

CORPORATION OF THE VILLAGE OF SUNDRIDGE
BY-LAW NO. 2005-016

Being a By-law for regulating the setting of open air fires, including establishing the times during which open air fires may be set in the Village of Sundridge including the prevention of the spreading of such fires.

WHEREAS Part XV111, Section 475 7.1(1)(a), (b) of the Municipal Act, S.O. 2001, C. 25 as amended permits municipalities to pass By-laws for regulating the setting of open air fires, including establishing the times during which open air fires may be set in the Village of Sundridge including the prevention of the spreading of such fires.

AND WHEREAS Section 2.6.3.4 of the Fire Protection and Prevention Act, 1997 permits municipalities to approve open air burning.

NOW THEREFORE the Corporation of the Village of Sundridge hereby enacts as follows:

1. All persons setting an open air fire in the Village of Sundridge shall first obtain a fire permit from the Sundridge/Strong Volunteer Fire Department pursuant to this section. The material to be burned shall be wood or by-products of wood. A person who has obtained a fire permit pursuant to this section shall:
 - (a) Not permit more than one (1) cubic metre 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;
 - (c) Attend the fire designated on the permit form and not leave the said fire unattended at any time.
 - (d) The said permit shall be in accordance with Schedule "A" attached hereto.
2. The allowable types and times for issuing a Fire Permit are as follows:
 - (a) An Evening Fire Permit may be issued for 6:00pm through 10:00pm for a maximum of 4 days.
 - (b) A Day use Fire Permit shall not be issued.
 - (c) Fire Permits will not be required for fires set as designated under Section 7.
3. Fees for issuing a Fire Permit shall be in accordance with the current Tariff of Fees By-Law. This schedule may be amended by Council from time to time and shall not affect the remaining sections of the By-law. All Fire Permits shall be obtained from the Sundridge/Strong Volunteer Fire Department by the ratepayers.
4. 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 permitted shall extinguish any fire started under the permit.

5. At any time the Chief Fire Official or his designate may require the extinguishing of any fire set within the Village of Sundridge, immediately the said fire shall be extinguished.
6. Notwithstanding the provisions of Section 1 hereof, the Chief Fire Official, upon application, approve the setting of any fire subject to the fire being supervised by the Fire Chief of the Sundridge/Strong Volunteer Fire Department or his designate.
7. 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 by a responsible adult until extinguished and used to cook food on a grill or a campfire confined by a non-combustible material with a diameter no greater than two metres.
8. No person shall set an uncontained fire including but not limited to a grass fire.
9. All persons setting an open air fire in the Village of Sundridge shall:
 - (a) Be responsible for any damage to property or injury to persons occasioned by the said fire;
 - (b) Be liable for costs incurred by the fire department including personnel, equipment and apparatus necessary and called in to extinguish the said fire.
10. 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.

11. SEVERABILITY:

If a court of competent jurisdiction should declare any section or part of any section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced council to pass the remainder of the By-law and it is hereby declared, the remainder of the By-law shall be valid and shall remain in force.

12. PENALTY:

Any person who contravenes any provision of this By-law is guilty of an offence and is subject to the provisions of the Provincial Offences Act.

13. This By-law may be cited as the “Village of Sundridge Fire Permit By-law”.

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

INTRODUCED AND READ A FIRST, SECOND AND THIRD TIME AND
FINALLY PASSED THIS 9th DAY OF AUGUST, 2005.

Mayor Elgin Schneider

Clerk-Treasurer Lillian S. Fowler

Schedule "A"

Corporation of the Village of Sundridge
Evening Fire Permit

Sundridge/Strong Volunteer Fire Department

Permit No. _____

Administration 384-5316

Emergency Number 911

PERMIT FOR OPEN AIR FIRES

Permission is hereby granted to:

Name: _____

Address:

Postal Code: _____ Telephone Number:

For the Purpose of having an Open Air Fire:

Date(s): _____

Time:

Location:

Material to be burned:

Means of Extinguishment Available: _____

The applicant agrees to comply with the provisions of By-Law No. 2005-016 as amended, and agrees to assume all responsibility for any damages occurring from the fire, which this permit is issued.

Date

Signature of Applicant

Date

Chief Fire Official or Designate

Schedule "B" to By-Law 2005-016

Fee for Evening Burning shall be as set out in the current Tariff of Fees By-Law.