

CITY OF PORTAGE LA PRAIRIE

BY-LAW NO. 7640

BEING A BY-LAW OF THE CITY OF PORTAGE LA PRAIRIE to regulate the construction and location of chimneys and structures of accessory buildings used as solid fuel fired heating appliances.

WHEREAS The Municipal Act provides in part as follows:

290(1) Subject to The Workplace Safety and Health Act, The Employment Standards Act, The Buildings and Mobile Homes Act, The Fires Prevention Act, the Explosives Act (Canada), and any other applicable Act of the Legislature or of the Parliament of Canada, the Council of any municipality may pass by-laws for the prevention or extinguishing of fires and for the preservation of life and property from destruction by fire; and, without limiting the generality of the foregoing, the council may pass by-laws

(m) for preventing or regulating the construction of any chimney, flue, fireplace, oven, stove, boiler or other apparatus or thing that is liable to be dangerous because of the possibility of it causing or promoting fire

(x) for providing generally for the protection of life and property from damage by fire

AND WHEREAS the Council of the City of Portage la Prairie is advised that solid fuel fired heating appliances are capable of containing large amounts of fuel with up to 72 hour burn time between fills which may result in poor combustion cycles causing severe smouldering and the emission of offensive odours.

AND WHEREAS the Council of the City of Portage la Prairie deems it advisable and in the public interest to regulate the construction and location of chimneys and structure of accessory buildings used as solid fuel fired heating appliances.

NOW THEREFORE THE CITY OF PORTAGE LA PRAIRIE, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

1. All Accessory buildings used as solid fuel heating appliances (SFFHA) shall be listed and approved by the Canadian Standards Association.

2. The outer walls of all accessory buildings used as SFFHA shall be no closer than 50 feet (15 metres) from any limit of

the parcel of land on which it is located and no closer than 50 feet (15 metres) from any other building.

3. The chimney servicing an accessory building used as a SFFHA shall not be less than 16 feet high measured from ground level.

4. Every person shall obtain, prior to installing a chimney servicing an accessory building used as SFFHA, an engineered drawing of the chimney and a structure certification signed by a Professional Engineer.

5. Every SFFHA shall be installed strictly in accordance with the manufacturer's written instructions.

Done and passed in Council assembled this 14th day of March , 1994.

_____[orig.signed by W.Glenn Carlson]_____
____MAYOR

_____[orig.signed by Howard Roberts]_____
CITY CLERK

Read a 1st time this 14th day of March,1994
Read a 2nd time this 14th day of March,1994
Read a 3rd time this 14th day of March,1994