

**TOWN OF STONEWALL  
BY-LAW NO. 41/94**

**Being a by-law of the Town of Stonewall  
to prohibit the open burning of waste  
within the limits of the Town of Stonewall**

WHEREAS Section 290(1)(m) of the Municipal Act provides that a municipality may by by-law prevent or regulate the construction of any chimney, flue, fireplace, oven, stove, boiler, or other apparatus or thing that is liable to be dangerous because of the possibility of it causing or promoting fire;

AND WHEREAS Section 290(1)(x) of the Municipal Act provides that a municipality may by by-law provide generally for the protection of life and property by fire damage;

AND WHEREAS Section 345(1)(u) of the Municipal Act provides that a municipality may by by-law provide generally for preventing and abating public nuisances that, in the opinion of Council, are detrimental to the health or comfort of the residents of the municipality;

NOW THEREFORE the Council of the Town of Stonewall in Council duly assembled hereby enacts as follows;

**A. DEFINITIONS**

- i) burning apparatus - shall mean an incinerator, burning barrel or receptacle or any other apparatus constructed or used for the purpose of disposing by the means of fire any combustible waste
- ii) open burning - shall mean any fire that is ignited for the purpose of disposing by the means of fire any combustible waste and includes the burning of waste in a burning apparatus
- iii) person - shall mean any individual and includes a corporation, firm, partnership, institution and association
- iv) recreational burning - shall mean any fire that is ignited in a burning apparatus which is fuelled solely from wood or charcoal and is for the purpose of recreational or leisure enjoyment and shall include but is not limited to a fire for the purpose of cooking.
- v) waste - shall mean any solid combustible waste as defined in the Environment Act and shall also include yard waste such as, but not limited to, leaves, grass clippings, twigs, branches and garden and flower bed vegetation.

**B. REGULATIONS**

- i) No person shall dispose of waste by the means of open burning within the limits of the Town of Stonewall.
- ii) Recreational burning shall be permitted within the limits of the Town of Stonewall.

**C. PENALTIES**

- i) Any person who is found guilty of contravening the regulations of this by-law is subject to fines and penalties upon summary conviction, not exceeding \$1,000.00, in addition to costs and each contravention shall be considered as a separate offence.

DONE AND PASSED in Council duly assembled this            day of            A.D., 1994.

**TOWN OF STONEWALL**

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**MAYOR**

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**ADMINISTRATOR**

Read a first time this            day of            , A.D., 1994.  
Read a second time this            day of            , A.D., 1994.  
Read a third time this            day of            , A.D., 1994.