

# THE CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

## BY-LAW: 12-420

A by-law for prescribing the time for setting fires in the Township of South Algonquin and the precautions to be observed. (Replaces By-Law #02-153)

WHEREAS Section 475 (3b) of the Municipal Act, R.S.O, 2001, as amended, provides that councils of municipalities may pass by-laws for prescribing the times that fires may be set and the precautions to be observed by persons setting out fires.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN ENACTS AS FOLLOWS:

1. All persons setting an open air fire in the Township of South Algonquin, during the fire season April 1<sup>st</sup> – October 31<sup>st</sup> shall first obtain a fire permit from the appropriate fire chief pursuant to this section. The material to be burned shall be limited to wood or by-products of wood. A person who has obtained a fire permit pursuant to this section shall:

(a) not permit more than four (4) cubic metres of material to be burned at any one time;

(b) ensure that the means of extinguishing the fire designated on the permit form is available at the site at all times during the fire.

2. A fire permit may be cancelled or suspended at any time by the Chief Fire Official or his designate and immediately upon receiving notice of such cancellation or suspension, the holder of said permit shall extinguish any fire started under permit.

3. Notwithstanding the provisions of section 1 hereof, the Chief Fire Official may, upon application, approve the setting of any fire subject to the fire being supervised by the Fire Chief of the South Algonquin Fire Department or his designate.

4. Notwithstanding the provisions of section 1 hereof, open air fires may be set when such burning consists of a small confined fire, supervised at all times and is used to cook food on a grill or a barbecue, or is for personal warmth.

5. (a) No person shall set an uncontained fire, including but not limited to a grass fire;

6. All persons setting an open air fire in the Township of South Algonquin, at the discretion of the Fire Department Officer in charge, may be held:

(a) responsible for any damage to property or injury to persons occasioned by the said fire;  
and;

(b) liable for costs incurred by the fire department, including necessary personnel, equipment and apparatus called in to extinguish the said fire, As per Schedule 'A' Establishing Fire Departments, By-Law 12-419.

7. No open air fire shall be ignited when the wind is in such direction or intensity so as to cause any or all of the following:

(a) a decrease in visibility on any highway or roadway;  
(b) a rapid spread of fire through grass or a brush area.

8. A farmer who intends to set or maintain a fire in the open air on a specified day for disposal of vegetable matter or vegetation on farm lands which is normal and incidental for farming purposes shall be issued a permit to cover the period of the proposed fire, and will be required to notify the South Algonquin Fire Department Dispatch centre on each day of the proposed fire.

9. Schedule "A" - Burning Permit is attached hereto and shall form part of this by-law.

10. Schedule "B" - Woody Debris & Grass Burning Regulations is attached hereto and shall form part of this by-law.

11. Schedule "C" - During a Restricted Fire Zone - Camp Grounds Outdoor Fires Regulations is attached hereto and shall form part of this by-law.

12. This by-law shall come into full force and effect upon the final passing thereof.

13. Any other by-law inconsistent with or antedating this by-law is hereby repealed.

Read a first and second time this 15<sup>th</sup> day of March 2012.

Read a third and final time, and passed this 15<sup>th</sup> day of March 2012.

MAYOR: Jane Dumas \_\_\_\_\_

CLERK: Harold Luckasavitch \_\_\_\_\_

SCHEDULE "A" of BY-LAW #12-420  
BURNING PERMIT

THE CORPORATION OF  
THE TOWNSHIP OF SOUTH ALGONQUIN

South Algonquin Fire Department      DAILY PERMIT NUMBER: \_\_\_\_\_  
FIRE DEPARTMENT EMERGENCY NUMBER      Airy &- Sabine - 637-2002  
Dickens, Lyell, Murchison - 637-5556

THE APPLICANT AGREES TO COMPLY WITH THE PROVISIONS OF BY-LAW #12-420 AS AMENDED, AND AGREES TO ASSUME ALL RESPONSIBILITY FOR ANY DAMAGES OCCURING FROM THE FIRE FOR WHICH THIS PERMIT IS ISSUED.

All persons setting an open air fire in the Township of South Algonquin shall first obtain a fire permit from the fire department pursuant to this section. The material to be burned shall be limited to wood or by products of wood. A person who has obtained a fire permit pursuant to this section shall:

- (a) not permit more than four (4) cubic metres of material to be burned at any one time;
- (b) ensure that the means of extinguishing the fire designated in the permit form is available at the site at all times during the fire.

PERMISSION IS HEREBY GRANTED TO:

NAME: _____	
ADDRESS: _____	POSTAL CODE: _____
TELEPHONE: _____	

FOR THE PURPOSE OF HAVING AN OPEN FIRE:

DATE OF FIRE: _____	TIME OF FIRE: _____
LOCATION OF FIRE: _____	
FIRE DEPARTMENT LOCATION CODE: _____	
MATERIAL(S) TO BE BURNED: _____	
METHODS OF EXTINGUISHMENT AT FIRE SITE: _____	

\_\_\_\_\_  
Signature of Applicant      Date

\_\_\_\_\_  
Chief Fire Official or Designate      Date

SCHEDULE "B" of BY-LAW #12-420  
WOODY DEBRIS & GRASS BURNING

If you have woody debris or grass to dispose of, the Township of South Algonquin strongly suggests composting or using a chipper. But if you must burn, the Township would like to remind you that there are regulations that must be followed as outlined in the Forest Fires Prevention Act.

