



Request for Decision

Title	Bylaw 1375/16 Burning Bylaw (Second and Third Reading)
Proposed Motion	<ol style="list-style-type: none"> 1. That Council give second reading to Bylaw 1375/16, as amended. 2. That Council give third reading to Bylaw 1375/16.
Administrative Recommendation	Administration recommends that Burning Bylaw, Bylaw 1375/16 receive second and third readings as presented.
Previous Council Direction	<p>Motion 284/16 – August 23, 2016: That Council give first reading to Bylaw 1375/16.</p> <p>Motion 398/13 – September 10, 2013: That County Council provides third reading for amendments to Bylaw 1309/13 – Amendment to Burning Bylaw Burning Bylaw 1272/13.</p> <p>Motion 337/12 – October 9, 2012: That County Council gives third reading to Bylaw 1272/12.</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • Since the last amendments, Protective Service staff has applied the Burning Bylaw with success through issuing of permits, enforcement of permit conditions as well as implementation of fire restrictions and fire bans. • Currently permit season is from April 1 through until October 31. Enforcement and safety concerns continue to arise during the months of November through to the end of March. These concerns have been heightened over the past couple of years due to the lack of moisture we have received and ongoing high winds throughout our area. • Not having year-round permitting makes it almost impossible to track where burning is occurring. It also makes enforcement of burning rules and prohibitions very difficult as most rules are tied to an issued permit and conditions. • As well, there have been those concerns brought forth by the general public and Council regarding burning such as open fires on municipal lands or those lands designated as natural areas. • On July 12, 2016, Council received a presentation at the Committee of the Whole meeting during which Protective Services Staff went through the proposed amendments. Council was advised the changes being proposed are meant to enhance safe practices, allow for additional monitoring and knowledge of burning occurring within the County year-

round. Further amendments being suggested will also afford staff the opportunity to enhance fire prevention initiatives with the goal of preventing wild fire and grass fires held over from winter burns.

- Council provided feedback and staff noted a few items; these items have been reflected within the proposed amendments being presented:

Sections

- 2.1 ii, changed 900 to 1200 millimetres;
- 2.1 k, added /burn barrel;
- 3.1 changed color of “nil fee” to plain black;
- 3.5, changed word “burn” to “fire” permit;
- 5.19, added as per comments received from Council;
- Schedule A – updated Section number to proper numbers; and
- Added note to Schedule A addressing subsequent offences.

- The proposed Bylaw has been reviewed in conjunction with Legislative Services and our lawyer at RMRF.
- After receiving support on first reading in consultation with the Communications and Legislative Services Department a public messaging campaign was put in place to advise residents of the proposed changes to the Burning Bylaw. Content was placed onto the County website, placed in local newspaper that highlighted the major changes and directed those interested to a copy of the full Bylaw and its proposed changes. Further the Fire Chief’s contact number was posted for those who wished to obtain further details. At the time of printing of the Agenda, there were no comments or inquiries received from the public.
- During discussion prior to the approval of first reading Council raised questions regarding 2.1 (a) Definition of Approved Fire Pit. Subsequently, a review of other municipalities Bylaws related to this item was done. Administration proposes the following new definition:

(a) “Acceptable Fire Pit” means an outdoor receptacle that meets the following specifications:

- (i) A minimum of 3 metres clearance, measured from the nearest fire pit edge to the nearest edge of building, property line, or other combustible material;
- (ii) A height not exceeding 0.6 metres when measured from the surrounding grade to top of the pit opening;
- (iii) Equipped with a spark arrester mesh screen that is no larger than 13 millimeters;
- (iv) Enclosed side made from bricks, concrete blocks, heavy gauge metal, or other non-combustible material;
- (v) Not located over any underground utilities or under any above ground wires;
- (vi) Within any area of Sturgeon County that is zoned Hamlet Residential District (HR), County Residential – One District (CR-1), Country Residential – Two District (CR-2), and Country Residential – Estate District (CR-E). The diameter of a fire pit is not to exceed 1200 millimeters (4 feet); and
- (vii) Is otherwise acceptable to a Fire Guardian.

