



Lions River Fire Protection Association
By Landowners - For Landowners

FPA RULES & REGULATIONS

As amended and adopted by the Executive Committee of 3 April 2014

These rules and regulations are to be adhered to by members of Lions River Fire Protection Association (LRFPA) and where applicable will apply to ALL landowners residing within the LRFPA area of operations in terms of the National Veld & Forest Fire Act 101 of 1998.

MEMBERSHIP – DUTIES OF MEMBERS TO PAY ANNUAL FEES & UPDATE DETAILS

Membership:

Any member and / or landowner (owner) in the area of the Association may at any time become a member. Every Municipality or organ of State MUST become a member.

Member details:

1. Any change of address or telephone number or transfer of property or change in owners MUST be communicated to the Secretary within 30 days. The onus is on the member to ensure all details are updated and the LRFPA cannot be any liable in any way whatsoever should such membership information not be provided to the LRFPA timorously.

Membership of LRFPA includes;

1. paying fees required by the Association
2. the payment of any charges set by the Association from time to time, inclusive of any charges incurred by the Association for and on behalf of member and as the result of any direct request of a member;
3. all benefits of membership to the Association, and only for so long as the member is a paid up member of the Association and remains fully compliant in terms of the Associations Constitution, its Rules & Regulations and the National Veld & Forest Fire Act 101, 1998
4. payment of the annual subscriptions within the specified period, and the member thereby makes a declaration to abide by the Constitution and the Rules & Regulations of the Lions River Fire Protection Association

Termination of Membership - Payment of fees etc.

1. Membership is automatically terminated should a member NOT pay membership fees, any charges (as noted above), and any interest due thereon, within 60 days of invoice. Interest will be charged at prime lending rates.
2. If a member terminates their membership, all fees and charges already paid to the Association will be forfeited.

Rights of the Association

1. The Association may terminate membership of any member who fails to comply with the Rules & Regulations within a reasonable time period, and after receiving a written notice of failure to comply with an agreed

rectification plan from the Fire Protection Officer (or the LRFPA), or has failed to comply with any payment and / or fee requirement within any specified time period as set out within the Rules & Regulations

2. Should a dispute arise with regard to a members membership hip being terminated for whatever reason in terms of the Constitution and / or Rules & Regulations, the member will be given an opportunity to present in writing their reasoning in respect of such dispute, upon which the Executive Committee will deliberate on the matter and the decision of Executive Committee will become final.

MEMBERS DUTIES IN RESPECT OF FIRE MANAGEMENT DURING THE HIGH RISK FIRE PERIOD 1 MAY to 31 OCTOBER ANNUALLY

The Lions River FPA (LRFPA) area of operation is deemed a high risk fire area by the Dept. of Agriculture Forestry & Fisheries (DAFF). Based on historical information as well as operating norms, LRFPA have adopted the following regulations and date lines with regard to the general conduciveness of any burning operations within its area, and which must be read in conjunction with the National Veld & Forest Fire Act 101, 1998. The Fire Protection Officer and / or the Executive Committee of the Lions River Fire Protection may in consultation with the Kwazulu Natal Fire Protection Association, change the dates and the nature of burning operations as contained hereunder, and in so doing grant landowners special permits, any such change will be distributed in writing, to the membership via email;

- (1) No member and / or landowner shall **make a fire in the open air**, or, if such a fire has been made, allow it to continue to burn or add fuel thereto, otherwise than –
 - a. Fires made within a demarcated picnic or camping area or caravan park, or holiday resorts, but only at places within such an area which have been specifically prepared and maintained for that purpose and the landowner / land-user has provided the necessary authorizations to light a fire, and provided that such fires are properly and fully extinguished with water and/or sand;
 - b. Fires for the preparation of food on residential stands and located within a fire risk area (such as labour villages, temporary labour camps, residential houses in close proximity to open veld areas etc) which are properly protected against fire and within a demarcated area;
 - c. Fires made on residential and industrial stands in proclaimed townships which are properly protected against fire and;
 - d. Fires to facilitate the harvesting of sugarcane, which is to be allowed from 18:00 on Fridays to 10:00 on Saturdays, as well as, 17:00 on Sundays to 06:00 on Mondays;

DATES: NO making fire of any natures in the open air, other than types of fire specified below, from 1ST May to 31 October annually

- (2) No member and / or landowner shall **destroy any ground cover**, including any slash, brush or harvest residue by burning other than maize harvest residue, which may be destroyed from 14:00 to 24:00 daily, except from 18:00 on Fridays to 14:00 on Mondays, subject to regulation 12, promulgated in terms of the Conservation of Agricultural Resources Act, 1983 (Act N° 43 of 1983); and in compliance with the National Veld and Forest Fire Act, 1998 (Act N° 101 of 1998).

