

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2018-1505

**BEING A BYLAW 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, C.4 as amended, provides that Councils of a municipality may pass by-laws for regulating the prevention of the spreading of fires and setting of open air fires including times during which they may be set;

AND WHEREAS the Forest Fires Prevention Act, R.S.O. 1990, c.F.24 and Ontario Regulation 207/96 provides rules for outdoor burning;

AND WHEREAS the Fire Protection and Prevention Act, R.S.O. sets out the penalties and fines;

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

NOW THEREFORE the Council of the Corporation of the Township of Lanark Highlands ENACTS AS FOLLOWS:

DEFINITIONS:

Fire Chief:

Shall mean the Fire Chief of the Township of Lanark Highlands or his/her designate, namely the Deputy Fire Chief of the Fire Service.

Campground:

Shall mean an area of land within the geographic limits of the Township of Lanark Highlands owned or operated by a person that contains campsites for the purpose of providing overnight or seasonal accommodation for tents, trailers and or vehicles in exchange for monetary payment.

Campground Fire Permit:

A Fire Permit issued by the Township of Lanark Highlands to owners and or operators of a campground.

Such permit shall set forth the conditions of said permit.

Campground Camper:

A person(s) that paid for a site for the purpose of providing overnight or seasonal accommodation for tents, trailers and or vehicles.

Fire Permit:

A Township fire permit is based on a calendar year of January 1 expiring December 31 each year.

Provincial Fire Season:

The period from April 1st to 31st day of October in each year as per the Forest Fires Prevention Act.

Incinerator:

An incinerator is an enclosed device for the purpose of burning wood, brush, leaves or discarded wood by-products that is constructed entirely of non-combustible material not exceeding 1 cubic metre in size, is located at least 5 metres from any forest or woodland, and at least 2 metres from flammable materials and the outlet of the incinerator is covered with a screen having mesh size of not more than 5 millimetres.

Chimney:

A freestanding front-loading fireplace with a bulbous body and vertical smoke vent or chimney constructed of a non-flammable material. The fireplace must prevent ashes and ambers from contacting combustible materials. The vent or chimney must be covered by a screen with mesh size of not more than 5 mm.

Mutual Aid Partners:

Surrounding Fire Departments or service providers bound by agreement to provide fire and or emergency services.

Recreational Fire:

A fire constructed to the following standards:

- (i) the site of the fire is bare rock or other non-combustible material
- (ii) the fire is at least two metres (6 feet 6 inches) from any flammable material.
- (iii) the space above the one metre (3 feet 3 inches) area around the fire is at least 3 metres (10 feet) from vegetation.
- (iv) the fire does not exceed 1.0 metre (3.0ft 3 inches) in height and 1.0 metre (3 feet 3 inches) in diameter.
- (v) The person in control of the fire has sufficient means of extinguish of the fire

Open Air Fire:

A fire constructed to the following standards:

- (i) the site of the fire is bare rock or other non-combustible material
- (ii) the fire is at least two metres from any flammable material.

- (iii) the space above the one metre (3 feet 3 inches) area around the fire is at least 3 metres (10 feet) from vegetation.
- (iv) the fire does not exceed 2.0 metre (6 feet 6 inches) in height and 2.0 metre (6 feet 6 inches) in diameter.
- (v) The person in control of the fire has sufficient means of extinguish of the fire

Person(s) in Control of Fire:

A person in control of a fire is a person who sets, maintains adds or removes fuel, monitors or extinguishes such fire. Such person is responsible for maintaining, monitoring, extinguishing and ensuring that such fire is controlled, does not spread, nor creates nuisance smoke while in their control. Such responsibilities can be transferred to another person, however transfer of responsibility must include the tools and or ability to meet the conditions as set out above. This person must be 16 years of age or older and be of sound mind and body.

Fire Ban:

No open air fires are allowed. Zero tolerance.

Level 1 Fire Ban:

Burning restricted to incinerators, chimneas and recreational fires. Under these conditions it is illegal to burn anything outdoors with exception of incinerators and recreational fires. If caught burning outdoors (other than incinerators and campfires), your fire will be extinguished and your actions will result in a fine.

