

BY-LAW #605  
VILLAGE OF DONALDA

BY-LAW NO. 605 being a By-Law of the Village of Donalda, in the Province of Alberta, to prohibit the burning of refuse in outdoor open fires, and to regulate outdoor recreational fires.

WHEREAS, under authority of and pursuant to the provisions of the Municipal Government Act, Chapter M-26.1, 1994, and amendments thereto, Council of the Village of Donalda may prohibit the burning of refuse in outdoor open fires, and regulate outdoor recreational fires within the boundaries of the Village of Donalda.

WE THEREFORE, the Council of the Village of Donalda, in the Province of Alberta, Duly Assembled Enacts As Follows:

1. No person shall light an outdoor fire unless:
  - a) the fire is a Recreational Fire that has been confined within a non-combustible structure or container which is set for the purpose of cooking, obtaining warmth or viewing for pleasure, and such fire may only be fueled with seasoned wood, charcoal, coal, natural gas or propane, and must be screened sufficiently so as to prevent embers escaping.
  - b) the wind is less than 25 km/hr in velocity.
  - c) at least one (1) adult is in attendance while the fire is burning.
  - d) the fire is used in a safe and responsible manner with consideration of discomfort to neighboring properties, and the visibility on adjacent roads is not obstructed.
2. No person shall light an Outdoor Fire for the purpose of Burning Refuse.
3. The adoption of the By-Law to Prohibit Burning of Refuse in Open Outdoor Fires, and to Regulate Outdoor Recreational Fires in the Village of Donalda shall be effective upon the date of the passing of third and final reading thereof.

DEFINITIONS

1. "Refuse" means any combustible fuel which is not seasoned wood, charcoal, coal, natural gas or propane.
2. "Recreational Fire" means a fire on land owned, leased, or rented by individuals domiciled on said land, and or used for recreational purposes and which is confined to a non-combustible structure or container which is set for the purpose of cooking, obtaining warmth, or viewing for pleasure. Such fire may only be fueled with seasoned wood, charcoal, coal, natural gas, or propane, and must be sufficiently screened to prevent embers from escaping.

PENALTIES

A person who contravenes or fails to comply with any of the terms of this By-Law is guilty of an offense and the owner of a parcel is liable for costs and expenses related to the municipality extinguishing fires on the parcel, unpaid costs and expenses for extinguishing fires on the parcel; will be added to the tax roll of the parcel of land. As per Section 553(1)(g) of the Municipal Government Act.

ENFORCEMENT

The Volunteer Fire Chief or a member of the Volunteer Fire Department of the Village of Donald, is empowered to enforce and without malice for the municipality in the discharge of his duties, and shall not render himself liable personally for any damage that may occur to persons or property in the discharge of his duties. The Volunteer Member may request the assistance of a police officer when acting under this By-Law.

EXTINGUISH

Failure to comply with the terms of the By-Law will result in an order to extinguish the fire, and failure or refusal to do so will necessitate the Donald Volunteer Fire Department to do so. All costs incurred by the department will be charged to the person deemed to be the owner, lessee, or renter of said property where the fire occurred.

MOVED BY Councilor/Mayor RICHELHOFF  
that By-law #605 receive first reading on this the 1<sup>ST</sup> day  
of MAY, 1997. Carried.

MOVED BY Councilor/Mayor RICHELHOFF  
that By-law #605 receive second reading on this the 5  
day of JUNE, 1997. Carried.

MOVED BY Councilor/Mayor RICHELHOFF  
that By-law #605 be introduced for third reading on this the  
25 day of JUNE, 1997. Carried.

Carried Unanimously.

MOVED BY ~~Councilor~~/Mayor McHERSY  
that By-law #605 receive third and final reading on this the  
25 day of JUNE, 1997. Carried.

  
Mayor

  
Chief Administrative Officer