

DRAFT - Better Burning Bylaw Matrix

Burning Bylaws, Regulations and Policies in the Cowichan Valley Region

Regulation	Scope				Key Features			Additional Features								Alternatives		
	Applies to (burn category):			Applies in	Exemptions	Ban?			Burning windows	Burning Time	Permitted & Prohibited Materials	Set back or property size Requirements	Max size / pile	Supervisory Requirements	Penalties		Venting	Wood Burning Appliances
	1 Campfires	2 Backyard Burns	3 Machine piled burns (includes land clearing burns)			Campfire	Backyard burn	Machine piled burns (including land clearing burns)										
Local Government																		
Cowichan Valley Regional District Smoke Control Regulation Bylaw 3716	Yes	Yes	No	Electoral Areas A,B,C,D,E,G (exclusing Thetis Island Improvement District)	Burning on ALR land for "Normal farm practice" campfires	No	Partial burning is allowed during windows	Not Applicable	ONLY: March 15th - April 15th and October 15th - November 15th	07:00 - sunset for all materials except stumps Stumps - can burn up to 72 hours - no new material added after 17:00	Permitted Untreated natural wood, prunings, branches, tree trunks, stumps or other vegetation that are not compostable Prohibited Prohibited materials include those noted in BC's OBSCR below	burns must be at least 10m from all property line	Category 2 : no more than 2m in diameter and 2m in height, hand piled	At all times	\$250 - \$750, higher for burning prohibited materials	Must be Good	Not specified	Free yard and garden drop off at 6 facilities in the Cowichan Region noted at: https://www.cvrd.bc.ca/2647/ Yard-Garden
Cowichan Valley Regional District Land Clearing Management Regulation Bylaw 2020	No	No	Yes	All Electoral Areas (exclusing Thetis Island Improvement District)	Normal farm practices, forest practice, Property class 7	Not Applicable	Not Applicable	Partial Allowed with permit	when permitted by Federal, Provincial and Local government regulations and Local fire restrictions established by the Fire Chief or authority having jurisdiction	As per Provincial regulations	Permitted Machine-piled landclearing debris (LCD) and regulated quantities of LCD including stumps, root mats, branches, brush, logs, or vegetation, Prohibited materials as noted for tBC's OBSCR below Composite Woodwaste prohibited	As per Provincial regulations: 100m from Residences / 500m from schools / hospitals	Any pile over 3m x 2m machine piled or 3 or more 3m x 2m piles	Property owner or occupier	up to \$2,000	Not specified	Not specified	Free yard and garden drop off at 6 facilities in the Cowichan Region noted at: https://www.cvrd.bc.ca/2647/ Yard-Garden
