

RURAL MUNICIPALITY OF WOODLANDS

BY-LAW NO. 2568/09

Being a By-Law to Provide for Fire Prevention within the Rural Municipality of Woodlands.

WHEREAS a council may, pursuant to Sections 232(1) of The Municipal Act, pass by-laws for municipal purposes respecting the following matter:

232(1)(a) "the safety, health, protection and well-being of people...";

232(1)(c) "subject to section 233, activities or things in or on private property"; and

232(1)(i) "preventing and fighting fires";

AND WHEREAS a council may, pursuant to Section 250(2) of The Municipal Act, without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

250(2)(e) "use municipal equipment, materials and labour to carry out private works on private property";

AND WHEREAS it is deemed expedient and in the best interest of the Municipality to pass a By-law to adopt the Manitoba Fire Code and to provide for the protection of life and property from damages by fire and to regulate burning within the Rural Municipality of Woodlands;

NOW THEREFORE the Council of the Rural Municipality of Woodlands, in Council assembled, enacts as follows:

1. DEFINITIONS:

"Townsite" shall, for the purpose of this By-law, apply to the following townsites unless otherwise provided herein:

- (i) The Townsite of Erinview shall be defined as the settled portion of the North East Quarter of Section Fourteen, all in Township Sixteen, Range One West of the Principal Meridian, in Manitoba. (NE 14-16-1W)
- (ii) The Townsite of Lake Francis shall be defined as the settled portion of the South West Quarter of Section Twenty-seven, Township Fifteen, Range Three West of the Principal Meridian, in Manitoba. (SW 27-15-3W)
- (iii) The Townsite of Marquette shall be defined as the settled portion of the South West Quarter of Section Six, Township Thirteen, Range Two West of the Principal Meridian, in Manitoba. (SW 6-13-2W)
- (iv) The Resort of Twin Beach shall be defined as the settled portion of Section Thirty, Thirty-one and Thirty-two, Township Fifteen, Range Four West of the Principal Meridian, in Manitoba, in Manitoba. (30-15-4W, 31-15-4W, 32-15-4W)
- (v) The Townsite of Warren shall be defined as the settled portion of Section Twenty-eight, Twenty-nine, Thirty-two, Township Thirteen, Range One West of the Principal Meridian, in Manitoba. (28-13-1W, 29-13-1W, 32-13-1W)
- (vi) The Townsite of Woodlands shall be defined as the settled portion of Section Twenty-one, Twenty-two, Twenty-eight, Township Fourteen, Range Two West of the Principal Meridian, in Manitoba. (21-14-2W, 22-14-2W, 28-14-2W)

"Agricultural Waste Burning (Agricultural)" shall mean excess materials derived from agriculture activities and, without limiting the generality of the foregoing, shall include, but is not limited to, crop residues, herbicides, pesticides, fertilizers and like materials from all agricultural pursuits.

"Agriculture" shall mean the Agricultural Zones established to provide sufficient land for various types of agricultural development.

"Camp Fire Burning (Camp Fires)" shall mean a fire that is set in an enclosed container and located in an area in dirt/sand that has been set for cooking or warmth and would normally be considered a camp fire.

"Construction/Demolition Waste (Construction)" shall mean a mixture of waste building materials and rubble resulting from construction, remodeling, renovations, repairs, demolition or fire in buildings and other structures and includes, but is not limited to, lumber, plaster, concrete, drywall, glass, shingles, siding, electrical and plumbing fixtures and piping or any combination thereof. Construction/Demolition Waste may be reclassified as Ashes, Combustible, Excavation, Metallic or Recyclable Waste provided said Construction/Demolition Waste is separated as per the classifications defined in the section.

"Garbage Burning (Garbage)" shall mean a fire set for the purpose of burning garbage.

"Industrial Waste Burning (Industrial)" shall mean solid and liquid waste materials resulting from, or incidental to, the manufacture, processing, or like operation of factories, processing plants, industrial processes and manufacturing operations and includes waste such as putrescible waste from food processing plants and rendering plants and condemned foods and products.

"Outdoor Burning Boiler" shall mean a free-standing outdoor fuel-burning apparatus used as a heat source for a building.

"Rural Residential" shall mean the "RR" Rural Residential Zone which provides for the development of single-family dwellings in a "semi-rural" environment.

"Yard Waste Burning (Yard)" shall mean a fire set for the purpose of burning grass clippings, tree branches, leaves, twigs, garden and flower bed vegetation.

"Yardsite" shall mean any property and/or ditches located in a townsite or a rural residential zone.

"Windspeed" shall mean the windspeed for the general area as published by Environment Canada at the time of initiation.

