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Halifax Regional Council
May 3, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


George McLellan, Chief Administrative Officer

DATE: April 28, 2005

SUBJECT: **Administrative Order No. 33 Respecting Open Air Burning**

ORIGIN

At the Regional Council Meeting of April 26, 2005, Councillor Meade put forward a Notice of Motion to amend Section 2 of Administrative Order 33, Respecting Open Air Burning.

RECOMMENDATION

It is recommended that:

1. Council not approve First Reading for the adoption of the Amendment to Administrative Order No. 33, Section 2 - to include the following Fire Protection Districts in which a burning permit is not required, providing all requirements that are outlined in Section 13 of the By-Law O-103 are met: Glen Margaret, Hacketts Cove, Indian Harbour, Peggy's Cove, West Dover, East Dover, Big Lake, Blind Bay, Shad Bay, White's Lake, Hatchet Lake, Goodwood, Terence Bay, Prospect, Prospect Bay, Hubbards, Queensland, Black Point, Ingramport, Boutilliers Point, Head of St. Margarets Bay, Upper Tantallon, Lower Tantallon, Glen Haven, French Village, Seabright and Lewis Lake.

BACKGROUND

The ability to burn year round increases the risk of fires getting out of control which inturn taxes our volunteers and available resources. Our ability to respond to calls is negatively impacted due to lack of available resources when they are at fires that are not our primary responsibility.

DISCUSSION

The impact and volume of calls relating to open fires this past month has had a significant impact our resources and the ability to respond in a timely maner. For example, Firefighters in Zone 1, (Chezzetcook, Lake Echo, Lawrencetown, Musquodoboit Harbour, Oyster Pond and Ostrea Lake) were tied up from Friday to Wednesday with the wildland fires in this area. These types of calls do take its toll on our resources especially when experienced over several days.

Additionally, firefighters are mandated to respond to emergency calls, along with meeting all the training requirements which becomes a significant load for our firefighters and their families. We also have serious concerns on the potential loss of volunteer firefighters or to be fighting a brush, grass or forest fire when a structure fire or medical emergency needs our attention and is our primary role.

Wildland fires in the former Halifax County are a Provincial responsibility, however, HRM is the first responding resource until the Department of Natural Resources(DNR) arrives on scene. Typically, firefighters remain with DNR to assist in fighting the wildland fires due to limited DNR resources. This also increases burnout of our volunteers. It is not uncommon for more than one call to break out at one time which again taxes available resources. A lot of firefighters want to protect their communities, at any cost, regardless of the impact to themselves and their families. We as an organization must not allow them to become burned out.

HRM's responsibility is to fight fires within 1000' of a building. Other woodland areas are DNR's responsibility. During the Hammonds Plains fire a couple of years ago, DNR informed us that their responsibility is in the woods and if a structure was burning as a result of the wildland fire, it is not their responsibility. HRM does incur costs as a result of wildland fires such as the purchase and maintenance of hose, related equipment, coveralls, training for fighting wildland fires , fuel, vehicle maintenance, etc. These expenses have risen over the past few years and funds that could be expended on our primary mission are being used to purchase brush fire equipment.

Hurricane Juan has certainly increased the public's desire to burn their brush and trees although alternative methods are available which are better for the environment. We have discussed our need to address the smoke issue in the past and Council has heard from people who have respiratory problems and do not like not the smell of smoke, especially from those who live in new home construction and have air exchange systems as a requirement of the building code.

The change to the Administrative Order No. 33 that is being requested would allow more areas that are experiencing increased residential growth to burn year round provided they meet the

requirements in Section 13 of ByLaw O-103. This change will result in more complaints from residents who are negatively impacted, the possibility of fires getting out of control causing damage to buildings and the environment which will impact the smoke control issue we wanted to address in the Open Air Burning By-law. We believe the ability to control smoke is imperative to the mission of the Halifax Regional Fire and Emergency Service.

