

**THE CORPORATION OF THE TOWNSHIP OF BECKWITH
BY-LAW NO. 2024 – 39**

**A BY-LAW FOR THE PURPOSE OF REGULATING THE SETTING OF FIRES AND TO
PROVIDE FOR THEIR EXTINGUISHMENT**

WHEREAS Part 2 Section 7.1 of the Fire Protection and Prevention Act, 1997 S.O. 1997, as amended, provides that Councils of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires;

AND THAT they may regulate the setting of open-air fires, including establishing the times during which open air fires may be set.

AND WHEREAS The Municipal Act authorizes the Municipality to recover the expense incurred by it taking any action to do what another person has been direct or required to do by By-law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Beckwith enacts as follows;

DEFINITIONS

In this By-Law, the following definitions shall apply:

- 1.1. **“FIRE BAN”** shall mean complete fire ban, no Open-Air Fires.
- 1.2. **“FIRE CHIEF”** shall be as described and appointed under the Fire Protection and Prevention Act, 1997.
- 1.3. **“FIRE PERMIT”** shall mean the document that authorizes a fire to be ignited within the Township of Beckwith under conditions prescribed by this By-law.
- 1.4. **“FIREWORKS”** shall mean commercial, manufactured displayed by either private residential use or professional contractor.
- 1.5. **“MEANS OF EXTINGUISHMENT”** shall mean water by hose or other, equipment, or other practical and effective method to combat open fire.
- 1.6. **“MUTUAL AID PARTNERS”** Shall mean any other Fire Department that is called to aid with the extinguishment or control of a fire within the Township of Beckwith.
- 1.7. **“LEVEL 1 FIRE BAN”** shall mean campfires allowed only. No large fires.
- 1.8. **“OPEN-AIR FIRE”** shall be any intentionally ignited fire outside of a building that is not burning inside of a BBQ, Smoker, Pizza Oven, other similar cooking appliance, fully enclosed heating appliance, or Liquefied Petroleum Gas patio heater when located on a patio.

- 1.9. **“PERMITTEE”** Shall mean a person applying for a Fire Permit. This shall be the owner, or person with permission from the owner, of the property for which the fire permit is being applied.

FIRE PERMITS

- 2.1. The Fire Chief shall have the authority to authorize the issuance of permits for the setting of Open-Air Fires within the Township of Beckwith. This permit shall be called a Fire Permit.
- 2.2. Every property within the Township of Beckwith where an Open-Air Fire will be lit, shall have applied for and received, a Fire Permit within the current calendar year.(See Appendix “A”)
- 2.3. By obtaining a Fire Permit, The Permittee agrees to comply with this By-law and all the conditions set within it, associated rules and regulations and all other applicable law.
- 2.4. The Fire Chief may at any time revoke a Fire Permit or set conditions on the property where a Fire Permit has been applied for or issued already.
- 2.5. Each day that a Permittee intends to ignite an Open-Air Fire, they must notify the Fire Chief through the approved method. (See Appendix “A”)
- 2.6. The Fire Chief or their designate may impose a level 1 Fire Ban or Fire Ban when conditions require further diligence to prevent fire spread. During these bans the appropriate level of Open-Air Burning is prohibited.

GENERAL

- 3.1. No permittee shall ignite a fire on Township of Beckwith Property including but not limited to Parks, Road Allowances, Trails or other.
- 3.2. Exemption to 3.1 shall be at discretion of the Fire Chief for official Township of Beckwith events or the requirements of The Public Works Superintendent for maintenance or emergency purposes.
- 3.3. No permittee shall ignite a fire near underground or above ground utility lines or other utility equipment.
- 3.4. No person shall ignite a standing structure of any kind for the purpose of demolition of that structure.
- 3.5. No permittee shall burn materials other than from the list of approved materials. (Appendix “B”).
- 3.6. A responsible person shall be present, in person, continuously, during the entire time the fire is lit until dead out.

- 3.7. Suitable and sufficient Means of Extinguishment or containment of the fire must be readily available.
- 3.8. Obtaining a fire permit does not relieve a person from responsibility for damage caused by an Open Air-Fire.

CAMPFIRE REGULATIONS

- 4.1. A Campfire must be less than 0.6m (2ft) in diameter and less than 1m (3.25ft) in height measured to top of flame.
- 4.2. A Campfire must have min 3m (10ft) of clear space in all directions, measured from the outer edges, completely free of all vegetation and other combustible materials. This paragraph does not apply to well-cut green grass.
- 4.3. A Campfire must have min 4m (16ft) of clear space directly over top of the fire, completely free of vegetation and other combustible materials.
- 4.4. A Campfire site must be on bare earth and contained within a perimeter of rocks, steel fire pit or other means to keep coal and fire contained.
- 4.5. A Campfire shall not be lit or maintained in high winds where sustained or gusts routinely exceed 20kph.
- 4.6. The permittee shall not allow sparks, embers, or ash to leave the designated campfire area.
- 4.7. All materials to be burned must be stored outside of the area described in 4.2.
- 4.8. A Campfire shall not be any closer than 7.5m (25ft) to the property line of the neighboring property.
- 4.9. Provided all parts of Section 4 are in compliance, the permittee need not notify the Fire Chief as required under 2.5.

BURN BARRELS

- 5.1. Burn Barrels, Chimeneas, or other commercial fire pits shall be considered part of Section 4.
- 5.2. A Burn Barrel must be completely enclosed with a mesh lid to contain burning leaves or other debris from floating out.

LARGE OPEN-AIR FIRES

- 6.1. A Large Open-Air Fire shall be any fire over the size listed in Section 4.