Campground Fire Permit:

A permit issued to a campground which sets forth conditions that the owner and or operator of a campground may supervise fires within the boundaries of the campground. Campers are not required to obtain individual fire permits.

Materials Prohibited from Burning:

Garbage including but not limited to plastics, fiberglass, oils, paints, solvents, fuel, rubber materials, tires, asphalt shingles, appliances, batteries, motor vehicles, and watercraft

Nuisance Smoke, Ashes and Ambers:

Smoke, ashes and or ambers generated from a fire under conditions of a fire permit or from a prohibited fire that interfere with the ability of a landowner, tenant or legal renter of a property to enjoy such property.

Means of Extinguishment:

Shall include any or all of the following: fire extinguisher, shovel, pail and water, fire blanket and or machinery capable of smothering a fire with soil and or sand.

Fireworks:

A device consisting of a combination of explosives and combustibles set off to generate colored lights, smoke, and noise for amusement and includes sparklers.

1. Section 1 - Fire Permits**1.1 Fire Permit Schedule "A"**

1.2 The Fire Chief shall have authority to authorize the issuance of permits to set out fires in the open air and upon application, a Chief may authorize the issuance of a permit, called a "FIRE PERMIT" to set out fires during the period commencing January 1" and ending December 31st of each year for (a) open air fires, (b) recreational fires (c) chimnea's.

1.3 The Fire Chief shall have the authority to designate the locations where "Fire Permits" may be obtained and the applicable fees.

1.4 A Fire Permit shall give authority to the permit holder to set out fires in accordance with the terms and conditions under which the permit is issued and the regulations printed thereon, as per Schedule "A" and attached hereto and forming part of this bylaw.

1.5 No persons shall set out fires, including for cooking or warmth when a "provincial fire restriction zone" has been declared by the Ontario Ministry of Natural Resources.

2. Section 2- Campground Fire Permits Schedule "D"

2.1 The Fire Chief or his/her designate, may issue a Campground Fire Permit which shall allow fires for a specific campground.

2.2 A Campground Fire Exemption Permit may be cancelled or suspended at any time by the Fire Chief, or his/her designate, and immediately upon receiving notice of such cancellation or suspension, either in writing or by telephone call, the permit holder shall extinguish all fires set out under the permit and abide by the conditions as set forth in the cancellation and or suspension.

- 2.3 The Fire Chief shall have the authority to designate the locations where "Campground Fire Permits" may be obtained and the applicable fees.
- 2.4 A Fire Permit shall give authority to the permit holder to set out fires in accordance with the terms and conditions under which the permit is issued and the regulations printed on, them as per Schedules "D" attached hereto and forming part of this bylaw.
- 2.5 No persons shall set out fires, including for cooking or warmth when a "provincial fire restriction zone" has been declared by the Ontario Ministry of Natural Resources.

3. Section 3 - Provincial Fire Restriction Zones

- 3.1 When the province has enacted a Fire Restriction Zone for areas within the Township of Lanark Highlands no fires or any kind will be permitted within the Township.
- 3.2 MNR Restricted Fire Zone is designated by an Order made by the Minister of Natural Resources. It is strictly enforced throughout the restricted area. When a Restricted Fire Zone has been declared, it is illegal to set out a fire for any purpose within the affected area, and failure to comply could result in a fine up to \$1,000, three months in jail, and financial responsibility for any costs incurred in fighting a forest fire caused by the illegal act.

4. Section 4 - Chimneas

- 4.1 Burning will be permitted utilizing commercially manufactured Chimnea's within the limits of the former village of Lanark, Hamlets of Middleville, Hopetown, McDonalds Corners and Elphin Maberly as identified as Schedule E of this by law.
- 4.2 Chimnea's must be located:
 - (i) Two (2) metres from any flammable materials.
 - (ii) The three (3) metre space above the Chimnea must be free of flammable materials
 - (iii) The ground on which the Chimnea sits must be a non-combustible material (concrete, patio slab, stone)
- 4.3 Fuel for Chimnea's will be limited to wood, and or commercial compressed wood logs.
- 4.4 The burning of leaves, and or garbage in Chimnea's is prohibited.