BUDGET IMPLICATION - None

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN - None

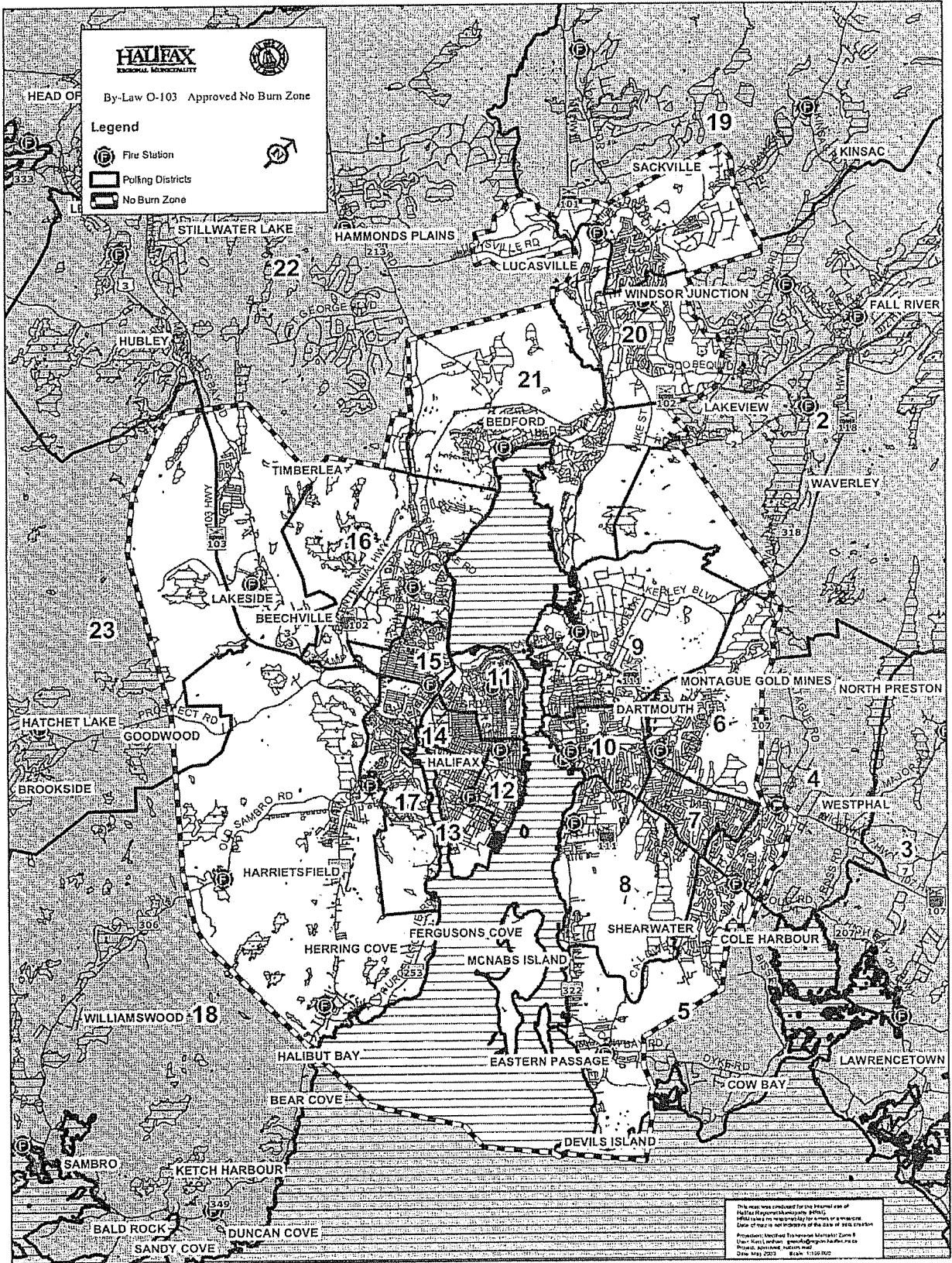
ALTERNATIVES - None.

