

TOWN OF SUNDRE
BY-LAW NO.845

**A BY-LAW OF THE TOWN OF SUNDRE IN THE PROVINCE OF ALBERTA TO
PROVIDE FOR THE REGULATING OF OPEN BURNING**

WHEREAS Sections 7, 8 and 9 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, with amendments, enable a municipality to regulate fires and prevent nuisances;

AND WHEREAS open burning for cooking or recreational purposes that is contained within a non-combustible receptacle is allowed without the requirement of a permit;

AND WHEREAS it is desirable to restrict such burning for the purpose of fire safety and controlling nuisance effects on other properties in the vicinity of such fires;

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF SUNDRE ENACTS
AS FOLLOWS:**

1. No person shall build, ignite or allow open burning of any fire for which a permit has not been obtained from the Town of Sundre, or after hours the Fire Chief or member of the Sundre Fire Department, unless said fire is confined in a non-combustible receptacle for recreational or cooking purposes.
2. When used for burning a fire, such receptacle shall be located no less than two (2) metres from any combustible material such as but not limited to a building, fence or other structure or any property line and not located beneath any tree or branches thereof, unless such location has been approved by the Fire Chief.
3. A receptacle used for recreational or cooking fires shall not be taller than 60cm as measured from the surface that the burning material is to be placed upon to the top of the top of receptacle. Burning barrels are not allowed.
4. Any fire permitted by this Bylaw shall be contained to a reasonable and controllable size, and be continuously supervised, so that the fire or any embers, sparks or smoke emanating therefore does not endanger any person or property or cause any objectionable effect on nearby property.
5. A fire permitted by this Bylaw shall only be fuelled by clean and dry burning materials. Pressure treated, painted materials, recyclable materials, compostable materials or garbage shall not be burned. Paper or cardboard may be used to start a fire.
6. If, in the sole opinion of any officer of the Sundre Fire Department or Sundre Bylaw Officer, a fire does not comply with Sections 1, 2, 3, 4 or 5 of this Bylaw, the officer may extinguish said fire and order the property owner or person responsible for the fire receptacle to relocate the receptacle on the property or remove the receptacle or burning materials from the property.

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7. When a fire control order is issued by the Minister under Section 21 of the Forest and Prairie Protection Act RSA 2000 Chapter F-19 that affects the area outside of the Town of Sundre, that order shall include all fires within the municipal boundaries of the Town of Sundre. ²
8. If, in the sole opinion of the Fire Chief, or in his absence, the most senior officer of the Sundre Fire Department available, that extreme fire conditions exist, may declare a ban on any or all fires within the municipal boundaries of the Town of Sundre and may,
- (a) Cancel any fire permits, and
 - (b) Require that every person shall immediately proceed to extinguish every open outdoor fire lit by them or under their authority and every fire located on land owned or occupied by them.
9. No derelict or abandoned structures shall be burned within the corporate limits of the Town of Sundre without the express permission of Council.
10. Any person who fails to comply with any provision of this Bylaw or obstructs or fails to comply with the order of an officer under Section 5 is guilty of an offence and liable to a fine of two hundred fifty (\$250.00) Dollars or imprisonment for a period not exceeding six (6) months in case of non-payment of the fine and costs.
11. Bylaw No. 723 is hereby repealed.
12. This bylaw comes into force upon receiving third reading.

READ a first, second, and third time and finally passed in Council on April 24, 2007.


MAYOR


CHIEF ADMINISTRATIVE OFFICER