

**Topic: Fire Permit Bylaw****Introduction**

Council has requested administration redevelop the Fire Permit Bylaw and bring forward a Bylaw that will set standards for permitted fires in Parkland County. This administrative report addresses the draft Fire Permit bylaw for Parkland County. This draft bylaw has been developed by Fire Services in close consultation with a number of internal departments and has received legal review.

**Facts (Background Information)**

At the October 20, 2015, Committee of the Whole meeting, Community Services provided information regarding Fire Permit Bylaw No. 22-2012. It was discovered that in 2012, outside of some proposed technical amendments to the original Bylaw No. 06-2011 that Council passed, the Bylaw was inadvertently altered changing the requirements on the fireworks. These unintended changes altered Council's original intent for this bylaw. During the Committee of the Whole meeting, additional concerns regarding the Fire Permit Bylaw were raised, including fire pit size, oversize fire pits and smoke irritants on adjacent properties.

At the November 24, 2015 Council meeting, a motion was passed that directed administration to bring forward a bylaw authorizing the prevention and control of fires, and a second bylaw to authorize and control the use of fireworks in Parkland County.

The current Bylaw # 22-2012 regulates both fire permits and the use of fireworks. Rescinding this bylaw prior to passing both Bylaw #2016-08 and Bylaw #2016-09 would result in Parkland County having no regulations for whichever bylaw was not passed.

**Analysis**

Administration has developed a draft Fire Permit Bylaw which reflects the concerns of Council.

This bylaw as written will:

- Provide clear direction to residents, business owners and County staff on what type of burning is allowed based on various parcel types in line with the County's Land Use Bylaw, as well as parcel size.
- Require all fires in Parkland County to be permitted. A permit is a means to provide education for safe and responsible burning as well ensuring people are accountable for negligence and a disregard for safety. In addition, it will provide enhanced ability to notify permit holders in the event of a fire restriction or ban.
- Allow for longer duration fire pit permits which will reduce the number of permits a resident is currently required to obtain.

- Establish a defined size for a fire pit,
- Allow for oversized fire pits at youth camps or other educational facilities
- Reduce the impact of smoke irritants on adjacent properties due to the regulation of fire pit size and permit conditions such as wind conditions and someone being present attending to an active fire
- Provide clear definition on what is considered burnable debris and what is considered prohibited debris.
- Allow the County to issue permits at anytime to mitigate a hazard, risk and/or vulnerability to public safety, agricultural activities, and/or vegetation.

### Permitting Process

Moving forward, Fire Services, in conjunction with Information Services, aims to make the permit application process more streamlined and easier to provide an enhanced level of customer service. This bylaw will require more residents to obtain fire permits but at less frequent intervals.

One of the objectives of Fire Services is to streamline the issuing of fire pit permits. Currently fire pit permits require an interaction with county staff, or a fire guardian. Fire Services is moving toward approving fire pit permits automatically with a new online process. It is the goal to integrate this process with the new County website in 2016. At this time administration is unable to provide a timeline or finance impact of providing enhanced permit application and permit holder services. In the interim, we will continue to utilize our current fire permit system but administration is cautious of the remaining lifespan of our current system.

### Public Engagement Strategy

A public engagement strategy has been developed by the Communications Coordinator and has been attached for Council's review and comment.

## Alternatives

1. Make amendments to the Bylaw.
2. Provide administration with further direction to re-draft the bylaw to reflect new course from Council.
3. Maintain Fire Permit Bylaw No. 22-2012 as the requirements in Parkland County.

## Conclusion/Summary

Administration supports the Fire Permit Bylaw being passed for first reading. Community Services will begin the public engagement process for this bylaw and bring forward public feedback and potential amendments prior to second reading.

