

THE CORPORATION OF THE CITY OF NANAIMO

BY-LAW NO. 667



A BY-LAW TO REGULATE DEALERS IN WOOD, SAWDUST AND HOG FUEL  
INTENDED FOR CONSUMPTION AS FUEL,

THE COUNCIL of the City of Nanaimo in open meeting assembled, enacts  
as follows:

1. Whenever the words following occur in this By-Law, they shall be construed in the manner hereinafter mentioned unless a contrary intention appears or the interpretation which this provision would give to any words, expression or clause is inconsistent with the context as it appears in this By-Law, that is to say:

- (1) "Dealer" shall mean and include any person carrying on the business of selling, delivering or dealing in slabwood, bushwood, sawdust or hog fuel as herein defined.
  - (2) "Hog Fuel" shall mean wood that has been broken or cut up into small pieces or fragments by the action of a hog machine or by any other method and intended for use as fuel.
  - (3) "Inspector" shall mean an official duly appointed by the Municipal Council to carry out the duties of Inspector under the provisions of this By-Law.
  - (4) "Sawdust" shall mean the fine particles of wood that result from the sawing of wood.
  - (5) "Slabwood" shall mean and include discarded wood from any sawmill or any other place where lumber is manufactured or sawn, and which is intended for consumption as fuel.
  - (6) "Short Slabwood" shall mean slabwood as defined herein, which does not contain any pieces of such wood over 24 inches in length.
  - (7) "Long Slabwood" shall mean slabwood as defined herein, which contains any pieces of such wood over 24 inches in length.
  - (8) "Bushwood" shall mean and include wood of any length intended for consumption as fuel which has been cut from unmanufactured timber.
2. This By-Law shall apply only to sales by retail to consumers.
3. (a) All short slabwood shall be sold and delivered in a box or other container having an inside capacity of 168 cubic feet, which when filled with slabwood (as ordinarily thrown in without being packed, piled or stacked) shall be deemed to contain one cord of short slabwood, or any box or other container having an inside capacity of multiples of 168 cubic feet and each said multiple of 168 cubic feet shall be deemed to contain one cord of short slabwood as herein provided.
- (b) All bushwood and all long slabwood shall be sold and delivered in a box or other container having an inside capacity of 128 cubic feet, which when filled with bushwood or long slabwood properly piled or stacked, shall be deemed to contain one cord of bushwood or long slabwood, or any box or other container having an inside capacity of multiples of 128 cubic feet, and each said multiple of 128 cubic feet shall be deemed to contain one cord of bushwood or long slabwood as herein provided.

4. (a) Where sawdust or hog fuel is delivered in bulk it shall be delivered in a box or other container having an inside capacity of 200 cubic feet which when filled shall be deemed to contain one unit; or in a box container having an inside capacity equal to some even multiples of 200 cubic feet. Nothing herein contained shall prevent any dealer from contracting to sell or deliver sawdust or hog fuel on a basis other than a unit basis where the purchaser has contracted for the delivery of an amount in excess of five units of sawdust or hog fuel.
  - (b) Where sawdust or hog fuel is delivered in sacks, each of such sacks shall contain four (4) cubic feet of such sawdust or hog fuel and no more, and shall be plainly marked accordingly.
  - (c) Where sawdust or hog fuel is delivered in bulk, the box or container in which it is delivered shall be provided with a closely fitting cover or some other effective method for preventing the sawdust or hog fuel from spilling or being blown out of the box while enroute.
5. Each box or container referred to herein or the cab of the vehicle to which any such box or container is attached shall have conspicuously painted on each side in legible letters of not less than one and one-half inches in height, the name of the owner or dealer.
6. No such boxes or containers shall contain any division unless such division be in equal parts each of a capacity of one cord or one unit as herein provided, and no such division shall be made otherwise than by a partition 1 inch in thickness across the box extending from one side to the other and from top to bottom and such partition shall only be used when delivery of single cords, or units is being made.
7. The cord capacity or the unit capacity as defined herein, shall be clearly marked on all boxes or containers in which long or short slabwood, bushwood, sawdust or hog fuel is sold or delivered, by a painted horizontal line along the sides of the box or container on the outside thereof with sufficient wording to indicate the capacity represented by such lines, and the capacity indicated shall in all cases refer to the top or highest point of such lines.
8. The box or container in which any long or short slabwood, bushwood, sawdust or hog fuel is delivered to the consumer as required by the provisions hereof, shall be so loaded that the full measurement of long or short slabwood, bushwood, sawdust or hog fuel is delivered to the consumer at the time of delivery.
9. Every dealer shall at the time of delivery of any long or short slabwood, bushwood, sawdust or hog fuel, furnish the purchaser with a ticket signed by the dealer and containing the following information:
- (1) The name and address of the dealer.
  - (2) The name and address of the purchaser.
  - (3) The quantity of long slabwood, short slabwood, bushwood, sawdust or hog fuel then being delivered.
  - (4) The date of such delivery.
10. Every dealer using a box or container for the delivery of long or short slabwood, bushwood, sawdust or hog fuel in the City shall submit the same for inspection and measurement by the inspector at any time upon request of the Inspector.
11. The Inspector shall have power at any time to inspect any load of long or short slabwood, bushwood, sawdust or hog fuel in transit, or at any time to examine the ticket provided for in Section 9 hereof.
12. Every person who violates any of the provisions of this By-Law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-Law, or who neglects to do, or refrains from

doing anything required to be done by any of the provisions of this By-Law, or who does any act which constitutes a violation of any of the provisions of this By-Law, shall be deemed to be guilty of an infraction of this By-Law and shall be liable to the penalties hereby imposed.

13. Any person who violates any of the provisions of this By-Law shall be guilty of an offense and shall be liable on summary conviction to a fine not exceeding One Hundred Dollars with costs, and in default of payment, to imprisonment for a term not exceeding thirty days.

14. "The Wood Fuel Regulation By-Law, 1943, No. 666" is hereby repealed.

15. This By-Law may be cited as "THE WOOD FUEL REGULATION BY-LAW, 1943, NO. 667".

PASSED by the Municipal Council of the Corporation of the City of Nanaimo, on the Sixth day of September, 1943.

RECONSIDERED AND FINALLY ADOPTED on the Twentieth day of September, 1943,

V. B. HARRISON,

Mayor.

H. HACKWOOD,

City Clerk.

*Certified a true copy.*

*H. Hackwood*

*City Clerk*