

**THE CORPORATION OF THE VILLAGE OF CLINTON
BYLAW NO. 431, 2006**

A Bylaw to Regulate Burning Within The Village of Clinton

WHEREAS Council may, by Bylaw require the owners of real property or their agents to eliminate or reduce fouling or contamination of the atmosphere, through the emission of smoke, dust, gas, sparks, ash, soot, cinders and fumes; and

WHEREAS under Section 48 of the Fire Services Act and the regulations made under it, Council is required to enforce local regulations for the protection of persons and property from fire; and

WHEREAS Council deems it advisable in the interest of protection to persons and property to regulate the use of outdoor fires; and

WHEREAS the requirements as hereinafter described may provide to the taxpayer a reduction in the operational costs of the Clinton Fire/Rescue;

NOW THEREFORE, the Council of the Corporation of the Village of Clinton, in open meeting assembled, **ENACTS AS FOLLOWS:**

1.0 REGULATIONS

1.1 No person shall operate, install or construct any incinerator or burning barrel for the disposal of:

- a) household waste, refuse, rubbish, or garbage;
- b) industrial or commercial waste and refuse except with a permit from The Ministry of Environment;
- c) or any combination thereof within the Village boundaries.

1.2 No person shall ignite or cause to be ignited any:

- a) household waste, refuse, rubbish, garbage;
- b) materials prohibited by the Environmental Management Act includes tires, plastics drywall, demolition waste, paint, hazardous waste, tar paper, treated lumber, railway ties, manure, rubber, asphalt, asphalt products, fuel and lubricant containers and biomedical waste;
- c) industrial or commercial waste and refuse except with a permit from The Ministry of Environment;
- d) or any combination thereof within the Village boundaries.

1.3 All burning is prohibited within village boundaries except as allowed by the exceptions stated within this bylaw.

1.4 All burning shall be suspended for the duration of any "FIRE BAN ORDER" issued by the Ministry of Forests in any region inclusive of the Village of Clinton area.

2.0 EXCEPTIONS

2.1 Burning will be allowed from September 15 to May 15 each year providing a burning permit is obtained from the Village Office. This does not apply to campfires located on privately owned and supervised commercial campgrounds or picnic sites with developed fire pits.

2.2 Small fires for backyard burning must not exceed 2 metres in height and 3 metres in diameter and must be hand piled. All open fires of this nature must be extinguished before the fire is left unattended.

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- 2.3 The burning of dry garden refuse is permitted, during the days specified in Section 2.1 provided that such refuse is plant matter only, and provided that:
- a) any such fire once ignited is not unattended at any time, and
 - b) there is sufficient quantity of fire extinguishing materials as required by any reasonable person at the site of the fire, and
 - c) all flammable materials have been removed from a five-foot strip surrounding the fire.
- 2.4 The owner or occupier of land of more than .8 hectares (2 acres) is permitted to burn industrial waste provided that:
- a) the industrial waste is plant matter or other fuels permitted by the Ministry of Environment, and
 - b) the burning takes place on the said land area, and
 - c) suitable precautions are in place to extinguish the fire and prevent spreading within five (5) minutes, and
 - d) the owner-occupier has obtained a permit from the Ministry of Environment.
 - e) exceptions can be made for the burning of Industrial Waste on parcels of land less than .8 hectares (2 acres) under certain circumstances.
- 2.5 All burning permits issued must be faxed to the Fire Hall at 459-2413 (see Schedule "A" attached).

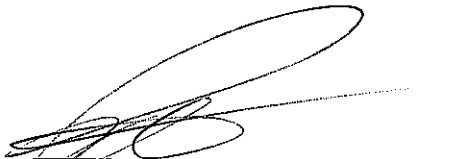
3.0 ENFORCEMENT

- 3.1 This bylaw is enforceable by a person designated by Council to do so.
- 3.2 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or neglects anything required to be done by any of the provisions of this bylaw, commits an offence and is liable on conviction to a fine of not less than (\$500.00) nor more than the maximum penalty provided under the Offence Act.

4.0 TITLE

- 4.1 This bylaw may be cited for all purposes as "Burning Bylaw #431, 2006".

READ A FIRST TIME this	22 nd day of March 2006
READ A SECOND TIME this	22 nd day of March 2006
READ A THIRD TIME this	12 th day of April 2006
RECONSIDERED AND ADOPTED this	26 th day of April 2006



Mayor



Administrator

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(SCHEDULE A)

BURNING PERMIT

Permission is hereby granted to _____, of (Civic Address) _____, to burn on (Legal Description) _____ Village of Clinton, during the period of _____, 2 _____, to _____, 2 _____, (maximum 1 month) subject to the following conditions:

1. No fires are to be started during winds exceeding ten (10) kilometres per hour.
2. The Permittee shall be liable for all damages caused by any fire set under this permit.
3. Sufficient water and fire fighting equipment must be available depending on size.
4. In addition to his own services, the permittee shall employ sufficient personnel to safeguard any fire set under this permit and should the Clinton Fire Department be required, the permittee shall be liable for the total cost of the fire call.
5. All fires must be extinguished by the expiry date of this permit.
6. All other conditions are met according to the Burning Bylaw #431, 2006
7. No person shall operate an incinerator or burning barrel for the disposal of household waste, refuse, rubbish or garbage.
8. All fires are to be supervised and controlled at all times and are the full responsibility of the permittee.
9. Burning is permitted between the hours of _____ to _____.
10. Addition of fuel to a large fire (trees, brush etc.) is not permitted after 6:00 p.m. in order for the fire to subside for the night.

Other Conditions:

This permit is subject to cancellation at any time by the Village Administrator or Fire Chief.

Agreed to the _____ day of _____, 2 _____.

Permittee

Address

Telephone

The Corporation of the Village of Clinton

Chief/Deputy Chief Administrative Officer