Municipality of North Cowichan Fire Protection Bylaw 3340	Yes	Yes	Yes	the Municipality of North Cowichan	Right to Farm Act "Normal Farm Practices" - when it doesn't contravene Environmental Management Act	No	Partial allowed during window and outside UCB	Partial allowed if air curtain burner is used	Sep 15th to Nov 30th March 15th to April 15th	Daylight hours	Same as CVRD Permitted Only untreated natural wood and brush may be burned Prohibited No burning of any chemical or material including oil, tar, rubber, plastic or garbage, construction waste, treated wood, grass or leaves	Only properties outside of UCB may burn or properties larger than 2 acres. Permits required for properties greater than 2 acres in size.	Category 2 : no more than 2m in diameter and 2m in height, hand piled	Property owner or occupier	\$250 to \$1000 or \$500 for ALR land	Must be Good	no person shall use a wood burning appliance when an AQ advisory is in place . Exemptions are provided for homes where a wood burning appliance is the primary source of heating	possibilities for consideration: - chip and haul - tub grinders - air curtain burners CVRD Bing's Creek Recycling Depot and Coast Environmental in Chemainus and Duncan are closest
Town of Lake Cowichan Bylaw No. 878-2009 Outdoor Burning Regulation	Yes	Yes	Yes	Town of Lake Cowichan	can occur with with permit: - land clearing debris burned in an air curtain burner may be started at anytime: - cooking firest contained in a fire pit any time - fires started by Lake Cowichan Fire/Rescue for training and prevention	Partial allowed by permit (\$100) for special occasions or ceremonial fire	Yes	Partial allowed with permit (\$100) to use registered air curtain burner	The dates on which an outdoor fire may burn shall be stated on the permit.	Not specified	Permitted Only land clearing debris (waste from brush or tree clearing operations) can be burned in an air curtain burner Prohibited tires, oil, tar, asphalt, shingles, batteries, plastic and other substances which produce heavy black smoke, noxious odours or toxic residue when burned	Land clearing debris fires may only take place on parcels of land at least 6 acres in size	class 3 fire are limited to 16 cubic feet in volume	Fires must have adequate supervision	\$100 to \$500	Not specified	Not specified	Free yard and garden drop off at 6 facilities in the Cowichan Region noted at: https://www.cvrd.bc.ca/2647/ Yard-Garden CVRD Meade Creek or Bing's Creek Recycling Depot are the closest.
Town of Ladysmith Fire Prevention Bylaw 1815	Yes	Yes	Yes	the Town of Ladysmith	Silviculture / FLNRO, ecosystem management, fire hazard reduction, forest fuel management, Fire Dept. training, Right to Farm, campfires or otherwise permitted	Partial allowed for special occasions approved by officer	Yes	Partial allowed with permit for land clearing . removal of a fire hazard or agricultural pruning	when permitted must not contravene OBSCR 145/93 - permitted burning will only take place on Mon-Fri of any week	Not specified	Only well dried and cured products are to be burned	Based on EMA requirements	Class 1 limited to 0.5 meters in diameter Class 3 limited to 0.5 cubic meters in volume	Adequate supervision and the capability of extinguishing the fire	up to \$2,000 (in accordance with the Offence Act)	Good at start of fire and fair for the second day, when applicable	Not specified	Free yard and garden drop off at 6 facilities in the Cowichan Region noted at: https://www.cvrd.bc.ca/2647/ Yard-Garden CVRD Peerless Road Drop-Off Recycling Depot is the closest