- 6.2. A Large Open-Air Fire shall have min 15m (50ft) of space in all directions (completely contained on the property where the fire is being burned), measured from the outer edges, completely free of all vegetation, buildings, hydro poles, vehicles, and other combustible materials. Clear of vegetation does not apply to well-cut green grass.
- 6.3. A Large Open-Air Fire must have clear space directly over top of the fire, completely free of vegetation and other combustible materials.
- 6.4. A Large Open-Air Fire shall not be lit or maintained in high winds where sustained, or gusts routinely exceed 15 kph.
- 6.5. The Permittee shall not allow, ash, or embers to interfere with neighboring properties.
- 6.6. A Large Open-Air Fire may not be ignited before daylight begins or after sunset and no material shall be added to the fire after sunset.

FIREWORKS

- 7.1. Fireworks are prohibited during a Fire Ban and a Level 1 Fire Ban.

PREVENTION AND EXTINGUISHMENT OF FIRES

- 8.1. The Fire Chief or their designate shall immediately investigate every fire in the open-air that may constitute a danger or hazard to property, forest land, environment, or life as soon as the fire is reported to them or observed by them.
- 8.2. If the open-air fire is determined to contravene this By-Law or constitute a danger or hazard then The Fire Chief or their designate may order the permittee, property owner, or any other person responsible for the ignition or maintaining of the fire to immediately extinguish the fire and ensure it remains extinguished.
- 8.3. Should the Order from 8.2 fail to be enforceable or The Fire Chief or designate determine that the Permittee, property owner or other person involved will not be immediately capable or willing to extinguish the fire on their own, then Fire Chief or designate shall take such steps as may be necessary to extinguish any fire and may engage enough human resources or machinery required to do so.
- 8.4. Where any Open-Air Fire has been required to be extinguished by the Beckwith Township Fire Department, Mutual Aid Partners, Ministry of Natural Resources or other resources contracted by the Fire Chief or their designate to extinguish the fire including any fire extension into surrounding grass, forest, structure or other secondary fire then The Fire Chief and The Clerk of the Township of Beckwith may apply the cost incurred to the Permittee and/or the property owner.
- 8.5. Costs under 8.4 shall be charged out as per Appendix "C".

PENALTIES

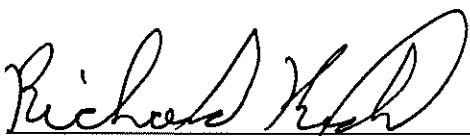
- 9.1. Any person who intentionally sets an Open-Air Fire contrary to this By-law or who fails or refuses to extinguish an Open-Air Fire when ordered to do so by the Fire Chief or his designate is guilty of an offense under the *Provincial Offences Act RSO, 1990* as amended.
- 9.2. List of Set Fines see Appendix "D".
- 9.3. Obtaining a Fire Permit does not relieve a person of liability over any damage incurred as a result the fire they were responsible for igniting or maintaining.

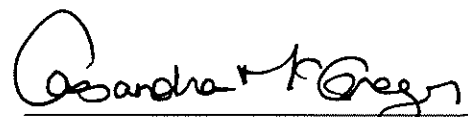
VALIDITY

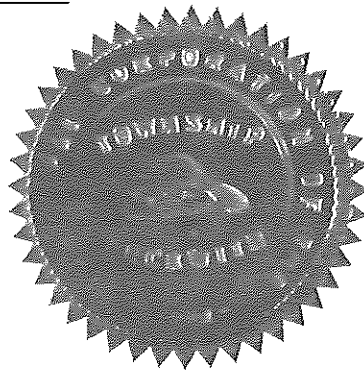
- 10.1. That all former by-laws pertaining to this matter, particularly By-law 99-24, hereby be rescinded and repealed.
- 10.2. If any section of this By-law be deemed unenforceable by a court of law, the offending section shall be severable and shall not affect the validity of the remainder of the By-law in part or whole. The remaining sections shall remain in effect until repealed.
- 10.3. This By-law shall come into force and effect upon final reading and shall be known as the "Burning By-law".

BY-LAW READ a first and a second time this 3rd day of September, 2024

BY-LAW READ a third time, signed, sealed and passed in open council this 3rd day of September, 2024


Richard Kidd, Reeve


Cassandra McGregor, CAO/Clerk



APPENDIX "A"

A Fire Permit shall be issued using "Beckwith.Burnpermits.com" supplied by Fluent Information Management System Inc.

Activating a Fire Permit shall be done via the supplied 1 800 number provided by Fluent Information Management System Inc.

APPENDIX "B"

No person shall burn anything other the following in an Open-Air Fire:

1. Brush, cut trees, other vegetation.
2. Construction and shipping lumber (nonchemical treated only).
3. Small quantities of paper and paper products.

There shall be no burning of any other product including but not limited to pressure treated lumber, plastic, oil products, wire insulation, furniture, asphalt shingles, garbage, tires, or any other product that would produce chemical toxins into the atmosphere.

APPENDIX "C"

Costs for extinguishing of a fire shall be invoiced as follows:

1. Per hour truck rate equivalent to the current MTO emergency fire service apparatus per hour rate. 2024 rate is \$559.86 per truck. One hour shall consist of one (1) Fire fighting apparatus with two (2) Fire Fighters.
2. Each Additional required set of four (4) fire fighters not already associated with a responding apparatus shall be considered one (1) additional per hour rate charge.
3. Any Mutual Aid Partner providing service shall be added at the same rate with funds being sent to respective Fire Department at their discretion.
4. Any additional Cost incurred shall be invoiced at the amount incurred by the Beckwith Fire Department respectively.

APPENDIX "D"

Set fines:

Failing to obtain or activate a Fire Permit	\$105
Burning during a fire ban	\$250
Failing to extinguish a fire when ordered	\$500
Burning of non approved materials	\$250