

BY-LAW NO.158
THE SUMMER VILLAGE OF ARGENTIA BEACH

A BY-LAW OF THE SUMMER VILLAGE OF ARGENTIA BEACH TO PROHIBIT AND CONTROL OPEN BURNING
WITHIN THE CORPORATE LIMITS OF THE SUMMER VILLAGE OF ARGENTIA BEACH

WHEREAS the Municipal Government Act, Chapter M 26.1, R.S.A., 1990, and amendments thereto provides that a Council of a Municipality may pass Bylaws for the prevention or extinguishing of fires;

AND WHEREAS the Council of the Summer Village of Argentia Beach deems it proper to pass a non-burning Bylaw;

NOW THEREFORE, the Council of the Summer Village of Argentia Beach in the Province of Alberta, duly assembled, enacts as follows:

1. Short Title

This Bylaw may be cited as "The Open Burning Bylaw".

2. Definitions

(a) "Council" means the Council of the Summer Village of Argentia Beach.

(b) "the Summer Village" means the Summer Village of Argentia Beach.

(c) "Municipal Tag" means a tag or ticket wherein the person alleged to have committed a breach of this Bylaw is given an opportunity to pay a voluntary penalty to the Summer Village in lieu of prosecution for the offence.

(d) "Open Burning" means a fire of any kind whatsoever in the open air with the exception of:

- (i) natural gas, propane and/or briquette barbecues
- (ii) campstoves affixed above ground level
- (iii) coleman type campstoves, kerosene or propane fired

THE SUMMER VILLAGE OF ARGENTIA BEACH

- (iv) fires contained within a noncombustible container or structure (firepits) for recreational camp fires but not for burning garbage or waste.
- (e) "Open Fire" means a fire that is not confined within a noncombustible container or structure.
- (f) "Outdoor Fire" means any fire not contained within a building or structure and includes but is not restricted to:
- (i) straw, stubble, grass and/or weeds
 - (ii) leaves and/or tree prunings
 - (iii) solid waste from land clearing
 - (iv) wood and/or waste material from the construction and/or demolition of building and/or construction sites
- (g) "Peace Officer" means a member of the R.C.M.P., Bylaw Enforcement Officer or Special Constable.
- (h) "Person" includes public bodies, bodies corporate, societies, partnerships, firms, and individual and companies.
- (i) "Provincial Offence Tag" means a tag or ticket under the Provincial Procedures Act wherein a person alleged to have committed a breach of this Bylaw is given an opportunity to pay a voluntary penalty in lieu of prosecution for the offence

2. Offences

- (a) No person shall light an Outdoor Fire, or light or permit Open Burning or Open Fires within the corporate limits of the Summer Village.

3. Penalties

- (a) A Municipal Tag or Provincial Offence Tag in the amount of the voluntary penalty will be issued for any breach of this Bylaw

THE SUMMER VILLAGE OF ARGENTIA BEACH

(b) Any person who commits a breach of this Bylaw is guilty of an offence and is liable to a voluntary penalty of \$50.00.

(c) Any person who commits a breach of this Bylaw may be subject to the Provincial Offences Procedures Act and amendments thereto.

READ a first time this _____ day of _____, 1998.

READ a second time this _____ day of _____, 1998.

READ a third time and finally passed this _____ day of _____, 1998.

N. Rinas - Mayor

K.D.Armstrong-Municipal Administrator