

TOWN OF SELKIRK

BY-LAW NO. 4832

BEING A BY-LAW OF THE TOWN OF SELKIRK PROVIDING FOR THE REGULATING AND PROHIBITING OF OPEN FIRES WITHIN THE CORPORATE LIMITS OF THE TOWN OF SELKIRK.

WHEREAS Section 290 of the Municipal Act, R.S.M. 1988, c.M225, provides inter alia as follows:

- 290(1) Subject to the Workplace Safety and Health Act, The Employment Standards Act, The Building and Mobile Homes Act, The Fire Prevention Act, The Explosives Act (Canada), and any other applicable Act of the Legislature or the Parliament of Canada, the council of any municipality may pass by-laws for the prevention or extinguishing of fires and for the preservation of life and property from destruction by fire; and, without limiting the generality of the foregoing, the council may pass by-laws
- a) for making regulations for the prevention and suppression of fires;
 - 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 those times, and for preventing such fires being kindled at other times;

AND WHEREAS the Council of the Town of Selkirk deems it expedient and in the best interests of the Town of Selkirk to pass regulations for the prevention and suppression of fires within the corporate limits of the Town of Selkirk;

NOW THEREFORE the Council of the Town of Selkirk in open session, assembled enacts as follows:

1.
 - a) This by-law shall be known as the Open Fire By-Law of the Town of Selkirk.\
 - b) This by-law shall be deemed to include all powers and duties imposed by the Fires Prevention Act being Chapter F80 C.C.S.M.
 - c) In this by-law, "Fire Chief" shall mean that person appointed by the Council of the Town of Selkirk from time to time to be Fire Chief of the Town of Selkirk.
2. **THAT** subject to Clauses 3, 4 and 8 herein, all open fires including the burning of leaves, straw, stubble, garden and other refuse, whether on the surface of the ground, in pits, barrels or other containers/incinerators are prohibited within the corporate limits of the Town of Selkirk.
3. **THAT** the operation of enclosed incinerators, constructed in compliance with the Manitoba Building Code, shall be permitted provided the operation thereof does not, in the opinion of the Fire Chief, create a nuisance within the Town of Selkirk.
4. **THAT** fires within the backyard, barbeque pits, or Selkirk Park camp fires are permitted within Selkirk between the hours of 8:00 a.m. and 12:00 midnight provided such fires are attended by an adult and provided the operation thereof does not, in the opinion of the Fire Chief, create a nuisance. When unattended, the said fire must be completely extinguished. Any such fire must be located at least 15 feet from any building or other combustible material. In the event that the Fire Chief, in his sole discretion, determines that a fire in a pit barbeque is causing a danger or nuisance, the Fire Chief shall be entitled to order the fire extinguished. Failure to obey such an order shall be a violation of this by-law.
5. That the Fire Chief of the Town of Selkirk may under special circumstances, issue conditional burning permits between the hours of noon and 8:00 p.m. on any given day to allow material to be burned under such circumstances as the Fire Chief may, in his discretion, permit. A copy of the burn permit is attached hereto as Schedule "B" to this by-law.

6. A person to whom a Burning Permit has been issued shall not leave the permitted fire unattended at any time while it is burning or smoldering and shall ensure that sufficient equipment to prevent the fire from getting beyond control or causing damage or becoming dangerous is immediately available at the fire site.
7.
 - a) all occupants and owners of buildings and yards shall keep them free from all unnecessary combustible, flammable or explosive materials or rubbish that may cause or promote fires, and shall promptly remove same upon written notice from the Fire Chief to do so.
 - b) The owner of any vacant building shall ensure that the premises are free of all debris and combustible, flammable or explosive materials and shall keep all openings in such a building securely closed and fastened to prevent entry of all unauthorized persons.
8. **NOTWITHSTANDING** Clause 2 hereinbefore, no person shall light, ignite, start or allow to be lighted, ignited or started a fire in any grill or barbeque for the purpose of cooking food or otherwise on or near any residential occupancy except where:
 - a) The storage and use of propane cylinders conforms with the regulations described in Sentence 5.6.1.1 of the Manitoba Fire Code.
 - b) Solid fuel appliances are to be used, provision for the storage of ashes or hot coals is limited receptacles conforming to Article 2.4.1.9 of the Manitoba Fire Code.
9. THAT any person who contravenes, refuses, neglects, omits or fails to obey or observe any provision of the by-law is guilty of an offense and if convicted, liable to a fine of not less than \$50.00 and not more than \$1000.00, in addition to costs or to imprisonment for a period not exceeding thirty (30) days, or to both such fine and such imprisonment.