**Date Written:** 24 February 2016

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## BYLAW COMPARISON

Current Bylaw	Proposed Bylaw	Rational
<p>In the restricted burn areas which includes Multi-Parcel Subdivisions, and Rural Centre Districts, the following burning is permitted:</p> <ul style="list-style-type: none"> <li>• A fire pit with a regulation screen year round no permit required.</li> <li>• A fire pit without a regulation screen year round with a maximum 90 day permit issued.</li> <li>• An "outdoor fire" between December 1 and March 31 with a maximum 10 day permit issued.</li> </ul> <p>In areas of the county not in restricted burn areas, the following burning is permitted:</p> <ul style="list-style-type: none"> <li>• A fire pit with a regulation screen year round no permit required.</li> <li>• A fire pit without a regulation screen year round with a maximum 90 day permit issued.</li> <li>• An "outdoor fire" year round with a maximum 90 day permit issued</li> </ul>	<p><b>RESIDENTIAL AND AGRICULTURAL PARCELS</b></p> <ol style="list-style-type: none"> <li>1. Permitted Fires <ol style="list-style-type: none"> <li>a) Only Fire Pits, Burn Barrels and Open Burning in accordance with a Fire Permit shall be allowed on a residential or agricultural parcel.</li> <li>b) Smudge Fires in accordance with a Fire Permit are only allowed on agricultural parcels greater than 10 acres.</li> </ol> </li> <li>2. Fire Pit/Burn Barrels <ol style="list-style-type: none"> <li>a. Fire Permits may be issued any time of the year.</li> <li>b. Fire Permits shall expire midnight on the 31<sup>st</sup> of December within the year the permit was issued.</li> </ol> </li> <li>3. Open Burning <ol style="list-style-type: none"> <li>a) Parcels Under 10 Acres <ol style="list-style-type: none"> <li>(a) Fire Permits may only be issued from December 1 to December 31 and January 1 to March 31</li> <li>(b) Fire Permits may be issued for a period of no longer than fourteen (14) days.</li> </ol> </li> <li>b) Parcels Equal to or Greater Than 10 Acres <ol style="list-style-type: none"> <li>(a) Fire Permits may be issued any time of the year.</li> <li>(b) Fire Permits may be issued for a period of no longer than thirty (30) days.</li> </ol> </li> </ol> </li> <li>4. Smudge Fires <ol style="list-style-type: none"> <li>a) Parcels Equal to or Greater Than 10 Acres <ol style="list-style-type: none"> <li>(a) Fire Permits may be issued any time of the year.</li> <li>(b) Fire Permits may be issued for a period of no longer than thirty (30) days.</li> </ol> </li> </ol> </li> </ol> <p><b>COMMERCIAL/INDUSTRIAL PARCELS</b></p> <ol style="list-style-type: none"> <li>5. Permitted Fires <ol style="list-style-type: none"> <li>a) Only Incinerators Fires in accordance</li> </ol> </li> </ol>	<p>Eliminated the approach by restricted burn areas (Multi-Parcel Subdivisions, and Rural Centre Districts) and non-restricted burn areas. This did not provide administration direction on how to handle commercial or industry burning activity. The proposed bylaw utilizes parcel type first and then considers size of the parcel.</p> <p>The proposed bylaw provides the public with more reasonable permit expiry dates based on the hazard and activity. For example a fire pit may now be issued an annual permit rather than 90 days intervals.</p>

