

Town of Long Harbour-Mount Arlington Heights

Fire Prevention By-Law

Pursuant to the authority conferred in section 7 and 8 of the Towns and Local Service Districts Act, 2025, the Town Council of Long Harbour-Mount Arlington Heights has adopted the following By-Laws on the 12th day of September 2025.

RESOLUTION NO. 09-11-25-09



Mayor Walter Keating



Juanita Gosse, Town Clerk/Manager

1. Title

1.1 This document will be known and cited as the Fire Prevention By-Law.

2. Purpose

2.1 **BEING A BY-LAW TO ESTABLISH** a policy for Long Harbour-Mount Arlington Heights Volunteer Fire Department Personnel for Fire Prevention, Public Education Programs and activities as primary means of protecting lives and property from fire.

AND WHEREAS Section 7. (1) (e) of the Towns and Local Service Districts Act provides that a Town Council shall adopt by-laws for town purposes subject to the Fire Protection Services Act, the prevention of fire in a town and the inspection of buildings in a town for fire protection services;

AND WHEREAS the Town of Long Harbour-Mount Arlington Heights established the Long Harbour-Mount Arlington Heights Volunteer Fire Department (LHMAH Fire Department);

NOW THEREFORE the Council of the Town of Long Harbour-Mount Arlington Heights hereby enacts the following:

3. INTERPRETATION/DEFINITION

3.1 **"Corporation"** means the Corporation of the Town of Long Harbour-Mount Arlington Heights.

3.2 **"Council"** means the council for the Town of Long Harbour-Mount Arlington Heights.

- 3.3 **“Emergency Activities”**, are activities of the Fire Department relating to rescue, fire suppression, emergency medical services, and special operations, including response to the scene of the incident and all functions performed at the scene.
- 3.4 **“Fire Chief”** means the person appointed under Section 69 of the Towns and Local Services Districts Act (SNL2023 Chapter T-6.2), to be Fire Chief in accordance with this position’s role description, as amended.
- 3.5 **“Fire Department”** means the Long Harbour-Mount Arlington Heights Volunteer Fire Department established by the Town of Long Harbour-Mount Arlington Heights under Section 163 of the Towns and Local Service Districts Act (SNL2023 Chapter T-6.2), and amended, and comprised to those roles as set out in the Town of Long Harbour-Mount Arlington Heights Volunteer Fire Department Operating Policy.
- 3.6 **“Firefighter”** means the Fire Chief and any other volunteer person appointed to the Fire Department and assigned to undertake fire protection services.
- 3.7 **“FPSA”** means the Fire Protection Services Act (SNL 2008 Chapter F-11.01), as amended, or any successor legislation, and any regulation made there under.
- 3.8 **“Municipality”** means the Town of Long Harbour-Mount Arlington Heights.
- 3.9 **“NFPA”** means codes, standards, recommended practices, and guides as developed and amended by the National Fire Protection Association.
- 3.10 **“Officer”** means those persons appointed by the Fire Chief in accordance with the Long Harbour-Mount Arlington Heights Volunteer Fire Department Operating Policy, as amended, that meet the qualifications and, if applicable, completes successfully criteria for such volunteer placement including captains and lieutenants.
- 3.11 **“Open-Air”** means not within a structure.
- 3.12 **“Town”** means the Town of Long Harbour-Mount Arlington Heights.

4. APPLICATION

- 4.1 To establish a Policy for the Long Harbour-Mount Arlington Heights Volunteer Fire Department personnel for fire prevention, public education programs and activities as a primary means of protecting lives and property from fire.
- 4.2 To maintain compliance with the minimum fire prevention and public education activities as required by the Towns and Local Service Districts Act (TLSDA).

5. PROCEDURE

5.1 FIRE PREVENTION RECORDS KEEPING

Current records relating to all fire prevention activities must be prepared and retained by the Fire Chief or designate. Records shall be made available to the Town Council for filing. These records include, but are not limited to:

- Fire and Life Safety Inspection program that include requests, and other inspection types;
- Home Oxygen Inspection program;
- Fire Prevention Week activities;
- Distribution of Public Fire Safety information and media release;
- Public displays, fire station tours, etc.;
- Lectures, demonstrations, presentations to the public;

5.2 PUBLIC EDUCATION PROGRAMS

The Fire Chief or designate, with the assistance of the Volunteer Fire Department where appropriate and when possible, will provide fire prevention education programs within the community.

5.3 COMPLIANCE STRATEGIES FOR SMOKE ALARMS AND CARBON MONOXIDE ALARMS

5.4 The LHMAH Fire Department will conduct a campaign as needed to encourage residents to install Smoke and Carbon Monoxide Alarms

5.5 OPEN-AIR BURNING

Open Air Burning is regulated within the municipality. Open-air burning will only be conducted when there is no Fire Ban issued by Government Services. A Fire Ban can also be issued by the Fire Chief and/or his/her designate. Open Air Burning can only be carried out in accordance with the conditions set out in the Open-Air Burning By-Law (Schedule "A") and any amendments thereto.

5.6 NEW CONSTRUCTION

New Construction or alterations to existing buildings will be reviewed by Government Services NL in accordance with the National Building Code (NBC).

5.7 SUMMARY

This Policy provides for the participation of all members of the LHMAH Fire Department in fire prevention and public education activities, during available hours.

6. SCHEDULES

The following items shall form an integral part of the by-law and shall be attached as schedules:

Schedule "A" – Open-Air Burning By-Law

7. CONFLICT

Where this by-law may conflict with other by-laws of the Corporation, this by-law shall supersede and prevail over that other by-law to the extent of the conflict.

