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**BY-LAW NO. 2079-12**  
**Of**  
**The City of Winkler**

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A By-law of the City of Winkler to regulate burning  
within the City of Winkler

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**WHEREAS** Section 232 (1)(a) and (i) of the Municipal Act, L.M. 1996, c.58 Chap. M225 provide as follows:

232(1) A Council may pass By-laws for municipal purposes respecting the following;

- a) the safety, health, protection and well being of people, and the safety and protection of property;
- i) preventing and fighting fires;

**WHEREAS** the Council of the City of Winkler deems it desirable to regulate the setting of fires and burning within the limits of the City of Winkler.

**THEREFORE BE IT ENACTED AS FOLLOWS:**

1. That all open fires be prohibited within boundaries of the City of Winkler, for the burning of leaves, straw, stubble, garden and other refuse, on the surface of the ground, in pits, barrels or other unapproved containers/incinerators.
2. That the operation of enclosed incinerators that comply with the Manitoba Building Code are permitted
3. Campfires and pit barbeques are permitted only when attended by an adult. When unattended, the said campfire or pit barbeque must be completely extinguished. Such fires must also be located a safe distance from all and any buildings. Firepit installation & operation must follow the "Recreational Fire Pit Guidelines". Fire pit fires may be ordered extinguished immediately under the following conditions:
  - a) Smoke complaints
  - b) Unattended fires
  - c) Burning material is not contained within the fire pit walls
  - d) If the fire is judged to create a special hazard
  - e) If the activities surrounding the fire contravenes the noise bylaw #2139-15 (*As per Resolution 2017-370*)
4. That under special circumstances, the Council of the City of Winkler may issue a Special Burning permit, subject to the conditions set out thereon, and subject to consultation with the Fire Chief of the Winkler Fire Department.

5. That any person who contravenes a provision of this by-law is committing an offense and liable on conviction to a fine of not less than:
  - a. One hundred dollars [\$100.00] for a first offense;
  - b. Two hundred dollars [\$200.00] for a second offense;
  - c. Three hundred dollars [\$300.00] for a third offense;
  - d. Five hundred dollars [\$500.00] for each subsequent offense.
6. All fines and cost imposed on a prosecution under this By-law, are a debt owed by the person who set a fire and the owner of the property on which the fire was located, to the City and may be recovered by the City in a court of competent jurisdiction or may be collected by the City in the same manner as a tax may be collected or enforced under The Municipal Act
7. That By-law No. 1950-08 of the City of Winkler be herewith repealed and that this by-law come into effect on final passing.

DONE AND PASSED by Council of the City of Winkler, duly assembled at Winkler, in Manitoba, this 9<sup>th</sup> day of October, 2012

Read a first time this 25<sup>th</sup> day of September, 2012

Read a Second time this 9<sup>th</sup> day of October, 2012

Read a third time this 9<sup>th</sup> day of October, 2012

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Mayor

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City Manager