

THE RURAL MUNICIPALITY OF WEST ST. PAUL

"THE BURNING BY-LAW"

BY-LAW NO. 27/95

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WEST ST. PAUL TO REGULATE OPEN AND NUISANCE BURNING IN DESIGNATED AREAS OF THE RURAL MUNICIPALITY OF WEST ST. PAUL AND TO REPEAL BY-LAW NO. 21/95.

WHEREAS subsection 290 (1) (r) of The Municipal Act, R.S.M. 1988, Cap 225, provides in part as follows:

- "290(1) Subject to The Workplace Safety and Health Act, The Employment Standards Act, The Building and Mobile Homes Act, The Fires Prevention Act, The Explosives Act (Canada), and any other applicable Act of the Legislature or of the Parliament of Canada, the council of any municipality may pass by-law for the prevention or extinguishing of fires and for the preservation of the life and property from destruction by fire; and, without limiting the generality of the foregoing, the council may pass bylaws...
- (r) for regulating the times during which stumps, trees, logs, brush, grass, straw shavings, or refuse, may be set on fire or burned in the open air, for prescribing precautions to be observed during those times, and for preventing such fires being kindled at other times.

AND WHEREAS the Council of The Rural Municipality of West St. Paul deem it expedient and in the public interest to regulate open burning and nuisance burning within designated areas and within certain times within The Rural Municipality of West St. Paul;

NOW THEREFORE The Council of The Rural Municipality of West St. Paul, in Council duly assembled, enacts as follows:

1.00 **SHORT TITLE:**

1.01 THAT this By-law be referred to as "THE BURNING BY-LAW".

2.00 **DEFINITIONS:**

THAT unless the context otherwise requires, where used in this By-law:

- 2.01 "Bonfire" means a fire built in the open air that is kindled by dry firewood.
- 2.02 "Council" means The Rural Municipality of West St. Paul Council.
- 2.03 "Family/Social Function" means a gathering where family and/or invited guests attend for the purpose of a social activity.
- 2.04 "Municipality" means The Rural Municipality of West St. Paul;
- 2.05 "Open Burning" means the outdoor burning of combustible material where smoke is allowed to discharge into the open air from the ground, or other burning device, but does not include the burning of a Bonfire associated with a Family/Social Function.
- 2.06 "Yard Waste Burning" means the outdoor burning of yard vegetation waste which includes, branches, leaves, and dried garden vegetation.
- 2.07 "Restricted Yard Waste Burning" means the outdoor burning of branches but does not include the burning of leaves or dried garden vegetation.
- 2.08 "Nuisance Burning" means the burning in the open of tires, plastics, rubber, creosote soaked or pressure treated wood, oil products, manure and refuse. This shall not be so interpreted to include gas, charcoal, wood barbecues or devices used for the preparation of food or Yard Waste Burning.
- 2.09 "Person" means any person, firm corporation or partnership.

3.00 THAT Burning within the Municipality shall be as set out on the following table and shall be prohibited where marked with a "X" and shall be permitted where marked with a "P";

	NUISANCE	OPEN	BONFIRE	YARD WASTE	RESTRICTED
	BURNING	BURNING		BURNING	BURNING
BURNING WITHIN THE LIMITS OF MUNICIPALITY	X	P	P	P	P
Except as indicated below					
RIVERDALE	X	X	X	X	X
RIVERGATE	X	X	P	X	P
RIVERCREST	X	X	P	X	P
LISTER RAPIDS	X	X	P	X	X

4.00 **REMEDIAL ACTION**

4.01 THAT any person who contravenes or disobeys, or refuses or neglects to obey any provision of this By-law shall be liable to the fines imposed under The R. M. of West St. Paul Penalty By-law .

5.00 **REPEAL**

5.01 THAT By-law No. 21/95 of The Rural Municipality of West St. Paul is hereby repealed.

DONE AND PASSED by the Council of The Rural Municipality of West St. Paul in Council duly assembled, this 12th day of October A.D. 1995.

THE RURAL MUNICIPALITY OF WEST ST. PAUL

David O. W.
REEVE

M. J. [Signature]
SECRETARY-TREASURER/
MUNICIPAL ADMINISTRATOR

READ A FIRST TIME THIS 12th DAY OF October A.D. 1995.

READ A SECOND TIME THIS 12th DAY OF October A.D. 1995.

READ A THIRD TIME THIS 12th DAY OF October A.D. 1995.