


POLICY SUBJECT		
Open Fire		
EFFECTIVE DATE	RESPONSIBLE BRANCH	NUMBER
31 March 2024	BC Wildfire Service	9.12
APPROVED		
 Rob Schweitzer, Executive Director		

Scope

This policy pertains to the requirements for use of open fire under sections 20 to 24 of the Wildfire Regulation. This policy does not address requirements that may apply to the use of open fire under other legislation, such as the *Environmental Management Act* (Open Burning Smoke Control Regulation).

Purpose

The purpose of this policy is to provide guidance on certain requirements under the Wildfire Regulation for the safe use of open fire, including fuel breaks, preventing open fires from becoming out of control, burn registration numbers and documenting extinguishment.

This policy provides guidance only for the above referenced topic areas and does not provide guidance on all requirements related to the use of open fire. The actual legislation should be referenced for the legal requirements on this topic. Legal advice may be required for specific questions about the legal requirements under the *Wildfire Act* and Wildfire Regulation.

Definitions

In this policy, the following words have the following meanings, unless the context dictates otherwise:

- a) **“Category 1 campfire”** means a category 1 campfire as defined in section 1 of the Wildfire Regulation.
- b) **“Category 2 open fire”** means a category 2 open fire as defined in section 1 of the Wildfire Regulation.

- c) **“Category 3 open fire”** means a category 3 open fire as defined in section 1 of the Wildfire Regulation.
- d) **“Category 4 resource management open fire”** means a category 4 resource management open fire as defined in section 1 of the Wildfire Regulation.
- e) **“Fuel break”** means a fuel break as defined in section 1 of the Wildfire Regulation.
- f) **“Open fire”** means an open fire as defined in section 1 of the Wildfire Regulation.
- g) **“Qualified holder”** means a qualified holder as defined in section 1 of the Wildfire Regulation.
- h) **“Regulation”** means the [Wildfire Regulation](#), B.C. Reg. 38/2005 as it may be amended or replaced from time to time.

Policy

Fuel breaks and spread of open fire

Under section 1(1) of the Regulation:

“fuel break” means

- (a) a barrier or a change in fuel type or condition, or
- (b) a strip of land that has been modified or cleared to prevent fire spread;

A fuel break may be an area with fuel removed, a natural barrier, or a change in fuel type or condition that prevents a fire from spreading. Fuel breaks must be maintained and assessed for their ability to prevent an open fire from spreading beyond the fuel break. Current and forecasted conditions must be considered, including:

- topography (slope/aspect/terrain);
- content and quality of burned material;
- adjacent fuels;
- moisture levels;
- fire behaviour;
- wind and weather.

Note that a change of fuel type or condition on its own is insufficient as a fuel break unless it

prevents fire spread. For example, a change from timber to grass constitutes a change in fuel type, but if current or forecasted conditions mean that it will not prevent a fire from spreading then it does not constitute a fuel break. In some cases, snow, bodies of water, or bare rock could be considered an adequate fuel break if their condition remains such that they are able to prevent the fire from spreading beyond the fuel break.

If a non-permanent condition such as snow is used as a fuel break, extra precaution is required to maintain the adequacy of that fuel break in preventing fire spread. Extra precaution might mean establishing multiple fuel breaks, conducting extra monitoring activities, or extinguishing the fire prior to anticipated changes to conditions.

The Regulation specifies where fuel breaks must be established for categories 1- 3 of open fires:

- For a category 1 campfire, a fuel break must be established around the category 1 campfire.
- For a category 2 open fire, a fuel break must be established around each pile, grass or stubble area.
- For qualified holders using category 3 open fire for hazard abatement within a cutblock, a fuel break must be in place or established at or near (not outside of) the boundary of the cutblock. A qualified holder may choose to use natural features or implement measures that create areas of discontinuous fuel around piles or windrows to assist in keeping the fire under control and/or reduce the spread of the fire.
- For all other users of category 3 open fire, a fuel break must be established around each pile, windrow, grass or stubble area.