DATES: NO burning of ground cover(*slash, forestry*) from 1ST May (unless amended by the FPA) to 31 October annually

DATES: Burning of maize harvest residue is permitted 1ST July to 30th September (*after 14:00 on weekdays*)

- (3) The **clearing or maintenance of firebreaks** by burning is prohibited;

DATES: NO clearing of firebreaks is permitted from 1ST August to 31st October annually

- (4) The **execution of block burns for grass management purposes** including the burning of veld, may not take place from 16:00 on Fridays to 06:00 on Mondays, subject to regulation 12, promulgated in the terms of the Conservation of Agricultural Resources Act, 1983 (Act N° 43 of 1983); and in compliance with the National Veld and Forest Fire Act, 1998 (Act N° 101 of 1998).

DATES: Execution of controlled block burns for grass management purposes (*veld, camps / vleis*) is permitted 1st July to 31st October annually – provided that the area is completely surrounded by an adequate fire break and burning is undertaken in accordance with the guidelines as set out in CARA.

MEMBER DUTIES IN RESPECT OF BURNING OF FIRE BREAKS, CONTROLLED GRASS MANAGEMENT AND / OR BLOCK BURNS, BRUSH BURNS, FORESTRY SLASH BURNS, REFUSE BURNS, THE SPREAD OF FIRE AND READINESS TO FIGHT FIRES

Firebreaks and Controlled Block and / or Grass Management Burns

Duty of members and / or landowners to prepare and maintain boundary firebreaks with neighbours, as well as prepare internal firebreaks for controlled block, and forest brush, burning purposes;

In terms of the National Veld & Forest Fire Act 101 of 1998;

1. Every owner on whose land a veldfire may start or burn or from whose land it may spread must prepare and maintain a firebreak on his or her side of the boundary between his or her land and any adjoining land.
2. If an landowner / land user (owner) intends to prepare and maintain a firebreak by burning, he or she must determine a mutually agreeable date or dates with the owners of adjoining land for doing so, and inform the LRFPA.
3. If agreement cannot be reached, such owner must give to the owners of adjoining land and the fire protection association for the area, if any, at least 14 days written notice of the day or days during which he or she intends burning firebreaks, fire danger permitting.
4. An owner of adjoining land who has agreed on a day or who receives a notice must—
 - a. burn his or her firebreak on the boundary concerned on the same day or days; or
 - b. be present at such burning or have his or her agent attend; and
 - c. ensure that a sufficient number of persons are present on his or her side of the boundary to prevent any spread of fire when the firebreak is burned.
5. An owner may not burn a firebreak, if—
 - a. the fire protection association objects to the proposed burning; or
 - b. a warning has been published in terms of subsection 10(1)(b) because the fire danger is high in the region; or
 - c. the conditions are not conducive to the burning of firebreaks.
6. The owner must inform the owners of adjoining land and the fire protection association, if any—
 - a. if burning cannot be done on the agreed day or days, or any of the other days; and
 - b. of the additional days on which he or she intends to burn because of the failure to do so on the day or days.

7. It is not necessary for the owner to give 14 days notice of the additional days.
8. Owners of adjoining land may agree to position a common firebreak away from the boundary.
9. Should an owner intend to be absent for a period longer than 14 days during the period or part of any period in which burning normally takes place, he or she must give all owners of adjoining land an address and telephone number, if any, at which he or she may be contacted.
10. If an owner of adjoining land—
 - a. is not present on the agreed or notified day or days; or
 - b. has not given an address and telephone number, if any, the owner may proceed with the burning in his or her absence.
11. It is strongly recommended by the LRFPA that neighbours enter into a joint fire break agreement to ensure all relevant matters are agreed to in writing.

Firebreaks

The firebreak need not follow the common boundary if the neighbour's agree in writing to locate it elsewhere. This offers the flexibility needed to adjust for problems such as terrain.

1. Dimension - It is **recommended that a 10 -15 meter firebreak** on each side of the boundary is burnt (depending on fire risk, fuel loads, terrain, gradients, type of vegetation, size of property etc.) and should controlled block burning for grass management or any other purpose be undertaken, internal firebreaks, 10 meters minimum in width should be prepared around the controlled burn area. Please consult your FPA should you be uncertain.
2. **Sawmill's / Charcoal site's** The production site will be surrounded by a fire break of a minimum of 20 metres in width.
3. Condition: The fire break is to be reasonably free of all flammable material (logs, stumps, garden refuse, refuse pits etc), other than grass, and does not cause soil erosion.
4. Rotation: Annually. Where possible these breaks are to consist of two 15-20 m breaks which can be alternated annually on the joint boundary.

