

# **The Corporation of the Municipality of Killarney**

## **BY-LAW NO. 2010-20**

### **BEING A BY-LAW OF THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY PRESCRIBING TIMES FOR SETTING FIRES AND PRECAUTIONS TO BE TAKEN**

**WHEREAS** the Municipal Act, S.O. 2001 c.25, as amended provides that, a Municipality may enact by-laws regarding fire matters.

**NOW THEREFORE** the Council of the Corporation of the Municipality of Killarney enacts as follows:

- 1.** No fires shall be set out of doors in the Municipality between the hours of eight o'clock in the morning and eight o'clock in the evening during the months of May, June, July, August, and September in each year.
- 2.** No person shall set out fires in the open air if the pile is greater than two metres in diameter and two metres in height without first advising the Municipal Office Monday through Friday during regular office hours.
- 3.** No person shall burn grass unless the area to be burned is less than one (1.0) hectare in size and the flaming edge is less than thirty (30) metres in length without first notifying the Municipal Office during regular office hours.
- 4.** No person shall set any fire out of doors to burn, or shall burn out of doors, any kitchen garbage, construction materials or materials made of/or containing rubber, plastic or tar.
- 5.** Without in any way limiting the prohibition set out in Section 3 above, only dry materials shall be burned in fires set out of doors.
- 6.** No person shall set any fire out of doors except in the presence of a competent adult person and this person shall be in constant attendance of any burning operation as to prevent same from spreading to or endangering other property.
- 7.** No person shall set out a fire in an area where it may spread due to grass or other vegetation or a strong wind.
- 8.** No outside fire which causes inconvenience or irritation to others shall be permitted.
- 9.** No person shall leave the site of a fire set out of doors in the Municipality without fully extinguishing the said fire.

10. Every person who starts a fire shall ensure that he/she has adequate tools and water to contain the fire.

**FIRE BAN**

11. None of the above sections apply during a declared FIRE BAN by the Municipality and/or the Province when burning is prohibited.

**PENALTY**

12. Every person who contravenes any provision of this by-law is guilty of an offence against this by-law and shall, upon conviction therefore be subject to a fine of not more than two thousand (\$2,000) dollars exclusive of costs and every fine is recoverable under the Provincial Offences Act.
13. This by-law shall come into force and take effect upon the date of the final reading thereof.

FURTHER THAT By-Law No. 2000-14 is hereby repealed.

***READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED IN  
OPEN COUNCIL THIS 8<sup>th</sup> DAY OF JUNE, 2010.***

***ORIGINAL DOCUMENT SIGNED***

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**Morgan T. Pitfield, Mayor**

***ORIGINAL DOCUMENT SIGNED***

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**Gilles G. Legault, Deputy Clerk-Treasurer**