

## TOWN OF LUNENBURG

### BY-LAW NO. #51

#### A BY-LAW RESPECTING BURNING WITHIN THE TOWN

This By-law is made pursuant to section 172 and 174 of the Municipal Government Act.

1. This By-law shall be known as and may be cited as the "Burning By-law".

#### DEFINITIONS

2.
  - i) For the purposes of this By-law the term "wood burning appliance" shall include a manufactured appliance designed specifically for the burning of wood such as chimneas and mesh/wire-type appliances, as well as an enclosure constructed of brick with a fire screen designed specifically for the burning of wood or charcoal.
  - ii) For the purposes of this By-law "Fire Department" means the Fire Department operating in the Town of Lunenburg sometimes called The Lunenburg and District No. 1 Fire Department.
3. Subject to section 4, no person shall ignite a fire or burn any material outside of a building or structure in the Town of Lunenburg without a written Burning Permit as hereinafter provided.
4. No Burning Permit shall be required under this By-law for any form of barbecue, (including, without restricting the generality of the foregoing, propane or charcoal barbecues) or wood burning appliances.
5. No person shall use a barbecue or wood burning appliance which creates a fire hazard.
6. Burning permits may only be issued for the following purposes:
  - A. brush burning;
  - B. blueberry bush burning;
  - C. burning of grass on fields;
  - D. burning of hay distributed on fields for purposes of winter protection;
  - E. general burning of fields for preparation for future growth and development;

- F. disease management of trees and other vegetation; and
  - G. other agriculture production activities.
7. A Burning Permit referred to in Sections 3 and 6 may be issued by the Town of Lunenburg through the Building/Fire Inspector of the Town of Lunenburg and shall be in such form as the Building/Fire Inspector may direct. The Burning Permit shall include the following conditions:
- A. sufficient assistance must be engaged and care taken to prevent the fire from spreading and the fire must be watched until it is completely extinguished;
  - B. a fire shall not be started during windy conditions;
  - C. long strips or windrows of brush are to be divided into piles;
  - D. a fire shall not be started within 100 feet of another property owner's building;
  - E. such other conditions that will reduce the danger of the fire spreading in accordance with the situation as are determined necessary or advisable by the issuer of the permit;
  - F. the Burning Permit shall not be valid unless signed by the Building/Fire Inspector and the Permit holder; and
  - G. the area in which the fire is to be lit must first be inspected by the Building/Fire Inspector and be acceptable to him.
8. No person shall ignite or cause to be ignited a fire on public or private land without the permission of the owner or occupier of the said land and a valid Burning Permit.
9. No person shall use a wood burning appliance outside within 15 feet of a building or structure including decks and stairs, directly under trees and tree limbs, or, in a location or in a manner that causes a nuisance related to smoke for owners or occupiers of neighbouring properties.
10. Spark arresters are to be used with outdoor burning appliances and maintained in good condition.
11. Only dry seasoned firewood is to be used. Burning wet, painted or treated wood and garbage is prohibited.

12. A reliable extinguishing agent such as a garden hose or fire extinguisher shall be readily accessible while burning.
13. No person (with or without a Burning Permit) shall allow a fire set by them to become out of control so that the Fire Department is called. For each incident where this occurs, a bill will be sent to the property owner based on the cost of the Fire Department and the property owner shall be responsible for the payment of this bill.
14. Every person who contravenes this By-law shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$2,000.00.
15. Whenever a Provincial authority issues a ban on open fires that includes Lunenburg County, the Town of Lunenburg shall be included.
16. The Town of Lunenburg assumes no liability for any loss or damage to property or injury or death to any person or persons resulting from the issuance of a Burning Permit.
17. The previous By-law #51 of the Town of Lunenburg is hereby repealed and replaced by this revised By-law #51.

\_\_\_\_\_ *May 1/13*  
Date

\_\_\_\_\_ *[Signature]*  
Bea Renton,  
Town Manager/Clerk

I, Bea Renton, Town Manager/Clerk for the Town of Lunenburg, do certify that the foregoing is a true and current copy of the revised By-law #51 of the Town of Lunenburg, duly passed by the Lunenburg Town Council on April 23, 2013, with first reading having been given on March 5, 2013, second reading on April 9, 2013 with an effective date of May 1, 2013 when published in the Progress Bulletin newspaper.