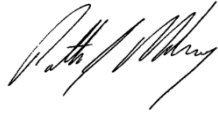
External Communication

	<ul style="list-style-type: none"> • If second and third readings are approved, in conjunction with the Communications Department, plans will be made for advertising, notifying the public of the changes and new permitting requirements in the upcoming weeks, i.e.: local newspaper, website, etc. • Protective Service Staff, District Fire Departments will be provided the details of the new Bylaw and undertake to educate residents during the normal course of their duties and during public engagements. <p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> • <i>Municipal Government Act, RSA, 2000 c.M-26</i> • <i>Forest and Prairie Protections Act, RSA 2000 c.F-19</i>
<p>Implication of Administrative Recommendation</p>	<p><u>Strategic Alignment:</u></p> <p>Strong Local Governance and Regional Leadership –The update of the Burning Bylaw is consistent with legislation, master plans, policies and procedures. Bylaw reviews and updates are a normal process in municipal governance.</p> <p><u>Organizational:</u></p> <p>Having up to date and current Bylaws ensures duties and responsibilities of staff are being conducted properly and all legislative requirements are being met. Protective Services Staff, mainly administrative staff, fire guardians, will see what is deemed a manageable increase in the issuing of fire permits.</p> <p><u>Financial:</u></p> <p>Low impact there will be some advertising costs in relation to the Bylaw’s implementation. Enforcement and related fire prevention initiatives will be absorbed into regular duties.</p>
<p>Alternatives Considered</p>	<p>Council could decide not to accept and not provide second and third reading to this Bylaw. Should this be the decision enforcement of the current Burning Bylaw will continue and permit season will remain in effect from April 1 – Oct 31 annually.</p>
<p>Implications of Alternatives</p>	<p><u>Strategic Alignment:</u></p> <p>Maintain and Enhance Strong Communities</p> <p><u>Organizational:</u></p> <p>Since 2010 various burning bylaw amendments have been made allowing Protective Services to take a stronger stance on unpermitted burning and failure to follow conditions of burn permits, not only through education but also enforcement. Failure to accept and approve the proposed amendments may indicate that Council has changed their view and resolve regarding burning, permitting within the County.</p> <p><u>Financial:</u></p> <ul style="list-style-type: none"> • None

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- Follow up Action**
1. Coordinate with Communications Department and to commence the communications plan regarding the new permit requirements (No later than October 21, 2016)
 2. Brief Protective Service Staff, and District Fire Departments on new Bylaw. (No later than October 21, 2016)

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- Attachment(s)**
1. Black-lined Burning Bylaw 1375/16
 2. Bylaw 1375/16 Final
 3. Bylaws 1309/13 and 1272/12.

**Report Reviewed
by:**



P. Mahoney, Fire Chief/Manager of Protective Services



Peter Tarnawsky, County Commissioner – CAO

Strategic Alignment Checklist

Vision: Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

Mission: Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
Strong Local Governance and Regional Leadership			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Consistent with neighborhood role (see MDP), master plans,, policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers fiscal stability and sustainability</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Has a positive impact on regional and sub-regional cooperation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Respect the Natural Environment			
<i>We acknowledge the importance of a healthy environment and will minimize and monitor our impact on ecosystems (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Compliance with Provincial and Federal regulations and/or legislation</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Ensure effective environmental risk management</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Identity & Spirit			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan, (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes and/or enhances residents' identification with Sturgeon County</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Enhances service provision through community partnerships</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports Sturgeon County's cultural history</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Planned Growth and Prosperity			
<i>We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers cumulative costs and long-term funding implications</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Targets growth around current or planned infrastructure</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintain and Enhance Strong Communities			
<i>We are committed to a safe, secure community, where our residents are respected and provided with access to opportunities. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports and promotes volunteer efforts</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Provides programs and services that are accessible to all residents</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational Excellence			
<i>We have the organizational capability to deliver consistent and defined levels of service to all stakeholders in a professional, efficient, and cost effective manner</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Staff have the knowledge, skills and capability to perform their jobs</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Streamlines operational processes and policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes engagement and professional interaction with stakeholders</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>