

**TOWN OF CARLYLE
BYLAW NO. 2012-06**

**A BYLAW OF THE TOWN OF CARLYLE 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 Carlyle, 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*.

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 Carlyle.
- (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 air contaminants in the ambient air within the boundaries of the Town of Carlyle that is:
 - (i) injurious to the health or safety or comfort of the public;
 - (ii) injurious or damaging to property or to plant and animal life;
 - (iii) an interference with normal business; or
 - (iv) obnoxious to the public.
- (c) No person shall operate a backyard fire pit or fireplace used for recreational purposes unless it is constructed in accordance with attached Appendix "A" which forms 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 Ministry of the Environment and Resource Management.

Exclusions

4. Sections 2 and 3 of the bylaw do not apply to:
 - (a) residential outdoor barbecues using propane, natural gas, or charcoal for cooking;
 - (b) the burning of brush for the purpose of cleaning land for a roadway, railway line, pipeline, or any other right of way; and
 - (c) a fire for the purpose of burning woods, the prevention or control of fires, or the training of persons for fire fighting, if the fire is specifically authorized or required pursuant to any Act, Act of Parliament, or bylaw of the Municipality.

5. Approval from the Council of the Town of Carlyle is required prior to causing a fire for the purposes outlined in Section 4 (b) and (c). In an emergency situation, approval may be obtained from the local fire chief or police authorities.

Penalties

6. Any person who violates or fails to comply with any of the provisions of this bylaw is guilty of an offence 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 Town of Carlyle.

Coming into Force

7. This bylaw shall come into force upon approval by the Minister of Saskatchewan Environment.
8. Bylaw No. 2817 is hereby repealed.

S E A L

Mayor/Deputy Mayor

Administrator

APPENDIX "A"
BYLAW NO. 2012-06

FIRE PIT REGULATIONS

1. Fire pits are to be located in back yards only, with a minimum of three (3) meters (10 feet) clearance from buildings, property lines, or other combustible material.
2. The burning area is not to exceed one (1) meter (3 feet) in width, height or diameter when measured between the widest points.
3. The fire pit/fireplace shall have enclosed sides made from bricks, concrete blocks, or heavy gauge metal or other non-combustible material acceptable to the Fire Chief.
4. 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.

CONDITIONS FOR BURNING

1. 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.
2. The fire pit/fireplace shall be located in an area free of dry grass, brush, or combustible soil.
3. The fire pit/fireplace shall be used in a manner which does not cause any inconvenience to neighbours.
 - a. The fire shall be extinguished without delay should anyone complain.
 - b. The fire shall be extinguished without delay if smoke causes unreasonable interference with the use and enjoyment of another person's property.
4. 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
5. Issues of non-compliance are to be reported to the Town Office.
6. Any person who continues non-compliance after being advised may have their privileges revoked and be fined under the Town's General Penalty Bylaw.

