

BY-LAW NO. 36-A

A BY-LAW TO REGULATE *BURNING* IN THE VILLAGE OF PLASTER ROCK

A By-Law of the Municipality of Plaster Rock under authority vested in it by the Municipalities Act, Section 109, Fire Protection, representing control and regulation of burning within the municipal boundaries hereby enacts as follows:

1. Exceptions and special consideration is at the discretion of the Fire Chief and at a time described by the Fire Chief.
2. No person shall kindle or maintain any grass fires or authorize any such fires to be kindled or maintained without a permit from the Fire Chief, hereinafter referred to as a fire permit.
3. A person may apply for a fire permit by submitting a written application to the Fire Chief setting forth his name, address, telephone number and a brief description of the location of the proposed fire.
4. The Fire Chief may prescribe such conditions to the issuance of a fire permit as deemed appropriate.
5. The Fire Chief may limit the number of permits issued, revoke or prohibit any and all fires described in Section 2.

Open Fires:

1. Burn only dry materials. Open fires must be 300 metres from a house/building. Burning of petroleum products, plastics, rubber or any other material that will cause excessive smoke or fumes is prohibited.
2. Burning is prohibited on days when rain or any other weather condition prevents the ready dispersion of smoke.
3. Burning is prohibited where smoke will bother neighbours or blow across roadways and hamper driving visibility.
4. Camp fire permits are not required by a person for obtaining warmth or cooking food.
5. Camp fires for recreational purposes are permitted providing:
 - (a) a stove, fireplace or other receptacle contains the fire.
 - (b) the fire is not larger than 3 cubic metres in size (as per the Clean Air Act)
6. A person intending to ignite a camp fire must be the owner of the property or have permission from the property owner.

- 7. A person igniting a camp fire shall:
 - (a) take reasonable care to prevent the fire from spreading.
 - (b) not leave the fire until it is completely extinguished.

- 8. The person responsible for igniting a fire under this by-law is liable for any damage or injury to property or person caused by a fire started by him/her.

Refuse and Debris:

- 1. Other than in a properly constructed incinerator approved in writing by the Fire Chief, no person shall light a fire outside a building for the purpose of disposing any refuse or waste material.
- 2. Lighting of fire to dispose of dry grass is prohibited without the written permission of the Fire Chief.
- 3. Burning of garbage is not permitted, as per the Clean Air Act.
- 4. As burning trash is a nuisance to property and health as the smell and smoke are very disagreeable, trash burning is not permitted within the municipality unless written permission is obtained from the Fire Chief.
- 5. Burning brush and leaves is prohibited unless at the discretion of and written approval from the Fire Chief.

Penalty Provisions:

Any person who violates any provision of this by-law or fails to observe an order of the Fire Chief commits an offense punishable under Part II of the Provincial Offences Procedure Act on a Category E offense.

By-law No. 36, A By-law Regulating Burning In The Village of Plaster Rock, is repealed, and hereby replaced with By-Law 36-A; A BY-LAW TO REGULATE BURNING IN THE VILLAGE OF PLASTER ROCK

First reading by title:	June 19, 2006
Second reading in its entirety:	June 19, 2006
Third reading by title and enactment:	July 17, 2006

Judy St. Peter, Deputy Mayor

Barbara Wishart, Clerk