	<p>with a Fire Permit shall be allowed on commercial and industrial parcels that are larger than three (3) acres.</p> <p>6. Incinerators</p> <p>a) Fire Permits may be issued any time of the year.</p> <p>b) Fire Permits shall expire midnight on the 31<sup>st</sup> of December within the year the permit was issued.</p>	
<p>A fire permit is not required for the following:</p> <ul style="list-style-type: none"> <li>• A barbecue/fire pit;</li> <li>• A burning barrel, and</li> <li>• A smudge fire</li> </ul>	<p>A fire permit is required for:</p> <ul style="list-style-type: none"> <li>• A barbecue/fire pit;</li> <li>• A burning barrel, and</li> <li>• A smudge fire</li> </ul> <p>A Fire Permit is not required for the following:</p> <ul style="list-style-type: none"> <li>• a natural gas or propane appliance;</li> <li>• a outdoor wood-fired boiler/coal fired appliances;</li> <li>• a fire within a Fire Pit provided by and maintained by the County within a designated public park, municipal reserve or environmental reserve;</li> <li>• any industrial or commercial type incinerator that is licensed under the <i>Alberta Environmental Protection and Enhancement Act</i> regulations;</li> <li>• those fires that are set for the purpose of training firefighters; and</li> <li>• those fires on Provincial lands under the authority of a Provincial Agency.</li> </ul>	<p>Require all fires in Parkland County to be permitted. A permit is a means to provide education for safe and responsible burning as well ensuring people are accountable for negligence and disregard for safety. In addition it will provide enhanced ability to notify permit holders in the event of a fire restriction or ban.</p>
<p>"Approved Fire Pit" means a barbecue or fire pit that is:</p> <ol style="list-style-type: none"> <li>A minimum of three (3) metres clearance from buildings, property lines and combustible materials;</li> <li>Constructed of bricks, cement blocks, heavy gauge metal or other suitable non-combustible material components;</li> <li>Has a spark arrestor mesh screen of thirteen (13) millimetres expanded metal to contain sparks over fire at all times,</li> <li>Designed for a fire within a non-combustible</li> </ol>	<p>No definition for an Approved Fire Pit. There is a definition for a Fire Pit:</p> <p>"Fire Pit" means a receptacle that:</p> <ol style="list-style-type: none"> <li>is at least 3.0 metres (10 feet) from buildings, Property lines and anything else that could catch Fire;</li> <li>is less than 0.6 metres (1.96 feet) high;</li> <li>is less than 1.25 metre (4.1 feet) wide; and</li> </ol>	<p>This standardizes what a fire pit is and what size restriction are in Parkland County. Without currently having a size defined causes difficulty for Fire Services and Enforcement Services when dealing with burning and smoke complaints. By establishing a size limit, this will reduce the amount of smoke produced from a fire pit which in turn will reduce the nuisance of level of smoke irritants that will effect neighboring properties.</p>

<p>container provided by Parkland County within a designated public park where burning for cooking and warming is permitted</p>	<p>d) has enclosed sides made from bricks, concrete, heavy-gauge metal or other non-combustible material;</p>	
<p>"Household Garbage" means any discarded material from household activities that may include, but is not limited to: wet organic waste, plastic, rubber, disposable diapers, glossy coloured paper, particle board, and other materials that when burned give off offensive odours and visible smoke.</p>	<p>Definition Removed</p>	<p>This is now encompassed with the "Prohibited Debris" and "Burnable Debris" definitions.</p>
<p>Land Definitions:</p> <p>"Industrial Commercial Core" means property as delineated on the Land Use District Map in Part Five of Parkland County Land Use Bylaw which includes, but is not limited to, Acheson and the commercial zone in Entwistle.</p> <p>"Multi-Parcel Residential Subdivision" means a subdivision of property, registered by plan of survey or descriptive plan containing four(4) or more residential lots where the residential lots are predominantly Four Hectares (4.0ha) ,Ten Acres (10.0ac) in size or less, and have been created for, or are being principally used for, residential purposes.</p> <p>"Rural Centre District" means residential and non-residential Property as delineated on the Land Use District Map in Part Five of Parkland County Land Use Bylaw, which may include but is not limited to Carvel, Duffield, Entwistle, Fallis, Gainford, Keephills, Magnolia and Tomahawk</p>	<p>Land Definitions:</p> <p>"Agricultural Parcel" means a property that the County's Land Use Bylaw has designated one of the following districts:</p> <ul style="list-style-type: none"> <li>a) AGG – Agricultural General District</li> <li>b) ANC – Agriculture / Nature Conservation District</li> <li>c) AGR – Agricultural Restricted District</li> </ul> <p>"Commercial Parcel" means a property that the County's Land Use Bylaw has designated one of the following districts:</p> <ul style="list-style-type: none"> <li>a) LC – Local Commercial District</li> <li>b) HC – Highway Commercial District</li> <li>c) EUV – Entwistle Urban Village District – C1 Main Street Commercial</li> </ul> <p>"Industrial Parcel" means a property that the County's Land Use Bylaw has designated one of the following districts:</p> <ul style="list-style-type: none"> <li>a) BI – Business Industrial District</li> <li>b) MI – Medium Industrial District</li> <li>c) HI – Heavy Industrial District</li> </ul>	<p>This aligns our land descriptions to Parkland County's Land Use Bylaw. This has been done in an effort to reduce the bylaw's complexity and make it easier for both the public and administration to understand and follow.</p>