2. **GENERAL:**

- a) Except to the extent that it conflicts with this By-law, the Manitoba Fire Code is hereby adopted and forms part of this By-law.
- b) For the purpose of this By-law, references in the Manitoba Fire Code to the "local authority" are references to the Rural Municipality of Woodlands.
- c) Designated employees may conduct inspections and take steps to administer and enforce this By-law and requirements of the Manitoba Fire Code or remedy a contravention of the By-law in accordance with The Municipal Act for those purposes.

3. **REGULATIONS:**

- a) Camp fires shall only be allowed in townsites, rural residential zones and agricultural zones.
- b) Garbage burning shall only be allowed in rural residential zones and agriculture zones, provided the garbage is in a self-contained apparatus specifically designed for burning.
- c) Yard waste burning shall only be allowed in rural residential zones and agricultural zones with windspeeds of 20 Kilometers Per Hour or less.

- d) Agricultural waste burning shall only be allowed in agriculture zones with windspeeds of 20 Kilometers Per Hour or less.
- e) Yardsites shall not be allowed to be burned in townsites.
- f) Outdoor burning boilers used as a heat source for a building shall only be allowed in rural residential zones and agricultural zones.
- g) Outdoor burning boilers used as a heat source for a building shall not be allowed in townsites.
- h) Outdoor burning boiler used as a heat source for a building shall:
 - be located a minimum of 100 feet distance from property lines.
 - be located a minimum of 100 feet distance from any building.
 - be inspected by the local Fire Department.
 - ashes to be stored safely in a fire proof container.
 - any structure built around the burner must be non-flammable.
- i) Industrial and Construction waste shall not be allowed to be burned in the Rural Municipality of Woodlands.
- j) All burning shall be conducted in a manner whereby it is not detrimental to the health and comfort of the residents surrounding the property where the burning is taking place.
- k) All straw and/or bales that are to be burned on an agricultural field shall require an area to be cultivated around the border of the field of a sufficient width (minimum 50 feet) to prevent fire spreading to neighboring properties and ditches and shall be monitored by a responsible person in order to ensure the fire does not get out of control.
- l) A Burning Notification must be obtained from the municipal office 72 hours prior to the controlled burn.
A Burning Notification is attached to this document as Appendix B.
- m) All federal and provincial legislation shall take precedence over this By-Law.

4. **PENALTIES:**

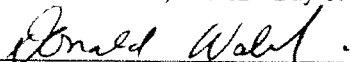
- a) Any person who contravenes or refuses, neglects, omits or fails to obey or observe any provision of this By-law is guilty of an offence and upon summary conviction, liable for a fine not exceeding One Thousand (\$1,000.00) Dollars and costs, and in default of paying, to imprisonment for a period not exceeding six (6) months.
- b) Each contravention shall be considered as a separate offence.

5. This By-law may be deviated from only by resolution of Council.

6. This By-law shall come into force and effect on and from the date of its enactment.

By-Law No. 2460/02 is hereby repealed.

DONE AND PASSED in Council assembled in the Council Chambers of the Rural Municipality of Woodlands, at Woodlands, in the Province of Manitoba, this 12th Day of May, A.D., 2009.


Donald Walsh – Reeve


Lynn Kauppi – Chief Administrative Officer

Given 1st reading this 14th day of April A.D., 2009
Given 2nd reading this 14th day of April A.D., 2009
Given 3rd reading this 12th day of May A.D., 2009

THE RURAL MUNICIPALITY OF WOODLANDS

FIRE PREVENTION UNDER BY-LAW NO. 2568/09

BURNING NOTIFICATION

AUTHORITY IS HEREBY GRANTED TO: _____

Owner or Tenant of (property desc.): _____

Municipality of Woodlands to set fire and burn: Grass ___ Scrub ___ Stubble ___

Other (desc.) _____ on the above mentioned

property between the ___ day of ___, (Year) ___ and the ___ day of ___, (Year)

subject to the following conditions and the provisions of the Fire Prevention Act &

Manitoba Burning of Crop Residue Regulations:

1. To keep fire under control at all times.
2. To bear responsibility for all property damaged which may result.
3. To fire guard the area under the terms of the "Fire Prevention Act" and/or this By-law.
4. No fire to be set and left unattended.
5. No fire to be set when fire conditions are extreme or hazardous or windspeeds are over 20 Kilometers per Hour.

Public announcements and toll-free 1-800-265-1233 numbers will have precedent.

Issued at the RM of Woodlands: Date: _____

Signed: _____

Declaration of Notification Holder: I understand the conditions under which this burning notification is issued and agree to abide thereby.

Signed: _____