5. Section 5- Materials for Burning

- 5.1 Materials burned must be limited to, untreated wood, brush, leaves or discarded wood by-products.
- 5.2 All material to be burned must be piled in a clear area and a clear area must be maintained for a distance of 3 metres from any flammable materials.
- 5.3 Materials prohibited from burning include: garbage including but not limited to plastics, fiberglass, oils, paint, solvents, fuel, tires, creosote treated materials, pressure treated wood, motor vehicles, watercraft and or any materials deemed hazardous to the environment. Standing structures or structures left in disrepair shall not be burned.

6. Section 6- Fire Permit Conditions

- 6.1 The person(s) in control of the fire must possess the means to extinguish the fire.
- 6.2 No burning is to be done on pavement, road allowances or trails which would interfere with traffic.
- 6.3 All fires must be guarded or attended by the permit holder until dead out.
- 6.4 No fires are to be started or allowed to burn when winds are greater than 5-7 mph (7-11 kph). Wind conditions indicating levels greater than 5-7 mph include but are not limited to; leaves and small twigs constantly moving, light flags extended, leaves moving, white caps, constant breeze in face.
- 6.5 No fires are to be started or allowed to burn when winds blow smoke to neighboring properties that may create nuisance smoke (smoke that interferes with the ability of a landowner, tenant or legal renter of a property to enjoy such property).
- 6.6 Should the person(s) in control of the fire and or landowner/tenant receive complaint about nuisance smoke, ashes and or ambers the person in control of fire shall immediately extinguish such fire.
- 6.7 Under no circumstance does a fire permit relieve the permit holder of liability for damages and expense that may be caused by the fire set out.
- 6.8 Burning of Brush:
Materials must be limited to, untreated wood, brush, leaves or discarded wood by-products. All material to be burned must be piled in

a clear area and a clear area must be maintained for a distance of 3 metres from any flammable materials.

6.9 Burning in an Incinerator:

Materials must be limited to, untreated wood, brush, leaves or discarded wood by-products.

The incinerator is an enclosed device constructed entirely of non-combustible material.

The incinerator is at least 3 metres from any forest or woodland.

The incinerator is at least 2 metres from flammable materials.

The outlet of the incinerator is covered with a screen having mesh size of not more than 5 millimetres.

6.10 A fire permit and or a demolition permit issued by the township of Lanark Highlands does not permit the owner of such permit to burn any a structure whether standing or left in disrepair.

6.11 As per section 2 of Ontario Regulation 207/96, no person shall start or tend a fire outdoors outside of a restricted fire zone during the fire season unless the person has a permit issued under subsection 5 (1) or ALL of the following conditions are met:

- I. The person is burning piled wood, brush, leaves or discarded wood by-products.
- II. A responsible person is available to tend the fire until it is extinguished.
- III. The material is burned in a single pile that is less than two meters in diameter and less than two meters high.
- IV. The fire is started not earlier than two hours before sunset, and is extinguished not later than two hours after sunrise the following day, or earlier.
- V. The fire is at least two meters from any flammable materials.
- VI. The person tending the fire has tools or water adequate to contain the fire within the fire site. O. Reg. 230/00, s. 1.

6.12 As per section 3 of Ontario Regulation 207/96, no person shall start or tend a fire in an incinerator outside of a restricted fire zone during the fire season unless the person has a permit issued under subsection 5 (1) or ALL of the following conditions are met:

- I. The person is burning piled wood, brush, leaves or discarded wood by-products.
- II. A responsible person is available to tend the fire until it is extinguished.
- III. *The material is burned in a single pile that is less than two meters in diameter and less than two meters high.*

- IV. *The fire is started not earlier than two hours before sunset, and is extinguished not later than two hours after sunrise the following day, or earlier.*
- V. *The fire is at least two meters from any flammable materials.*
- VI. *The person tending the fire has tools or water adequate to contain the fire within the fire site. O. Reg. 230/00, s. 1.*

