

TOWN OF INUVIK
BY-LAW 2581/FC/15

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE NORTHWEST TERRITORIES TO REGULATE THE SETTING OF FIRES, PREVENT THE SPREADING OF FIRES AND TO ESTABLISH A FIRE PERMIT SYSTEM FOR THE TOWN OF INUVIK

WHEREAS pursuant to the Cities, Towns and Villages Act, S.N.W.T. 2003, c.22, section 70 (1) (a) and subsequent amendments thereto which state:

70. (1) In addition to any power to make by-laws in any other enactment, council may make by-laws for municipal purposes respecting
- (a) the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the National Fire Code of Canada (2010) specifically article 2.4.5.1. allows the local authority having jurisdiction to implement a fire permit system;

AND WHEREAS the Council of the Municipal Corporation of the Town of Inuvik in the Northwest Territories deems it necessary to protect lives and property through the prevention of fires;

NOW THEREFORE BE IT RESOLVED that the Council of the Municipal Corporation of the Town of Inuvik, in Council duly assembled, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the "Burning By-Law".

INTERPRETATION

2. (1) In this by-law:
- a. "**Council**" means the Council of the municipal corporation of the Town of Inuvik;
 - b. "**Fire Chief**" means a full time employee of the Corporation appointed under Section 42, subsection (1), parts (a) and (b) of the Cities, Towns, and Villages Act, S.N.W.T. 2003, Chapter 22 and subsequent amendments thereto;
 - c. "**Firefighter**" means any person employed in, or appointed to, a fire department and assigned to undertake fire protection services, rescue, and emergency services and the delivery of all those services;
 - d. "**Open Air Fire**" means an outdoor fire that is not controlled by a mechanical device;
 - e. "**Out of Control Fires**" means a fire that requires the Fire Department to respond to extinguish.
 - f. "**Peace Officer**" means a person appointed as a By-Law Enforcement Officer for the Town of Inuvik; and includes the Royal Canadian Mounted Police;
 - g. "**Permit**" means an Open Air Burning Permit issued by the Municipal Corporation of the Town of Inuvik;
 - h. "**Person**" means an individual human being or a corporation and includes a partnership, society and an association or a group of persons acting in concert unless context explicitly or by necessary implication otherwise requires;

- i. **“Sky Lantern”** also known as **Chinese Lantern, Kongming Lantern, or Wish Lantern** means a small airborne, fire-holding device made of paper or other lightweight material, not under direct control of the user, and with a small fire within it.
 - j. **“Town”** means the Town of Inuvik;
3. No **person** shall set or maintain an **open air fire** without a valid permit issued by the **Town** in the form as shown in Schedule “A” to this By-Law.
4. Paragraph 3 of this by-law does not apply to an on-duty **firefighter** while in the performance of their duties.
5. Where a permit has been issued to a **person** by the **Town**, all **persons** shall comply with the following regulations:
 - a. The fire must be under constant supervision and controlled from the time of lighting until it is totally extinguished.
 - b. The fire must be located no closer than 5 meters, (16 feet), from any building, structure, hedge, fence, utilidor, road, or overhead wire or obstruction of any kind.
 - c. There must be a space of at least 3 meters, (10 feet) free and clear of combustible material around the perimeter of such fire.
 - d. The fire shall not be burned during periods of dry conditions or drought or when a ban has been declared.
 - e. The fire shall not be burned when the wind velocity exceeds 16 kph, (10 mph).
 - f. The dimensions of the fire shall not exceed;
 - i. Residential - 1 meter, (3 feet), in diameter or 2 meters, (6 feet), in height,
 - ii. Industrial – Burn barrel/container approved by the Fire Chief.
 - g. No **person** shall allow or permit a fire to become out of control
6. Fireworks shall be controlled and their use authorized in accordance with the Fire Prevention Act R.S.N.W.T. 1988, c.F-6
7. No **person** shall light, ignite, start or cause to be lighted, ignited or started, a fire of any kind whatsoever in the open air, including airborne fire holding devices not under the control of the user such as **Sky Lanterns**.
8. This by-law shall not apply to portable barbecue appliances or fire pits designed for cooking purposes.
9. The **Fire Chief** or designate is authorized to order any person to extinguish any fire or to cause such fire to be extinguished when there is a breach of any of the provisions of this By-Law or where, in his opinion, there is a danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.
10. Any **Peace Officer** is hereby authorized to enforce the provisions of this By-Law.
11. Any **person** who contravenes any section of this B-Law is liable upon conviction to a fine not to exceed one hundred dollars (\$100.00).
12. Notice of intention to prosecute under this By-Law shall be given by a **Peace Officer** in the form of a Summary Offense Conviction ticket showing a Voluntary fine payable in the amount of \$25.00 for any offense under this By-Law.

13. The **Fire Chief** may authorize exceptions to the requirements listed in this by-law and may assess cost recovery action in accordance with the Town of Inuvik Protective Services Fee By-Law if fire department resources are utilized as a result of the exceptions.

SEVERABILITY

14. The provisions of this by-law are severable and the invalidity of any part of this by-law shall not affect the validity of the remainder of this by-law.

SCHEDULES

15. Attached Schedule A shall form part of this by-law.

REPEALS

16. By-law 80-621, and any amendments thereto are hereby repealed.

EFFECT

17. This by-law will come into effect upon the day of its final passage.

READ A FIRST TIME THIS 10TH DAY OF JUNE, 2015 A.D.

READ A SECOND TIME THIS 10TH DAY OF JUNE, 2015 A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF JUNE, 2015 A.D.


MAYOR


SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this by-law has been made in accordance with the requirements of the Cities, Towns and Villages Act and the by-laws of the Town of Inuvik.


SENIOR ADMINISTRATIVE OFFICER

TOWN OF INUVIK
BY-LAW 2581/FC/15
SCHEDULE A



Fire Department Emergency 777-2222
Administration (867) 777-8611

TOWN OF INUVIK
FIRE PERMIT

.....
Name of Applicant

.....
Location of Fire

To Burn: BRUSH, LEAVES, BONFIRES, & UNPAINTED WOOD

Description of Material

FROM:..... to December 31, 20.....

That signing a fire permit acknowledges an understanding
of the rules specified in Paragraph 5 of this By-law and
establishes responsibility and liability.

.....
Signature of Applicant

.....
Approved by: Fire Chief or Designate

NOTE:

- It is the applicant's responsibility to know if a fire ban is in effect.
- Please listen to the local radio station CBC Inuvik (News Broadcast)
- Or contact the Town Office at (867) 777-8600
- Inuvik Fire Information Bulletin: www.nwtfire.com/content/inuvik-fire-information-bulletin

CALL BEFORE YOU BURN