DRAFT - Better Burning Bylaw Matrix

Burning Bylaws, Regulations and Policies in the Cowichan Valley Region

Regulation	Scope					Key Features				Additional Features							Alternatives	
	Applies to (burn category):			Applies in	Exemptions	Ban?			Burning windows	Burning Time	Permitted & Prohibited Materials	Set back or property size Requirements	Max size / pile	Supervisory Requirements	Penalties	Venting		Wood Burning Appliances
	1 Campfires	2 Backyard Burns	3 Machine piled burns (includes land clearing burns)			Campfire	Backyard burn	Machine piled burns (including land clearing burns)										
City of Duncan	Yes	Yes	Yes	the City of Duncan	None	Yes	Yes	Yes	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	up to \$2,000 (in accordance with the Offence Act)	Not applicable	Bylaw 3089 - some requirements include: - No person shall install a Wood Burning or Pellet Stove Appliance unless the appliance is certified to Canadian or US standard. - No person shall use a Wood Burning or Pellet Stove Appliance when an Air Quality Advisory is in effect, except to heat premises that are equipped with no other heating appliance - Prior to the completion of a sale or transfer of property on or after January 1, 2014 all existing non-certified Wood Burning or Pellet Stove Appliances on the property shall be replaced/removed.	Curbside pickup of yard and garden debris Free yard and garden drop off at 6 facilities in the Cowichan Region noted at: https://www.cvrd.bc.ca/2647/ Yard-Garden Bing's Creek and Coast Environmental in Duncan are the closest.
Thetis Island Improvement District Regulation	Yes	Yes	Yes	Thetis Island	Category 1, 2 and 3 allowed with permit during periods of low fire hazard rating. Category 1 fires allowed with permit during periods of moderate fire hazard	Partial allowed by permit	Partial allowed by permit	Partial allowed by permit + FD site inspection + venting authorization	No permit required from Nov. 1st to March 31st. Permit required from April 1st to October 31st.	Not specified	Permitted Brush, Slash, Trees or other woody debris Prohibited Tires, Plastics, Drywall Demolition waste Domestic waste Paint & Paint products Treated Lumber Asphalt & Asphalt Products Rubber, Fuel & Lubricant containers Biomedical waste Tar Paper, Railway Ties Manure	must be at least 3m (10 ft.) from any grass, shrubbery, trees, or wooden fences and at least 6m (20 ft.) from any building	hand piled must not exceed 2 meters in height and 3 meters in diameter.	HIGH Risk Activities such as mowing, chainsawing etc. may take place in the morning hours (when humidity is highest) with safety precautions (water/extinguisher ready) in place and must be followed by a 2 hour fire watch after activity ceases at 11 a.m.	the Offence Act limits penalty to a maximum of \$2,000.	at least a "good" and a "fair" day in succession. It is illegal to burn in poor venting conditions	Not specified	Free yard and garden drop off at 6 facilities in the Cowichan Region noted at: https://www.cvrd.bc.ca/2647/ Yard-Garden CVRD Peerless Road Drop-Off Recycling Depot and Coast Environmental in Chemainus are closest
Shawnigan Improvement District Regulation	Yes	Yes	Yes	Shawnigan Improvement District	No permit is required	No	No	Not specified	No window	Not specified	Permitted The refuse is to be clean and dry, and in a condition that provides for safe and proper combustion. Prohibited Construction waste, stumps, demolition material, and rubber or plastic	Not specified	Not specified	Campfires may not be left unattended	the Offence Act limits penalty to a maximum of \$2,000.	Not specified	Not specified	Free yard and garden drop off at 6 facilities in the Cowichan Region noted at: https://www.cvrd.bc.ca/2647/ Yard-Garden Fisher Road Recycling is the closest
Provincial																		
BC Wildfire Regulation	Yes	Yes	Yes & also covers high risk activities within 1 km of forest land	Across British Columbia	exemptions must be delivered in writing to the exempted person	Partial allowed when coastal fire zone bans are not in effect	Partial allowed when coastal fire zone bans are not in effect	Partial allowed when coastal fire zone bans are not in effect	Exercised within the wildfire Danger Class rating system / burns are required for hazard abatement and forest protection / fire prevention	Not applicable	Not applicable	Not applicable	Not applicable	the fire is watched and patrolled by a person to prevent the escape of fire	\$1150 + cost to protect / \$70,000 (fire during summer ban is upwards of \$100,000 to \$1 million and 1 year jail sentence)	Good (in theory)	Not applicable	
BC Open Burning Smoke Control Regulation	No	No	Yes. Including: Land Clearing, silviculture, forestry, wildlife habitat enhancement, and domestic range improvement	Across British Columbia when not in local government jurisdiction	When burning leaves, foliage, weeds, crops, or stubble for domestic or agricultural purposes, or in Weed Control Act and Forest Practices Code compliance	Not Applicable	Not Applicable	Partial allowed by permit	Smoke may be released during open burning on a parcel of land on no more than four separate occasions during a calendar year	The smoke-release period for each parcel of land must not be greater than 72 consecutive hours	Permitted Leaves / grass / foliage exempt Prohibited tires, treated lumber plastics, railway ties drywall, manure demolition, waste rubber domestic waste asphalt paint asphalt products hazardous waste fuel and lubricant containers tar paper biomedical waste	The open burning of debris must be carried out at least (a) 100 metres from neighbouring residences and businesses, and (b) 500 metres from schools in session, hospitals and facilities	Category material at the same time in three 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 or 3 metres in width; or one or more windrows: or	adequate equipment and staff must be available to ensure the regulatory limits are met;	a fine of not more than \$200 000	Good on day of burn and Good or Fair forecast for the following day	Not applicable	

