

# THE CORPORATION OF THE CITY OF BELLEVILLE

## BY-LAW NUMBER 99-30

### A BY-LAW TO REGULATE THE SETTING OF FIRES IN THE THURLOW WARD OF THE CITY OF BELLEVILLE

WHEREAS Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, provides that the councils of local municipalities may pass by-laws prescribing the time at which fires may be set in the open air and the precautions to be observed by persons setting fires and for making regulations to prevent the spreading of fires;

AND WHEREAS The Corporation of the City of Belleville has deemed it expedient to enact a by-law for the purpose of regulating the setting of fires for the Thurlow Ward;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF BELLEVILLE ENACTS AS FOLLOWS:

1. THAT the provisions of this By-Law shall apply to all properties within the City of Belleville (Thurlow Ward) including farm premises.
2. THAT for the purpose of this By-Law "**farm premises**" shall mean land used for the tillage of soil, growing of vegetables, fruits, grains or other staple crops; livestock raising, dairying and/or woodlots; a detached dwelling unit, building and/or structures such as barns and/or silos, which are incidental to the operations of the farm.
3. (a) THAT no person or persons shall set a fire in the open air at any time or place within the City of Belleville (Thurlow Ward) unless such person or persons have obtained a permit issued pursuant to this By-Law.  
  
(b) THAT no person or persons shall set a fire at any time without first notifying the Fire Dispatching Office for the City of Belleville (Thurlow Ward) and provide the said office with such information as is required.
4. (a) THAT any permit issued pursuant to this By-Law may be revoked at any time at the absolute discretion of the Fire Chief or his/her designate.  
  
(b) THAT the Fire Chief may, at any time, enact any provisions of the Fire Marshals Act that may pertain to this By-Law.
5. THAT metal or concrete incinerators must be hooded or screened to prevent the blowing of sparks, ashes, etc., and must be at least fifty (50) feet from any building or other structure including, without limiting the generality of the foregoing, any wooden fence, tree, brush, etc.

6. THAT there must be a responsible attendee at the scene of any fire and the fire must be completely extinguished and/or proper measures for the control of the fire and safety of property must be made prior to the attendee leaving. Any burning must take place between the hours of sunrise and sunset.
7. THAT any open air burning must be at least seventy-five (75) feet from any building or other structure whatsoever, including, without limiting the generality of the foregoing, any combustible fence, tree, brush, etc.
8. THAT The Corporation of the City of Belleville will not be held responsible for conditions which may cause the blowing of sparks and/or smoke.
9. THAT every person who contravenes any provision of this By-Law shall be liable for all damages to public and/or private property caused by the fire and shall also be liable for the full cost of extinguishing the fire.
10. THAT every person who contravenes any provision of this By-Law is guilty of an offence and shall be liable upon conviction to the penalties provided by the Provincial Offences Act, R.S.O. 1990, Chapter P.33 or any legislation passed in succession thereto.
11. THAT the administration fee associated with the issuance of fire permits shall be as outlined in Schedule "A" attached hereto. The administration fee shall be payable by the applicant and/or owner/occupant of the lands.
12. THAT By-Law Number 3547 and all other by-laws or part of by-laws inconsistent herewith, are hereby rescinded.

THIS BY-LAW SHALL COME INTO FORCE AND TAKE EFFECT IMMEDIATELY ON AND AFTER THE PASSING THEREOF.

Read a first time this **29th** day of **March, 1999**.

Read a second time this **29th** day of **March, 1999**.

Read a third time and finally passed this **29th** day of **March, 1999**.

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ROSS L. MCDOUGALL                      MAYOR

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JARY PLAMONDON                      CITY CLERK

**SCHEDULE "A"**

**TO BY-LAW NUMBER 99-30**

1. **One Time Permit** - **\$5.00**

NOTE: This would allow the holder of the said permit to have one fire within the calendar year in which the permit is issued.

2. **Annual Permit** - **\$10.00**

NOTE: This would allow the holder of the said permit to have several fires within the calendar year in which the permit is issued.