

July 14, 2021

Alberta Fire Permitting and Wildfires

As the summer heats up, it's important to be familiar with Alberta's fire permitting information. Fire permits required March 1 to October 31 of each year.

According to [Alberta Wildfire](#) statistics, there were 704 wildfires in Alberta in 2020, of which 12% were caused by lightning and 88% by people. Up-to-date information on fire restrictions, fire bans, OHV restrictions, and general wildfire information is available at www.albertafirebans.ca or by calling 1.866.FYI.FIRE (1.866.394.3473). Alberta Wildfire may reduce or extend fire season depending on the assessed wildfire risk that season.

Local Fire Guardians

Before April 1 of every year, municipal councils must appoint a sufficient number of fire guardians to enforce provision of the *Forest and Prairie Protection Act* within the boundaries of the municipal district with exception of the areas in Fire Protection Area (FPA), which covers approximately 60% of the province.

The chief elected official, each councillor, and the chief administrative officer are, by virtue of their offices, fire guardians in and for the municipal district, except that part of the municipal district that is within a forest protection area.

Key Factors to consider before issuing fire permits:

- Nature of material to be burned
- Alternate methods of disposal
- Soil management and conservation
- Meteorology and smoke management
- Site inspections
- Bylaws
- Inclusion of relevant legislative provisions

Steps to take when issuing the permit:

Conditions should always be attached to or be listed on the fire permit itself.

- Fire guardians can stipulate any special fire control conditions on the fire permit (in addition to the requirements of the *Forest and Prairie Protection Act* and its regulation) so long as the conditions are reasonable and made in good faith
- Legislative regime does not expressly require any particular conditions

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The permit should contain sufficient conditions, with particular details, as to leave no doubt in the mind of the permit recipient about any of the details. Examples include:

- The amount and type of debris that can be ignited at one time
- The type of ignition patterns
- The maximum fire danger pursuant to the Alberta Wildfire Fire Ban system allowed before burning must be suspended
- The maximum wind speed (the maximum allowable wind speed is between 10 and 15 kilometres per hour). Additionally, the following must be considered:
 - Fire control,
 - Exposing the public to dense smoke odour, and
 - Visibility problems with the travelling public.
- The time of day in which burning can be undertaken, which may depend on the degree of fire hazard
- The surveillance requirements to ensure a safe and controlled burn
- The steps to be taken to ensure a complete burn
- The timeline for when all trace of fire must be extinguished
- The maximum period of time that the permit is in to be in effect
- The expiry date

It is best practice for a fire permit to be in effect only for the minimum number of days reasonably needed for a fire of a specific size and type. The person who is actually conducting the burn is to sign the fire permit as a permittee. Designates or proxy for signatures should not be accepted.

In addition, special consideration and extra steps should be taken for burning open fires within 800 metres of a numbered highway or roadway. Conditions may include the area marked with signs and amber flashing lights to warn the travelling public to the potential for low lying smoke, which may reduce visibility.

When can a permit be suspended or cancelled?

Alberta Agriculture and Forestry utilizes recommendations for local authorities when determining whether to issue a province-wide fire ban. A fire ban is not required to cancel new and existing fire permits.

What are some best practices to follow:

- Be aware of all fire bans issued by the province
- Suspend or cancel all fire permits in the affected area when a fire ban is in effect

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- Notify all permit holders with active fire permits of the ban promptly and instruct them to extinguish all fires immediately
- Cancel fire permits and instruct the permit holders to immediately extinguish the fires if the fire hazard increases, if complaints are made regarding smoke emissions or foul odours, or if there is a good faith and reasonable belief that the burn will no longer be safe

If a wildfire occurs as a result of a permitted open burn, municipalities are responsible for fighting and controlling all fires within the boundaries of their municipal district, except those parts of the municipal district that are within the FPA. Municipalities are responsible for the costs of fighting and controlling a fire, subject to their right to recover from the parties responsible for the fire.

If you have any questions or concerns, please do not hesitate to contact your member service representative or risk advisor.

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