

Rural Municipality of Miscouche, PEI

A BYLAW TO REGULATE OPEN FIRE AND CAMP FIRES WITHIN THE RURAL
MUNICIPALITY OF MISCOUCHE
BYLAW # 2020-03

BE IT ENACTED by the Council of the Rural Municipality of Miscouche as follows:

1. TITLE

1.1 This bylaw shall be known and cited as the “open fire and campfires fires Bylaw”.

2. PURPOSE

2.1 The purpose of this bylaw is to set safety measures and restrictions for open fires and camp fires located on private property within the boundaries of the Rural Municipality of Miscouche

3. AUTHORITY

3.1 Division 2, Section 180 of the Municipal Government Act R.S.P.E.I. 1988, Cap.M-12.1, provides the authority for Rural Municipality of Miscouche to pass bylaws and provide services for municipal purposes respecting the safety, health and welfare of people and the protection of persons and property.

4. APPLICATION

4.1 This bylaw applies to all residents and visitors to the Rural Municipality of Miscouche. It operates together with, and as a supplement to, the applicable common law and the following statutes, any regulations or other delegated legislation made pursuant to them:

(A) The Municipal Government Act

(B) The Fire Prevention Act.

5. DEFINITIONS

5.1 In this bylaw, any word and term that is defined in the Municipal Government Act has the same meaning as in that Act.

5.2 In the bylaw,

(A) “Act” means the Municipal Government Act.

(B) “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under clause 86(2) (c) of the Municipal Government Act.

- (C) "Council" means the Mayor and other members of the Council of a municipality,
- (D) "Councilor" means a member of Council other than the Mayor,
- (E) "Fire Chief" and "Deputy Fire Chief" means officers of the Miscouche Fire Department.

6. BURNING

6.1 Camp fires and any open fires are prohibited within the municipal boundaries of the Rural Municipality of Miscouche. Unless the following guidelines are followed

- a. Only recreational fire are permitted in a contained fire pit with spark arrester screen or has a chimney with spark arrester within the municipal boundaries.
- b. Fires are prohibited when winds are gusty or a steady 20km/h or higher.
- c. Camp fires must not exceed 0.6 meters by 0.6 meters and must be located at least seven meters from any building and three meters from any shrubbery, wooden fences, overhanging trees or combustible material.
- d. Property owner or other adult, where camp fire or any open fire is located, must provide proper supervision while fire is burning and ensure water containers or working garden hose and firefighting tools are nearby.

6.2 No person shall burn garbage which includes but is not limited to plastics, rubber material, treated wood, construction/demolition waste including asphalt material or household waste such as but not limited to cloth material, mattresses, and furniture. When burned, these products release toxic chemicals that are dangerous to humans.

Other provisions that are permitted in this bylaw is as follows:

- (A) Gas, propane and charcoal barbeques;
- (B) Gas, propane fire modules;
- (C) Gas propane outside heaters

6.3 Notwithstanding any other provisions of this bylaw, the following shall be not permitted:

- (A) The burning of brush, grass or other vegetation and vacant buildings.

7. SPECIAL CIRCUMSTANCES

7.1 The Fire Chief will have the authority to ban all fires in the Rural Municipality of Miscouche in special circumstances, to provide safety and to mitigate potential risks to the community in special circumstances.

8. Approval:

8.1 First Reading:

This Open Fire and Camp Fire Bylaw, Bylaw# 2020-03, was read a first time at the Council meeting held on the 9 day of November, 2020.

This Open Fire and Camp Fire Bylaw, Bylaw# 2020-03 was approved by a majority of Council members present at the Council meeting held on the 9 day of November, 2020

Second Reading:

This Open Fire and Camp Fire Bylaw, Bylaw# 2020-03 was read a second time at the Council meeting held on the 10 day of November, 2020.

This Open Fire and Camp Fire Bylaw, Bylaw# 2020-03 was approved by a majority of Council members present at the Council meeting held on the 10 day of November, 2020.

Adoption and Approval by Council:

This Open Fire and Camp Fire Bylaw, Bylaw# 2020-03, was adopted by a majority of Council members present at the Council meeting held on the 10 day of November, 2020.

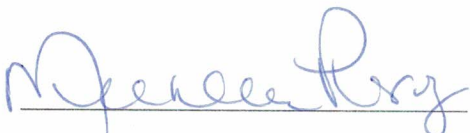
This Open Fire and Camp Fire Bylaw, Bylaw# 2020-03, is declared to be passed on this the 10 day of November, 2020

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Open Fire and Camp Fire Bylaw adopted by the Council of the Rural Municipality of Miscouche on November 10th, 2020 is certified to be a true copy.



Chief Administrative Officer Signature


November 12 2020

Date