These regulations are in effect from April 1st to October 31st each year. The regulations directly affect you if you live in an area governed by the Forest Fires Prevention Act and if your local municipality does not have more stringent open burning by-laws in place.

Except in a Restricted Fire Zone (where no open burning is permitted under any circumstance), a fire may be started if conditions allow the fire to burn safely until extinguishment and all necessary steps are taken to tend, control and extinguish the fire. A person failing to burn safely can be held responsible for the cost of putting out the fire (should it escape) and for any property damage.

You can burn piled wood, brush, leaves or wood by-products with a fire permit provided you meet all the following:

- The fire is ignited no sooner than 6:00 p.m. and extinguished no later than 9:00a.m.
- Only a single pile is burned at any one time.
- The pile is not more than two metres (six feet) in diameter and not more than two metres (six feet) high.
- The fire is at least seven metres (twenty-two feet) from any flammable materials.
- You have tools or water adequate to contain the fire to the fire site.
- A responsible person tends the fire until it is extinguished.

You can burn piled wood, brush, leaves or wood by-products in an incinerator, with a fire permit, provided you meet all of the following conditions:

- The incinerator is an enclosed device constructed entirely of non-combustible material.
- The incinerator is covered by a screen having a mesh size of not more than five millimeter (3/16").
- The incinerator is at least five metres (fifteen feet) from any forest or woodland.
- The incinerator is at least two metres (six feet) from any flammable material.
- A responsible person monitors the fire until it is extinguished.

You can burn areas of grass or leaf litter on land you lawfully occupy or give permission to burn grass and leaf litter on land you lawfully occupy, with a fire permit provided you meet all of the following conditions:

- The fire is ignited no sooner than 6:00 p.m. and extinguished no later than 9:00a.m.
- The total area to be burned does not exceed one hectare.
- The flaming edge of the fire does not exceed 30 metres (one hundred feet) in length.
- A responsible person (s)tends the fire until it is extinguished.
- You have tools or water adequate to contain the fire to the fire site.

If you have a requirement to burn outside of these restrictions and conditions, contact the Township of South Algonquin Municipal Office at 613-637-2650 or 888-307-3187 to obtain a permit which may or may not be granted.

To report a fire contact the designated Fire Station in your area. For residents in Airy and Sabine Wards and the west side of Lyell Ward accessed by Hwy. #127 call Whitney Fire Station at 613-637-2002. For residents in Dickens and Murchison Wards and the east side of Lyell Ward accessed by Hwy. #523 call Madawaska Fire Station at 613-637-5556.

To report a forest fire to MNR call 705-457-2107.

SCHEDULE "C" of BY-LAW # 12-420  
Outdoor Fires In Campgrounds During  
A Restricted Fire Zone  
ONTARIO REGULATION 207/96  
As Amended by Ontario Regulation 64/10

"Regulations" means the regulations made under Forest Fires Prevention Act. R.S.O. 1990.c.F.24,s.1.

1. (I) No person shall start a fire outdoors unless conditions will allow the fire to burn safely from start to extinguishment. O. Reg. 207/96, s.1 (1)

8.7 A campground referred to in section 8.2(3) and section 8.4 offers camping facilities to the public on a temporary basis and meets all of the following criteria:

1. The campground allows camping only in cabins and designated campsites, and all are accessible by motor vehicle as defined in the Highway Traffic Act.
2. The campground does not allow campfires between 10 a.m. and 7 p.m.
3. The campground clearly posts the hours campfires will be allowed.
4. The campground has printed information on safe campfires and provides it to all of its guests.
5. The campground has adequate equipment to control and extinguish a fire, that can be taken to any campsite or cabin within 10 minutes.
6. The campground has on site at all times staff who are instructed in the location and the use of the equipment described in paragraph 5.
7. The campground has reliable two-way telecommunications equipment to allow it to obtain assistance if a fire escapes control.

8.2 (3) No person shall use a portable or permanent charcoal installation for cooking or warmth in a restricted fire zone in a campground described in section 8.7 unless all of the conditions in subsection (1) are met and all of the following conditions are met:

1. The installation is designed to use commercially produced charcoal as fuel.
2. Commercially produced charcoal is used as the fuel.
3. The owner or operator of the campground expressly permits a charcoal installation to be used during a time when the campground is in a restricted fire zone.

8.4 No person shall set a wood fire in a permanent fire installation in a campground described in section 8.7 in a restricted fire zone unless all of the following conditions are met:

1. The fire is contained in,
  - (i) an above ground fire grate or fireplace that is designed to burn wood safely and that cannot be moved to an unsafe location, or
  - (ii) a pit in the ground that has fire proof walls and is designed to burn wood safely.
2. The fire is at least 3 metres from any forest or woodland, and the area within the 3 metre radius is completely free of flammable material.
3. The space immediately above the fire installation is at least 3 metres from any overhanging vegetation.
4. The owner or operator of the campground expressly permits the fire to be set during a time when the campground is in a restricted fire zone.