

CANADA
PROVINCE OF QUEBEC
MRC DES LAURENTIDES

MUNICIPALITÉ DU CANTON ARUNDEL

BY-LAW NUMBER 124

BURNING BY-LAW

WHEREAS Article 555 of the municipal code allows municipalities to regulate lighting of fires in the open air;

WHEREAS certain property owners in the municipality must, on occasion, make a fire to clean-up their property;

WHEREAS certain persons, in order to keep away bugs or enjoy a picnic, light a camp fire;

WHEREAS grass fires, brush fires or the burning of rubbish that becomes out of control constitutes a danger for the population, residences, the forest and sometimes entails high costs;

WHEREAS notice of motion of this by-law was given at the May 9th 2005 meeting;

FOR THESE MOTIVES

IT IS ORDERED AND DECREED by the present by-law :

Article 1 :

Any person who wishes to light a fire between April 1st and November 30th to burn dry hay, straw, grass, brush, branches, trees, shrubs or plants, light soil or black earth, tree trunks, piles of natural woods anywhere in the municipality must first obtain a burning permit from the municipal inspector, secretary-treasurer, acting secretary, fire chief or acting chief.

Article 2

The permit can be obtained when the municipal office is open or at the municipal garage from Monday to Friday.

Article 3

The following information must be provided when requesting a permit :

- name and address of the person taking responsibility for the fire
- place where the fire(s) will take place
- date when the fire(s) will take place
- type of combustible

Article 4

The secretary-treasurer, acting secretary, fire chief or acting chief must refrain or refuse a permit in the following cases :

- winds exceed 25km/hr

- when burning ban is in effect as issued by the Ministère de l'Énergie des Ressources du Québec
- when one of the stipulated conditions of this by-law is not respected
- during the dry spell in spring after snow has melted.

Article 5

It is forbidden to light a fire on days when wind exceeds 25km/hr.

Article 6

The materials to be burnt must be pushed in a pile measuring a maximum of 3 meters by 3 meters and no higher than 2 meters.

Article 7

The person taking responsibility for the fire must watch the fire at all times and must make sure that fire is extinguished with water before leaving area.

Article 8

The act of obtaining a permit to burn does not exempt the person who obtained the permit of his responsibility should the fire get out of control and cause damages.

Article 9

Campfires to keep away bugs or enjoy during a picnic or celebration must have a maximum area of 1 meter by 1 meter , not be more than 1 meter high and must be surrounded by fire resistant material.

Article 10

It is not necessary to obtain a burning permit for a campfire however, Articles 5 and 7 of the present by-law must be respected.

Article 11

11.1 For social celebrations, such as Saint-Jean Baptiste or other, exceeding the norms set in Article 6 of the present by-law, the following conditions must be respected :

- a) obtain a burning permit from the secretary-treasurer or acting secretary, or fire chief or acting chief
- b) have at least one responsible person on site
- c) be able to extinguish fire at all times.

11.2 For the burning of wood cuttings or chips exceeding the norms set in Article 6 of the present by-law, the following conditions must be respected :

- a) obtain a burning permit from the secretary-treasurer or acting secretary, or fire chief or acting chief
- b) have at least one responsible person on site
- c) respects Articles 4 and 5 of the present by-law.

Article 12

Any person who lights a fire and does not take the necessary measures so that the fire does not spread to neighboring land commits an infraction in accordance with this by-law and is liable to all penalties provided by law.

Article 13

The permit issued in accordance with the present by-law is free and is only valid for the time period indicated.

Article 14 Right of inspection

The council authorizes any law enforcement agent, the municipal inspector, fire chief or acting chief to visit and examine, between 7 :00 a.m. and 7 :00 p.m., any movable or immovable property as well as the exterior of any house, building or structure, in order to determine if by-laws are being respected and therefore any owner, lessor or occupant of these houses, buildings or structures must receive these persons and answer all questions that are asked concerning the enforcement of this by-law.

PENAL PROVISIONS

Article 15

Any contravention to the present by-law constitutes an infraction and is prohibited.

Article 16

The council authorizes, in general, any law enforcement agent as well as the secretary-treasurer, acting secretary, fire chief or acting chief to undertake legal action against anyone contravening any article of this by-law and also authorizes, in general, these persons to deliver notice of infractions to this end; these persons are in charge of the application of the present by-law.

Article 17

Whomever contravenes any article of the present by-law is guilty of committing an infraction and is liable to a minimum fine of \$50.00 for a first offense for a person and of \$100.00 for a company; a minimum fine of \$100.00 for a repeat offense if within a period of 2 years if the offender is a person and \$200.00 for a company; the maximum fine that can be charged for a first offense is \$1,000.00 for a person and \$2,000.00 for a company; a maximum fine of \$2,000.00 for a person for a repeat offense and \$4,000.00 for a company if within 2 years.

The delays for payment of fines and costs in relation to the present article and the consequences for non-payment of said fines and costs within the prescribed delays are established in the 'Code de procédure pénale du Québec. If an infraction lasts more than one day it constitutes a distinct infraction and the penalties can be imposed for each day for which the infraction lasts, in accordance with the present article.

Article 18

N/A

Article 19

The present by-law will come into force in accordance with the law.



David Flanagan
Mayor



Bernice Goulet
Secretary-treasurer

Notice of Motion May 9, 2005
Adopted on July 11, 2005
Public Notice Aug. 3, 2005