7. Section 7 Campground Fire Permit Conditions

7.1 A permit issued to a campground which encompasses the following conditions:

- (i) The campground has means of extinguishment to control and extinguish a fire that can be taken to any campsite or cabin within 10 minutes.
- (ii) The campground has on site at all times staff who is instructed in the location and use of the equipment as described above.
- (iii) The campground has reliable two-way telecommunications equipment to allow it to obtain assistance if a fire escapes control.
- (iv) The campground inspects the locations of all fire pits to ensure they are located sufficient distance from flammable objects.
- (v) A map of such campground must be supplied to chief which includes roadways, routes, lanes water supplies and permanent structures
- (vi) The Campground must provide an emergency contact number to seasonal guests.
- (vii) The Campground must post an emergency contact number in public areas
- (viii) Each seasonal camper who has a fire must have means of extinguishment on site.
- (ix) Means of extinguishment shall include any or all of the following: fire extinguisher, shovel, and pail and water, fire blanket and or machinery capable of smothering a fire with soil and or sand.

8. Section 8- Fire Works

8.1 Fireworks are prohibited during a Fire Ban or Level 1 Fire Ban, and when a provincial restricted fire zone has been enacted.

9. Section 9- Fire Permit Renewal

9.1 Fire Permit Renewal requires the Fire Permit number and the name of the fire permit holder.

9.2 Failure to provide all of the information requested in section 9.1 will constitute a failure to renew a fire permit.

9.3 Fire Permits can be renewed by calling 613 259-398 ext. 500 or 1-800 239-4695 ext. 500 and leaving your fire permit number, name, and date of your burn.

9.4 Fire Permits can be renewed by emailing firepermit@lanarkhighlands.ca

10. Section 10 - Prevention

10.1 Whenever the Fire Chief or his/her designate finds upon the land of any person(s) within the Township of Lanark Highlands conditions existing which in his/her opinion constitute a hazard to life, property and or environment from fire, he/she may order the owner or person in control of the property to do what is necessary to remove such danger and, in default may enter upon such land with such assistance as is necessary for the purpose of removing said conditions.

10.2 The cost of such work shall be borne by the owner of the property.

10.3 The charge out rate shall be in accordance with Schedule "B" attached hereto and forming part of this bylaw.

11. Section 11 - Extinguishment of Fires

11.1 The Fire Chief or his/her designate shall immediately investigate every fire in the open air within his/her district and which might constitute a danger or hazard to property, forest land, environment or life, as soon as the fire is reported to him/her or is observed by him/her. He/she shall take such steps as may be necessary to extinguish all fires that threaten damage to property, woodland or life and may engage enough human resources and machinery to control and extinguish the fire.

11.2 In the event that a fire started in grass, brush or other materials, burns out of control, requiring the services of the Township of Lanark Highlands Fire Services, mutual aid partners and or the Ontario

Ministry of Natural Resources the cost for providing this service may be borne by the assessed owner on whose property the fire was deliberately set, despite who the person in control of fire was.

11.3 The charge out rate shall be in accordance with Schedule "B" attached hereto and forming part of this bylaw.

12. Section 12- Penalties

12.1 Any person who deliberately sets out a fire without a permit or refuses to assist in controlling or extinguishing a fire or contravenes any of the provisions of this bylaw is guilty of an offence and may be subject to penalties and costs as laid out in Schedule "C" attached.

12.2 In addition to the other penalties provided by this Bylaw, every owner or person in control who violates the provisions of this By-law above may be liable for all such expenses incurred by the Township of Lanark Highlands in attempting to extinguish such fire upon the land of which the person is the owner, or upon any land upon which the fire spreads, and the amounts thereof shall be recoverable with costs as a debt due by action in any Court of competent jurisdiction at the suit of the Municipal Council. The applicable rates are defined by Schedule "B" attached.

12.3 If any person who refuses to carry out any works ordered by the Fire Chief under authority of the Fire Protection and Prevention Act, the Council may direct this work to be done and recover the cost in the like manner as municipal taxes as provided in the Municipal Act R.S.O. 1990 (as amended), Chapter M.45 Section 326.

12.4 Any person who fails to extinguish a fire after their burn permit has been cancelled by order of the Fire Chief or his/her designate, may be subject to penalties and costs as laid out in Schedule "C" attached.

