



BYLAW 2016-03

OF THE MUNICIPAL DISTRICT OF LESSER SLAVE RIVER NO. 124

Being a Bylaw to prohibit the usage of burn barrels and incinerators within the boundaries of specified Hamlets in the Municipal District.

WHEREAS, the *Municipal Government Act* provides that Council of a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS, the Municipal District is entirely within a forest protection area, and

WHEREAS, the *Forest & Prairie Protection Act* is the prevailing legislation for forest protection areas, and

WHEREAS, the *Municipal Government Act* section 75(3) allows Council of a Municipal District to pass a bylaw respecting fires, other than forest or running fires, that applies to the part of a hamlet that is within a forest protection area, and

WHEREAS, the Council of the Municipal District wishes to prohibit the usage of burning barrels and incinerators in all Hamlets within the Municipal District, and

NOW THEREFORE, the Council of the Municipal District in the Province of Alberta, duly assembled, and pursuant to the authority conferred upon it by the *Municipal Government Act*, enacts as follows:

1.0 SHORT TITLE

1.1 This Bylaw will be called the Burn Barrel and Incinerator Bylaw.

2.0 DEFINITIONS

2.1 "Burn Barrel" means an open non-combustible structure or container (drum/barrel), that is ventilated and exhausted in such a manner that may or may not preclude the escape of combustible material.

2.2 "Incinerator" means a confined non-combustible structure or container which is ventilated and exhausted in such a manner as to preclude the escape of combustible materials, but does not include an industrial or commercial incinerator required to be licensed under the *Alberta Environmental Protection & Enhancement Act*.

2.3 "Peace Officer" means a Municipal Peace Officer of the Municipal District or a member of the RCMP.

3.0 BURN BARREL AND INCINERATOR USAGE

3.1 The usage of burn barrels and incinerators for the burning of waste of any kind is prohibited within the following Hamlets located within the Municipal District boundaries:

3.1.1 Hamlet of Flatbush as per attached Schedule "A";

3.1.2 Hamlet of Chisholm as per attached Schedule "B";

3.1.3 Hamlet of Smith as per attached Schedule "C";

3.1.4 Hamlet of Marten Beach as per attached Schedule "D"; and

3.1.5 Hamlet of Canyon Creek/Widewater/Wagner as per attached Schedule "E" excluding lands within the Hamlet west of the west boundary of Northwest Section 35 Township 73 Range 8 West of the Fifth Meridian and the Northwest and Southwest Section 2 Township 74 Range 8 West of the Fifth Meridian.

4.0 PENALTIES & FINES

4.1 A person who contravenes this bylaw by using a burn barrel or incinerator for the burning or incineration of waste within the boundary of a Hamlet is guilty of an offence for which the specified penalties are as follows:

4.1.1 \$250 for a first offence;

4.1.2 \$500 for a second offence within a year of a first offence;

4.1.3 \$1,000 for a third offence within a year of a second offence.

4.2 A notice or form commonly called a Municipal Violation Tag having printed wording approved by the Municipal District may be issued by a Peace Officer to any person alleged to have breached this Bylaw. The said notice shall specify the accused offence and require payment of the specified penalty within 14 days to the Municipal District.

4.3 The specified penalty indicated in a Municipal Violation Ticket may be paid in lieu of prosecution.

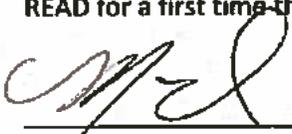
4.4 Notwithstanding section 4.2, a Provincial Violation Ticket may be issued for breach of this Bylaw, specifying the penalty as indicated in Section 4.1 or requiring an appearance in court without the option of making a voluntary payment.

4.5 The validity and interpretation of this bylaw and of each clause or part is to be governed by the laws of the Province of Alberta.

5.0 EFFECTIVE DATE

This Bylaw takes effect immediately after third reading and upon being signed.

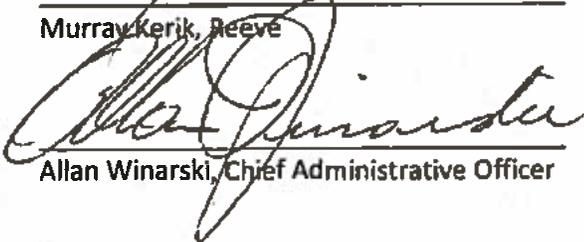
READ for a first time this 9th day of November, 2016.


Murray Kerik, Reeve


Allan Winarski, Chief Administrative Officer

READ for a second time this 14 day of December, 2016.

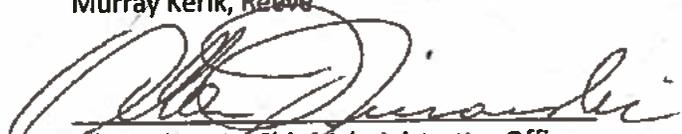

Murray Kerik, Reeve


Allan Winarski, Chief Administrative Officer

READ for a third and final time this 14 day of December, 2016.



Murray Kerik, Reeve



Allan Winarski, Chief Administrative Officer