

MUNICIPALITY OF PONTIAC

MRC DES COLLINES-DE-L'OUTAOUAIS

BY-LAW NO. 01-04

« BY-LAW NO. 01-04 CONCERNING OPEN FIRES ON THE MUNICIPALITY OF PONTIAC'S TERRITORY »

WHEREAS the council of the Municipality of Pontiac intends to replace by-law no. 086-88 concerning open fires on the Municipality of Pontiac's territory;

WHEREAS a notice of motion for this by-law has been given at a previous council meeting held on January 20, 2004;

CONSEQUENTLY, it is

Moved by
Seconded by

AND RESOLVED THAT the following is ruled and ordered by way of municipal by-law :

ARTICLE 1

The preamble is an integral part of the present by-law.

ARTICLE 2

By-law no. 086-88 is abrogated and replaced with the present by-law.

ARTICLE 3 **OPEN FIRES**

- 3.1 It is prohibited to anyone to make an open fire on the Municipality of Pontiac's territory without having obtained authorization in writing from the fire department beforehand.
- 3.2 However, fires are permitted without any permit, in exterior fireplaces, barbecues or any installation equipped with a chimney or a fire screen on condition that it is under constant supervision.
- 3.3 Notwithstanding article 3.1 of the present by-law, it is not necessary to obtain the fire department's authorization for campfires on condition that it is done in a secure area, that it be under the constant supervision of an adult, in a sober state, that the flames do not get any higher than 48 in., that the total area does not exceed 48 in. X 48 in. and that some type of extinguisher be readily available at the campfire.
- 3.4 Notwithstanding all dispositions of article 3.1, 3.2 and 3.3, no fire will be allowed when there is any indication of an « extreme » risk for forest fires, even if authorization was given by the fire department. Furthermore, issued permits can be rescinded by competent authority if the following dispositions are not respected :
- a) It is prohibited to make a fire on days with high winds;
 - b) The smoke must not bother neighbors or hinder traffic at any time;
 - c) The fire must be under the supervision of an adult whose faculties have not been reduced and who has quick means of extinguishing a fire if it gets out of hand;
 - d) A distance of 30 feet of any combustible matter must be respected all around the fire;

- e) Flammable liquids should not be used or any other matter permitting a quick and dangerous increase of the fire;
- f) The only combustible used should be wood and its' by-products, such as paper or cardboard.

ARTICLE 4

The fire chief and/or his officers reserve the right to order that any fire be put out immediately.

ARTICLE 5

No one may burn anything that will hinder traffic.

ARTICLE 6

The fire chief and division officers may authorize non-profit organizations, that are recognized by council, to make a bonfire in areas foreseen for this purpose. It is understood that the designated representative of such an organization must obtain a permit beforehand.

ARTICLE 7

7.1 Permanent or temporary barbecues or equipment of this type is unauthorized on the balconies of apartment buildings. Furthermore, it is prohibited to store flammable liquids on these balconies.

7.2 A person must obtain a permit before they can set up a barbecue permanently.

ARTICLE 8 PERMITS

- 8.1 Anyone wanting to make a fire that is authorized by the present by-law **MUST** obtain a permit issued by the fire chief beforehand. The fire chief may issue a permit following a visit to the suggested site.
- 8.2 Fires authorized in virtue of the present by-law **MUST** be done under the constant supervision of an adult between 7:00 a.m. and one hour before dawn during the period showing on the permit.
- 8.3 The fireplace **MUST** be situated over 9 meters away from any building or property line.
- 8.4 The fire chief or his officers may rescind any permit in virtue of this present section and order that any fire be extinguished immediately when the safety or well-being of the public is threatened.

ARTICLE 9 PREVENTION

The fire chief may demand any measure that he deems necessary in order to eliminate a cause or imminent risk of fire.

ARTICLE 10 RIGHTS TO VISIT

The fire chief who is responsible for the application of the present by-law has the authorization to visit and examine any property in order to establish if the present by-law is fulfilled. All property owners, tenants or occupants of these properties must give the fire chief access to the property and answer any question related to the present by-law that he may ask.

ARTICLE 11 RESPONSIBILITY

The property owner or occupant of the property to which a permit has been issued or who infringes upon this by-law is responsible for any costs incurred if the department is called.

ARTICLE 12 **SANCTIONS**

Whoever contravenes to any of the dispositions of the present by-law commits an offence and is liable for the following fines:

<i>Offence</i>	<i>Individual</i>		<i>Corporation</i>	
	<i>Min.</i>	<i>Max.</i>	<i>Min.</i>	<i>Max.</i>
1 st offence	\$150	\$1 000	\$300	\$2 000
2 nd offence within 24 months of a 1 st offence	\$300	\$2 000	\$400	\$3 000
For all subsequent offences within 24 months of a same offence	\$450	\$2 000	\$500	\$3 000

ARTICLE 13

The present by-law will be in force according to the law.

Given in PONTIAC (QUEBEC), this 11th day of May, 2004.

Sylvain Bertrand
Secrétaire Trésorier

R. Bruce Campbell
Maire