

THE CORPORATION OF THE TOWNSHIP OF McMURRICH/MONTEITH

BY-LAW No. 3 - 2003

Being a By-law to regulate the setting of fires and precautions to be taken to prevent the spreading thereof.

WHEREAS Section 188 (1) of The Municipal Act, Bill 111, 2001, permits municipalities to regulate Fire Protection and Prevention;

WHEREAS Section 2.6.3.4 of Regulation 454 of the Fire Code reads, "Open air burning shall not be permitted unless approved by the Chief Fire Official, or unless such burning consists of a small, confined fire, supervised at all times and used to cook food on a grill or barbecue",

WHEREAS the Municipality desires to protect the people of the Township of McMurrich/Monteith and their property from potential hazards.

WHEREAS the Council for the Township of McMurrich/Monteith deems it necessary to Repeal By-laws 15-98 and 7-98 which regulated open air burning.

NOW THEREFORE the Council of the Township of McMurrich/Monteith enacts as follows:

1 REGULATION OF OUTDOOR FIRES

- 1.1 No fires shall be set out of doors in the Township of McMurrich/Monteith between the hours of eight o'clock in the morning and six o'clock in the evening during the months of April, May, June, July, August, September and October in each year.
- 2.0 No person shall start a fire outdoors for any purpose other than cooking or obtaining warmth except under the authority of a Fire Permit issued pursuant to the By-law.
- 2.1 A person who has obtained a fire permit shall:
 - a) not permit more than one (1) cubic metre of material to be burned at any time,
 - b) said material to be limited to wood or wood by-products,
 - c) situate the fire at least 10 metres from any building, vegetation or adjacent property,
 - d) ensure that he/she has adequate tools and water to contain the fire,
 - e) be in constant attendance during the fire, or have another responsible adult remain until the fire has been thoroughly extinguished.
- 3.1 No person who starts a fire outdoors, or the responsible adult minding the fire, shall allow a fire to continue to burn if the fire causes:
 - a) a decrease in visibility on any highway or roadway,
 - b) inconvenience or irritation to others.
- 4.1 All persons setting a fire outdoors in the Township of McMurrich/Monteith shall:
 - a) be responsible for any damage to property or injury to persons occasioned by the said fire
 - b) be liable for the cost incurred by the fire department including personnel, equipment and apparatus necessary and called to extinguish the said fire.
- 5.1 No fire to be ignited or allowed to remain burning in a time of high winds.
- 6.1 The fire chief or his designate is authorized to order any person to extinguish any fire when there is a breach in any provisions of this by-law or when in his opinion, there is a danger to life or property.

- 6.2 Where the person does not comply to the directive to extinguish the fire, the Chief Fire Official, His Firefighters, Fire Trucks and any other Fire Equipment may enter upon the land where the fire is burning, to extinguish the fire.
- 6.3 Upon the Fire Department attending to extinguish the fire, whether it has since been extinguished or not, the owner will be responsible to pay fees. The minimum fee shall be \$300.00. The maximum fee shall be determined by the Chief Fire Official based on the actual costs incurred to extinguish the fire, see Schedule "A".

7. INCINERATORS

- 7.1 When using an Incinerator the following rules apply:
- a) the conditions and times set out in Section 1.1
 - b) burn only wood or wood by-products,
 - c) the incinerator is an enclosed device constructed entirely of non-combustible material,
 - d) the incinerator is a least five metres from any forest or woodland,
 - e) the incinerator is a least two metres from an flammable material,
 - f) the outlet of the incinerator is covered with a screen having a mesh size of not more than five millimetres,
 - g) a person who starts a fire in an incinerator ensures that a responsible person monitors the fire until it is extinguished.

8. FIRES FOR COOKING AND OBTAINING WARMTH

- 8.1 Except in a Total Fire Ban, a person may start a fire outdoors during the Fire Season without a permit for cooking and/or warmth if:
- a) the site of the fire is bare rock or non-combustible materials,
 - b) the fire is a least two metres from any flammable material,
 - c) the fire does not exceed one metre in height and one metre in diameter and,
 - d) the space above the one metre area must be free of combustible material.

9. FIRE PERMITS

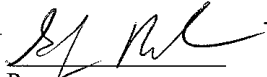
- 9.1 Any person setting a fire in an incinerator in the Township of McMurrich/Monteith shall:
- a) apply annually for a burning permit to use an incinerator (no fee)
 - b) abide by the conditions set out in this by-law,
 - c) not burn any material during a Fire Ban imposed by The Fire Chief/designate or in a Restricted Fire Zone imposed by the MNR.
- 9.2 Permits for setting a fire outdoors can be obtained at the Municipal Office or a designated permit issuer. The fee is two dollars for each permit. The permit is valid for six consecutive days only.
- 9.3 A Fire Permit may be canceled or suspended at any time by The Fire Chief or his Designate. Upon receiving notice of the Permit suspension, the fire shall be extinguished immediately.
- 9.4 A person to whom a Fire Permit is issued shall keep it at the location of the activity authorized by the Permit.
- 9.5 All Fire Permits will be canceled when the Fire Hazard Condition reaches High, Extreme (Fire Ban) or a Restricted Fire Zone is imposed by the MNR.

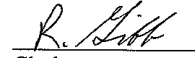
10. SPECIAL APPROVALS

- 10.1 Notwithstanding the provisions of this By-Law, the Municipal Fire Chief may approve an outdoor fire and issue a Fire Permit therefore subject to such terms and


conditions as the Municipal Fire Chief deems appropriate. Fees and conditions to be determined at that time.

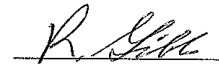
READ a FIRST time this 3rd day of March, 2003.


Reeve.


Clerk.

READ A SECOND and THIRD time, PASSED , SIGNED and SEALED
this 7th day of April , 2003.


Reeve.


Clerk.

SCHEDULE "A"

Penalties to be Imposed for contravention of regulations in McMurrich/Monteith Township By-law 3-2003:

	<u>Penalty</u>
1) Burning a Fire Outdoors during UNSAFE Conditions-----	\$100.00
2) Persons leaving a Fire Unattended or Not Extinguished-----	\$200.00
3) Burning material other than wood or wood by-products-----	\$200.00
4) Starting a Fire Outdoors between eight AM and six PM during the fire season (April 1 to October 31)-----	\$200.00
5) Starting a Fire Outdoors without a Permit-----	\$200.00
6) Starting a Fire Outdoors during a Fire Ban-----	\$300.00

Emergency Fire Fighting Service Charges:

- a) \$300.00 for each Fire Department vehicle attending for the first hour or part thereof;
- b) \$120.00 for each Fire Department vehicle attending for every additional half hour, or part thereof;
- c) \$300.00 for responding to a call where services are not required.