



THE TOWN OF SWAN RIVER

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TOWN OF SWAN RIVER **BACKYARD BARBCUE & FIRE PITS**

REQUIREMENTS & RESTRICTONS

- 1) A Building Permit (\$20.00)
- 2) A site plan to accompany the permit application showing location of the pit on the lot. It must include distances to building and combustible items (wood piles). A minimum 10 feet is required between the pit and combustibles as well as between the pit and adjacent property lines.
- 3) A concrete, brick or stone foundation being of level and stable construction is required to prevent leaning or other failure of the pit structure and provide a fireproof base.
- 4) A metal grate over the open fire to limit ember spread and prevent direct access to the fire from children.
- 5) Pit must be a maximum depth of 18 inches and allow correct placement of metal grate.
- 6) Request of inspection once pit is completed prior to use.

43. No person shall permit any accumulation of waste materials including but not limited to paper, hay, grass, straw, weeds, litter or combustible waste or rubbish of any kind to be or to remain upon any roof or in court, yard, vacant lot or open space. All weeds, grass, vines or other growth which catch fire and endanger property shall be cut down and removed by the occupier of the property on which they are located.
44. If an occupier or owner fails to comply with an order of the Authority Having Jurisdiction to remove an accumulation of waste materials or cut down and remove any growth, the Authority Having Jurisdiction shall be authorized to carry out or cause to carry out such removal at the cost of the owner or occupier. The total cost is the responsibility of the owner. If the owner cannot pay this bill, then costs may be added to the real property taxes for the premises and collected in the same manner as taxes.

Burning Within Town Limits

45. Subject to section 53 of this Bylaw, all open fires for burning of leaves, straw, stubble, garden, and other refuse, whether on the surface of the ground, in pits, barrels, or other containers/incinerator, is prohibited within the limits of the Town.
46. The operation of enclosed incinerators, constructed in compliance with the Manitoba Building Code, is permitted provided the operation thereof does not create a nuisance within the Town of Swan River.
47. Campfires (within burning pits) and pit barbeques are permitted in Town parks provided the public follow park regulations.
48. The Fire Chief may issue under special circumstances, a conditional Open Air Permit.
49. It shall be an offence for any person to light, ignite, start, allow, or cause to be lighted, ignited, or start a fire of any kind whatsoever in the open air without first having obtained written permission to do so from the Fire Chief or Authority Having Jurisdiction in the form of an authorized **Open Air Permit** as per **Schedule "E"** attached hereto. All Open Air Permits Are issued subject to the conditions stated on the permit.
50. Applications for Open Air Permits shall be made to the Fire Chief at the Swan River Fire Department Station or the Authority Having Jurisdiction at the Town Hall.
51. The permit is not valid until endorsed by the Fire Chief or Authority Having Jurisdiction.

52. A person shall not leave any fire unattended at any time while it is burning or smoldering and shall ensure that sufficient appliances and equipment to prevent the fire from getting beyond control, causing damage, or becoming dangerous are at the fire site.
- a) An outdoor fire pit, outdoor fire place (chimney), or outdoor solid fuel receptacle shall be allowed providing they are enclosed on all sides and constructed of masonry, concrete, heavy gauge metal or other noncombustible materials and providing they are equipped with a spark arrestor (wire mesh spark screen).
 - b) The outdoor fire pit shall not exceed 46cm (18 inches) in depth when measured from the bottom of the pit to the top of the pit opening and shall be at least 15cm (6 inches) in height when measured from the surrounding grade to the top of the pit opening.
 - c) The outdoor fire pit, outdoor fire place (chimney) or solid fuel receptacle opening shall not exceed 750mm (2.5 feet) in diameter or an area of 56m² (6.5 feet) and the width or length shall not be greater than 750mm (2.5 feet).
 - d) The outdoor fire pit, outdoor fire place (chimney) or outdoor solid fuel receptacle shall be located on a flat, level, noncombustible base and in no case shall the appliance be located under any overhead combustible construction or over hanging foliage. (In accordance with NFPA 54 Section 10.20.2)
 - e) A noncombustible spark arrestor, grill or mesh with openings no larger than 12 mm (1/2"X1/2") shall be used to cover the entire area of the outdoor fire pit. An outdoor fireplace (chimney) and an outdoor solid fuel chimney shall be equipped with a noncombustible spark arrestor. With openings no larger than 12mm (1/2"X1/2") and cover the entire surface of the chimney opening.
 - f) A minimum clearance of 3 meters (10 feet) measured from the nearest fire pit edge shall be maintained from any combustible buildings or sheds or other combustible structures such as fences, trees, hydro poles. A minimum distance of 3 meters (10 feet) shall also be maintained from neighboring property lines.
 - g) Outdoor solid fuel receptacles shall be installed as per manufacture's instructions if available and shall conform to all required clearances to combustible structures or materials. In no instance shall the required clearance be less than 3 meters (10 feet).

