

THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH

BY-LAW NO. 3078-19

Being a by-law to amend By-law 2649-13 being a by-law to prescribe the conditions under which fires may be set in Open Air, to govern the issuance of Fire Permits and to Repeal By-law Number 1953-98.

Recitals:

- a) The Municipality passed By-law 2649-13 in order to prescribe the conditions under which fire permits may be issued to govern open air burning and campfires in the Municipality of Shuniah.
- b) Council as authorized by the Municipal Act deemed it necessary to appointed officers to enforce or carry into effect this by-law and in doing so applied to the Ministry of the Attorney General to approve Set Fines under Part 1 of the Provincial Offences Act;
- c) By-law 2649-13 was approved in its entirety including "short form wording" as set out in Schedule C to that By-law;
- d) Council now deems it necessary to amend Schedule "C" to By-law 2649-13 to include certain infractions contained within the said by-law not originally contained in Schedule C and to make amends to wording as recommended by the Attorney General's Office.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH ENACTS AS FOLLOWS:

1. THAT Schedule "C" to By-law 2649-13 is hereby amended with the following addition:

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fines
21	Burning between 8:00 am and 5:00 pm (08:00 and 17:00) during the Fire Season	Sec. 4.1	\$ 200.00
22	Obstruct officer in performance of duty	Sec. 6.1	\$ 300.00

2. THAT the citation on Schedule "C" to By-law 2649-13 shall now read:

"The general penalty provision for the offences indicated above is section 7.1 of Bylaw 2649-13 as amended, a certified copy of which has been filed".

3. Section 2.3 and 2.4 are hereby amended as follows:

"2.3 No person shall start or maintain "Open Air Burning" when the wind is in such a direction or intensity to cause any or all of the following:

- a) The possible spread of the fire beyond the approved burn site;*
- b) A decrease in the visibility on any highway or roadway;*
- c) Any odour to such an extent or degree so as to cause discomfort to the persons in the immediate areas; and/or*
- d) Excessive smoke or any other "Adverse Effect";*
- e) Any "Dangerous Condition" "*

"2.4 No person shall start or maintain "Open Air Burning" when weather conditions prevent the ready dispersion of smoke."

4. Section 4.1 is hereby amended as follows:

"4.1 During the "Fire Season" no person shall conduct "Open Air Burning" between the time of 8:00 am until 5:00 pm (8:00 to 17:00) each day seven (7) days a week, between the 1st day of April to the 31st day of October."

5. That Section 6.1 is hereby amended as follows:

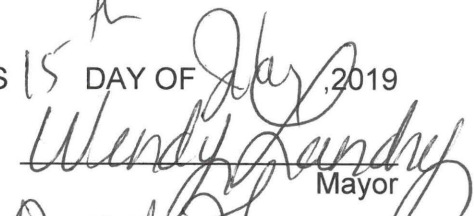

"6.1 This by-law shall be administered and enforced by the "By-Law Enforcement Officer" and/or the "Fire Chief" or his/her designate of the "Municipality" of Shuniah. No person shall hinder or obstruct or attempt to hinder or obstruct an officer or, any person who is exercising a power or performing a duty under this bylaw. "

6. This By-law shall come into force and take effect on;

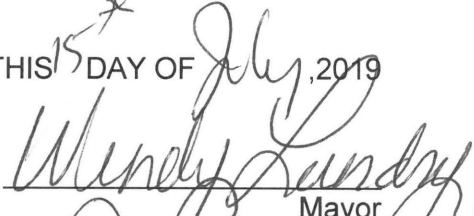

a) Amendments to Schedule "C" of By-law 2649-13 being forwarded to and approved by the Senior Regional Justice of the Ontario Court of Justice;

b) The Third and Final reading thereof.

READ A FIRST AND SECOND TIME THIS 15th DAY OF July, 2019


Mayor

Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 15th DAY OF July, 2019


Mayor

Clerk