



Operational BY-LAW N^o 436
CONCERNING OPEN-AIR FIRES

1. Definitions:

Authority having jurisdiction shall be the person or persons authorized by the Council for the supervision and application of this by-law

Construction materials will include, without being limited to, all wood, insulation, gypsum board, paint products, etc.

Open-Air Fires are exterior fires, which include barrel fires, exterior fireplaces, etc.

2. The burning of leaves, pine needles and construction materials is, hereby, prohibited at all times.
3. Open-air fires are permitted, without a permit, if it's surface area does not exceed 1 square meter in area and 1 meter in height and subject to the following:
 - 3.1 All open-air fires shall be at the rear of individual properties and not near the street.
 - 3.2 All open-air fires must have, at close proximity, a garden hose or other apparatus ready to be used immediately, should extinguishment be required.
 - 3.3 All open-air fires must be supervised at all times, using caution, as to produce as little smoke as possible and to avoid spreading.
 - 3.4 All efforts shall be made to prevent the smoke from going towards neighboring houses. This can be made easier if burning is done when there are light winds, blowing in the opposite direction of neighboring houses.
4. For any Open-air fire exceeding 1 square meter in area and 1 meter in height and for any forest/brush clearing operations a permit must be obtained and will be issued only under the following conditions:
 - 4.1 A burn permit will not be issued if the products to be burned include any of the following;
 - 4.1.1 Any material other than the products from such clearing operation
 - 4.1.2 Stumps and or root factors
 - 4.1.3 Logs or branches with a diameter more than ten (10) cm (4 inches).
5. The pile of material must never exceed the dimensions of three (3) meters wide, three (3) meters long, and two (2) meters high.
6. The area surrounding the fire area must be cleared, and kept clear of all combustible materiel, as to prevent the possible spreading of the fire.
7. The applicant shall provide:
 - 7.1 Adequate means of control and extinguishments
 - 7.2 Constant supervision
 - 7.3 Reasonable access for Fire Vehicles



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Includes the modifications by by-law n^o 450

8. Fires are to be lit only when conditions promote a safe operation, eg. Winds of less than five (5) km/h, not during a drought period etc. Should the conditions deteriorate while the fire is burning the fire will be extinguished immediately.
9. The site will be subject to inspections, from the time the request is made, until completion of all burning. If, during a visit, the inspector deems the site unsafe, the fire shall be extinguished immediately. Should this fail the Fire Department will be dispatched, and extinguish the fire.
10. The permit application must be submitted at least 3 business days prior to the requested burn date accompanied of a one thousand (1 000\$) dollar certified deposit.
11. The cost of the permit will be 50,00\$

Amendment by by-law n^o 450:

1. *Article 12 is hereby amended by adding articles 12A and 12B.*
12. Should the Fire Department be dispatched to extinguish a fire, all expenses incurred, which includes labour and equipment costs, must be reimbursed by the applicant.
- 12A The amount of the reimbursement prescribed at article 12 will be established by using the scale of rates set out in the document titled « A fire fighting mutual aid agreement between the municipalities of Vaudreuil-Soulanges » with its updates, if any and contained in municipal By-Law No 339
- 12B The deposit of one thousand (1 000\$) dollars (cash or certified cheque) will be used to pay for the reimbursement prescribed at article 12.
In the event the amount to be reimbursed is higher than one thousand (1 000\$) dollars, the applicant will pay the balance within 30 days of receipt of the reimbursement request notice.
If the amount to be reimbursed is less than one thousand (1 000\$) dollars the balance (after payment of the reimbursement) will be given back to the applicant within 30 days of the event.
13. This permit system does not allow the applicant to deviate from respecting the conditions of other by-laws, including nuisance.
14. Active farms are excluded from this By-Law.
15. This by-law does not prevent fires during celebrations organized by the Town of Hudson or any other public organization having obtained the town's consent.
The Town of Hudson or any other public organization must, nevertheless, conform to Articles 4, 5 and 6 of this by-law.
16. Anyone contravening with any of the provisions of this by-law, or tolerates or allows such a contravention, commits an infraction and is liable to the following fine, besides the costs, for each day or part of day the infraction continues:
 - 16.1 **For a first infraction :**
minimum of THREE HUNDRED DOLLARS (300 \$) and a maximum of ONE THOUSAND DOLLARS (1 000\$) if the offender is a physical person or a maximum of TWO THOUSAND DOLLARS (2 000\$) for a moral person.
 - 16.2 **For a subsequent offence :**
minimum of SIX HUNDRED DOLLARS (600 \$) and a maximum of TWO THOUSAND DOLLARS (2 000\$) if the offender is a physical person or a maximum of FOUR THOUSAND DOLLARS (4 000\$) for a moral person.



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17. Council authorizes, in a general manner, the appointed officer and all members of the Sûreté du Québec to deliver, in the name of the municipality, a ticket for any infraction to the provisions of this by-law.
18. The appointed officer may be in charge of the application of all or part of this by-law.

Amendment by by-law n^o 450:

1. *By-Law no 436 is hereby amended*

Operational