

BY-LAW NO. 1636

OF THE TOWN OF FORT MACLEOD IN THE PROVINCE OF ALBERTA

A By-Law of the Town of Fort Macleod to regulate “*Open Burning*”.

WHEREAS, the Municipal Government Act, Chapter M-26.1, RSA 1994 as amended, provides a Council may pass bylaws for the protection of people and property in the Municipality;

AND WHEREAS it is deemed necessary to provide certain regulations for the orderly control of open burning within the boundaries of the Town of Fort Macleod for the purpose of protection of life and property from injury or destruction;

NOW THEREFORE THE MAYOR AND COUNCIL DULY ASSEMBLED ENACTS AS FOLLOWS:

1. Title

This bylaw may be cited as the Town of Fort Macleod Burning By-Law.

2. Burning Restrictions And Permits

- (a) Except in the manner and during the times set out in subsection (b), no person in the Town of Fort Macleod shall burn any material or anything in any open area.
- (b) i. Other than otherwise provided for in this bylaw, any burning may only be done under the authority of a “Burning Permit” issued by the Fort Macleod Fire Department as per Schedule “B” to this By-Law. Permits may only be issued by the Fire Chief and/or his designate.
- ii. Upon receiving an application for a Permit, the Fire Chief may deny the Permit or issue a Permit with whatever conditions he deems appropriate in the circumstances.

3. Burning Allowed

Notwithstanding section 2, it shall not be an offence under this section to conduct:

- i. barbequing;
- ii. burning in fireplaces in or attached to dwellings;
- iii. fires in contained campground and picnic fireplaces and stoves in parks located within the boundaries of the Town of Fort Macleod.
- iv. Burning is permitted in a wood-burning barbeque if it is a metal or non-combustible container, not larger than six cubic feet (6 cu. Ft.), such container being designed not to permit the escape of ash or brand, covered with a metal mesh having openings not larger than one-quarter inch (1/4”), with such container being located at a distance of not less than five meters (5m) from any flammable growth/structure; i.e. car port, fence, garage, or house, tree, and
- v. Such burning only involves pulp products (paper, or cardboard), dry refuse from vegetation, or untreated wood.

4. Fire Bans

Fire Bans as declared by the Municipal District of Willow Creek in the Fort Macleod area will be observed in the corporate limits of the Town of Fort Macleod. This includes burning as allowed in section 3 of this By-Law but does not include barbequing with a propane or natural gas barbeque.

By-Law 1636

5. Offence

Any person who contravenes any provision of this bylaw is guilty of an offence.

6. Penalties

- a) Except as otherwise provided in Schedule "A" of this bylaw, a person(s) who is guilty of an offence under this bylaw is liable on summary conviction to a fine of not more than five hundred dollars (\$500.) and in default of payment, distress.

7. By-Law Rescinded

By-Law 1627 of the Town of Fort Macleod and amendments thereto is hereby rescinded.

- 8. This bylaw shall come into effect on the date of third and final reading thereof.

READ A FIRST TIME THIS 24th DAY OF JUNE 2002 A.D.

MAYOR

MUNICIPAL MANAGER

READ A SECOND TIME THIS 24th DAY OF JUNE 2002 A.D.

MAYOR

MUNICIPAL MANAGER

READ A THIRD TIME AND FINALLY DECLARED PASSED BY COUNCIL THIS 8th DAY OF JULY 2002 A.D.

MAYOR

MUNICIPAL MANAGER

SCHEDULE "A"

1. A penalty of fifty dollars (\$50.00) shall be levied against and paid by any person who commits a breach of any of the provisions of this bylaw.
2. A penalty of seventy-five dollars (\$75.00) shall be levied against and paid by any person who commits for a second time a breach of provisions of this bylaw provided the offence is committed within twelve (12) months of the committing of the first offence.
3. A penalty of one hundred dollars (\$100.00) shall be levied against and paid by any person who commits for a third time or time in excess of three, a breach of any of the provisions of this bylaw provided the offence is committed within twelve (12) months of the committing of the first offence.

SCHEDULE "B"

FIRE PERMIT

Town of Fort Macleod

Box 1420, Fort Macleod AB TOL OZO

Phone: 553-4425 Fax: 553-2426

No. _____

Issued under authority of the Town of Fort Macleod By-Law # 1636 or 1506.

This permit authorizes _____

Of _____
(Address) (Tel. No.) (Fax)

To kindle fires/fireworks on the following lands _____

Sec./Lot _____ Twp./Block _____ Range/Plan _____

For the purpose of burning _____

Burning/fireworks shall be done in compliance with the Town Of Fort Macleod By-Law # 1636/1506 and regulations made there under, and the following conditions

: CALL 1-888-808-3722 Prior to burning/fireworks and after fire is out.

Effective _____, 20 _____. Expires _____, 20 _____

I have read and understand the conditions above and regulations below, and accept full responsibility.

Permittee _____

Countersigned by _____, 20 _____
(Fire Chief Or Designate) (Date)

NOTE: This permit is not valid unless countersigned and may be cancelled at any time.

CONDITIONS

- 1) A Fire Permit is valid only for the period for which it is issued.
- 2) The Fire Chief or his designate may endorse on the permit any special fire control conditions with which the applicant must comply.
- 3) A Fire Permit may be suspended or cancelled by the Fire chief or his designate at any time and the person concerned shall immediately extinguish any fire set pursuant to this permit.
- 4) Any fire permit is immediately cancelled in the event the M.D. of Willow Creek declares a fire ban in the Fort Macleod Area. Upon the declaring of a fire ban, any fire/fireworks set pursuant to this permit must be immediately extinguished.
- 5) This permit must be kept at the site of the fire/fireworks for which it is issued and produced at the request of the Fire Chief or his designate.
- 6) A responsible adult person must be in attendance at the fire/fireworks at all times.
- 7) Only those materials specified in this permit may be burned.