

THE CORPORATION OF THE TOWNSHIP OF STONE MILLS

BEING A BY-LAW TO REGULATE THE STARTING OF FIRES IN THE TOWNSHIP OF STONE MILLS.

WHEREAS the Municipal Act R.S.O. 1990, c. M. 45, Section 210 (35) and (49) authorizes Council to pass a by-law preventing fires and the spread of fires including prescribing the times during which fires may be set in the open air and the precautions to be observed;

AND WHEREAS Council is authorized to pass by-laws imposing fees or charges for services or activities provided or done by the municipality pursuant to Section 220.1 of the Municipal Act, R.S.O.1990, c. M. 45, as amended by Bill 26;

NOW THEREFORE the Council of the Corporation of the Township of Stone Mills enacts as follows:

1. No person shall start a fire or cause a fire to be started outdoors in the Township of Stone Mills during fire season for any purpose other than cooking or obtaining warmth, except in accordance with this by-law.
 - 1.1 The period from the 1st day of April to the 31st day of October in each year shall be a fire season.
2. Fires must be ignited no earlier than two hours before sunset, and must be extinguished no later than two hours after sunrise as per the Forest Fire Prevention Act.
3. No person shall start a fire outdoors for the purpose of cooking or obtaining warmth unless:
 - a) the fire is started on a site that is bare rock or on bare mineral soil or free from flammable materials;
 - b) an area of at least five (5) feet in width immediately outside the edge of the fire is cleared to bare rock or to bare mineral soil or free from flammable materials; or
 - c) a barbecue fabricated of metal or masonry is used.
4. No person shall operate an outdoor incinerator unless;
 - a) it is an enclosed device;
 - b) it is constructed entirely of non-combustible material;
 - c) the outlet is covered with a heavy duty screen having a mesh size not greater than one quarter inch (1/4") in Sheffield Ward or three quarter inch (3/4") in Camden/Newburgh Wards;
 - d) it is situated more than fifty (50) feet from any forest or wooded area, building, structure, or fence;
 - e) it is situated on bare rock or bare mineral soil; and
 - f) an area of at least five (5) feet in width immediately surrounding the incinerator is bare rock or mineral soil.
5. No person shall burn piled wood, brush or discarded wood by-products unless:
 - a) the fire is tended by two responsible people over the age of 18 years until completely extinguished;
 - b) the persons involved have adequate tools and water to contain the fire;
 - c) the fire is at least ten (10) feet from any flammable material; and
 - d) the fire is at fifty feet (50) from any wooded or forested area, building structure, or fence;

6. No brush, grass, garden refuse, leaves, or other natural material shall be burned in open piles exceeding five (5) metres in width, five (5) metres in length, or two (2) metres in height.
7. No person shall burn any liquid or solid material that causes or could cause the emission of any toxic or noxious gases into the atmosphere.
8. Every person who starts a fire or causes a fire to be started or who is responsible for controlling or monitoring a fire shall immediately notify the Township of Stone Mills Fire Department if the fire becomes out of control, or the person has reason to believe that the fire may become out of control.
9. Every person who sets a fire in the open air and fails to maintain proper care and control of it or to fully extinguish it shall be liable to the Corporation of the Township of Stone Mills for the full expense incurred by the Stone Mills Fire Department to extinguish the fire.
Rates shall be in accordance with Schedule "A" to the by-law, and are due and payable upon submission of an invoice and shall bear interest calculated at the same rate and in the same manner as municipal taxes from the date until paid in full.
10. In addition to any other remedies available to the municipality, any amount due to the Township of Stone Mills for the call out of the Township of Stone Mills Fire Department in accordance with this by-law may be added to the tax roll for the person's real property and collected in like manner as municipal taxes in accordance with Section 220.01 (11) of the Municipal Act.
11. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to payment of a fine not to exceed \$5,000.00.

SCHEDULE "A"

This is Schedule "A" to By-law Number 2002-160 Rates

Associated with Stone Mills Fire Department Responses

1. \$150.00 for the first hour for any Class A Pumper and \$75.00 for each additional half-hour or part thereof.
2. \$150.00 for the first half-hour for any Tanker Truck and \$75.00 for each additional half-hour or part thereof.
3. \$100.00 for the first hour of any Support Van and \$50.00 for each additional half-hour or part thereof.
4. \$80.00 for the first hour of off road type vehicles and \$40.00 for each additional half hour or part thereof.
5. \$10.00 per hour per attending firefighter during the actual incident and for subsequent clean-up, etc.
6. \$20.00 per hour or part thereof for vehicle operating costs will be charged after the first hour.
7. A minimum fine of \$500 is to be issued for illegal burning
The above cost schedule may be updated at any time by recommendation of the Chief Fire Official to the Council of the Corporation of the Township of Stone Mills