



Village of Burns Lake

Bylaw No. 1093, 2025

Open Air Burning Bylaw

THE CORPORATION OF THE VILLAGE OF BURNS LAKE

Open-Air Burning Bylaw No. 1093, 2025

A Bylaw to provide for the regulation of Open-Air Burning within the Village of Burns Lake

The Council of the Village of Burns Lake in an open meeting assembled, hereby enacts as follows:

1. Citation:

This Bylaw may be cited for all purposes as the *“Corporation of the Village of Burns Lake Open-Air Burning Bylaw No. 1093, 2025.”*

2. Bylaw Repealed:

The *“Corporation of the Village of Burns Lake Open Air Burning Bylaw No. 1001, 2019”* is hereby repealed.

3. Purpose:

- (1) Whereas the *Community Charter* authorizes Council to regulate, prohibit and impose requirements in relation to the protection of public spaces; and
- (2) Whereas the *Community Charter* authorizes Council to regulate, prohibit and impose requirements in relation to the protection and enhancement of air quality of the community; and
- (3) Whereas the *Community Charter* authorizes Council to regulate, prohibit and impose requirements in relation to the protection of the natural environment,
- (4) Now therefore, the Council of the Village of Burns Lake in an open meeting assembled enacts **The Corporation of the Village of Burns Lake Open-Air Burning Bylaw No. 1093, 2025.**

4. The following definitions are hereby applied:

“Campfire” means a fire that burns material not exceeding 0.5 metres in diameter and 0.5 metres in height, contained within a fire pit, intended for, and used for the preparation of food and to provide warmth or for a ceremonial purpose.

“Category 1 Open Fire” means the same as a campfire.

“Category 2 Open Fire” means an open fire, other than a category 1 campfire that burns material in one pile not exceeding 2 metres in height and 3 metres in width; or, material concurrently in 2 piles each not exceeding 2 metres in height and 3 metres in width; or, an open fire that burns stubble or grass over an area that does not exceed 0.2 hectares.

“Category 3 Open Fire” means an open fire that burns materials concurrently in 3 or more piles each not exceeding 2 metres in height and 3 metres in width; or material in one or more piles each exceeding 2 metres in height and 3 metres in width; one or more windrows each not exceeding 200 metres in length or 15 metres in width; or, an open fire that burns stubble or grass over an area that exceeds 0.2 hectare.

“Fire fighting hand tools” include shovels, axes, Pulaski tools, hand tank pumps and fire extinguishers.

“Fire pit” means a non-combustible pit or free-standing vessel in which a campfire may be contained.

“Fire suppression system” means a system for the suppression of fire by delivering water, a surfactant or a combination of these.

“Fuel break” means a barrier or a change in fuel type or condition or a strip of land that has been modified or cleared of combustible material such that it interrupts the unintended spread of a fire beyond where it is control.

“Official” means a bylaw officer of the Village of Burns Lake, the Fire Chief of Burns Lake or their designate or the Director of Public Works or their designate.

“Open-air burning or open burning” means burning anything not contained within a structure that has a flue and is incorporated within a building.

5. **General Provisions:**

- (1) A person must not conduct open-air burning of any material other than vegetative material such as stems, roots, limbs or branches, leaves or needles or grass. Open burning of industrial or domestic waste is prohibited.
- (2) A person must not conduct open-air burning of any material which
 - (a) produces heavy or toxic smoke or any other byproducts of burning which endangers the health, safety or welfare of any persons or animals, or
 - (b) causes smoke to obscure visibility and thereby creates a hazard to traffic on a public roadway.
- (3) A person under the age of 16 years must not ignite or tend to a campfire unless under the direct supervision of a person 19 years of age or older.
- (4) A person under the age of 19 must not ignite or tend a Category 2 or Category 3 open burning unless under the direct supervision of a person 19 years of age or older.
- (5) A person must not conduct Category 3 open burning when the Venting Index is defined as “poor” as per the Government of British Columbia Venting Index for Burns Lake.
- (6) A person must not conduct open-air burning when wind conditions are such that the person cannot effectively control the fire from spreading beyond a fuel break or becoming out of control.
- (7) A person must not conduct open burning within the Village of Burns Lake contrary to any open burning restrictions imposed by the Province of British Columbia under the Wildfire Act.
- (8) A person must not conduct open burning
 - (a) within 500 metres of a school that is in session.
 - (b) within 500 metres of a hospital or care home.
 - (c) within 3 metres of a vegetative hedge, fence or combustible structure.
 - (d) within 10 metres of a power pole or power line.
 - (e) within 5 metres of any public roadway, sidewalk or trail.

- (9) A person must not conduct open burning without a suitable fuel break and the necessary means to control the fire from spreading beyond that fuel break. This shall include but is not limited to fire fighting hand tools, a reliable water source as well as a water delivery and fire suppression system.
- (10) A person must not ignite an open-air fire after 10:00 p.m. or before 7:00 a.m. other than a campfire.
- (11) A person must not conduct any Category 2 or Category 3 open air burning on any public owned property except as directed by the Director of Public Works or their designate or the Director of Protective Services or their designate.
- (12) No person shall have a campfire within a designated campsite except within an approved campfire pit.
- (13) No person shall leave any open burn unattended.

6. Rights of Entry, Inspection, Examination and Analysis:

- (1) For any purpose related to the administration or enforcement of this bylaw, an official may enter, at any reasonable time, any private land or property other than a dwelling or a room being used as a dwelling if the official has reasonable grounds to believe that the land or premises is or has been the site of open air burning that may have been in contravention of this bylaw.
- (2) An official who enters private land or property as in 6(1) may inspect anything or any activity that is reasonably related to the purpose of the administration or enforcement of this bylaw.
- (3) No person shall obstruct an official in the lawful exercise of a power or duty under this bylaw.

7. Enforcement

- (1) Every person who fails to comply with the General Regulations of this bylaw commits an offence under this bylaw.
- (2) Any person who commits an offence under this bylaw may be issued a Bylaw Offence Notice, with a fine specified in the Corporation of the Village of Burn Lake Bylaw Notice Enforcement Bylaw.
- (3) In the case of offences of a continuing nature, an offence is committed on each day during which the offence continues, and the maximum penalties imposed under this bylaw apply to each such offence.
- (4) Nothing in this bylaw limits the ability of the Village to pursue other legal remedies to enforce this bylaw.

8. Full Force and Effect:

This Bylaw has full force and effect from the date of adoption until amended, repealed, or replaced.

READ A FIRST TIME THIS 17TH DAY OF JUNE 2025

READ A SECOND TIME THIS 17TH DAY OF JUNE 2025

READ A THIRD TIME THIS 17TH DAY OF JUNE 2025

ADOPTED THIS 8TH DAY OF JULY 2025



MAYOR



CORPORATE OFFICER

Certified to be a true copy of "The Corporation of the Village of Burns Lake Open Air Burning Bylaw 1093, 2025.