Strategic fire breaks (Undertaken by LRFPA or LRFPA in conjunction with landowners)

1. Recommended width: 50-100 metres
2. Condition: Clean of all flammable soft fuels [grasses]
3. Rotation: Annually

Member's and / or landowner duties when preparing fire breaks

The following are the steps to be taken by members and / or landowners when they intend to burn fire breaks or undertake any form of controlled (block, slash, brush, maize residue etc) burns:

1. The LRFPA ops room is to be notified by the landowner, landuser and / or agent before burning operations commence on the day of burning (in terms of the Act), and a permit number will be issued prior to any burning.

2. A landowner / member may be requested to supply a permit number should the Fire Protection Officer request such, failure to do so could result in non-compliance.
3. The LRFPA ops room and / or the FPO is to be notified of any uncontrolled spread at the site of the fire break or controlled burning (in terms of the Act).
4. The LRFPA ops room is to be notified of completion of the burning operation.
5. No burning operations, other than controlled conservation / grass management block burns will be allowed between the 1st July and 31st October without a permit issued by the FPA.
6. No burning of fire breaks if LRFPA have said NO to any burning on any specified day (in terms of the Act).
7. No burning of any nature will be permitted on Saturdays, Sundays and Public Holidays except under a written burning permit which is signed by all neighbouring land owners and the LRFPA.
8. A member and / or landowner when wanting to burn a firebreak must ensure that, with due regard to the weather, climate, terrain and vegetation of the area—
 - a. it is wide enough (refer to above rules)and long enough to have a reasonable chance of preventing a veldfire from spreading to or from neighbouring land;
 - b. it does not cause soil erosion; and
 - c. it is reasonably free of inflammable material capable of carrying a veldfire across it.
9. The member and / or landowner (or the appointed agent) intending to burn the fire break must consult with the neighbour to find a suitable date for both parties. If the member cannot obtain agreement then he or she may simply give 14 days written notice of intention to burn.
10. The act requires the neighbour to burn his or her fire break on the same day as agreed or notified, to be present or have an appointed agent present, and have sufficient trained fire fighters and reasonable equipment available to prevent the spread of the fire.
11. The member must comply with the FPA's minimum requirements before the burning of fire breaks and / or controlled block burns, brush burns, slash burns, and refuse burns commences.

Prescribed burning procedures

Pre-burning procedures:

1. All members and / or landowners must contact the LRFPA and verify that weather conditions are conducive for any burning operations.
2. A member and / or landowner within the LRFPA area of operation may not burn a firebreak or undertake any other type of burning operation, if—
 - a. the fire protection association objects to the proposed burning; or
 - b. the conditions are not conducive to the burning of firebreaks in terms of forecast and / or actual Fire Danger Index and other general adverse weather characteristics on the day and within a few days thereafter.
3. Members and / or Landowners must consider the availability of trained fire fighters over weekends and public holidays and must try to avoid any burning immediately prior to a pay weekend.
4. Should a member and / or landowner not follow the rules in respect of notification of the LRFPA and should any advice be given by the LRFPA in terms of burning conditions, all of which are ignored, the LRFPA cannot be held accountable in any way whatsoever for such members and / or landowners actions whom do not notify the LRFPA or follow the advice of the LRFPA in respect of prescribed burning operations.

5. Should a member and / or landowner not follow the rules in respect of notification and any advice given in respect of burning conditions, the member and / or landowner could be faced with potential negligence claims as well as being charged with an offence in terms of the Act.
6. Fire break burning and any block burning must not be undertaken prior to sunrise and must be completed prior to sunset. Members may apply for special permission to burn after sunset, however, permission is not guaranteed.

Post-burning procedures:

1. Mopping up: The entire fire line must be adequately contained and all smoldering material must be fully extinguished with water.
2. A minimum 1.5 m safe fire line must be created along the entire perimeter of the burn.
3. A veldfire or grass burn does require the member and / or landowner to patrol if the LRFPA forecasts bad fire weather – the onus is on the member and / or landowner to enquire with LRFPA in this regard and such presence would require a minimum of 2 x fire fighters with knapsacks and at least 40 litres of water per unit. The fire fighter must also have a fire beater. This presence is required for 24 hours after the burning operations have been completed.
4. In the case of the area burnt consisting of slash and heavy fuels the team must be increased to 4 firefighters with equipment and a method of communication with the ops room and additional firefighting teams. (It is noted that slash / forestry slash burning is not permitted between 1 May and 31 October annually).

