THE CITY OF WINNIPEG

BY-LAW NO. 82/2019

A By-law of THE CITY OF WINNIPEG to allow the Winnipeg Fire Paramedic Chief to declare an emergency open-air fire ban

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Emergency Open-air Fire Ban authorized

1 The Neighbourhood Liveability By-law No. 1/2008 is amended by adding the following section immediately after section 73:

Declaration of Emergency Open-air Fire Ban

73.1(1) In this section,

***"Ban"** means an Emergency Open-Air Fire Ban declared under subsection (2); and*

***"open-air fire"** does not include a barbeque burning only propane or natural gas.*

73.1(2) The Chief may declare a ban on open-air fires in a geographical area within the boundaries of the City of Winnipeg if he or she concludes that prevailing climatic, environmental, or other conditions constitute an emergency and a Ban is necessary to reduce the risk of fires being spread.

73.1(3) Unless otherwise specified in the declaration, a Ban applies to the entirety of the geographical area within the boundaries of the City of Winnipeg at all times and to all forms of open-air burning.

73.1(4) A Ban may be partial and may, among other things, specify that it applies

(a) only to identified neighbourhoods or parts of the city;

(b) only to identified forms of open-air burning; or

(c) only during specific times of the day.

73.1(5) A Ban takes effect when all of the following have taken place:

(a) the Chief has signed a declaration of the Ban;

(b) the City Clerk has been notified in writing of the Ban;

(c) the declaration has been posted on the City of Winnipeg's website;

(d) the Chief has released a communique to the media that

(i) states that a Ban has been declared; and

(ii) provides details of the Ban.

73.1(6) Unless a Ban declared under subsection (1) sets out either a specific date and time at which it will end or the length of time during which is effective, the Ban ends 48 hours after it takes effect.

73.1(7) A Ban declared under subsection (1) supersedes and suspends a permit which authorizes an open-air fire.

73.1(8) A person must not set an open-air fire, and the owner or occupant of property must not permit any open-air fire to be set or remain lit on the property in contravention of a Ban.

73.1(9) Because an open-air fire during a Ban constitutes an emergency, members of the Winnipeg Fire Paramedic Service are hereby authorized to take immediate measures to extinguish an open-air fire burning in contravention of a Ban.

Schedule A of Municipal By-law Enforcement Act Enabling By-law amended

2 The table applicable to the Neighbourhood Liveability By-law in Schedule A of the Municipal By-law Enforcement Act Enabling By-law No. 59/2016 is amended by adding the following row in numerical order:

73.1(8)	*Contravening emergency open-air fire ban*	*500*	*250*

DONE AND PASSED this 24th day of October, 2019.

Mayor

City Clerk

Approved as to content:

Chief, Winnipeg Fire Paramedic Service

Legally reviewed and certified as to form:

Interim Director of Legal Services
and City Solicitor