

CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NUMBER 1998-91

A by-law restricting the setting of fires within the Town of Amherstburg.

WHEREAS Section 210, subsection 42, R.S.O. 1980, c. 302, authorizes a municipality to pass by-laws relating to fire matters;

AND WHEREAS pursuant to reports from the Fire Chief and/or Fire Prevention Officer, there have been instances within the municipality, that the opinion of the Fire Department, is detrimental, and hazardous to the welfare of its inhabitants;

AND WHEREAS the municipality has generally promoted the restriction of any burning or setting of fires within the municipality;

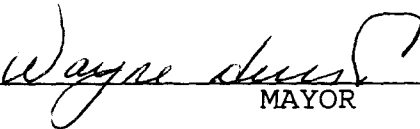
AND WHEREAS it is deemed expedient by the Council of the Town of Amherstburg to restrict the setting of fires in the open air in the Town of Amherstburg.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG ENACTS AS FOLLOWS:

1. No person shall set or cause to permit to be set any fire in the open air on property privately owned or property owned or controlled by the Town of Amherstburg.
2. An officer or officers are hereby authorized to enter at all reasonable times upon any property in order to ascertain whether the provisions of this by-law are obeyed, such officer or officers are authorized to enforce and carry into effect the provisions of this by-law.
3. (1) Notwithstanding the provisions of this by-law, in an area where farming is conducted, a person may set or cause to be set an open air fire that is not in a container whereby said person may burn the remains of an activity inherent to farming, such as field stubble, brush from fence rows, and/or drains, etc.
(2) No person shall set an open air fire referred to in Section 3, subsection (1) without notifying any member of the Amherstburg Fire Department at least (2) hours prior to the time of setting such a fire.
4. Notwithstanding the provisions of this by-law, a campfire is permitted in a camping establishment in the Town of Amherstburg provided: that such campfire is in an area of the camping establishment approved by the Fire Chief or the Fire Prevention Officer and is attended by a person competent to supervise it.

5. A fire wholly contained within a permanent or portable barbecue, that is used for the preparation of food for human consumption shall not be deemed to be a fire for the purposes of this by-law provided, such fire is not on a balcony of a building or in any other unsafe place.
6. Every person violating any provisions of this by-law shall be guilty of an offence and liable to a fine not exceeding One Thousand Dollars (\$1,000.00) exclusive of costs, and such fine shall be recoverable under The Provincial Offences Act.
7. That By-law Number 2868 - Anderdon and 92-13 Malden are hereby repealed.
8. This by-law shall come into force and take effect upon the final passing thereof.

Read a first and second time and finally passed this 14th day of
DECEMBER , 1998.


MAYOR


CLERK

1st reading - December 14, 1998
2nd reading - December 14, 1998
3rd reading - December 14, 1998