Burning on and / or along ANY roads

To burn safely alongside a district or regional road the following is required:

1. 2 x 60 km hour signs are required on either side of the burning operation.
2. These are to be placed at least 200 meters and not further than 500 meters from the burning operation and have the sign displayed facing the oncoming traffic. This person will move the sign as the burning progresses
3. These are to be accompanied by a staff member who will have a red flag of not less than 0.5 meter x 0.5 meter in size.
4. This person must wave the red flag at oncoming traffic.
5. Reflective vests should be worn by the person holding the flag.
6. Should smoke cross over the road, the staff member must make every effort to stop the traffic from travelling through the smoke and only allow traffic to flow once the smoke has cleared and there is reasonable visibility.

Burning of waste (for Sawmill's and other incinerator type operations)

1. Burning of waste at sawmill during the period 1 May – 31 October must take place within an approved incinerator and such must be registered with the LRFPA
2. The area around the incinerator must be prepared and made safe in respect of any possible escape of sparks and / or ember from the incinerator.
3. The incinerator may not be operated on days, between 1 May and 31 October annually, when the Fire Danger Index exceeds an Yellow 55.

MEMBERS DUTIES IN RESPECT OF FIRE FIGHTING

1. A member and / or landowner who has reason to believe that a fire on his or her land or the land of an adjoining owner may endanger life, property or the environment, must immediately—
 - a. take all reasonable steps to notify—
 - b. the fire protection officer or, failing him or her, any member of the executive committee of the fire protection association, and
 - c. the owners of adjoining land; and
 - d. do everything in his or her power to stop the spread of the fire.

2. A member and / or landowner who has reason to believe that a fire on any land may endanger life, property or the environment, may, together with any other person under his or her control, enter that land or land to which the fire can spread in order to prevent that fire from spreading or to extinguish it.

3. In taking control over the fighting of a fire in terms of section 6(1)(c) of the Act, the Fire Protection Officer may—
 - a. take control from a member (or any person) who has, until his or her arrival, controlled the fighting of the fire;
 - b. order a member (or any person) who is not younger than 16 years and not older than 60 years to assist him or her.
 - c. Should a member and / or landowner make any form of verbal request to the Fire Protection Officer and / or Fire Protection Association during any fire fighting operations, regardless of whom and / or what ignited such a fire, such member / landowner will be required to send an SMS or other suitable confirmation (by way of witness, signature in dairy etc) to the FPO and / or the LRFPA confirming such verbal request, prior to the request being actioned by the FPO and / or LRFPA and should the FPO and / or the LRFPA or any related party then act on such a confirmed request during the fire fighting operations, such member and / or landowner will become fully liable for any and all costs, charges or claims made in respect of and relating to such request.
 - d. Should a member and / or landowner seek any advice from the LRFPA and / or Fire Protection Officer during any fire fighting operations, regardless of whom and/or what ignited such a fire, such member / landowner will have no claim whatsoever against the LRFPA and / or its agents, employees, should any cost, charge or claim of any nature arise as a result of such advice and for so long as such advice was within reason under the prevailing circumstances.
 - e. Subsequent to any uncontrolled fire event, on a members land, the member must complete and submit within 14 days, a Fire Report on the prescribed form.

MEMBERS DUTIES IN RESPECT OF READINESS, EQUIPMENT AND CLOTHING

1. A member and / or landowner on whose land a veldfire may start or burn or from whose land it may spread must—
 - a. have such equipment, protective clothing and trained personnel for extinguishing fires
 - b. ensure that in his or her absence responsible persons are present on or near his or her land who, in the event of fire, will—
 - (i) extinguish the fire or assist in doing so; and
 - (ii) take all reasonable steps to alert the owners of adjoining land and the relevant fire protection association, if any.
 - c. A member and / or landowner may appoint an agent to do all that he or she is required to do in terms of this section.
 - d. A member and / or landowner must enter into a written agreement should such agent be appointed to perform any duties in terms of the National Veld & Forest Fire Act 101,1998.

2. When using an agent it remains the responsibility of the member and / or landowner to ensure that staff, their training, protective clothing and equipment on site reasonably comply with the LRFPA guidelines.

