



Report

City of Merritt
REGULAR Council Meeting
August 27, 2019

File Number: 3900.2272

To: Scott Hildebrand, Chief Administrative Officer
From: Greg Lowis, UVic Law Coop Student
Date: August 22, 2019
Subject: Fire and Safety Regulation Bylaw

RECOMMENDATION:

THAT Council Read Fire and Safety Regulation Bylaw 2272, 2019 a first time;
And
THAT Council Read Fire and Safety Regulation Bylaw 2272, 2019 a second time;
And
THAT Council Read Fire and Safety Regulation Bylaw 2272, 2019 a third time.

Background:

The current bylaw prevents any resident from having a campfire, or other form of ambient outdoor fire in any location within Merritt at any time.

Residents reached out to City staff, indicating a desire to review the City of Merritt's prohibition on the outdoor use of fire. Upon hearing about this interest, staff reached out to the Fire Chief to gauge the feasibility of this request and received a favorable response regarding amending the bylaw to allow for small confined fires.

In consultation with the Fire Department, new regulations for the safe outdoor use of fire on private property were drafted. Noting that the existing bylaw was some 15 years old, staff also noted that other portions of the bylaw could be reworked to reflect modern bylaw drafting practices.

Reviewed by:			
Director, Corp. Services Not yet approved	Director, Finance & IT Not yet approved	Director, Engineering & Development Not yet approved	Chief Administrative Officer: Choose an item.

The main substance of the bylaw is unchanged in intent and effect, but has been updated for terminology, legibility, and clarity. The largest changes are in the outdoor use of fire regulations, which as proposed, create a permitting scheme that would allow small, confined fires on private property zoned Single Family Residential (R1), Low Density Residential (R2) or Large Lot Residential (R8), after an application is considered by the Fire Department. In addition, the Fireworks regulations have been updated to reflect a 2013 change in Federal legislation.

Incidental and stylistic changes throughout the bylaw should make responsibilities and obligations clearer to residents without changing the effects of the rules. Forms in the Schedules were updated to remove outdated references to websites and email addresses that no longer exist.

The primary purpose of the bylaw repeal and replacement was to permit outdoor fires under certain conditions, and to improve readability. Should further substantial changes be needed to the bylaw, additional future amendments would be required.

Options / discussion:

1. Give first, second, and third readings to the proposed bylaw as it stands.
2. Amend the proposed bylaw and give it readings as Council desires
3. Accept this report for information and not amend the Fire Safety regulations bylaw at this time

Financial / Risk Implications:

The current bylaw suggests that a previous council felt the risk posed by any outdoor fire within the City of Merritt was too high. The proposed guidelines have been drafted by the Merritt Fire Department and City staff while reviewing regulations elsewhere. Council must decide their view on the risk profile that the use of fire presents in Merritt.

Others Consulted:

The revisions to the campfire regulations were proposed by the Fire Department. In revising the bylaw, the only other substantive changes were to comply with altered Federal law, in which case the appropriate legislation was used.

Attachments:

Schedule "A": Fire Safety Regulations Bylaw No. 2272, 2019

Respectfully submitted,

Greg Lewis
UVic Law Co-op student