

**MUNICIPALITY OF CROWSNEST PASS**

**BY-LAW NO. 376, 1996**

A BY-LAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A BURNING BY-LAW PURSUANT TO THE MUNICIPAL GOVERNMENT ACT CHAPTER M-26.1, 1994 AND AMENDMENTS THERETO.

WHEREAS the Municipality of Crowsnest has recognized the need for a Burning By-Law;

NOW THEREFORE, THE COUNCIL OF THE MUNICIPALITY CROWSNEST PASS DULY ASSEMBLED ENACTS AS FOLLOWS:

**SECTION 1**

Open burning will not be permitted within the boundaries of the Municipality of Crowsnest Pass unless a permit has been issued by the Fire Department or Municipal Office and at the cost of \$5.00 per permit.

- A. Rubbish and other combustible materials may be burned by an industry or commercial business within the Municipality and in an approved incinerator approved by the local Fire Chief.
- B. Burning is done during daylight hours in a safe manner and while under direct adult supervision. Prudence will be exercised when wind is blowing. The Fire Chief or designate shall have the authority to order the fire extinguished by the responsible person.
- C. The following is a list of debris which prohibited from being burned at any time:
  - animal cadavers and manure
  - pathological wastes
  - railway ties (any wood treated with creosote and pentachlorophenol)
  - automobile bodies
  - tires
  - rubber or plastic or anything containing rubber or plastic
  - any used oil
  - residual chemicals and paints
  - tar paper and shingles

Nothing in this By-Law shall prevent the Fire Department, under direction of the Fire Chief, or Designate, from burning any combustible materials anywhere within the Municipality, except that all such burning is subject to approval of Council, the Municipal Administrator or Public Works Superintendent.

**SECTION 2**

The restrictions on open burning shall not include:

- a. barbecuing
- b. the cooking of food in fire pits, provided the fuel is limited to small amounts of dry wood, natural gas or briquettes
- c. burning in fireplaces and fire pits which is done in a metal or non-combustible container not larger than six (6) cubic feet such container being designed not to permit the escape of ash or brand covered with a metal mesh having opening not larger than one-quarter inch with such container being located at a distance of not less than five (5) meters from any flammable structure. i.e. carport, fence, garage or house, and
- d. burning in fireplaces in or attached to dwellings, or
- e. fires in campgrounds/random camping, picnic fireplaces, and stoves in Municipality of Crowsnest Pass unless a burning ban is instituted.

**PENALTY**

Any individual(s) who burn without first obtaining a burning permit and a fire call is received and responded to by a Fire Department shall be liable for all costs incurred.

Any person who contravenes or permits contravention of any portion of this By-law shall be guilty of an offence and will be prosecuted to a fine of \$25.00 for the first offence and increments of \$50.00 for each and any subsequent offence.

BY-LAW NO. 47, 1979 AND AMENDMRNTS THERETO ARE HEREBY REPEALED.

Read a first time this 5<sup>th</sup> day of March, 1996.

CARRIED UNANIMOUSLY

Read a second time this 5<sup>th</sup> day of March, 1996.

CARRIED UNANIMOUSLY

Read a Third time and finally passed this 5<sup>th</sup> day of March, 1996.

CARRIED UNANIMOUSLY

*M.E. UTLEY*

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MAYOR

**ORIGINAL SIGNED**

*JOHN KAPALKA*

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CHIEF ADMINISTRATIVE OFFICER