VELD / GRASS & a FORESTRY area less than 1 hectare - firefighting equipment & staff – GUIDELINE TO MINIMUM (REASONABLE) REQUIREMENTS

Property Size	Bakkie Sakkie Min 500 €	Water tanker Min. 1 000 €	Water tanker Min. 2 000 €	Rake Hoes	Beaters	Knap Sacks Min 15€	Drip Torch	Cell Phone	Handheld Radio	Mobile Radio	1 st Aid Kits	Firefighters	Crew Leaders / Owner
1 – 20	Avail . in 15 min*	NIL	NIL	1	4	2	NIL	1	NIL	NIL	1	2	1
20 -100	1	NIL	NIL	2	5	2	NIL	1	NIL	1	1	4	1
100 - 500	1	1	NIL	5	10	4	1	1	1	1	1	9	1
500 – 1 000	1	1	NIL	5	20	10	1	1	2	3	2	19	1
1 000 – 4 000	2	NIL	2	10	20	10	2	1	4	4	2	30*	3
4 000 – 10 000	4	NIL	4-5	20	40	40	2	1	4	6	5	60*	6*
Sawmill / Charcoal	1	NIL	NIL	4	4	2	NIL	1	NIL	NIL	NIL	4	1

* Access to

FORESTRY COMPONENT OF THE PROPERTY and where the forestry area is 1 hectare or greater) - fire fighting & staff – GUIDELINE TO MINIMUM (REASONABLE) REQUIREMENTS

Property Size	Bakkie Sakkie Min 500 €	Water tanker Min. 2 000 €	Water tanker Min. 5 000€	Rake Hoes	Beaters	Knap Sacks Min 15 €	Drip Torch	Cell Phone	Handheld Radio	Mobile Radio	1 st Aid Kits	Firefighters	Crew Leaders / Owner
1 – 25 ha	1	NIL	NIL	6	4	2	NIL	1	NIL	NIL	1	4	1
26 - 100 ha	2	1	NIL	10	6	10	NIL	1	NIL	1	1	10	1
100 - 500 ha	2	1	NIL	20	10	15	2	1	2	2	2	20	1
500 – 1 000 ha	2	2	NIL	25	20	20	2	1	2	3	2	30*	1
1 000 – 4 000 ha	2	2	NIL	40	40	20	2	1	4	4	2	50*	3
4 000 – 10 000 ha	4	NIL	4	100	100	40	2	1	4	7	5	100*	6*

Terminology

1. **Bakkie Sakkie (LDV Fire fighting unit)** - A water tank containing 250 - 700 litres which can be loaded and secured onto a trailer and / or light commercial vehicle. The unit will have a water pump driven by an engine with self-filling [suction] capability, an impeller or piston type pump, a hose reel with a minimum length of 30 m of hose, with a nozzle.
2. **Rake Hoe** - Hoe manufactured of steel 27 cm wide x 23 cm high. The tool must be attached to a wooden or steel handle of approximately 2 m.
3. **Fire beaters** - Constructed of conveyor belt 400 mm wide x 400 mm long and 7-12 mm thick.
4. **Knapsack Pump** - A plastic container carried on a fire fighter's back, which holds approximately 15 – 20 litres of water. The water is delivered through a double action hand operated pump.
5. **Drip torch fire lighter** - A cylindrical steel or aluminum container with a 5 litre capacity. The burning fluid is delivered through a pipe onto a wick.
6. **Communications** - Each member is encouraged to link up to the LRFPA Radio Network in order to have mobile communication with the ops room. In the event of no radio, each member must have a cell phone available for firefighting operations. The cell phone will enable the member to communicate directly with the ops room – bearing in mind that this is a single user communication instrument and contact cannot be made at all times. Based on the radio network, members will communications between the various fire fighting vehicles and ground teams. These radios are coordinated with LRFPA and Tetra Mobile Communications with common frequencies.
7. **Basic fire fighter clothing** - One piece 100% cotton overall, ankle length leather boots, leather gloves
8. **Initial attack fire fighter clothing** - 100 % cotton overall / A cotton T-shirt to act as a second layer / Ankle length leather boots / Leather gloves /fire helmet (forestry only) with a heat shield visor and a fire retardant balaclava & goggles. Please note overalls with a high synthetic content are not recommended as these will melt in the event of close contact with a fire and /or from radiant heat from the fire and could result in serious injuries to the fire fighter. Plastic / Canvas & rubber boots are not recommended as these will melt when in close contact with fire for prolonged periods or may allow embers to enter the boot causing injury.

LIMITATION OF LIABILITY

1. Neither the LRFPA nor any other staff related thereto is liable for any damage or loss caused by—
 - a. the purported exercise of any power or performance of any duty; or
 - b. the failure to exercise any power or perform any duty,
2. In terms of these Rules and Regulations (to be read in conjunction with duties and responsibilities as contained in the Act), unless the LRFPA or related person responsible did so—
 - a. in bad faith, if it relates to a power or duty in terms of Chapter 3 of the Act; or
 - b. negligently or in bad faith, (as an FPA or as an appointed agent) ,in any other part of the Act.

Ends.