

## TOWN OF MORDEN

### BY-LAW NO. 12-94

**BEING** a By-law of the Town of Morden providing for the regulating and prohibiting of open fires within the corporate limits of the Town of Morden.

**WHEREAS** Section 290 of The Municipal Act, R.S.M.1988, c.M225, provides inter alia as follows:

290(1) Subject to The Workplace Safety and Health Act, The Employment Standards Act, The Buildings and Mobile Homes Act, The Fires Prevention Act, the Explosives Act (Canada), and any other applicable Act of the Legislature or of the Parliament of Canada, the council of any municipality may pass by-laws for the prevention or extinguishing of fires and for the preservation of life and property from destruction by fire; and, without limiting the generality of the foregoing, the council may pass by-laws

(a) for making regulations for the prevention and suppression of fires;

(b) for regulating the times during which stumps, trees, logs, brush, grass, straw, shavings, or refuse, may be set on fire or burned in the open air, for prescribing precautions to be observed those times, and for preventing such fires being kindled at other times;

**AND WHEREAS** the Council of the Town of Morden deems it expedient and in the best interests of the Town of Morden to pass regulations for the prevention and suppression of fires within the corporate limits of the Town of Morden:

**NOW THEREFORE** the Council of the Town of Morden in open session, assembled enacts as follows:

1. **THAT** subject to Clause 4, all open fires for the burning of leaves, straw, stubble, garden and other refuse, whether on the surface of the ground, in pits, barrels or other containers \ incinerators be prohibited within the corporate limits of the Town of Morden.
2. **THAT** the operation of enclosed incinerators, constructed in compliance with [The Manitoba Building Code](#), are permitted provided the operation thereof does not create a nuisance within the Town of Morden.

3. **THAT** camp fires and pit barbecues are permitted between the hours of 8:00 A.M. and 12:00 Midnight when attended by an adult, provided the operation thereof does not create a nuisance. When unattended, the said camp fire or pit barbecue must be completely extinguished. Any camp fires or pit barbecue must be located a safe distance from any building or other combustible material.
  
4. **THAT** the Fire Chief of the Town of Morden, may issue under special circumstances, a [conditional-burning permit](#). A copy of the burn permit shall be supplied to the Chief Constable of the Morden Police Department and the Town Manager.
  
5. **THAT** every person who contravenes, refuses, neglects, omits, or fails to obey or observe, any provision of this by-law is guilty of an offence and if convicted liable to a fine of not less than \$50.00 not more than \$1,000.00 in addition to costs, or to imprisonment for a period not exceeding thirty (30) days, or to both such fine and such imprisonment.
  
6. **THAT** this by-law shall come into effect on the day of its enactment.

**DONE AND PASSED** in Council duly assembled at Morden, Manitoba this 28th day of June A.D. 1994.

**TOWN OF MORDEN**

**Ernie B. Krahn**

**Mayor**

**William H. Dyck**

**Secretary-Treasurer**

**Read a first time this 24th day of May A.D. 1994.**

**Read a second time this 14th day of June A.D. 1994.**

**Read a third time this 28th day of June A.D. 1994.**