

## Town of Ste. Anne

### By-Law 8-2008

Being a by-law of the Town of Ste. Anne to regulate burning within the limits of the Town of Ste. Anne.

Whereas Section 232 (1)(a) and (i) of the Municipal Act provides as follows:

A Council may pass by-laws for municipal purposes respecting the following:

- a) the safety, health, protection and well being of people, and the safety and protection of property;
- i) preventing and fighting fires;

Whereas the Council of the Town of Ste. Anne deems it desirable to regulate the setting of fires and burning within the limits of the Town of Ste. Anne;

Now therefore the Council of the Town of Ste. Anne in meeting assembled enacts the following;

### **DEFINITIONS**

1. Burning apparatus – shall mean an incinerator, burning barrel, fire pit, receptacle or any other apparatus constructed or used for the purpose of disposing by the means of fire any combustible waste.
2. 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.
3. 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.
4. 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.
5. Burning Ban – shall mean that no fires of any kind including recreational fires shall be permitted within the Town of Ste. Anne. The Town of Ste. Anne retains the right to implement a complete burning ban including a ban on recreational fires when extreme dry and windy conditions are deemed dangerous in accordance with the Fire Prevention Act.
6. Person – shall mean any individual and includes a corporation, firm, partnership, business, institution and association.

### **REGULATIONS – OUTDOOR FIRE PITS**

Outdoor fire pits may be constructed and used, for recreational purposes only, providing that:

- a) The fire is not ignited unless breezes and winds are less than 20 kms/hr;
- b) the fire is contained in a suitable receptacle that may include, but is not limited to, a fire ring made of masonry, rocks or metal not to exceed 3 feet in diameter x 1 foot high;
- c) the fire pit is to be located a minimum of 20 feet from all property lines and buildings;
- d) a portable fire extinguisher, garden hose or immediate source of water is at the fire site at all times until the fire is fully extinguished.

- e) when in use, the fire pit is attended by a responsible adult person until the fire has been fully extinguished.;
- f) the fire is fully extinguished when not in use;
- g) the fire does not emit heavy smoke or noxious odors;
- h) the use of a fire pit does not create a nuisance to any other person;
- i) No person shall burn anything in a fire pit other than solid fuel products. Without limiting the generality of that prohibition, no person may burn garbage, recyclables, household waste, lawn clippings, leaves, or any other compost material;


#### **REGULATIONS – OUTDOOR FIREPLACES**


An approved outdoor fireplace must be constructed of masonry, concrete, heavy gauge metal or mesh or other non-combustible materials acceptable to their insurance company. The homeowner must supply the Town of Ste. Anne with a letter from their insurance company stating the fireplace is acceptable and has been properly installed according to insurance regulations.

#### **PENALTIES**

- a) Any person who contravenes the above regulations is committing an offence and will be liable on conviction to payment of a fine of not less than:
  - i. One hundred dollars (\$100.00) for the first offence;
  - ii. Two hundred dollars (\$200.00) for the second offence;
  - iii. Three hundred dollars (\$300.00) for the third offence;
  - iv. Five hundred dollars (\$500.00) for each subsequent offence.
- b) Any person found guilty of contravening the above fire regulations or fire ban may be held responsible for fire department costs incurred in extinguishing the fire and may be held responsible for resulting damages and costs incurred should the fire get out of control.
- c) All fines and costs imposed on a prosecution under these regulations are a debt owed to the Town of Ste. Anne by the person who set the fire and the owner of the property on which the fire was located, and may be recovered by the Town of Ste. Anne in a court of competent jurisdiction or may be collected by the Town in the same manner as a tax may be collected.

DONE AND PASSED in council duly assembled this 25<sup>th</sup> day of April, 2008.

  
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Mayor, B. Vermette

  
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Chief Administrative Officer,  
N. Champagne

Read a first time this 22<sup>nd</sup> day of April, 2008.  
Read a second time this 25<sup>th</sup> day of April, 2008.  
Read a third time this 25<sup>th</sup> day of April, 2008.