

TOWN OF MUNDARE

BYLAW NO 753/04

The council of the Town of Mundare, duly assembled, hereby enacts

1. This bylaw may be cited as the “Fire Pit Bylaw”

Definitions

2. a. “fire chief” means the fire chief, his designate, or a safety codes officer;
- b. “fire pit” means a container that:
 - i. is made of rock, formed rock, concrete block, cured/fired ceramic/clay, or metal;
 - ii. has an inside diameter no greater than 61 centimetres (24 inches);
 - iii. has a height no less than 45 centimetres (18 inches).
- c. “peace officer” means
 - i. a member of the Royal Canadian Mounted Police
 - ii. a member of a municipal police service
 - iii. a special constable
 - iv. a bylaw enforcement officer;

Fire Pits

3. No fires are allowed on public or private property except in a fire pit.
4. Fire pits may only be used for warmth and cooking of food.
5. The base of a fire pit must consist of gravel or concrete and be at least 10 centimetres (4 inches) greater in size than the fire pit.
6. Despite section 5, a portable fire pit with legs a minimum of 15 centimetres (6 inches) high, does not require a gravel or concrete base.
7. All openings in the fire pit must be covered with a metal spark arrestor with a maximum hole size of 0.7 centimetres (1/4 inch).
8. A fire pit cannot be located in a front yard.
9. A fire pit must be at least 3 metres (10 feet) from all property lines, any structures, and any vegetation such as trees or shrubs. All distances are vertical and horizontal.
10. Only clean dry firewood can be burned in a fire pit.

11. A fire in a fire pit must be under control and manageable.
12. A fire must be attended to at all times by a competent person over the age of sixteen.
13. Material capable of extinguishing the fire must be within 2 metres (6.5 feet) from the fire pit.

Authority

14. The fire chief or a peace officer is authorized to enter onto any property to inspect any fire pit.
15. The fire chief or a peace officer is authorized to determine that a fire is a danger and may order that the fire be extinguished.
16. The fire chief or a peace officer is authorized to determine if a fire pit is unsafe and order that the fire pit no longer be used.
17. The fire chief may grant an exemption for a fire pit that does not meet the requirements.
18. The fire chief may impose conditions on the use/construction of a fire pit.
19. The fire chief or a peace officer is authorized to order the removal of a fire pit that is deemed dangerous.
20. The Town is authorized to remove a fire pit that is deemed dangerous and the costs of removal shall become a debt owing to the Town and may be added to the tax roll.

OFFENSES AND PENALTIES

21. Any person who contravenes a provision of this bylaw is guilty of an offence and is liable to a penalty as set out in Schedule A.
22. Despite section 21, any person who commits a second or subsequent offence under this bylaw within one (1) year of committing the first offence is liable to a fine as set out in Schedule A.
23. Any person who is guilty of an offence for which a penalty is not provided is liable to a fine as set out in Schedule A.
24. Peace officers are authorized to issue a violation ticket to any person who contravenes any section of this bylaw.

GENERAL

25. Nothing in this bylaw will operate to relieve any person from complying with any Federal, Provincial or other Town order, regulation or bylaw.
26. Nothing in this bylaw will be construed as curtailing or abridging the right of the Town to obtain compensation for or to maintain an action for loss of or damage to property from or against the person or persons responsible.
27. Should any provision of this bylaw be deemed invalid, then such invalid provision may be severed and the remaining bylaw shall be maintained.
28. Schedule A can be changed by a resolution of council.

Read a first time on December 7, 2004.

Read a second time on December 7, 2004.

Read a third time the unanimous consent of all councillors present on December 7, 2004.

Mayor

CAO

SCHEDULE A

Section

3	Fire not in a fire pit	\$100.00
5	Improper base	100.00
7	No Metal Spark Arrestor	100.00
8	Fire Pit in Front Yard	100.00
9	Improper distance from property lines, structures, vegetation	100.00
10	Burning material other than clean dry firewood	100.00
11	Fire not manageable	100.00
12	No competent person over 16	100.00
13	No extinguishing material	100.00
16	Use of a fire permit after an order to stop use is issued	100.00
22	Second and subsequent offence	two (2) times the original offence
23	No penalty provided	100.00