13. Section 13- Administration

13.1 This Bylaw shall be administered by the Fire Chief of the Township of Lanark Highlands or his/her designate.

13.2 The cost of a fire permit shall be \$5.00

14. Section 14- Ontario Fire Code

14.1 The Ontario Fire Code shall have precedence over this by-law

14.2 Article 2.6.3.4. of the Ontario Fire Code states:

2.6.3.4. Open air burning shall not be permitted unless approved, or unless such burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill or a barbecue.

Article 2.6.3.4. is found in Part 2, Building and Occupant Fire Safety, of the Ontario Fire Code and must therefore be interpreted within the scope and application of Part 2, which includes providing for the safety of occupants of buildings "through the elimination or control of fire hazards in and around buildings", as stated in Subsection 2.1.1.

There are situations where open air burning is not regulated. These include:

- The fire is kept small and is used to cook food on a grill or barbecue. This exemption is specified in Article 2.6.3.4.
- The burning has been *approved* by the chief fire official. This exemption is also specified in Article 2.6.3.4. Chief fire official means the assistant to the Fire Marshal who is the municipal fire chief or a member or members of the fire department appointed by the municipal fire chief under Subsection 1.1.8. or a person appointed by the Fire Marshal under Subsection 1.1.8.

14.3 Article 2.6.3.4. of the Ontario Fire Code states:

The burning occurs on farm property used for farming purposes and involves an agricultural related burning operation. Farming operations are exempted under Article 1.3.1.1., which states: "A *farm building* with an *occupant load* of not more than one person per 40 m² of floor area during normal use and other premises on a farm used for farming purposes are exempt from the requirements of this Code." In this case, however, the FFPA may still apply, i.e. for farm properties within a fire region as defined in the FFPA.

- The burning is situated and conducted in a manner that does not pose a risk to the occupants of buildings in the vicinity of the activity. This exemption results from the restrictive language describing the scope and application of Part 2 in Article 2.1.1.1. of the Fire Code. Circumstances involving the risks from open air burning may be subjective and viewed differently by the owner and the chief fire official. The extent of the boundary around building(s) and the circumstances under which the burning takes place would have to be determined on a case-by-case basis, and/or established under a municipal by-law. For municipalities within the fire regions, open burning by-laws must still take into account the requirements of the FFPA and its regulations. In order to minimize conflicting views, enhance Fire Code and FFPA compliance, and reduce fire risks to people and property, it would be beneficial for municipalities to adopt a burning by-law that mirrors the

controls outlined in 0. Reg. 207/96 of the FFPA and controls all types of open air burning.

15. Section 15 - Repeal of former bylaws

15.1 That all former bylaws pertaining to this matter, in particular Bylaw #2014-1267 is hereby rescinded and repealed.


16. Section 16 - Force and Effect

16.1 This Bylaw shall come into force and effect upon final reading thereof.

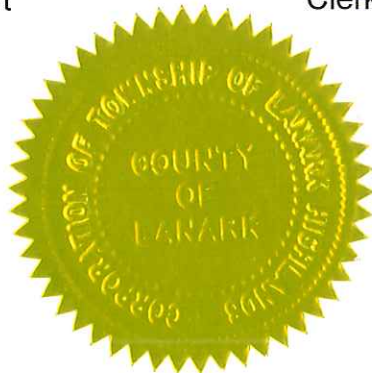
READ a FIRST and SECOND TIME this 12th day of June, 2018.

READ a THIRD TIME, PASSED AND SIGNED this 12th day of June, 2018.


