

<p style="text-align: center;"><i>Town of Bridgewater</i></p> <p style="text-align: center;"><i>Chapter 18</i></p> <p style="text-align: center;"><i>By-Law Respecting "Fire Protection"</i></p>

Whereas under sections 172(a), (b) and (d) of the Municipal Government Act, Council may make by-laws, respecting the health, well being, safety and protection of persons, the safety and protection of property, and activities that may cause nuisances including burning, odors and fumes;

1. **Title**

This By-law may be known as the Fire Protection By-Law.

2. **Definitions**

In this By-law:

- a) "burn" means to light or set fire to any material;
- b) "certified" means certified as meeting the standards of the Canadian Standards Association (CSA approved) or another internationally recognized testing organization;
- c) "dry seasoned fire wood" means wood that has not been chemically treated, stained or painted and has been stored in a manner that deters dampness and permits the wood to dry;
- d) "Fire Chief" means the fire chief of the Town of Bridgewater Fire Department or a person designated by the fire chief;
- e) "Fire Inspector" means the fire inspector of the Town of Bridgewater;
- f) "Fire place" means a masonry heater or similar structure for burning solid fuel having the major portion of one or more essentially vertical sides open, or capable of being opened, for visual observation of the flames while the fuel is burning;
- g) "Outdoor appliance" means a grill, outdoor fireplace or other appliance for cooking food;
- h) "Portable barbeque" means any portable appliance used for cooking food outdoors;
- i) "solid fuel" means dry seasoned hard or soft wood, charcoal, mechanically processed fibre wood, pelletized wood and wood chips, suitable for the cooking of food;
- j) "Suitable fire protection equipment" means tools or equipment useful in extinguishing fires and preventing the spread of fires including but not limited to fire extinguishers, back tanks, buckets of water and hoses connected to an adequate water supply;
- k) "Town" means the Town of Bridgewater;
- l) "yard waste" includes leaves, brush, branches, grass clippings and construction debris.

3. Outdoor Fires Prohibited

- 1) No one may burn anything in the Town, including without limiting the generality of the foregoing domestic or general waste, yard waste, trees, branches, leaves, garbage and construction debris.
- 2) Despite subsection (1), the cooking of food
 - a) on a certified portable barbeque, or
 - b) within a grill or fireplace with dry seasoned wood or charcoal, is permitted subject to Section 4.
- 3) Despite subsection (1), this by-law does not apply to burning in fireplaces or wood stoves within a building or in wood furnaces whether within a building or attached to a building.
- 4) This by-law does not apply to the Bridgewater Fire Department while acting under the direction of the Fire Chief.
- 5) Open fires for religious or ceremonial purposes may be granted a written permit by the fire chief or fire inspector on written application not less than forty-eight hours prior to the intended lighting of the fire.

4. Restrictions

- 1) Persons burning solid fuel within a grill or barbeque must:
 - a) have at least one responsible person nineteen years of age or older, present while an open air fire is burning;
 - b) not be operated prior to 11:00 am;
 - c) have suitable fire protection equipment available while open air fires are burning, kept within a reasonable distance from where the fire is located;
 - d) not be placed on wooden decks, pads or combustible platforms;
 - e) ensure that the fire is not left unattended and all smouldering embers are completely extinguished by 1:00 am.
- 2) No person shall ignite a fire when the weather conditions may jeopardize the ability to control or contain the fire; attention to low (0-10 KPH) or high (over 50 KPH) wind conditions, as well as low barometer readings which will all lead to poor air quality and reduce smoke dissipation is required.

5. Construction Requirements (see appendix A)

- 1) An outdoor appliance must be properly constructed of 1/8 inch (4mm) steel in thickness or larger, natural stone, brick, block, concrete or similar non-combustible materials as approved by the fire inspector and be placed on a non-combustible pad.
- 2) An outdoor appliance must be constructed in such a way that the products of combustion are directed vertically with a chimney.
- 3) An outdoor appliance must be fitted with a spark arrester that has an opening

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- no larger than ½ inch (12mm).
- 4) The actual size of the firebox in an outdoor appliance shall not be larger than 30 inches (762mm) in any dimension.
 - 5) An outdoor appliance must not be located within 2 meters (6 feet 6 inches) from any combustible structure, vegetation, brush, trees, etc.
 - 6) Only one outdoor wood burning appliance shall be operated on a property at one time.
 - 7) Only dry seasoned fire wood is to be used in any outdoor appliance.
 - 8) If the outdoor appliance is manufactured, the manufacturer's installation, care and use instructions shall be followed; if there is a discrepancy between the manufacturer's instructions and this by-law the approval of the fire inspector for the installation is required.
 - 9) All natural gas or liquefied propane units must have a certification from a Canadian testing agency.

6. Enforcement

- 1) The fire chief, fire inspector and any police officer may extinguish or order extinguished any fire that poses a fire hazard to persons or property, or does not meet the provisions of this by-law.
- 2) It is an offence to refuse to extinguish a fire pursuant to an order under subsection (1).
- 3) The person in charge of a fire maybe required to pay all expenses incurred in controlling or extinguishing any fire which gets beyond control, is in danger of doing so, or extends to the lands of others.
- 4) The Fire Chief may impose a ban on all outdoor fires within the Town if in the opinion of the Fire Chief weather conditions have created an unacceptably high risk of fire.
- 5) It is an offence to light or maintain an outdoor fire if the Fire Chief has imposed a ban.

7. Offences and Penalties

Any person who contravenes or fails to comply with any provisions of this by-law is liable to a penalty of not less than \$250.00 and not exceeding \$5,000.00 for each offence.

8. Repeal

Previously adopted versions of Chapter 18, A By-Law Respecting "Fire Prevention", are hereby repealed and replaced upon the effective date of the adoption of this Fire Prevention By-law.

APPENDIX "A"