For category 1 campfire, category 2 open fire and category 3 open fire, the open fire must not spread beyond the required fuel break, or it may be considered a contravention of the Regulation. For category 4 resource management open fire, the fire must not spread beyond the area specified in the burn plan. For further guidance on burn plans and category 4 resource management open fire, see Policy 9.5 Prescribed Fire and Resource Management Open Fire.

Out of control open fires

Under the Wildfire Regulation, an open fire must always remain under control, even when it is within a fuel break. If a fire becomes out of control, regardless of whether the fire is within or outside of the fuel break, a person must carry out fire control immediately, extinguish the fire if practicable and report the fire as described in section 2 of the *Wildfire Act*.

Out of control is not defined in the Regulation and whether a fire is out of control must be assessed on a case-by-case basis. The assessment of whether a fire is out of control depends on several factors including but not limited to wind and weather conditions, fire behaviour, the training and experience of personnel at the site of the fire, and the potential for fire spread.

Burn registration numbers

A person who lights, fuels or uses a category 3 open fire or a category 4 resource management open fire is required to obtain a burn registration number from the government. Section 24(1) of the Regulation requires a person to provide the following information when obtaining a burn registration number:

- a) the name, address and telephone number, or other means of immediate contact, of the person who proposes to light, fuel or use the open fire;
- b) the location of the parcel of land that contains the proposed burn area, including a legal description of the parcel if available;
- c) the category of the proposed open fire;
- d) other information relating to the proposed open fire that the official or the person answering the telephone number requires.

Having accurate and updated contact and location information is essential for BC Wildfire Service to assess whether a reported fire is an open fire in compliance with the Regulation, or a potential wildfire in need of response.

Contact information required by section 24(1)(a) of the Regulation must be for a person who is immediately available and who can confirm the status of the open fire. If open burning is occurring outside of office hours, then this contact information should be for a person who is available at all times that the burning is occurring and for the entire duration of burning.

Precise coordinates (latitude and longitude) are preferred to accurately understand the location of open fires. When multiple open fires are registered, the legal parcel description or logging road kilometre may be more useful. Other information useful for the burn registration process includes the total burn area, the number of piles or windrows to be burned, the type of fire, the estimated amount of burned material, and type of the fuel.

The expiry date of the burn registration number is the date that the open fire must be extinguished by under section 22(2) or 23(2) of the Regulation.

Confirming extinguishment of category 3 open fire

Section 22(2.1) of the Regulation requires a person to document the actions taken to confirm extinguishment of a category 3 open fire and provide that documentation to an official at the official's request. Documentation may be useful to establish due diligence, but it does not remove a person's responsibility or liability for an open fire that spreads beyond the fuel break or is otherwise in non-compliance.

Documentation must describe or illustrate the extinguishment measures taken. Actions taken to confirm extinguishment may include thermal scanning, using hands or machinery to pull apart burned material while physically checking for residual heat, and follow up activities such as return visits or observations.

Documentation to confirm extinguishment may take many different forms. Users of category 3 open fires are encouraged to use a documentation method that aligns with their specific needs and practices. Documentation could include notes captured in employee diaries, graphical material such as maps, photos, sketches or drawings, spreadsheets, flight paths, or standardized fillable documents or forms.

Documentation may include, but is not limited to, the following information:

- burn registration number;
- name of the burn registration number holder;
- list and location of ignited piles;
- date(s) of ignition and date(s) of active burning;
- date by which the open fire was to be extinguished;
- description and dates of the actions taken to confirm extinguishment;
- description and dates of follow-up activities taken to confirm extinguishment;
- name(s) of the person(s) who carried out the actions.

To support the description of the actions taken to confirm extinguishment, consider also including the following types of information, if relevant:

- photographs;
- maps;
- sketches or diagrams;
- weather data, weather forecasts, and the name of the representative weather station;
- observations about fire behaviour, fuel breaks, and other site conditions;
- type and quality of burned material.

References

- [Wildfire Act](#)
- [Wildfire Regulation](#)
- [Policy 9.5 Prescribed Fire and Resource Management Open Fire](#)