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 Furthermore, issued permits can be rescinded by competent authority if the following dispositions are not respected: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:

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

**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  
Sccrétaire Trésorier

R. Bruce Campbell  
Maire