaw in the “Designated Expression” column are authorized to be used on a ticket pursuant to section 264(1)(c) of the *Community Charter* to designate an offence against the respective section of this bylaw appearing opposite in the “Section” column. The amounts appearing in the “Fine” column are the fines set pursuant to section 265 of the *Community Charter* for contravention of the respective section of this Bylaw appearing opposite in the section column.

CONSOLIDATED BYLAW 373 and Amendments

SCHEDULE A

Offences and Fines

<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>
<u>DESIGNATED EXPRESSION</u>	<u>SECTION</u>	<u>FINE</u>
Fire When Prohibited	4	\$500.00
Fire Out of Control	5(a)	\$500.00
Unsupervised Fire	5(b)	\$500.00
Fire too close to building	5(c)	\$200.00
Fire too close to combustible material	5(d)	\$200.00
Fire too large	5(e)	\$200.00
Fire too far from fire suppression system	5(f)	\$200.00
Flammable material not removed	5(g)	\$200.00
Fire ignited from stumps or trees	5(h)	\$200.00
Obstruct enforcement officer	6	\$500.00