

**CORPORATION OF THE TOWNSHIP OF
OTONABEE-SOUTH MONAGHAN**

BY-LAW NUMBER 2001-71

Being a By-law to amend Schedule "A" to By-law No, 1998-40
"Times, Conditions and Penalties for Setting Fires in the
Township of Otonabee-South Monaghan"

WHEREAS the Council of the Corporation of the Township of Otonabee-South Monaghan by By-law No. 1998-40 adopted a by-law prescribing the times and conditions for setting fires in the Township of Otonabee-South Monaghan and establishing penalties;

AND WHEREAS Council deems it desirable to revise Schedule "A" to By-law 1998-40;

NOW THEREFORE the Council of the Corporation of the Township of Otonabee-South Monaghan hereby enacts as follows:

1. That Schedule "A" attached to and forming part of this by-law replaces Schedule "A" to By-law 1998-40, passed by Council on July 20th, 1998.
2. That Schedule "A" to By-law 1998-40 passed by Council on July 20th, 1998 is hereby repealed.
3. That all other provisions of By-law 1998-40 remain in effect.
4. That this by-law shall come into force and effect upon the third reading thereof.

Read a First time this 19th day of November, 2001

Read a Second time this 19th day of November, 2001

Read a Third time and Finally passed this 19th day of November, 2001

Reeve

Clerk

SCHEDULE "A"

This is Schedule "A" to By-law No. 1998- 40

CONDITIONS FOR OPEN AIR BURNING

1. All persons shall obtain a permit from the Fire Chief or his/her designate before lighting a fire in the open air.
2. The permit shall show the following details:
 - (a) Name of Applicant (indicating whether owner/occupant/tenant)
 - (b) Location of the proposed fire (lot & concession, ward [Otonabee or South Monaghan], street address if available)
 - (c) All conditions contained in this Schedule "A".
3. **RESPONSIBILITY**
 - (a) All persons setting an open air fire shall be responsible for any injury or damage to persons or property resulting from the said fire.
 - (b) All persons obtaining the necessary permit and setting an open air fire shall be responsible for all costs incurred by the Fire Department, if the Department is called to extinguish the said fire. Such costs shall be calculated in accordance with the current fee structure established by the Ministry of Transportation, viz.:

(1) Per vehicle for first hour \$ 350.00

(2) Per vehicle per half-hour thereafter \$ 175.00

Times shall be calculated from the receipt of the alarm through to the time the responding personnel and equipment are back in service.

- (c) Any person who sets an open air fire without first obtaining the necessary permit or without confirming the date/time of the fire with the Dispatch Unit shall be liable for a fine of \$350.00, and, if the services of the Fire Department are necessary, charges as set out in paragraph 3(b) above shall also be payable.
4. **WEATHER CONDITIONS**

No open air burning shall be permitted when the wind is in such a direction or of such intensity that the following conditions occur:

 - (a) A decrease in visibility on any highway or roadway.
 - (b) A rapid spread of fire through grass or brush area.
 - (c) An adverse effect on neighbouring persons or property.

- (d) At all times, protection of the environment shall be a primary concern.

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5. **MATERIALS**

- (a) Material to be burned shall be limited to wood or wood by-products.
 - (b) No hazardous materials shall be burnt. This category includes all plastics, petroleum products, rubber, painted materials, etc.
 - (c) Household waste shall not be burnt.
 - (d) Not more than one (1) cubic metre of material shall be burned at one time.
 - (e) In lands zoned as Agricultural (in Otonabee Zoning Bylaw No.12-79) or Rural (in South Monaghan Zoning By-law No. 74-8), permit may be granted for disposal of vegetation (eg. brush or dry grass), which is normal and incidental for farming purposes. Fire Department must be notified each time it is proposed to light such a fire.
6. The fire shall be maintained and supervised at all times.
7. Adequate means of extinguishing the fire shall be available at all times at the site during burning, and until the fire is completely out.
8. The fire shall be at least 150 metres from any building.