

## **BYLAW NO. 36-19**

### **LEDUC COUNTY**

#### **A BYLAW OF LEDUC COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE REGULATIONS OF THE SAFE DISPOSAL OF BURNABLE DEBRIS FOR THE NISKU INDUSTRIAL BUSINESS PARK AND THAT BYLAW NO. 55-88 BE RECINDED.**

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#### **WHEREAS**

the provisions of the Municipal Government Act, being Chapter M-26, Revised Status of Alberta, 2000, as amended, provides that council of a municipality may pass bylaws respecting the safety, health and welfare of people and the protection of people and property and for services provided by or on behalf of the municipality.

#### **NOW THEREFORE**

The council of Leduc County, in the province of Alberta, duly assembled, enacts as follows:

#### **SECTION 1: NAME OF BYLAW**

- 1.1 This bylaw may be cited as the "Safe Disposal of Burnable Debris for the Nisku Industrial Business Park".

#### **SECTION 2: DEFINITIONS**

- 2.1 In this bylaw:
- a) "Fire Chief" means the fire chief of Leduc County Fire Services or his designated representative;
  - b) "Nisku Industrial Business Park" means that portion of Leduc County included as indicated in the Nisku Industrial Business Park map included as Appendix "A" of this bylaw;
  - c) "Council" means the council of Leduc County;
  - d) "Permit" means a burning permit issued pursuant to this bylaw;
  - e) "Burnable debris" means all combustible waste other than prohibited debris and is limited to, pallets and wood crating material, cardboard and normal office waste paper and brush and fallen trees;
  - f) "Prohibited debris" means any combustible waste that, when burned, may result in the release to the atmosphere of dense smoke, offensive odours or toxic substances.

#### **SECTION 3: BURNING REGULATIONS**

- 3.1 This bylaw applies to all properties within the Nisku Industrial Business Park.
- 3.2 A permit will be issued through the website "lcsf.burnpermits.com".

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- 3.3 No person shall light an outdoor fire unless a permit has been issued and is in force for the site that fire is located.
- 3.4 Prior to lighting a fire the applicant will have a valid permit, check the local weather to ensure the winds will continue to be below 20kph, register their open burn by calling the open burning hotline, and follow all the guidelines required on the permit.
- 3.5 Open burning shall be carried out in a fully enclosed container or incinerator constructed of non-combustible material, no larger than (5) metres in diameter and no higher than (3) metres the draft and smoke vent shall be covered with heavy gauge metal screen of a mesh size no greater than (13) millimetres and maintain a clear non-combustible surface surrounding the container of (5) metres.
- 3.6 No container or incinerator shall be located within (30) metres from a stand of trees or shrubs. The container or incinerator must be no closer than (3) metres of the property line or fence and at least (15) metres from any building, structure, power lines or any other combustible materials, gases or liquids.
- 3.7 No person shall light a fire when the weather conditions cause smoke to adversely affect another business or any road, rail or air transport system or when the wind speed is forecasted to exceed 20kph.
- 3.8 No person shall deposit, discard or leave any burning matter or substance in a place where it may ignite other matter and result in a fire.
- 3.9 Reasonable steps shall be taken to control a fire for the purpose of preventing it from spreading onto land other than their own.
- 3.10 Outdoor fire may only be lit between the hours of 8:30 a.m. and 5:00 p.m., Monday to Friday excluding statutory holidays, all fires must be extinguished by 5:00 p.m. and no fire shall be left unattended.
- 3.11 It is the responsibility of the person in charge of the burning operation, and the owner, occupant or lessee or permittee to ensure that sufficient firefighting equipment and manpower is present during the burning operation to keep the fire under control at all times. This may include but not limited to a water supply, shovels, machinery etc.
- 3.12 Burning containers or incinerators can be made to be portable as long as when they are in use they meet the requirements in Article 3.6.
- 3.13 The fire chief may, without warrant, enter on any land and premises, except a private dwelling house, for the purpose of periodic inspections of permitted sites and discharging his duties under this bylaw.
- 3.14 A permit may be suspended or cancelled at any time by the fire chief and on receiving notice of the suspension or cancellation, the person concerned shall immediately

extinguish any fire set pursuant to their permit. If they do not have the equipment required to extinguish the fire, the fire chief can request the fire to be extinguished using Leduc County Fire Services resources and the person concerned can be charged for those services provided.

- 3.15 A person or business who contravenes or fails to comply with any conditions in a permit or with any order or request directed to them pursuant to this bylaw is guilty of an offence and liable to be issued a fine / suspension or cancellation as per Schedule "A" Fees & Charges bylaw.
- 3.16 The county manager or their designate, shall be granted the authority to review, modify, or waive an invoice issued pursuant to the bylaw.

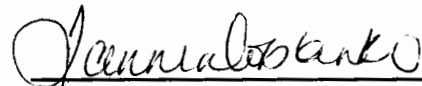
**SECTION 4: EFFECTIVE DATE**

- 4.1 Bylaw No. 55-88 passed on the 12<sup>th</sup> day of December, 1988, is hereby repealed.
- 4.2 This bylaw shall take effect on the date of the final reading.

Read a first time this 10<sup>th</sup> day of December, 2019.

Read a second time this 10<sup>th</sup> day of December, 2019.

Read a third time with the unanimous consent of the Council Members present and finally passed this 10<sup>th</sup> day of December, 2019.

  
MAYOR

  
DEPUTY COUNTY MANAGER