

## VILLAGE OF ST-PIERRE-JOLYS

### BY-LAW NO 2003-12

Being a By-Law of the Village of St-Pierre-Jolys to prohibit the open burning of waste within the limits of the Village of St-Pierre-Jolys.

WHEREAS Sections 232 (1) (a) and (i) of the Municipal Act, S.M. 1996 c. 58 (the Act) state that A council may pass by-laws for municipal purposes respecting the following matters: (a) the safety, health, protection and well-being of people, and the safety and protection of property...,  
(i) preventing and fighting fires;

NOW THEREFORE the Council of the Village of St-Pierre-Jolys in Council duly assembled hereby enacts as follows;

#### A. DEFINITIONS

- i) burning apparatus - shall mean an incinerator, burning barrel or receptacle or any other apparatus constructed or used for the purpose of disposing by the means of fire any combustible waste.
- ii) open burning - shall mean any fire that is ignited for the purpose of disposing by the means of fire any combustible waste and includes the burning of waste in a burning apparatus.
- iii) person - shall mean any individual and includes a corporation, firm, partnership, institution and association.
- iv) recreational burning - shall mean any fire that is ignited in a burning apparatus which is fueled solely from wood or charcoal and is for the purpose of recreational or leisure enjoyment and shall include but is not limited to a fire for the purpose of cooking.
- v) waste - shall mean any solid combustible waste as defined in the Environment Act and shall also include yard waste such as, but not limited to, leaves, grass clippings, twigs, branches and garden and flower bed vegetation.
- vi) burning ban - shall mean that no fires of any kind including recreational fires shall be permitted within the limits of the Village of St-Pierre-Jolys because of extreme weather conditions.

#### B. REGULATIONS

- i) No person shall dispose of waste by the means of open burning within the limits of the Village of St-Pierre-Jolys.
- ii) Solid fuel fireplaces, referred to as Outdoor Furnaces and waste oil burners are regulated under By-law 1999-4.
- iii) Recreational burning shall be permitted within the limits of the Village of St-Pierre-Jolys under the following conditions:
  - a) The fire must be contained in a solid brick or metal burning apparatus having a minimum height of 1 ft and a maximum diameter of 3 ft.

- b) Recreational fires are permitted only when breezes and winds are less than 20 km/hr.
- c) The burning apparatus used for recreational fires must be located a minimum distance of 25 ft from any dwelling or accessory building.
- d) Recreational fires must be supervised by a responsible adult at all times.
- e) Users of recreational fires must have a supply of water available at the site to extinguish any ambers etc that may escape from the burning apparatus.
- f) Recreational fires must be completely doused / extinguished before leaving the area.
- g) That under no circumstances shall more than 2 cords of wood be stored on the property for use in recreational fires with the exception of the Museum of St-Pierre-Jolys during special cultural activities. The firewood shall be piled away from buildings as not to create a fire hazard.
- iv) Council of the Village of St-Pierre-Jolys retains the right to implement a complete fire ban (including a ban on recreational fires) within the limits of the Village of St-Pierre-Jolys when extreme dry or windy conditions are deemed dangerous in accordance with the Fire Prevention Act. Once established, fire bans may be extended by Resolution of Council as required.

#### C. PENALTIES

- i) Any person who is found guilty of contravening the regulations of this by-law is subject to fines and penalties upon summary conviction, not exceeding \$1,000.00, in addition to costs and each contravention shall be considered as a separate offence. Any person who is found guilty of contravening the Burning Ban regulation will be responsible for St-Pierre-Jolys Fire Department costs incurred in extinguishing the fire and will also be held responsible, pursuant to the Fire Prevention Act, for resulting damages and costs should the fire get out of control.

DONE AND PASSED in Council duly assembled this 4<sup>th</sup> day of July A.D., 2003.

VILLAGE OF ST-PIERRE-JOLYS

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

First Reading given on: June 18, 2003  
Second Reading given on: July 4, 2003