

Minutes of the Special Trustee Meeting of the Salt Spring Island Fire Protection District

Meeting held: **January 28, 2016**
Training Room, Ganges Fire Hall

In attendance:

Trustees: Chair Linda Lee, Howard Baker, Michael Craig, Andy Hildebrand, Derek Hill, Norbert Schlenker

Staff Members: Acting Chief Arjuna George, Administrator Andrew Peat (CAO)

Regrets: Mitch Forest

Others: 5 members of the public, Driftwood Reporter

Called to Order: 7:01 p.m.

1. Approval of Agenda

A proposed agenda was circulated to trustees prior to the meeting.

The following additional item was presented for consideration:

2.2 Correspondence from Sandra Leckie (28 January 2016)

The amended agenda was accepted by general consent.

2. Correspondence

2.1 Receive Lieutenant Sherrin's staff report (26 January 2016)

2.2 Receive correspondence from Sandra Leckie (28 January 2016)

Correspondence was received and accepted from Lieutenant Mitchell Sherrin and Sandra Leckie. (Copies attached to the original Minutes).

3. New Business

3.1 Report from the Chair of the Open-burning Bylaw Select Committee

Committee Chair Schlenker presented his report (dated January 25, 2016) which discussed the purpose behind replacing the District's existing Bylaw No. 92 which was to reconcile open burning regulations with changes in provincial acts and regulations. The proposed bylaw continues existing practice of the District to preferring "education to enforcement".

The proposed bylaw includes some material changes from the regulations embodied in Bylaw No. 92 which were highlighted in the report - including: year round permits; regulation of high risk activities; regulations regarding movement

of burnable materials between properties; continuous supervision and control of large burns; liability and cost recovery; and no specific regulation of beach fires.

3.2 Second reading of Open-burning Bylaw No. 125

Committee Chair Schlenker proposed a number of minor amendments to correct grammar, spelling and changes in the Local Government Act.

Motion moved by Trustee Schlenker seconded by Trustee Hill that the proposed Open-burning Bylaw No. 125 be amended as follows:

- that the first paragraph of the preamble of draft Bylaw No. 125 be amended by striking the number "731" and inserting the number "675".
- that the first paragraph of the preamble of draft Bylaw No. 125 be amended by inserting the words ",RSBC2015" after the words "Local Government Act".
- that the second paragraph of the preamble of draft Bylaw No. 125 be amended by striking the number "745" and inserting the number "697".
- that section 5 of draft Bylaw No. 125 Definitions be amended by inserting the words "with a Mesh" after the words "wire screen lid".
- that section 15 of draft Bylaw No. 125 Definitions be amended by striking the number "725" and inserting the number "325".
- that section 20 of draft Bylaw No. 125 Definitions be amended by striking the words "does not require a permit".
- that section 3 of draft Bylaw No. 125 Regulations be amended by inserting the word "a" before the words "specified period of time".
- that section 14(b) of draft Bylaw No. 125 Regulations be amended by striking the word "neighboring" and inserting the word "neighbouring".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Hill that section 21 of draft Bylaw No. 125 Definitions be amended by striking the words "may be permitted during Fire Bans" and inserting the words "are prohibited".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Hill that section 22 of draft Bylaw No. 125 Definitions be amended by striking the words "Special Open-Burning Permit" and inserting the words "Special Permit".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Craig that section 3 of draft Bylaw No. 125 Regulations be amended by striking the words "special permit" and inserting the words "Special Permit".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Hill that section 7 of draft Bylaw No. 125 Regulations be amended to insert the words ",unless a Special Permit has been obtained" at the end of the section after "being burned".

Motion moved by Trustee Craig seconded by Trustee Hill to amend the original motion to insert the words ", except campfires" after "Open Burning".

CARRIED.

In the discussion concerning this section of the Regulations the comment was made from the floor that as it originally read, property owners would be prohibited from burning firewood in a campfire that did not originate on their property. Trustees agreed by general consent that many property owners because of the nature or size of their property might not be able to meet set-back regulations and that it would be desirable to allow exceptions if approved by the Fire Chief by a Special Permit.

Motion moved by Trustee Schlenker seconded by Trustee Hill that section 9 of draft Bylaw No. 125 Regulations be amended by striking the words "by a person who is at least 16 years old".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Hill that section 10(c) of draft Bylaw No. 125 Regulations be amended by striking the words "and operator" and inserting after "burning" the words ",and an operator available".

CARRIED.

In the discussion Committee Chair Schlenker commented that the requirement of having an operator continuously present on site for Category 3 Open Burning was never enforced.

Motion moved by Trustee Schlenker seconded by Chair Lee that section 12 of draft Bylaw No. 125 Regulations be amended by striking the words "and Campfires" and inserting before "Domestic Incinerators" the word "Campfires and".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Craig that section 18 of draft Bylaw No. 125 Regulations be amended by after the words "The property owner" striking the words "shall be" and inserting the word "is".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Baker that section 19 of draft Bylaw No. 125 Regulations be amended by after the words "required Permit" strike the word "shall" and insert the word "may".

CARRIED.

Motion moved by Trustee Baker seconded by Trustee Hildebrand that section 4(d) of draft Bylaw No. 125 Regulations be amended by inserting the word "of" before "waste".

CARRIED.

Motion moved by Trustee Schlenker seconded by Trustee Hill that section 4(e) of draft Bylaw No. 125 Regulations be amended by striking the word "operator" and inserting the words "Person who is Open Burning".

CARRIED.

Motion moved by Trustee Craig seconded by Trustee Hill that section i (v) of draft Bylaw No. 125 Schedule B be amended by striking the word "contracting" and inserting the word "contacting".

CARRIED.

Motion that draft Bylaw No. 125 as amended be reconsidered and finally passed moved by Trustee Schlenker seconded by Trustee Baker.

CARRIED.

The proposed bylaw was silent on "beach fires" and in the discussion Trustee Schlenker commented that the District has no power to regulate activities on public beaches below the mean high tide mark and that incidents are often "noise complaints". Acting Fire Chief George commented that the Fire Service will investigate and respond to situations where there is a threat to property.

There was discussion about whether permits would be for the calendar year or for 12 months from date of issue. Acting Chief George commented that at present permits are issued on a calendar year basis and extra staff are scheduled for the peak demand periods. The consensus of the meeting was to continue the existing practice of issuing permits on a calendar year basis.

In the discussion Chair Lee commented that permits should only be issued to the property owner unless written permission has been received from the property owner stating for instance that a tenant or contractor may obtain a permit.

On behalf of the Board of Trustees, Chair Lee expressed appreciation and thanks to members of staff, the select committee, trustees and the public who assisted with and took part in open-burning bylaw drafting and approval process.

4. Adjournment

There being no further business **motion** to adjourn moved by Chair Lee.

CARRIED

The meeting adjourned at 9:59 p.m.

The next scheduled regular meeting of the trustees is February 15, 2015.

Linda Lee
Chair Board of Trustees

Andrew Peat
Corporate Administrator

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