

**BYLAW NO. 06-02**  
**Village of Donnelly**

A BYLAW OF THE VILLAGE OF DONNELLY IN THE PROVINCE  
OF ALBERTA PROVIDING FOR THE REGULATION OF OPEN BURNING  
WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DONNELLY

**WHEREAS** Chapter M26, RSA 2005 of the Municipal Government Act, being Part 2 Division 1 Number 7 and amendments thereto, provides for the passing of a Bylaw respecting the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS** the Council of the Village of Donnelly deems that certain regulations are required for the control of open fires;

**NOW THEREFORE** the Council of the Village of Donnelly in the Province of Alberta, duly assembled, enacts as follows:

1. Short Title

This Bylaw shall be cited as "The Open Burning Bylaw"

2. Definitions

- a) "Council" shall mean the Council of the Village of Donnelly duly assembled.
- b) "Fire Chief" and "Deputy" Fire Chief shall mean the duly appointed Fire Chief and Deputy Fire Chief of the Municipal District of Smoky River No. 130.
- c) "Open Burning" means a fire of any kind whatsoever in the open air without the use of non-combustible container.

3. Regulations

3.1 No person shall engage in open burning within the Village of Donnelly corporate boundary.

3.2 Notwithstanding Section 3.1, it shall not be an offense under this section to conduct:

- a) Barbecuing;
- b) burning in fireplaces, and stoves in or attached to dwellings.
- c) burning in a contained firepit or stove at the Municipal campground.
- d) burning in a metal or non-combustible container designed and used with a metal mesh or grate at the opening so as to prevent burning debris from escaping. The said container shall not exceed one (1) metre in diameter and shall be located at a distance not less than four (4) metres from any flammable structure.
- e) burning in a natural gas or propane fire pit approved by the Underwriters Laboratories of Canada and/or the Canadian Standards Association.

3.3 Burning of wood, wood materials and tree branches will be allowed in fire pits.

3.4 Burning of household waste, leaves, organic materials or any material or thing which emits toxic fumes in the atmosphere is strictly prohibited.

4. Penalties

4.1 Any person who commits a breach of this Bylaw is guilty of an offense and is liable to a voluntary penalty of \$50.00.

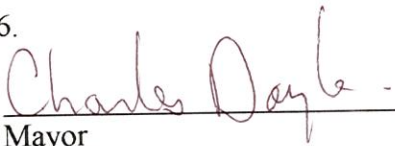
4.2 Any person who contravenes any provision of this bylaw may be subject to an offense and liable on summary conviction to a fine not exceeding \$500.00 or to the Provincial Offences Procedural Act and amendments thereto.

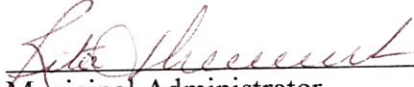
5. Enactment

5.1 Bylaw No. 292 is hereby repealed

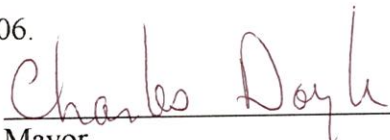
5.2 This Bylaw shall come into effect on the date of final passing thereof.

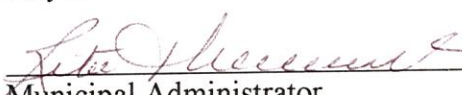
Received a first reading this 1<sup>st</sup> day of February 2006.

  
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Mayor

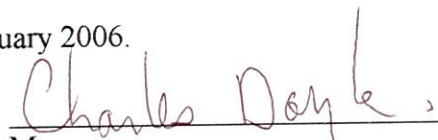
  
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Municipal Administrator

Received second reading this 1<sup>st</sup> day of February 2006.

  
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Mayor

  
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Municipal Administrator

Received third and final reading this 1<sup>st</sup> day of February 2006.

  
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Mayor

  
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Municipal Administrator