Interim Fire Chief – William Bell


Mayor – Brian Stewart


Clerk Administrator – Allison Vereyken





SCHEDULE "A"



PERMIT # _____

TOWNSHIP OF LANARK HIGHLANDS FIRE PERMIT
(under By-Law No. 2018-1505)

This Permit is valid from the date of purchase until December 31st of the year of issue

Name of Permit Holder: _____

Name of Property Owner: _____

PIN No.: _____ Road Name: _____

Closest Cross Street: _____ Closest Village/Hamlet/Town: _____

Lot: _____ Concession: _____ Geographic Township: _____

Cottage Phone: _____ Home Phone: _____ Cell Phone: _____

Home E-Mail: _____ Work E-Mail: _____

- Open Air Fire
- Chimnea
- Recreational Fire (Campfire) *

FIRE PERMIT ACTIVATION

* Recreational Fire (Campfire) Permits DO NOT require activation

Open Air Fire Permits MUST be activated prior to burning

FOR ALL OPEN AIR BURNING, PLEASE REFER TO THE REVERSE SIDE FOR PROvincially LEGISLATED HOURS OF BURNING

To activate a fire permit you must provide the following information:

- Fire Permit Number
- Name of Permit Holder
- Date of Burn

Permits can be activated as follows:

- Contact the Municipal Office at 613-259-2398 ext. 500 or toll-free to 1-800-239-4695 ext. 500
- E-Mail firepermit@lanarkhighlands.ca
- Fax 613-259-2291

I hereby confirm that I have read the conditions listed on the front and back of this permit and agree to abide by them. I understand that violation of the conditions of this permit may result in the response of emergency services, for which I may be held financially responsible.

Applicant's Signature: _____

Issuer: _____

Place of Issue: _____

Date of Issue (dd/mm/yyyy): _____

Any person who deliberately sets a fire without a permit, or refuses to assist in extinguishing said fire, may be held liable for all associated costs.

TOWNSHIP OF LANARK HIGHLANDS FIRE PERMIT

1.0 **Recreational Fire (Campfire):**

A fire constructed to the following standards:

- The site of the fire is bare rock or other non-combustible material
- The fire is at least two metres from any flammable material
- The space above the 3.25 foot area around the fire is at least 10 feet from vegetation
- The fire does not exceed 3.25 feet in height and 3.25 feet in diameter
- The person in control of the fire has sufficient means to extinguish the fire

2.0 **Open Air Fire:**

(April 1st – October 31st – Provincial Fire Season)

As per section 2 of Ontario Regulation 207/96, no person shall start or tend a fire outdoors of a restricted fire zone during the fire season unless the person has a permit issued under subsection 5(1) **and** ALL of the following conditions are met:

- The person is burning piled wood, brush, leaves, or discarded wood products
- A responsible person is available to tend the fire until it is extinguished
- The material is burned in a single pile that is less than 6.5 feet in height and is less than 6.5 feet in diameter
- The fire is started no earlier than two hours before sunset and is extinguished no later than two hours after sunrise the following day.
- The fire is at least 6.5 feet from any flammable materials
- The person tending the fire has tools or adequate water to contain the fire, within the fire site. O. Reg. 230/00 s.1

(November 1st – March 30th)

A fire constructed to the following standards:

- The fire is at least 6.5 feet from any flammable material
- The site of the fire is bare rock or other non-combustible material
- The space above the 3.25 foot area around the fire is at least 10 feet from vegetation
- The fire does not exceed 6.5 feet in height and 6.5 feet in diameter
- The person in control of the fire has sufficient means to extinguish the fire.

3.0 A **Person in Control of a Fire** is a person who sets, maintains, adds or removes fuel, monitors or extinguishes such fire. Such person is responsible for maintaining, monitoring, extinguishing and ensuring that such fire is controlled, does not spread, nor does it create nuisance smoke while in their control. Such responsibilities can be transferred to another person, however transfer of responsibility must include the tools and/or ability to meet the conditions as set out above. This person must be 16 years of age or older and be of sound mind and body.

4.0 **Materials Prohibited from Burning:** Garbage, including, but not limited to, plastics, fiberglass, oils, paints, solvents, fuel, rubber materials, tires, asphalt shingles, appliances, batteries, motor vehicles, and watercraft.

5.0 No fires are to be started or allowed to burn when winds are greater than 5-7 mph (8-11 kph). Wind conditions indicating levels greater than 5-7 mph (8-11 kph) include, but are not limited to, leaves and small twigs constantly moving, light flags extended, white caps, you can feel a constant breeze in your face.