DRAFT - Better Burning Bylaw Matrix
Burning Bylaws, Regulations and Policies in the Cowichan Valley Region

Regulation	Scope				Key Features			Additional Features								Alternatives		
	Applies to (burn category):			Applies in	Exemptions	Ban?			Burning windows	Burning Time	Permitted & Prohibited Materials	Set back or property size Requirements	Max size / pile	Supervisory Requirements	Penalties		Venting	Wood Burning Appliances
	1 Campfires	2 Backyard Burns	3 Machine piled burns (includes land clearing burns)			Campfire	Backyard burn	Machine piled burns (including land clearing burns)										
Solid Fuel Burning Domestic Appliance Regulation	NA - Applies to retailers and manufacturers of wood burning appliances			Across British Columbia unless a more restrictive local bylaw in place	The new regulation does not affect existing wood stoves or fireplaces.	Not Applicable	Not Applicable	Not Applicable	Not applicable	Not applicable	Permitted 1) Untreated, seasoned wood/wood products: cordwood, wood chips, lumber ends 2) Wood pellets, pelletized biomass fuels 3) Manufactured fire logs 4) Corn kernels, seed hulls Prohibited 1) Garbage 2) Plastics 3) Treated or painted wood 4) Demolition debris 5) Rubber 6) Unseasoned wood products	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	all solid fuel burning appliances sold in BC need to be certified to meet particulate matter emission standards set by the EPA or the CSA.	

