

**CHAPTER 18  
PUBLIC SAFETY BYLAW  
TOWN OF MIDDLETON**

Council: Jan 5/81, Minister: Jan 21/81; Council: Jan 7/91, Minister: Feb 25/91;  
Council: Dec 3/01; Council: May 6/02; Council: May 2, 2011

**BE IT RESOLVED** that Chapter 18 of the Bylaws of the Town of Middleton, Public Safety Bylaw, as approved by the Minister January 17, 1955, be repealed in its entirety and the following substituted therefor:

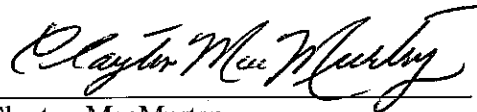
1. A list of the members and officers of the Middleton Fire Department shall be filed on or before the third Monday in April of each year by the Chief of the Department, with the Chief Administrative Officer.
2. No person shall burn waste resources in a barrel, stove or other device or in the open as a method of waste disposal, except for brush, tree limbs and milled wood that is free from adhesive coatings and preservatives within the Town without a permit in writing issued by the Fire Chief or appointed officer. Request for such a permit may be denied if it appears that the proposed fire would be unsafe for any reason or if the fire is to be established on a public street or right-of-way, or if more than fifteen (15) permits have already been issued for fires on the same day.
3. No person shall operate an outdoor wood furnace within the Town.
4. Permits shall specify times approved for open burning.
5. Anyone burning a fire in the Town by virtue of a Permit or otherwise shall be responsible to see that the fire is properly supervised by responsible persons; that suitable fire extinguishers are on hand; that precautions are taken to ensure that children are not injured; or that flying sparks do no endanger any nearby buildings; or that permission is obtained from any landowners affected.
6. Should the fire ward determine that any fire in the Town is causing severe smoke conditions in the neighborhood; or is presenting a hazardous situation to neighboring buildings or property; or presents a hazard or nuisance to people; or for any other reason deemed necessary, the fire ward may order the person in charge of the fire to immediately extinguish the fire, and if necessary, may extinguish the fire itself.
7. The Permit may be revoked at any time in writing by the Fire Chief or his appointed officer.
8. Permits issued under this Section shall be issued in triplicate in the form indicated in Schedule "A".

**Public Safety Bylaw Chapter 18 (continued)**

**Oil Burning And Storage Equipment**

9. Whenever fuel consuming apparatus or equipment located in any building in the Town of Middleton is deemed to be a fire hazard by the Fire Chief, he may order the owner to cease the use of such defective or unsafe equipment until appropriate repairs are effected and shall notify Council of action taken. Any person who subsequently continues to use the equipment without the repairs being effected, shall be guilty of an offence under this Bylaw.
10. Any person keeping or operating any workshop or other establishment in the Town wherein shavings, sawdust or other combustible refuse occurs, shall remove such combustible refuse at least twice in each week from the premises.
11. Any person who violates any provision of this Bylaw is guilty of a summary offence and liable to a fine of not less than \$100 and not more than \$5,000 and, in default of payment thereof, to imprisonment for a period of not more than ninety (90) days. Each day the violation continues is considered to be a separate offence.

**THIS IS TO CERTIFY THAT** this bylaw amendment, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council by majority vote of the whole Council of the Town of Middleton on the 2<sup>nd</sup> day of May, 2011.



Clayton MacMurtry  
Chief Administrative Officer

**GIVEN** under the hand of the Town Clerk and Treasurer and under the corporate seal of the Town of Middleton this 4<sup>th</sup> day of May, 2011.



Clayton MacMurtry  
Chief Administrative Officer

TOWN OF MIDDLETON  
BURNING PERMIT

\_\_\_\_\_ of \_\_\_\_\_ has permission to have a fire for  
the purpose of burning \_\_\_\_\_ at \_\_\_\_\_ between the dates  
of \_\_\_\_\_ to \_\_\_\_\_ from 6:00 p.m. to 6:00 a.m.

**CONDITIONS:**

- (a) Sufficient help must be engaged and care taken to prevent the fire from spreading, and the same must be watched until **COMPLETELY** extinguished.
- (b) If applicant's fire spreads such that the Fire Department is called to control or extinguish said fire, the applicant will pay all expenses incurred by the Department.
- (c) Open fires within 1000 feet of a wooded area also require a permit from the N S Department of Lands & Forests.
- (d) This permit is **AUTOMATICALLY CANCELLED** upon order of woods closure by the Minister of Lands & Forests or by the Fire Chief or his appointed officer.
- (e) **NO BURNING WILL BE ALLOWED BETWEEN THE HOURS OF 6:00 A.M. AND 6:00 P.M.**
- (f) **NO BURNING IN STREET DITCHES OR ON STREET RIGHT-OF-WAY SHALL BE PERMITTED.**
- (g) Breach of this permit, regulations, Town Bylaw or Lands & Forests Act may result in immediate cancellation of the permit and/or prosecution.
- (h) Property owners who may be affected shall be notified by the applicant in advance of burning.

I, the undersigned, have read and do understand the conditions governing the validity of this Burning Permit.

\_\_\_\_\_  
Not Valid unless Signed by Applicant

Original	- Applicant	Phone	-
Copy	- Fire Department		- 911 (Emergency)
	- Police Department		- 825-2000
	- Town Office		- 825-4841

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF ISSUING OFFICER

**PLEASE NOTE:** You may be responsible for smoke and cinder damage to your neighbors' property. You should warn neighbors of your planned open burning times.