

**THE CORPORATION
OF THE
MUNICIPALITY OF HURON EAST
BY-LAW NO. 121 FOR 2001**

Being a by-law to regulate setting open air fires and precautions to be observed by persons setting fires in Urban Areas of the Municipality of Huron East.

WHEREAS Section 210.35 of the Municipal Act , R.S.O. 1990, c. M.45 provides that councils of local municipalities may pass By-laws:

“For prescribing for the whole or any part of the municipality the times during which fires may be set in the open air, and the precautions to be observed by persons setting out fires.”

AND WHEREAS the Council of the Corporation of the Municipality of Huron East deems it necessary to regulate open air fires within the limits of any urban area of the Municipality of Huron East.

NOW THEREFORE the Council of the Corporation of the Municipality of Huron East enacts as follows:

1. No person shall burn, light, ignite or start a fire of any kind whatsoever in the open air:
 - (a) in or on any of the streets, parks or public property within the limits of the urban areas of the Municipality of Huron East, or
 - (b) on any private property, except in an out-of-door fireplace or barbecue used for the sole purpose of cooking food, and so located and constructed that no building or structure or inflammable matter may become ignited.
2. For the purpose of this by-law, “fire” means a bonfire, campfire, pit fire, barrel fire, or any other fire in a yard , field or open space used for the burning of leaves, rubbish, or other combustible material, but does not include a barbecue or fireplace containing a small, confined fire which is used to cook food and is supervised at all times by a competent person.
3. No person shall carry fire through any of the streets or parks of the urban areas of the Municipality of Huron East except in some covered vessel or metal fire pan which effectively prevents the ignition of any other combustible matter.
4. Notwithstanding any of the provisions of the By-Law, if at any time, in the opinion of the Fire Chief or Acting Fire Chief of the Area Fire Department, it is necessary for the prevention or spread of fire that any fire should be extinguished, the person responsible for, or in charge of, or on whose property the fire is located, shall forthwith extinguish the same on notice from the said Chief, or Acting Chief, to do so, or the Chief or Acting Chief, may take such steps as he deems necessary forthwith to cause any such fire to be extinguished.

5. Nothing contained in the by-law shall be deemed to authorize or permit the commission of a nuisance.
6. Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction shall be liable to a fine in accordance with the Provincial Offences Act.
7. If any person is in default with respect to any of the provisions of this By-Law, and it is necessary for the Municipality of Huron East to rectify the default, the expense incurred in doing it by the Municipality of Huron East may be recovered by action or in a like manner as municipal taxes as provided in Section 326 of the Municipal Act, R.S.O. 1990, c. M.45.
8. This By-Law shall come into force and affect upon the date of the final passing thereof.

READ a first and second time this 18th, day of December, 2001.

READ a third time and finally passed this 18th, day of December, 2001.

Mayor, Lin Steffler

Clerk, J. R. McLachlan