ATTACHMENTS Administrative Order Number 33, Respecting Open Air Burning.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Michael E. Eddy, Chief Director

Report Approved by: Michael E. Eddy
Michael E. Eddy, Chief Director, 490-4238



**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 33
RESPECTING OPEN AIR BURNING**

BE IT RESOLVED as a policy of the Council of the Halifax Regional Municipality pursuant to the *Municipal Government Act* as follows:

SHORT TITLE

1. The administrative order may be cited as Administrative Order Number 33, Respecting Open Air Burning.

BURNING PERMITS - Fire Protection Districts where not required.

2. A burning permit is not required in the following Fire Protection Districts providing all requirements that are outlined in Section 13 of the By-law O-103 are met:

Cooks Brook	Three Harbours/Port Dufferin	Upper Musquodoboit
Dutch Settlement	Mushaboom	Sheet Harbour
Meagher's Grant	Musquodoboit Harbour	Tangier
Middle Musquodoboit	Ostrea Lake	
Moser River	Oyster Pond	
Mooseland		

CAMP FIRES & WOOD BURNING GRILLS

3. Camp Fires located in Shubie Municipal Campground are exempted from the Burning By-law O-103 provided all the provisions set out in Section 6 Exemptions are adhered to.

Wood Burning Grills located in Point Pleasant Park are also exempted from the Burning By-law O-103 and are permitted provided all the provisions in Section 6 Exemptions are adhered to.

NO BURN ZONE

4. The map shows the boundary of the No Burn Zone. Below is the path the line follows as it intersects various communities.

See Attached - also in PDF File

Eastern Passage includes Samuel Daniel Drive and to the end of Murray Road Cole Harbour includes all Forest Hills from Cole Harbour Road to Main Street, Colby Village, Bissett Road., Parkland Drive, Bass Court and Morash Drive.

Westphal includes Broom Road.

In Dartmouth/Sackville the divider is Highway 107. From Highway 107 to Highway 102. The boundary line follows Hwy. 102 North to the south side of the community of Lakeview. From Cobequid Road to the secondary rail line to Capileno Estates and along the westerly side of this subdivision to the New Ashburn Golf Course Property.

In Sackville/Lucasville the line comes down behind Millwood Drive and includes all the streets off of it to Sackville Drive near Melham Drive and does not include the golf course to Hwy. 101.

The line continues to McCabe Lake, travelling the eastern shore of the lake, and includes West Point Dr and Waterstone Run. Then east, crossing Lucasville Road to civic 960, continuing east to approximately the west side of Sandy Lake, where it cuts across the Hammonds Plains Road at Kearney Lake Road intersection. The line includes all Kearney Lake Road and travels south behind Kearney Lake Road to Belle St. and includes all of Belle St and Colins Rd. The lines then travels west, around Kingswood to Exit 4 on Highway 103, and excludes all of Kingswood but includes Maple Lake Road and Merganser Avenue

The boundary then travels behind the Otter Lake Waste Facility to Goodwood where the cut-off is Evergreen Road.

The line then extends through Spruce Hill Lake to Harrietsfield, to Mercury Avenue and Whitehead Road. It extends on to Herring Cove at the Halibut Bay sign on Highway 349 (Ketch Harbour Road).

Done and passed in Council this 13th day of May, 2003.

Mayor

Municipal Clerk

I, Vi Carmichael, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on May 13, 2003.

Vi Carmichael, Municipal Clerk

Notice of Motion:	May 6, 2003
Approved:	May 13, 2003
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Amendment # 1	

Notice of Motion:	April 20, 2004
Approved:	April 27, 2004
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Amendment # 2

Notice of Motion:	May 25, 2004
Approved:	June 8, 2004