6.0 No burning to be done on pavement or road allowances which would interfere with traffic.

7.0 Lanark Highlands will charge the current MTO rate for emergency fire service apparatus and manpower response to extinguish fires that are in violation of this fire permit. 2017 MTO rates are \$465.42 per hour, per apparatus (vehicle). Lanark Highlands Fire Service reserves the right to charge a minimum of one hour for any response.

8.0 A fire permit activation is not considered valid without providing your permit number, your name, and the date of burn.

9.0 A **Fire Ban** is a complete ban of any fire. No exceptions.

10.0 A **Level 1 Fire Ban** will be put in place when burning is restricted to incinerators, chimneas and recreational fires. Under these conditions, it is illegal to burn anything outdoors that is not contained within incinerators, chimneas or campfires. If caught burning outside of these guidelines during a Level 1 Fire Ban, your fire will be extinguished and your actions will result in a fine.

11.0 **ONTARIO MINISTRY OF NATURAL RESOURCES RESTRICTED FIRE ZONE**

When a Restricted Fire Zone has been declared, it is illegal to set a fire for any purpose within the affected area, and failure to comply could result in a fine up to \$1,000.00, three months in jail, and financial responsibility for any costs incurred in fighting a forest fire caused by the illegal act.

Please consult the Township of Lanark Highlands website at www.lanarkhighlands.ca for a full copy of the By-Law.

SCHEDULE 'B'

Cost of Fire Department Services

BEING A BYLAW FOR THE PURPOSE OF REGULATING THE SETTING OF FIRES AND TO PROVIDE FOR THEIR EXTINGUISHMENT

Cost of Fire Department Services

The cost of Fire services shall be calculated as per current Ontario Ministry of Transportation emergency vehicle provincial billable rates. Additional fees for fire crews may be applicable.

2017 Rates:

- \$465.42 per hour per apparatus (truck) with a crew of two firefighters per apparatus.
- \$465.42 per hour for each additional crew of four fighters after the first hour.

(As per the rates set out by the Ministry of Transportation November 1, 2017)

SCHEDULE 'C'

PART 1 *Provincial Offences Act* By-Law No. 2018-1505

BEING A BYLAW FOR THE PURPOSE OF REGULATING THE SETTING OF FIRES AND TO PROVIDE FOR THEIR EXTINGUISHMENT

TITLE: **Fire Setting
Bylaw**

Item	Column 1 Short Form Wording	Column2 Offence Creating Provision	Column 3 Set Fine (includes costs)
1.	Failing to obtain fire permit during fire season	Section 1.4	\$ 105.00
2,	Burning during Fire Ban	Section 1.5	\$ 230.00
3.	Fail to extinguish fire after permit cancelled	Section 12.4	\$ 305.00
4.	Fail to burn in clear area	Sections 5.2	\$ 105.00
5.	Fail to guard fire	Section 6.3	\$ 105.00
6.	Burning during high winds	Section 6.4	\$ 105.00

NOTE: The penalty provision for the offences indicated above is Section 12.3 of
Bylaw No. 2018-1505.



SCHEDULE "D"



PERMIT # _____

TOWNSHIP OF LANARK HIGHLANDS
CAMPGROUNDFIRE PERMIT
(under By-Law No. 2018-1505)

This Permit is valid from the date of purchase until December 31st of the year of issue

Name of Campground: _____

Name of Property Owner: _____

Name of Superintendent: _____

Total Number of Sites: _____ Total Number of Permanent Cottages: _____

Total Number of Seasonal Trailers: _____

PIN No.: _____ Road Name: _____

Closest Cross Street: _____ Closest Village/Hamlet/Town: _____

Lot: _____ Concession: _____ Geographic Township: _____

Cottage Phone: _____ Home Phone: _____ Cell Phone: _____

Home E-Mail: _____ Work E-Mail: _____

A Campground Fire Permit does not require activation, however, it is the responsibility of every campground to ensure equipment and manpower is available to extinguish a fire. Furthermore, it is the responsibility of every permit holder to monitor conditions that affect this permit.

I have hereby read the conditions listed on the **front and back** of this permit and agree to abide by them. I understand that violation of the conditions of this permit may result in response of emergency services of which I may be held financially liable.

