

**THE CORPORATION OF THE  
MUNICIPALITY OF KILLARNEY**

**BY-LAW NO. 2022-11**

**BEING A BY-LAW TO AMEND BY-LAW NO. 2021-17 WHICH  
ESTABLISHED OPEN AIR BURNING PROCEDURES, PRESCRIBED  
TIMES FOR SETTING FIRES, PRECAUTIONS TO BE TAKEN,  
AND FOR ISSUING BURNING PERMITS**

**WHEREAS** By-law 2021-17 of the Municipality of Killarney was passed and enacted June 9<sup>th</sup>, 2021, under the authority of the Municipal Act Sec. 10 (1);

**AND WHEREAS** the Council for the Municipality of Killarney deems it desirable to amend Sections 4.1 d) and 4.1 t) of said by-law.

***NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY HEREBY ENACTS AS FOLLOWS:***

1. That Sections 4.1 d) and 4.1 t) to By-Law No. 2021-17 be amended, be attached and form part of this by-law;
2. That Sections 4.1 d) and 4.1 t) of this by-law replaces Sections 4.1 d) and 4.1 t) of Schedule "D"- By-Law No. 2021-17 passed by the Corporation of the Municipality of Killarney;
3. That Schedule "D" as amended is attached and forms part of this by-law.
4. That this by-law shall come into force and take effect on the date of its final passing thereof.

***READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL THIS 9<sup>th</sup> DAY OF FEBRUARY, 2022.***

  
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*Nancy Wirtz, Mayor*

  
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*Candy Beauvais, Clerk-Treasurer*

*AMENDMENTS TO BY-LAW 2021-17*

- 4.1. d) set, permit or allow an open air fire to burn between the hours of eight o'clock in the morning (8:00a.m.) and eight o'clock in the evening (8:00 p.m.) as prescribed in the Permit during the Fire Season; with the exception of the months of November 1 through March 31 may burn from noon (12:00 p.m.) to eight o'clock in the morning (8:00 a.m.);
- 4.1. t) burn or permit the burning of slash and land clearing debris that are not set out in piles or windrows separated by a distance of at least 20m (66 ft) and in sections not exceeding 15.8m (52 ft) in length

**SCHEDULE "D"**  
**TO BY-LAW 2021-17 as amended**  
**Burning By-Law**

**MUNICIPALITY OF KILLARNEY**

**PART 1 – PROVINCIAL OFFENCE ACT FINES**

<b>ITEM</b>	<b>Column 1 SHORT FORM WORDING</b>	<b>Column 2 PROVISION CREATING OR DEFINING THE OFFENCE</b>	<b>Column 3 SET FINES</b>
1	Burn without a Permit	4.1 a)	\$200
2	Use/permit use of stove within 1 meter of naturally occurring flammable material	4.1 c) (i)	\$150
3	Set or allow fire outside of prescribed times	4.1 d)	\$150
4	Set unauthorized fire on municipal land	4.1 e)	\$200
5	Set fire on land without owners' permission	4.1 f)	\$150
6	Permit of burning Industrial Waste	4.1 g)	\$250
7	Permit of burning Agricultural Waste	4.1 g)	\$250
8	Permit of burning Domestic Waste	4.1 g)	\$250
9	Permit of burning of Household Hazardous Waste	4.1 g)	\$250
10	Burn waste – cause excessive smoke or fumes	4.1 g)	\$150
11	Failing to supervise a fire	4.1 h)	\$250
12	Fail to provide extinguishment equipment	4.1 i)	\$250
13	Fire pit – improper minimum distance to combustible material	4.1 j)	\$150
14	Fire – improper minimum distance to combustible material	4.1 k)	\$150
15	Permitting a fire causing damage to property	4.1 l)	\$250
16	Set a fire that affects visibility on a highway	4.1 m)	\$250
17	Permit a nuisance fire	4.1 n)	\$150
18	Refuse to extinguish a fire	4.1 o)	\$300
19	Permit a Fire or Campfire in a Restricted Fire Zone	4.1 p)	\$450
20	Set, permit or allow a fire to burn during a Fire Ban	4.1 q)	\$450
21	Fail to have Permit at site of fire	4.1 r)	\$200
22	Set or allow burning of land clearing piles or windrows closer than prescribed distance	4.1 t)	\$350
23	Set or allow burning of land clearing piles or windrows greater than prescribed length	4.1 t)	\$350
24	Detonation of fireworks or firecrackers during Fire Ban or Restricted Fire Zone	4.1 u)	\$450
25	Hinder or obstruct an officer	9.3	\$450

*NOTE: Additional fees from any other agency may apply if required to respond to a fire*

**NOTE:** Penalty Provisions for the offences indicated above is Section 9 of By-Law No. 2021-17 as amended, a certified copy of which has been filed.