



Cultus Lake Park

BURNING CONDITIONS, RESTRICTIONS AND FIRE BAN BYLAW

Bylaw No. 1144, 2019

A Bylaw to regulate Burning Conditions, Restrictions and Fire Bans.

Section 12 of the *Cultus Lake Park Act* (1932 and Amendments) enables the Cultus Lake Park Board to adopt Bylaws, and Section 9.2 (1) provides that Section 260 – Enforcement Powers of the *Community Charter* apply to the enforcement of the bylaws of the Board, and Section 261 – Payment of Fines and Other Penalties to Municipality under the *Community Charter* provides that fines and other penalties imposed and collected under or because of a Cultus Lake Park bylaw must be paid to the Park.

Every person who offends against any of the provisions of this Bylaw or who suffers or permits any act to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, will be in breach of this Bylaw, and will be liable to the fines and the provisions as outlined in the "Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019".

The Cultus Lake Park Board in open meeting assembled, enacts as follows:

1. TITLE

This Bylaw may be cited as "Cultus Lake Park Burning Conditions, Restrictions and Fire Ban Bylaw No. 1144, 2019."

2. INTERPRETATION

2.1 Words or phrases defined in the *British Columbia Interpretation Act*, *Motor Vehicle Act*, *Local Government Act*, *Community Charter* or any successor legislation, will have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

2.2 DEFINITIONS OF TERMS

"**Barbeque**" means a devise that cooks food by applying heat from below, fueled by propane.

"**Board**" means the elected Board for the Park.

"**Briquette**" means a block of compressed charcoal or coal dust used as fuel.

“Charcoal/Coal” means a carbonaceous material obtained by heating wood or other organic substances in the absence of air.

“Camping Stove” a portable stove powered by propane, butane gas canisters, or any other means, designed to be used for cooking while outdoors.

“CAO” means the Chief Administrative Officer; a position appointed by the Board.

“Designate” mean a person appointed by the CAO.

“Designated Areas” means the residences located on Park Drive, Mountain View Road, Sunnyside Campground and the Cultus Lake Cabins.

“Fire Chief” means the person who is in charge of the fire department.

“Fire Pit/Fire Place” means a gas burning structure of stone, brick or metal that contains and prevents a fire from spreading.

“Nuisance” means anything that annoys, irritates, disturbs or interferes with a person’s use or enjoyment of private or public property or is offensive to the senses or causes injury to health, comfort or convenience of any person.

“Park” means the area within the Park boundaries and the foreshore assigned to the Park by the Province of British Columbia.

“Park Staff” means any person employed by the Park.

“Person” means a natural person, a company, corporation, partnership, firm, association, society, or party and the heirs, executors, administrators, occupier or tenant of leased land, personal or other legal representatives of a person to whom the context can apply according to law; however does not apply to Park Staff fulfilling or carrying out duties and responsibilities.

“Public Areas” means any street, laneway, avenue, way, drive, boulevard, sidewalk, driveway, beaches, wharves, school ground or such premises as the Board may from time to time designate.

“Smoker Units” means an apparatus for cooking at low temperatures in a controlled, smoky environment, powered by a wide variety of fuels, including electricity, propane or natural gas, wood, charcoal, and pellets.

2.3 In this Bylaw, unless the context otherwise requires, the singular will include the plural and the masculine includes the feminine gender.

2.4 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

3. BURNING CONDITIONS, RESTRICTIONS AND FIRE BANS

3.1 Open burning wood fires are prohibited in the Park except in designated areas. Fires must be in a container, apparatus or physical construct that is capable of controlling the spread of the fire and must not be left unattended and an adult must be present at all time. Wood burning fires are only allowed in designated areas. The only material permitted to be burned in fire pits, with the exception of those units as approved in 3.2, is untreated wood.

- 3.2 CSA-approved free-standing propane and natural gas fireplaces, fire pits, barbeques and camp stoves are permitted on residential leased property in the Park.
- 3.3 Smoker units are prohibited in the Park.
- 3.4 No person will continue to burn if it is the cause of an unreasonable nuisance to any other person in the neighbourhood because of drifting smoke, ash or an unpleasant odour.
- 3.5 Flames must be kept low six (6) inches (15 cm) in height and a safe distance from any building, combustible structure or any type of material that may be subject to combustion.
- 3.6 Propane barbeques only will be permitted in the areas as shown on Schedule B.
- 3.7 No fires are allowed in public areas of the Park unless approved by the CAO.
- 3.8 All propane or natural gas units are prohibited on the wharves and the beach. See schedule B.
- 3.9 The use of charcoal, coal or briquettes is prohibited within the public areas of the Park.

Fire Bans

- 3.10 For the safety of the public and protection of property and natural resources, it is prudent to prohibit open burning from time to time and when certain weather and other conditions heighten the threat of forest and other wild fires.
- 3.11 The CAO is the Park Board official authorized to and responsible for instituting and/or lifting fire bans within Cultus Lake Park by the following:
 - (a) The authority to institute and/or lift a fire ban, within part or whole of Cultus Lake Park is at the sole discretion of the CAO or in consultation with the Fire Chief.
 - (b) A fire ban will prohibit all open flames including; campfires, wood fires, candles, tiki torches, fireworks, firecrackers, sky lanterns, burning barrels or burning cages of any size or description, the use of charcoal, coal, briquettes and the use of binary exploding targets, (e.g. for rifle target practice).
 - (c) This prohibition does not apply to CSA-rated or ULC-rated cooking stoves that use propane or natural gas, unless otherwise directed by CAO or in consultation with the Fire Chief.