	<ul style="list-style-type: none"> <li>d) RIC – Rural Industrial / Commercial District</li> <li>e) RE – Resource Extraction District</li> <li>f) IRD – Industrial Reserve District</li> </ul>	
<p>"Prohibited Debris" means any flammable debris or waste material that when burned, may result in the release to the atmosphere of dense smoke, offensive odours or toxic air contaminants, pursuant to <i>Activities Designation Regulation (AR 276/2003)</i>, as amended;</p>	<p>"Prohibited Debris" means any combustible material that, when burned, may result in the release to the atmosphere of dense smoke, offensive odours or toxic substances and includes but is not limited to:</p> <ul style="list-style-type: none"> <li>a) animal manure;</li> <li>b) pathological waste;</li> <li>c) non-wooden material;</li> <li>d) waste material from building or construction sites, excluding wooden materials that do not contain wood preservatives;</li> <li>e) combustible material in automobile bodies;</li> <li>f) tires;</li> <li>g) rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;</li> <li>h) used oil; and</li> <li>i) wood or wood products containing substances for the purpose of preserving wood.</li> </ul>	<p>The definition has been modified to provide additional clarity to what "Prohibited Debris" is. The previous definition did not provide enough information to the public or administration.</p>
<p>Definition of Burnable Debris: No Definition</p>	<p>Definition of Burnable Debris: means all combustible waste other than prohibited debris and includes but is not limited to:</p> <ul style="list-style-type: none"> <li>a) straw and stubble;</li> <li>b) grass and weeds;</li> <li>c) leaves and tree prunings;</li> <li>d) brush and fallen trees on newly cleared land or associated with logging operations;</li> <li>e) wooden materials, which do not contain wood</li> </ul>	<p>To provide further clarity on what may be deemed burnable and prohibited debris, this draft bylaw provides a definition of what burnable debris is.</p>

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# Public Engagement Plan

**Project:** Fire Permit Bylaw  
**Department:** Fire Services  
**Prepared By:** Communications Services

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## Public Engagement Activities:

The public engagement activities are developed to enable multiple audiences to provide input. Different activities and/or tools are planned to meet the needs of specific audiences, as well as to elicit the type of input required at different stages of the project.

1. **Public Notification of Bylaw Review – March 23, 2016**
2. **Survey (online and in-person) – March 25 to April 22, 2016**
3. **Two (2) Open Houses - To be held in April, 2016**
4. **Public Hearing – May 10, 2016**

A high level summary of each of the engagement activities follows:

1. Public Notification of Bylaw Review

The public will be informed that the County has given first reading to a new bylaw. Notification methods include the County website and newspaper ads.

2. Survey (Online and In Person)

A survey with 10-12 questions will be made available both online and in person at the public open houses for those who do not have adequate Internet access. The purpose of the survey is to obtain high level information regarding resident opinions on the proposed changes to the bylaws.

3. Two Open Houses

Two public open houses will be held at two different locations deemed most convenient for Parkland County residents. Changes to the bylaws will be outlined on graphic display panels and representatives from Fire Services will be available to answer resident questions regarding the changes, as well as to record feedback. Paper copies of the survey will be made available here as well.

#### 4. Public Hearing

Although not required, Administration is recommending Council hold a public hearing to give the public a formal opportunity to address Council on the proposed bylaws.

#### **Communication Methods**

A wide range of tools will be used to promote the key messages above, including:

- Weekly newspaper ads
- Social Media posts
- County website page
- County Centre digital board ads