



Naturally Refreshed

VILLAGE OF HARRISON HOT SPRINGS
BYLAW NO. 1124

A bylaw to establish regulations for Solid Fuel Burning Appliance Regulation

WHEREAS the Village of Harrison Hot Springs has deemed it advisable to establish a bylaw to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to the matters referred to in the *Community Charter*,

AND WHEREAS the *Community Charter* provides that the authority of a Council may be exercised in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia that is liable to foul or contaminate the atmosphere;

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as the Village of Harrison Hot Springs "Solid Fuel Burning Appliance Regulation Bylaw No. 1124, 2018".

2. **DEFINITIONS**

In this bylaw:

"Boiler" means an appliance in which fluid is heated and from which the heated fluid or steam is circulated through pipes for purposes that include heating spaces other than the space in which the boiler is located;

"Bylaw Enforcement Officer" means the person appointed from time to time by Council for the purpose of administering the provisions of the bylaw;

"Canadian Standard" means "CSA B415.1-10 Performance testing of solid-fuel-burning heating appliances", published by the Canadian Standards Association, as amended from time to time;

"Liquid fuel or gaseous fuel" means butane, propane or other CSA or ULC rated approved liquid or gaseous fuel;

"Outdoor Solid-Fuel Combustion Appliance" also known as wood-fired hydronic heaters, means an outdoor wood burning appliance or a solid fuel burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose and which is located in a separate building or on the exterior of the building which it serves.

"Pellet stove" means a stove that burns pelletized fuel to heat the space in which it is located;

"Pelletized fuel" means processed fuel consisting of uniform, discrete pellets of compressed, dried biomass material;

"Site-built masonry fireplace" means an appliance that is

- (a) a wood burning fireplace of primarily masonry construction, and
- (b) built or assembled at the site on which it is located;

"Smoke" means the gases, particulate matter and all other products of combustion emitted into the atmosphere when a substance or material is burning including, without limitation, smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia;

"Solid fuel" means

- (a) untreated, seasoned wood or wood products, including, without limitation, cordwood, woodchips, sawdust and wood left over from cutting lumber to length,
- (b) manufactured firelogs,
- (c) pelletized fuel, and
- (d) corn kernels and seed hulls;

"Solid Fuel Appliance" means a device designed for burning solid fuel to produce heat for heating spaces or cooking or for aesthetic enjoyment, but does not include:

- (a) barbeques,
- (b) chimineas that use liquid or gaseous fuel,
- (c) outdoor fireplaces that use liquid or gaseous fuel, and
- (d) outdoor ovens;

"ULC" means Underwriters Laboratories of Canada; is an independent product safety testing, certification and inspection organization; and

"Village" means the Village of Harrison Hot Springs.

3. PROHIBITION

No person shall install, or allow to be installed, either indoors or outdoors, a solid fuel burning appliance, boiler, masonry fireplace or pellet stove which is used for the space heating of a building, the heating of water or other such similar purposes.

4. EXISTING SOLID FUEL APPLIANCES

- 4.1 Existing solid-fuel burning devices must meet the emissions standards of CAN/CSA-B415.1 standard "Performance Testing of Solid-Fuel-Burning Heating Appliances" published by CSA as amended from time to time;
- 4.2 For all new construction, the building shall contain an alternate form of space heating, including, but not limited to, natural gas, propane, electric, oil, solar, kerosene or other permitted methods of heating.

5. EXEMPTIONS

- 5.1.1 The normal use of liquid fuel or gaseous fueled or electric grills and barbeques for the purpose of cooking food;
 - 5.1.2 The normal use of hibachis and charcoal barbeques on private property for the purpose of cooking food;
 - 5.1.3 The normal use of a CSA rated or ULC rated approved electric or wood pellet smoker on private property to process, flavor, brown, cook or preserve food.
6. Every person who violates any of the provisions of this bylaw or suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or who refrains from doing anything required by the bylaw shall be deemed to be guilty of an infraction thereof and liable to the penalties imposed under the Bylaw Notice Enforcement Bylaw.
7. Each contravention of this bylaw constitutes as a separate offence.

8. SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.

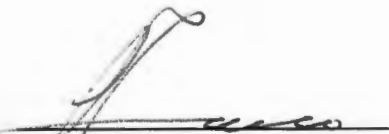
READINGS AND ADOPTION

READ A FIRST TIME THIS 7th DAY OF MAY, 2018

READ A SECOND TIME THIS 7th DAY OF MAY, 2018

READ A THIRD TIME THIS 7th DAY OF MAY, 2018

ADOPTED THIS 22nd DAY OF MAY, 2018



Mayor



Corporate Officer