

RURAL MUNICIPALITY OF NORTH CYPRESS-LANGFORD

BY-LAW NO. 10/2015

BEING a By-law of the Rural Municipality of North Cypress-Langford for the prevention and the control of outdoor fires within the Rural Municipality of North Cypress-Langford.

WHEREAS it is deemed expedient and advisable to pass a by-law to provide, generally for, the protection of life and property from damages by fire and to regulate burning with the Rural Municipality of North Cypress-Langford.

AND WHEREAS Section 232(1) of *The Municipal Act* provides that a Council may pass By-laws for municipal purposes respecting the following matters pertaining to:

- (a) The safety, health, protection and well being of people from fire;
- (b) The safety and protection of property from fire;
- (c) Implementing various program and/or laws for fire prevention purposes;
- (d) Implementing various programs for the purposes of fire suppression;
- (e) Enforcement of any provincial or municipal statutes as the may apply.

NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF NORTH CYPRESS-LANGFORD IN SESSION ASSEMBLED, ENACTS AS FOLLOWS:

1.0 Delegation of Authority

- 1.1 THAT the Authority Having Jurisdiction, Chief Administrative Officer or designate of the Rural Municipality of North Cypress-Langford be appointed as Officers for the purpose of enforcing provincial statutes, regulations as well as this By-law.

2.0 Responsibilities

- 2.1 All burning within the municipality shall be subject to the conditions and provisions of *The Wildfire Act*, and the *Manitoba Crop Burning Residue Burning Regulation - MR 77/93*.
- 2.2 Authorization to conduct outdoor fire burning does not exempt or excuse a person from the responsibility, consequences, damages, or injuries resulting from the authorized burning and does not excuse a person from complying with other applicable laws, ordinances or regulations.
 - (a) Any outdoor fire shall be supervised by the owner or occupier of the land or a person authorized by the owner or occupier of the land;
 - (b) No person shall start an outdoor fire on any land without taking sufficient precautions that are reasonably necessary to protect persons and the property of others from the fire;
 - (c) No person shall start an outdoor fire unless all precautions are taken to ensure that the fire can be kept under control, or when weather conditions are conducive to a fire burning out of control;
 - (d) No person shall cause an outdoor fire to be started in order to guard property; clear land or burn debris; burn crop, stubble or grass; unless the land on which the fire is started is completely surrounded by a fire guard consisting of:
 - (i) a strip of land free of flammable material, or of sufficient width to control the fire;
 - (ii) by natural or man-made barriers, water, or;
 - (iii) by a combination of (i) and (ii);
 - (e) The smoke from an outdoor fire shall not pose unreasonable hazard to the health of any person or reduce the visibility on any road or highway;

- (f) A sufficient water supply and means of fire suppression capable of extinguishing the outdoor fire based on its fuel loading and size shall be available on site;
- (g) All fires must be extinguished when unsupervised.

3.0 Burning Ban

3.1 The municipality may, by resolution at their discretion, ban **ALL BURNING** including fires contained within fire pits and burning barrels in the Rural Municipality of North Cypress-Langford if conditions exist where, in the opinion of the municipality, fires are of extremely high risk, and such a ban would prevent wildfires from occurring.

4.0 Offense and Penalties

- 4.1 Where a person is in contravention under this By-law, in addition to imposing a fine, the municipality is entitled to be reimbursed by the person(s) for costs incurred by the municipality in fire protection and suppression operations that were undertaken as a result of the person(s) acts or omissions that resulted in the costs to be incurred.
- 4.2 It is an offence to contravene any provision of this By-law. Any conviction of an offense is subject to a penalty of no less than \$500.00 or no more than \$2500.00.

This By-law shall come into force and take effect on the passing thereof.

DONE AND PASSED in council duly assembled in Carberry, Manitoba, this 9 day of June, 2015.

RM OF NORTH CYPRESS-LANGFORD


Reeve


CAO

Read a first time this 12 day of May, 2015.

Read a second time this 9 day of June, 2015.

Read a third time this 9 day of June, 2015.