Applicant's Signature: _____

Issuer: _____ Place of Issue: _____

Date of Issue (dd/mm/yyyy): _____

Any person who deliberately sets a fire without a permit, or refuses to assist in extinguishing said fire, may be held liable for all associated costs.

TOWNSHIP OF LANARK HIGHLANDS
CAMPGROUND FIRE PERMIT CONDITIONS

A Campground Fire Permit transfers the responsibilities for control and extinguishment of a recreational fire from the campground campers and/or paying guests, to the campground property owner.

As such, the owner of the campground becomes responsible for violations of this By-Law and is liable for the recovery of fees for response and/or extinguishment of fires set under this By-Law.

A **CAMPGROUND FIRE PERMIT** is a permit issued to a campground, which encompasses the following conditions:

- (i) The campground has the means to control and extinguish a fire, which can be taken to any campsite or cabin within 10 minutes.
- (ii) The campground has, on site and at all times, staff who are instructed in the location and use of the equipment described above.
- (iii) The campground has reliable two-way telecommunications equipment to allow it to obtain assistance if a fire escapes control.
- (iv) The campground inspects the location of all fire pits to ensure they are located a sufficient distance from flammable objects.
- (v) A map of the campground must be supplied to the Fire Chief, which shall include roadways, routes, lanes, water supplies and permanent structures.
- (vi) The campground must provide an emergency contact number to seasonal guests.
- (vii) The campground must post an emergency contact number in public areas.
- (viii) Each seasonal camper who has a fire must have means of extinguishment on site.
- (ix) Means of extinguishment shall include any or all of the following: fire extinguisher, shovel, pail and water, fire blanket, machinery capable of smothering a fire with soil or sand.
- (x) The campground must have someone available at the entrance to provide emergency services with keys and/or directions to the emergency site.

A **RECREATIONAL FIRE (CAMPFIRE)** is a fire constructed to the following standards:

- (i) The site of the fire is bare rock or other non-combustible material.
- (ii) The fire is at least two metres (6 feet 6 inches) from any flammable material.
- (iii) The space above the one metre (3 feet 3 inches) area around the fire is at least 3 metres (10 feet) from vegetation.
- (iv) The fire does not exceed one metre (3 feet 3 inches) in height and one metre (3 feet 3 inches) in diameter.
- (v) The person in control of the fire has sufficient means to extinguish the fire.

A **PERSON IN CONTROL OF A FIRE** is a person who sets, maintains, adds or removes fuel, monitors or extinguishes such fire. Such person is responsible for maintaining, monitoring, extinguishing and ensuring that such fire is controlled, does not spread, nor creates nuisance smoke while in their control. Such responsibilities can be transferred to another person, however transfer of responsibility must include the tools and or ability to meet the conditions as set out above. This person must be 16 years of age or older and be of sound mind and body.

A **FIRE BAN** is a complete ban of any fire. No exceptions.

A **LEVEL 1 FIRE BAN** means that burning is restricted to incinerators, chimneas and recreational fires. Under these conditions, it is illegal to burn anything outdoors that is not contained within incinerators, chimneas or campfires. If caught burning outside of these guidelines during a Level 1 Fire Ban, your fire will be extinguished and your actions will result in a fine.

ONTARIO MINISTRY OF NATURAL RESOURCES RESTRICTED FIRE ZONE

When a Restricted Fire Zone has been declared, it is illegal to set a fire for any purpose within the affected area, and failure to comply could result in a fine up to \$1,000.00, three months in jail, and financial responsibility for any costs incurred in fighting a forest fire caused by the illegal act.

COSTS FOR FIRE DEPARTMENT SERVICES

Lanark Highlands will charge the current MTO rate for emergency fire service apparatus and manpower response to extinguish fires that are in violation of this fire permit. 2017 MTO rates are \$465.42 per hour, per apparatus (vehicle). Lanark Highlands Fire Service reserves the right to charge a minimum of one hour for any response.

Please consult the Township of Lanark Highlands website at www.lanarkhighlands.ca for a full copy of the By-Law.

SCHEDULE 'E' MAP OF VILLAGE COMMUNITIES TOWNSHIP OF LANARK HIGHLANDS OFFICIAL PLAN