- h) When in use, outdoor fire pits and outdoor solid fuel receptacles shall be continuously supervised by an adult. All fires must be limited in size so that they are readily controllable. A means of extinguishment such as a portable fire extinguisher, pail of water, sand or garden hose shall be readily available on site. All fire must be completely extinguished before leaving the site.
 - i) Outdoor fire pits, outdoor fireplaces (chimney), and out door solid fuel receptacles shall not be utilized during wind conditions exceeding 25 kilometers per hour (15 miles per hour) or during extreme drought conditions whereby such utilization may cause an undue fire hazard.
 - J) Only clean, dry wood or charcoal briquettes may be burned in outdoor fire pits, outdoor fireplaces (chimney), and outdoor solid fuel receptacles. Outdoor fire pits, outdoor fireplaces (chimney), or outdoor solid fuel receptacles may not be utilized for the burning of garbage, rubbish, debris, previously painted or treated wood or any other fuel which when burned, may result in the release of dense smoke, or obnoxious odors.
 - k) Smoke from outdoor fire pits and outdoor solid fuel receptacles shall not negatively impact neighboring properties. Do not burn wet or damp wood which may contribute greatly to heavy smoke propagation.
53. Notwithstanding section 53 above, no permit shall be required to light, ignite, or start or allow or caused to be lighted, or started a small contained fire in a barbeque, grill or similar devise used to cook food.

Barbecuing

54. Every person who uses a barbeque or similar device shall:
- a) use the barbeque in a reasonable and safe manner; and
 - b) comply with all federal and provincial regulations governing the use and storage of propane cylinders
55. If any person uses a barbeque or similar device on a balcony, the following provisions shall apply:
- a) solid fuel barbeques or similar cooking devices shall not be used;
 - b) any type of barbeque prohibited on wooden balconies shall not be used;

- c) propane cylinders shall not exceed the 20-pound size;
- d) if a building has a freight or service elevator, propane cylinders shall be delivered to and from the dwelling units within the building using that elevator. If a building has a passenger elevator only, propane cylinders may be delivered to and from the dwelling units within the building using that elevator as long as no passengers other than the person who owns the tank or maintenance or delivery person are on the elevator at the time of delivery.

Wood Piles

56. It shall be an offence for any person to pile or allow to be piled any lumber or wood on private property within three meters of the exterior of any dwelling. This shall not apply to lumber in transit or in the process of erection on an active construction site.

Storage of Containers

57. All boxes, crates, petroleum barrels and other containers, empty or otherwise, packing materials or other material used or kept in any building or on any lot, shall be;
- a) so stacked or piled as to keep them clear of windows and doors to provide for clear ingress and egress to and from any part of the premises or building;
 - b) kept away from any source of ignition;
 - c) removed forthwith if determined to constitute a fire hazard by the Authority Having Jurisdiction to such a location as authorized by The Authority Having Jurisdiction

Portable Fire Extinguishers

58. Portable fire extinguishers shall be:
- a) provided and located in accordance with the requirements of the code;
 - b) maintained and/or hydro-statically tested in accordance with the requirement of the code

Chimney Pipes