8. SEVERABILITY

If any part of this by-law is found to be illegal or beyond the power of the Corporation, such section or part or item shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent there from and enacted as such.

9. BY-LAW REVIEW

The Town shall, every 2 years, conduct a review of this By-law and consider the areas which may be improved.

10. CAME INTO EFFECT

These by-Laws first came into effect on THE 12th DAY OF September, 2025, through a resolution of Council.

Schedule "A"
Open-Air Burning By-Law

Pursuant to the authority conferred by the Towns and Local Service Districts Act, the following by-laws have been made by the Town Council of Long Harbour-Mount Arlington Heights and were adopted on the 12th day of September, 2025.

RESOLUTION NUMBER 09-11-25-09

OPEN AIR BURNING BY-LAWS

1. Title

These by-laws may be cited as the Town of Long Harbour-Mount Arlington Heights "Open Air Burning By-Laws".

2. Interpretation

It these by-laws, unless the context otherwise requires:

- a. "Open Air" means not within a structure.
- b. "Town" means the Town of Long Harbour-Mount Arlington Heights.
- c. "Town Clerk or Town Manager" means the Town Clerk/Manager of the Town of Long Harbour-Mount Arlington Heights.
- d. "Outdoor Wood burning Appliance" means an appliance used in the open air to burn wood. This does not include external wood furnaces.
- e. "Council" means the Town Council of Long Harbour-Mount Arlington Heights.
- f. "Person in charge of a fire" means the owner of a property where the burning is taking place, or person who has the owner's written consent to conduct burning.
- g. "No Burn Zone" means any area designated where the Town of Long Harbour-Mount Arlington Heights, the Province of Newfoundland and Labrador, or the LHMAH Fire Department does not allow fires as a result of an order.

- h. "Municipal Authority" means the Town of Long Harbour-Mount Arlington Heights Town Council constituted or continued under the Town of Long Harbour-Mount Arlington Heights.
- i. "Nuisance" means any obnoxious substance, smoke or other unsanitary matter that has an unpleasant effect on the senses or affects an individual's health and well-being.
- j. "Officer" means a member of the Royal Canadian Mounted Police, (RCMP), or an officer of the LHMAH Fire Department, or anyone authorized by the Town of Long Harbour-Mount Arlington Heights to enforce this by-law.
- k. "Grate" means a metal rack supported on a non-combustible enclosure. Protective screen and spark screen should not allow sparks or ambers to escape.
- l. "Suitably Equipped" means being in possession of tools or equipment, including without limitation to brooms, rakes, back tanks, shovels, hoses and an adequate water supply which shall be used to contain and/or prevent the spread of fire.
- m. "Permit" means a permit for burning in the open air issued by the Province – Department of Natural Resources for Department of Forestry.
- n. "Ban and Restrictions" means any open-air burning restrictions or complete bans put in place by the LHMAH Fire Department, Fire Chief and/or the Province/Department of Forestry.

3. Application of By-Law

- a. This by-law shall apply to all areas of the municipality and during the entire year.

4. Outdoor Wood burning Appliances

Outdoor wood burning appliances may be used throughout the Town but the following provisions shall apply:

- a) For purchased Fire Pits, the manufacture's installation instructions are followed.
- b) They are not placed on wooden decks or combustible platforms.
- c) Only dry seasoned firewood or fire logs shall be used as it burns with little or no smoke by-product.

- d) Clearance of 3.0m (10') shall be observed in all directions from other combustible materials.
- e) These appliances shall not be used when the Department of Forestry, the LHMAH Fire Department or the Town have placed a ban or restrictions on all open-air burning within its jurisdiction.
- f) Only one outdoor wood-burning appliance may be used on a property at a time.
- g) The outdoor wood-burning appliance must be of sufficient construction to withstand the effects of heating and cooling and must be constructed of non-combustible materials, which will prevent the accidental spreading of fire.
- h) It does not allow smoke, smell, small airborne sparks or embers to infringe on the use and enjoyment of other properties or become a "nuisance" to neighboring residents; and
- i) It is equipped with a grate. This allows for the proper airflow for cleaner burning.

Special Burning

- a) Provincial Regulations state that during Fire season; Permits have to be issued through the Department of Natural Resources/Forestry.
- b) Open air burning pursuant to subsection 5(a) shall require the "Person in Charge of the Fire"
 - 1. To be aware that the Fire Chief may impose conditions on any outdoor burning, which they deem necessary for the safety and protection of property, the community and the health and wellbeing of residents
 - 2. To be "suitable equipped" to deal with an emergency, and;
 - 3. To comply with the provisions of this by-law.

5. Authority

The responding "officer" shall have the authority to extinguish or order extinguished any fire (or fires), which pose a health or fire hazard to persons or property or does not meet the provisions of this by-law.

7. Coming into Effect

These By-Laws shall come into effect on the 12th day of September, 2025.

8. Publication

These By-Laws were published on the 17th day of October, 2025, and appeared in the Public Council Meeting Minutes.

9. Copy to the Minister

A copy of these by-laws was sent to the Minister of Municipal Affairs on the _____ day of _____, 2025.



Mayor

Sept. 12, 2025

Date



Town Clerk/Manager

Sept. 12, 2025

Date

OPEN AIR BURNING BY-LAW REVISION LISTING		
Original Adoption		Revision 0
Regulation Updated		Revision 1
By-law Updated		Revision 2