

Corporation of the Township of  
*Algonquin Highlands*

**BY-LAW 01-9**

Being a By-Law to prescribe procedures for open fire burning under the Ontario Fire Code and to set times and precautions for burning under the Fire Protection and Prevention Act in the Township of Sherborne, Stanhope, McClintock, Livingstone, Lawrence and Nightingale.

**Whereas** Section 210 paragraph 35 of the Municipal Act, R.S.O. 1990, Chapter M.45, 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 Sherborne, Stanhope, McClintock, Livingstone, Lawrence and Nightingale hereby enacts as follows:

1. No persons shall start a fire outdoors from 7:00 a.m. to 7:00 p.m. during the period of April 1 to October 31.
2. No persons shall start a fire outdoors for the purpose of burning piled wood, brush leaves or discarded wood products unless:
  - (a) a responsible person is available to tend the fire until it is extinguished;
  - (b) the material is burned in a single pile that is less than two metres in diameter and less than two metres high;
  - (c) the fire is at least two metres from any flammable materials; and
  - (d) the person tending the fire has adequate tools and or water available to contain the fire.
3. No person shall burn wood, brush, leaves or any substance in an incinerator unless:
  - (a) the incinerator is an enclosed device constructed entirely of non-combustible material;
  - (b) the incinerator is at least five metres from any forest or woodland;
  - (c) the incinerator is at least two metres from any flammable materials, and
  - (d) the outlet of the incinerator is covered by a screen having a mesh size of not more than five millimetres.
- 4.(a) Notwithstanding the provisions of section 1 hereof, the appropriate fire chief may, upon application, approve the setting of any fire. Minimum fee for approval to be \$50.00 - ie: Day Burning Permit.
- (b) During the period November 1 - March 31 a day permit is not required but anyone setting a fire for commercial/industrial purposes shall notify the appropriate fire chief prior to igniting the fire.
5. Notwithstanding the provisions of section 1 hereof, open air fires may be set when such burning consists of a small confined fire not larger than 60 cm by 60 cm, supervised at all times, and is used to cook food on a grill or barbecue, or is for personal warmth.
6. No person shall set an unconfined fire, including but not limited to a grass fire.
7. All persons setting an open air fire in the Township of Sherborne, Stanhope, McClintock, Livingstone, Lawrence and Nightingale shall:
  - (a) be responsible for any damage to property or injury to persons occasioned by the said fire;
  - (b) be liable for all costs incurred by the fire department, including personnel, equipment and apparatus used to extinguish the said fire.
8. No open air fire shall be maintained 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;
  - (c) an adverse affect on neighbouring lands.
9. A farmer who intends to set or maintain a fire in the open air on a specific day for the 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 fire department for each day of the proposed fire.
10. The appropriate Fire Chief or his designate is authorized to order any person to extinguish any fire or to cause such a fire to be extinguished when there is a breach of any of the provisions of this by-law or where, in his/her opinion, there is a danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.
11. The appropriate Fire Chief of the department may declare a partial or total ban against outdoor burning when atmosphere conditions or local circumstances make such fire hazardous. Bans against burning shall be posted.
12. Every person who contravenes any provision of this by-law is guilty of an offence, and upon conviction, is liable to a fine up to \$1,000.00.
13. This by-law may be cited as "Township of Algonquin Highlands Open Air Burning By-Law".
14. This by-law shall come into force and effect upon the final passing thereof.

**READ A FIRST, SECOND and THIRD time and finally passed this 5<sup>th</sup> day of April, 2001.**

Seal

  
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Reeve

  
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Clerk