DONE AND PASSED in Council duly assembled at Selkirk, Manitoba, this 26th day of June A.D., 1995.

Original signed by RS Oliver

Mayor

Original signed by Gloria J. Vinie

Secretary-Treasurer

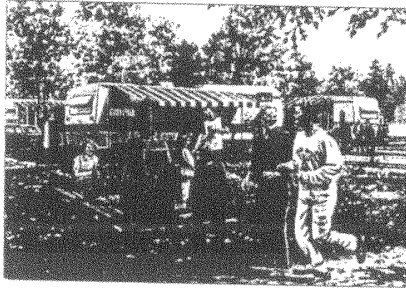
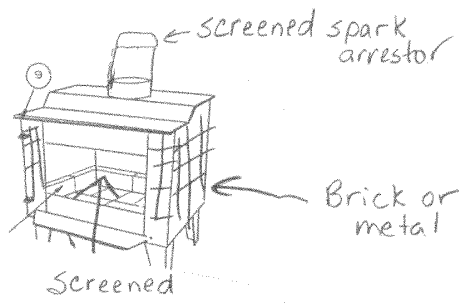
READ A FIRST TIME this 12 day of June, A.D., 1995.

READ A SECOND TIME this 26 day of June, A.D., 1995.

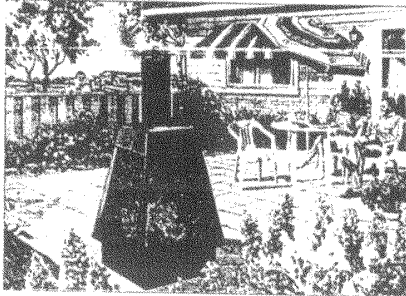
READ A THIRD TIME this 26 day of June, A.D., 1995.

TOWN OF SELKIRK
SELKIRK FIRE DEPARTMENT
BY-LAW NO. 4832
SCHEDULE "A"

1. A person to whom a burning permit has been issued shall not leave the permitted fire pit unattended at any time while it is burning or smoldering and shall ensure that sufficient equipment (water hose, extinguisher) to prevent the fire from getting beyond control or causing damage or dangerous is immediately available at the fire site.
2. The fire / barbeque pit or grill is located outside on a fire structure which is noncombustible and not closer than 15 feet from any combustibles or buildings. Portable propane / charcoal barbecue's can be 3 feet from any outside wall or combustibles
3. Attached is a photo / sketch of a recommended pit.
4. The pit shall be enclosed with a screen front and pipe / chimney to contain sparks and flying embers.
5. Outdoor pits are never to be used to burn garbage, papers, etc. as we have regular garbage pick up.



• SPARKS AND BURNING EMBERS ARE CONTAINED WITHOUT RESTRICTING YOUR VIEW OF THE FIRE



SCHEDULE "B"

SELKIRK FIRE DEPARTMENT

BURNING PERMIT

I (We) _____ are applying for a permit to:
(name of applicant)

On the following date: _____
between the hours of 12:00 noon and 8:00 p.m.

The location of the premises for this permit is known as:

The permit should be readily available for verification purposes upon inspection.
Permission will only be granted providing the following conditions are strictly adhered to:

1. THAT the fire will be supervised by a person of 18 years of age or older at all times.
2. THAT the direction of the smoke will not be a nuisance to the residents in the area.
3. THAT the permit holder will be fully responsible for any damage or injuries resulting from the fire.
4. THAT this permit is only valid for the above mentioned intent. Any other burning voids this permit.,
5. THAT if any other conditions are necessary they will be listed below.
6. THAT the Fire Chief or his delegate may inspect and prohibit any or all fires at any time.

Other conditions:

DATE: _____

DATE APPROVED: _____

DATE DENIED: _____

DATE/TIME INSPECTED: _____

FIRE OFFICER: _____

FIRE OFFICER: _____