

# ***THE CORPORATION OF THE TOWNSHIP OF PICKLE LAKE***



**BY-LAW NO. 2020-11**

## **BEING A BY-LAW TO Establish Rules and Regulations for the Purpose of Regulating Open Air Burning in the Township of Pickle Lake**

**Whereas** in accordance with Section 8 of the Municipal Act, 2001, as amended, the Council of the Corporation of The Township of Pickle Lake deems it necessary and advisable to enact a by-law prescribing the times during which fires may be set in the open air, and the precautions to be observed by the persons setting out fires; and

**Whereas** Section 7.1 (1) of the Fire Protection and Prevention Act, 1997 allows for Municipalities to establish the regulation of setting open air fires including prescribing the time for setting such fire within the Municipality.

**Now Therefore** the Council of the Corporation of the Township of Pickle Lake hereby enacts as follows:

### **Section 1 –Definitions**

For the purposes of this by-law, the following terms shall be used:

1.1 Camp Fire: means a small fire for cooking, warmth or entertainment at a campsite or at a residential property.

1.2 Controlled Burning Season: is the period of time between 12:01 a.m. on April 1<sup>st</sup> and 11:59 p.m. on October 31<sup>st</sup> of each year.

1.3 Evening Burning: is any burning between two (2) hours before sunset and two (2) hours after sunrise.

1.4 Fire Chief: means the Fire Chief appointed for the Township of Pickle Lake, including his or hers designates, and municipal By-Law Enforcement Officers, acting under the Fire Chief's direction.

1.5 Outside Burning: is fire ignited for the purpose of disposing of waste or for the utilization of the fire for any other purpose including, but not to restrict the generality of the foregoing, the following:(a) Piled Material Fires: fire to dispose of brush and/or waste wood;(b)Grass and Leaves Fires: fire to dispose of old grass, clippings or leaves;(c)Domestic Incinerator Fires: fire to dispose of household waste within an appropriate incinerator with the exception of plastics, paints, oil, rubber and other such toxins;(d)Camp Fires

1.6 Restricted Fire Zone: is an area designated by the Minister of Natural Resources pursuant to the Forest Fires Prevention Act as such and for the purposes of this by-law, if any portion of the Township of Pickle Lake has been designated by the Minister, the entire township shall be deemed designated. The Fire Chief may also designate a restricted Fire Zone within the municipal Boundaries at their discretion based on weather patterns and burn conditions.

1.7 Responsible Person: shall be the person or persons who starts the fire, directs the fire to be set, authorizes the fire to be set, controls or oversees the fire.

1.8 Uncontrolled Burning Season: is the period of year that is not considered part of the controlled burning season, which shall be between 12:01 a.m. on November 1<sup>st</sup> and 11:59 p.m. on March 31<sup>st</sup>.

### **Section 2 –General Provisions**

2.1 Subject to paragraph 2.3, outside burning is permitted at any time in the Township of Pickle Lake during the uncontrolled burning season.

2.2 Subject to paragraph 2.3, no person shall set a fire for outside burning in the Township of Pickle Lake, except for a camp fire, during the controlled burning season, unless such burning is evening burning.

2.3.4 No person shall set a fire for outside burning of any kind whatsoever, or discharge fireworks, during any period during which the Township of Pickle Lake has been designated a restricted fire zone.

### Section 3 –Fire Control

3.1 Every person shall comply with the direction(s) of the Fire Chief, or designate.

3.2 No person shall set an outdoor fire, unless open air restrictions are not in place. The person responsible for any fire may be asked to extinguish the fire at any time if the Fire Chief believes that the fire poses a threat to persons or property. Every person shall comply with the Fire Chief's direction and the Fire Chief's decision is final.

3.3 In the event that the Fire Chief believes that an outdoor fire is a threat and the person responsible for such fire is unable or unwilling to extinguish same, or the fire is out of control, the Fire Chief may direct municipal fire suppression.

3.4 The Fire Chief may, by order, extend a restricted burning zone, which order shall be effective when made. Upon the Fire Chief issuing such order, he shall cause notice thereof to be published locally for general local circulation on media outlets deemed acceptable by the Municipality.

3.5 In the event that municipal fire equipment or manpower is used for standby, fire suppression or cleanup in connection with an outdoor fire, the rates as determined from time to time by the Fire Chief shall apply and shall be billed to the responsible party.


### Section 4 –Offences

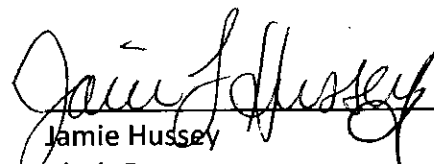
4.1 Everyone who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction shall be subject to punishment as provided for pursuant to the Provincial Offences Act and all the provisions of which shall apply.

4.2 Upon registering a conviction for any contravention of any provision of this By-law, The Provincial Offences Court may, in addition to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offense by the person convicted

4.3 Offences will be charged \$150.00 for non-compliance of an open air burn during a restriction.

BY-LAW READ A FIRST AND SECOND AND THIRD TIME AND FINALLY PASSED THIS 22<sup>nd</sup> DAY OF MAY, 2020.

  
Kayla Blakney  
Deputy Mayor

  
Jamie Hussey  
Clerk-Treasurer