

**THE CORPORATION OF THE TOWNSHIP OF JAMES**

**BY-LAW 04-18**

**BEING A BY-LAW TO CONTROL AND REGULATE THE INSTALLATION  
OF SOLID FUEL BURNING HEATING APPLIANCES WITHIN THE  
BUILT-UP AREA OF THE TOWNSHIP OF JAMES (ELK LAKE).**

**WHEREAS** Section 125 of the Municipal Act, 2001 Chapter 25, provides that a By-Law may be passed by Councils of local municipalities for regulating, controlling and inspecting of heating and cooling appliances or any classes thereof, the installation thereof and the storage of fuel for use in connection therewith;

**AND WHEREAS** Council deems it necessary and expedient to regulate and control the types of solid fuel burning heating appliances permitted for installation and use within the built-up area of the Township of James (Elk Lake);


**NOW THEREFORE** The Council of The Corporation of the Township of James enacts as follows:

**1. DEFINITIONS:**

- a. 'Accessory Building or Structure' means a building or structure that is normally incidental, subordinate, and exclusively devoted to a main use, building or structure and that is located on the same lot therewith and includes a private garage, shed and a dock.
  - b. 'Building' shall include any structure whether temporary or permanent, used or intended for sheltering any use or occupancy.
  - c. 'Dwelling Unit' means a structure designed for occupation by one or more persons to the exclusion of others, and without limiting the generality of the foregoing, includes a hotel or motel or suite of rooms, and a room in a rooming or boarding house.
  - d. 'Solid Fuel Burning Heating Appliance' means a device to convert solid fuel into energy and includes all components, controls, wiring, and piping required by the applicable standard to be part of the device.
2. No person shall install or permit to be installed, any solid fuel burning heating appliance in any building, dwelling unit, accessory building or structure within the built-up area of the Township of James (Elk Lake), unless that solid fuel burning heating appliance is wholly contained within the building, dwelling unit, accessory building or structure, it is intended to heat.
  3. No solid fuel burning heating appliance shall be erected or installed unless a Building Permit has been obtained from the Chief Building Official.
  4. Any person who contravenes provisions of the By-Law is guilty of an offence and upon conviction is subject to a fine, and every such fine is recoverable under provisions of the Provincial Offences Act.
  5. That the Reeve and Clerk are hereby authorized to sign and seal the said agreement on behalf of the Corporation.


**READ A FIRST AND SECOND TIME** on the 8<sup>th</sup> day of December, 2004.

  
Terry Fiset, Reeve

  
Myrna Hayes, Clerk

**READ A THIRD TIME** and finally passed on the 8<sup>th</sup> day of December, 2004.

  
Terry Fiset, Reeve

  
Myrna Hayes, Clerk