4. FINES

- 4.1 All leaseholders, residents, visitors, and persons are subject to the fines and the provisions as outlined in Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019, and Schedule A-4 in said bylaw

4.2 Each occurrence or day that a contravention of the provisions of this Bylaw exists or is permitted to exist will constitute a separate offence.

5. SEVERABILITY

If any part of this bylaw is for any reason held invalid by a Court or competent jurisdiction, the invalid portion will be severed and the severance will not affect the validity of the remainder.

6. REPEAL

Cultus Lake Park Burning Conditions, Restrictions and Fire Ban Bylaw No. 1104, 2018 is repealed.

7. EFFECTIVE DATE

This bylaw will come into force and effect upon its adoption.

READ A FIRST TIME this 19TH day of JUNE, 2019

READ A SECOND TIME this 19TH day of JUNE, 2019

READ A THIRD TIME this 19TH day of JUNE, 2019

ADOPTED this 25th day of JUNE 2019



Joe Lamb, Chair
Cultus Lake Park Board



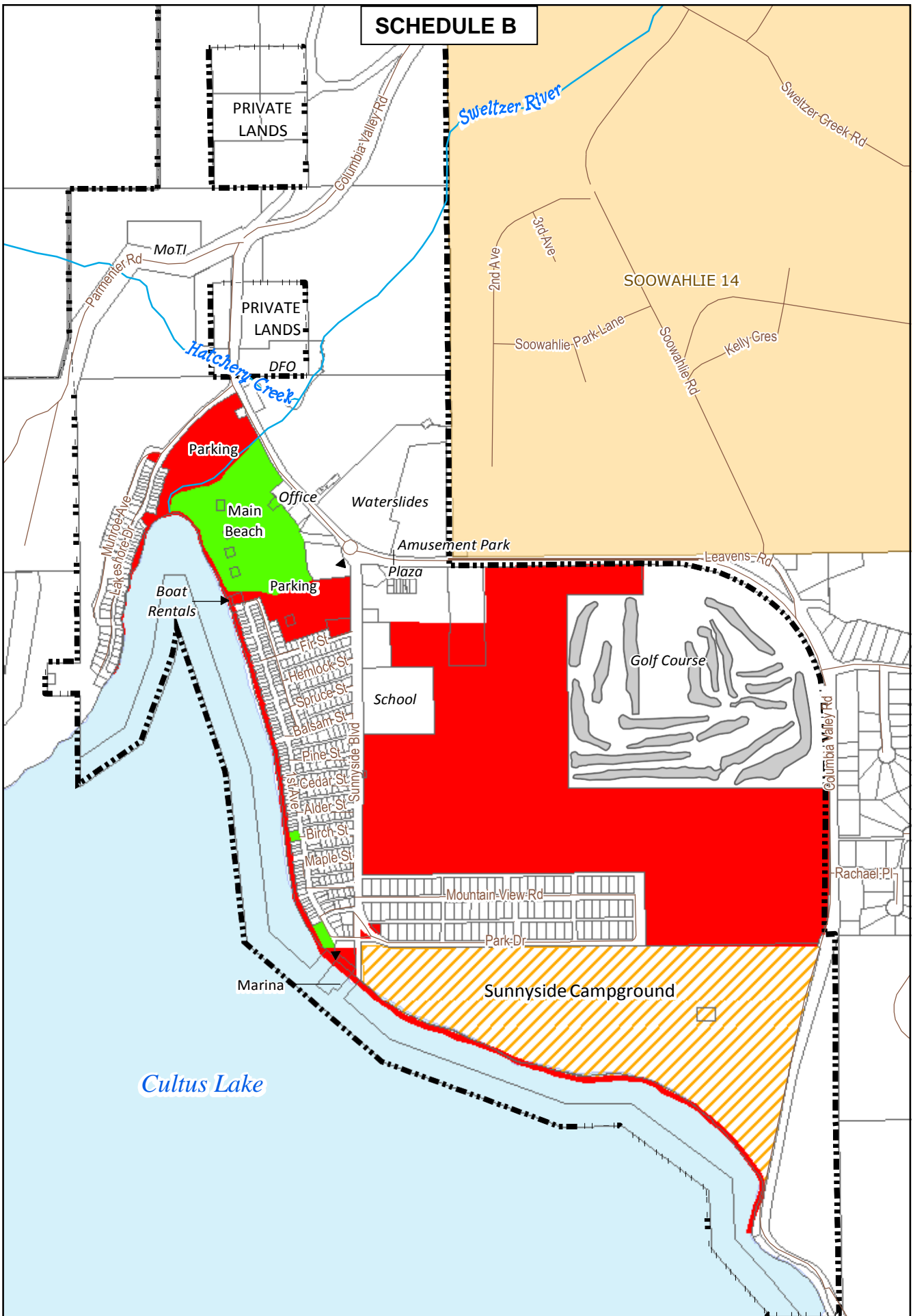
Bonny Bryant
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true
and correct copy of Cultus Lake Park Burning Conditions,
Restrictions and Fire Ban Bylaw No. 1144, 2019



Chief Administrative Officer

SCHEDULE B



Cultus Lake Park Board BBQ Map

2016 Airphoto Courtesy of McElhanney

- BBQ Allowed
- ▨ BBQ on Campsite Only
- NO BBQ



0 100 200 400
Meters

Map produced August 2017
For Information purposes only.