

TOWN OF AMHERST

FIRES AND BURNING OF MATERIALS BY-LAW

SHORT TITLE

1. This By-Law shall be known as the Fires and Burning By-Law.

DEFINITIONS

2. In this By-Law, “**Out of doors**” means any place on a property that is not a building. A structure used mainly for the purpose of containing a burning facility or housing a vessel used for burning of materials or substances, does not qualify as a building. For greater clarity, the burning of materials, articles or substances in any container outside a building shall be considered burning out of doors.

FIRES AND BURNING OF MATERIALS

3. No person shall ignite, set fire to or burn any materials, articles or substances whatsoever, out of doors, within the limits of the Town of Amherst, except as provided by this By-Law.

EXCEPTION FOR BARBECUES

4. This By-Law shall not apply to the setting on fire or burning of charcoal or other flammable materials commonly used for the purpose of a barbecue or similar outdoor cooking, when intended only for the purpose of food preparation.

SPECIAL BURNING PERMIT

5. The Fire Chief may, from time to time, issue a special permit to an applicant and may prescribe within the permit:
 1. The number of people required to supervise the burning;
 2. The conditions under which the fire may be set;
 3. The types of materials that will be permitted to be burned;
 4. The hours and day on which burning shall take place;
 5. The location at which the fire may be set.

PENALTY

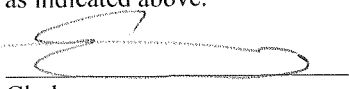
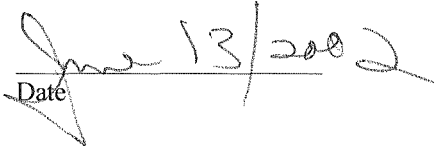
- 6. Any person who violates or contravenes any of the provisions of this bylaw shall, upon conviction thereof, be subject on summary conviction to a fine of not less than one hundred dollars and not more than ten thousand dollars, in accordance with section 505(2) of the Municipal Government Act.

EXCEPTION

- 7. This By-Law shall not apply to persons acting directly under the authority of the Fire Chief of the Amherst Fire Department in the performance of his duties.

REPEAL

- 8. All Fires and Burning of Materials by-laws of the Town now in force are hereby repealed and this by-law substituted therefor.

<u>Clerk's Annotation For Official By-Law Book</u>	
Date of first reading:	April 22, 2002
Date of advertisement of Notice of Intent to Consider:	May 1, 2002
Date of second reading:	May 27, 2002
Date of advertisement of Passage of By-Law:	June 12, 2002
Date of mailing to Minister a certified copy of By-Law:	June 13, 2002
<p>I certify that this FIRES AND BURNING BY-LAW was adopted by Council and published as indicated above.</p>	
 Clerk	 Date

NOTICE OF PUBLICATION

SUBJECT: **TOWN OF AMHERST FIRES AND BURNING OF MATERIALS BYLAW
(C-7)**


At the May 27, 2002 meeting of the Amherst Town Council, following first and second reading of a proposed Town of Amherst Fires and Burning of Materials Bylaw (C-7) a motion to repeal the existing bylaw and replace it with the above mentioned new bylaw was approved.

The object of the bylaw is to prohibit the igniting, setting fire to or burning of materials, out of doors, within the limits of the Town of Amherst. There is an exception for barbecues and a provision to make application for a burning permit with conditions. The complete bylaw may be inspected and/or a copy obtained at the office of the Town Clerk, Confederation Memorial Building, Ratchford Street during regular business hours.

Ed Childs, CA
Town Clerk

THIS IS TO CERTIFY that the foregoing is a Notice of Publication regarding the approval of a new Fires and Burning of Materials Bylaw as published in the local paper on **June 12, 2002.**

Given under the hand of the Town Clerk and under the Seal of the Town of Amherst this 13th day of June, 2002.



Ed Childs, Town Clerk