DRAFT - Better Burning Bylaw Matrix
Bylaws of Neighbouring Local Governments

Regulation	Scope					Key Features			Additional Features								Alternatives	
	Applies to (burn category):			Applies in	Exemptions	Ban?			Burning windows	Burning Time	Permitted & Prohibited Materials	Setback or property size Requirements:	Max size / pile	Supervisory Requirements	Penalties	Venting		Wood Burning Appliances
	1 Campfires	2 Backyard Burns	3 Land Clearing Burns			Campfire	Backyard burn	land clearing burn										
City of Port Alberni Outdoor Burning Regulations - Bylaw 4906	yes	yes	yes	all	campfires open burning authorized by the fire chief	No campfires allowed throughout the year	Yes	Yes	Not applicable	A campfire is permitted throughout the year between dawn and 22:00 Hours local time with conditions:	Permitted Dry firewood, branches and stems Prohibited No manufactured material, including dimensional lumber. No compostable organic material such as but not limited to grass cuttings, leaves or vegetable matter No land clearing debris, o construction and/or demolition debris	The fire must be at least 3 meters (10 feet) from any grass, shrubbery, wooden fence or any other combustible material. Burning must take place at least 4 meters (13 feet) from any building.	small contained outdoor fire, not exceeding 0.5 meters (1.5 feet) in height and 0.5 meters (1.5 feet) in width	At all times	\$200	Not specified	Solid Fuel Burning Bylaw 4802: No person shall install, or allow to be installed, either indoors or outdoors, a solid fuel burning appliance, furnace or boiler which is used for the space heating of a building, the heating of water or other such purpose unless it meets the emissions standards of CAN/CSA-B415.1	
City of Courtenay Fire Protective Services Bylaw 2556 s50	yes	yes	yes	Municipality and Fire Protection Areas	Normal farm practices, forest practice, Property class 7	Partial campfire allowed with permit	No allowed all year (allowed with permit from April 1 to October 31)	Partial Allowed with permit	Hand Piles and Burning Barrels (permit required from April 1 – October 31) Land Clearing (permit required year-round)	specified in burning permit	Permitted specified in burning permit Prohibited No burning of Trade Waste, tires, animal carcasses, oil, tar, asphalt, shingles, battery boxes, plastic materials, or any similar material which may produce heavy black smoke, on or in any fire Burning of land clearing slash is prohibited	specified in burning permit	specified in burning permit	Property owner or occupier	\$100	Not specified	No requirements identified other than permit requirement under Bylaw No. 2323 for the construction of a masonry fireplace or the installation of a wood burning appliance	year-round, curb side unlimited yard waste pick-up on the same day as regular garbage collection
Regional District of Nanaimo Bylaw 922	yes	yes	yes	Parksville Fire Protection Service Area	agriculture a permit for an agricultural clearing waste fire cooking fires 1 square meter in diameter fire started by the Fire Department	Partial Cooking fires allowed	Partial Allowed during window	yes	Oct 15th to Dec 15th Feb 15th to April 15th		Permitted agricultural clearing waste allowed by permit Prohibited No burning of noxious materials	no backyard burning within ten (10) meters of any building, structure, overhead wiring or highway;	not exceed 2 square meters in area	person 16 or older must be present at all times.	up to \$2,000	Not specified	No requirements identified	
Capital Regional District bylaw 3452	yes	yes	yes	Services Area of the Regional District	burning allowed with permit	Partial campfire allowed with permit all year	No Allowed all year. Permit required from April 1st to October 31st.	Partial Allowed with permit	October 1st to June 30th		Prohibited No burning of tires, plastic, drywall, paint and paint products, treated lumber, asphalt, asphalt products, rubber, fuel, solvents, metals and lubricant containers, tar paper, railway ties, demolition waste, garbage, biomedical waste or manure.	No backyard burning within 10 metres of any building, structure, fence, tree or hedge. No campfires within 7.5 meters of any building, structure, fence, tree or hedge.	NA	All fires must be continuously controlled and supervised by a competent person	\$50 to \$2000	Not specified	No requirements identified other than Bylaw No. 3741 which requires a permit for installation of solid fuel burning appliance	Land clearing receiving centers
Comox Valley Regional District Rural Cumberland Fire Protection Service Establishing Bylaw No. 192, 2011	yes	yes	yes	Rural Cumberland Fire Protection Service Establishing Bylaw	burning allowed with permit	Partial campfire allowed with permit	Partial burning allowed with permit	Partial burning allowed with permit. Permit for landclearing burns costs \$500.	October 15th to April 30th		Prohibited No garbage, animal waste, rubber, tires, oil, tar, asphalt shingles, battery boxes, plastic material, or any other materials which produce heavy black smoke or create a noxious odour No materials specified in the OBSCR	specified in burning permit	specified in burning permit	person 16 or older must be present at all times.	up to \$2,000	Not specified	No requirements identified	

DRAFT - Better Burning Bylaw Matrix Bylaws of Neighbouring Local Governments

<p>District of Saanich Fire Prevention Bylaw 8807</p>	yes	yes	yes	District of Saanich	leaves and grass and clippings	<p>Partial burning allowed with permit</p>	<p>Partial burning allowed with permit</p>	<p>Partial burning allowed with permit</p>	None specified	specified in burning permit	<p>Prohibited (1) treated wood, (2) plastic or rubber products, (3) animal organic waste or vegetable or food waste, (4) asphaltic products, (5) waste petroleum products, paints, (7) paper products, other than to start a fire, (8) materials generally referred to as garbage or refuse.</p>	<p>must be: - located only on properties outside of the Urban Containment Boundary; - located at least 7.6 m (25 feet) from any building, wooden fence or property line;</p>	less than 1 m in diameter	person 19 or older must be present at all times.	\$100 to \$2000	Not specified	<p>No requirements identified other than Bylaw No. 8627 which requires a permit for installation of solid fuel burning appliance</p>	
--	-----	-----	-----	---------------------	--------------------------------	---	---	---	----------------	-----------------------------	---	--	---------------------------	--	-----------------	---------------	--	--