

BY-LAW NO. 48

**A BY-LAW RELATING TO THE PREVENTION AND EXTINGUISHMENT
OF FIRES IN THE VILLAGE OF SALISBURY**

The Council of the Municipality of Salisbury under the authority vested in it by section 109 of the Municipalities Act, being Chapter M-22 revised statutes of New Brunswick 1973 and amendments thereto hereby enact as follows:

1. The Village of Salisbury shall have a Fire Department, the operation and management of which is under the control of the Fire Chief or his designate.
2. The Fire Department will hereafter be known as the "Salisbury Fire Rescue". Reference to "the Department" will refer to Salisbury Fire Rescue.
3. The Fire Chief is responsible to the Village Council for the administration and operation of the Department. Additionally, the Fire Chief:
 - (a) may make general orders and rules as may be necessary for the care and protection of the property of the Department, the conduct of Members of the Department and, generally, the efficient operation of the Department, provided that such general orders and rules shall not conflict with the provisions of any by-law of the village;
 - (b) shall review, periodically, policy and guidelines of the Department;
 - (c) will provide that the Fire Rescue Department be responsible for fire protection and prevention education within the Village of Salisbury;
 - (d) has the authority to conduct inspections and take steps to enforce or administer this By-Law or remedy a contravention of this By-Law in accordance with all other by-laws in the Village; and
 - (e) shall enforce all provisions of the Fire Prevention Act.
4. No person shall burn or cause to burn any material out of doors on public or private property in the Village of Salisbury except as permitted in Section 5 of this By-Law. Salisbury Fire Rescue may order any outdoor fire extinguished. This provision does not apply to live or training fires conducted by the Department.
5. Outdoor wood burning appliances may be used throughout the Village of Salisbury provided that, in the opinion of the Fire Chief or his designate, the requirements outlined below have been met:
 - (a) The safe installation and operation of the appliance have been followed;
 - (b) The appliance is not placed on a wood deck or other combustible platform;
 - (c) The appliance is used to burn only dry, seasoned firewood;

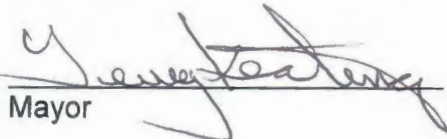
- (d) The appliance is not used to burn pressure treated wood, painted wood, leaves, grass, other vegetation, garbage, any plastic material, any food material or any material of any kind which produces an unreasonable amount of smoke or other respiratory irritants;
- (e) The appliance must be installed with a clearance of 3 meters (10 feet) in all directions from other combustible materials;
- (f) Only one appliance shall be used on a property at one time;
- (g) The appliance shall not be used when the Department of Natural Resources and Energy have placed a ban on open burning in the area;
- (h) No flammable material shall be used in any appliance, other than propane or natural gas utilized in an approved appliance.


In this section "outdoor wood burning appliance" means a non-combustible enclosed container designed to hold a small fire for decorative purposes and the size of which is not larger than one (1) meter in any direction, and may include, but not limited to, chimneys.

Salisbury Fire Rescue may order property owners to extinguish or prohibit any fire using an improperly installed appliance or burning any improper materials.

- 6. The Fire Chief or its designate, may authorize the pulling down or demolition of buildings or other erections to prevent the spread of the fire.
- 7. Salisbury Fire Rescue may charge the owner of a building a fine of one hundred dollars (\$100.00) for a generated false alarm. In a calendar year each subsequent false alarm which originates from the same building may cause \$100.00 to be charged to the owner in addition to the previous charge.
- 8. Any peace officer or By-Law Enforcement Officer is hereby authorized to take such action or to issue such tickets as they may deem necessary to enforce any provision of this by-law.
- 9. By-Law 40, any subsequent amendments are repealed.

First Reading: April 23, 2018
Second Reading: April 23, 2018
Third Reading & Enactment: May 14, 2018


Mayor


Administrator/Clerk