

THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS

BY-LAW NUMBER 2010-98

**BEING A BY-LAW TO REGULATE THE SETTING OF FIRES
AND THE PRECAUTIONS TO BE OBSERVED
AND TO REPEAL BY-LAW 2001-70**

WHEREAS the Ontario Fire Code Part II Article 7.1(1) as amended provides that Council may pass a By-law,

- (a) regulating fire prevention, including the prevention of the spreading of fires; and
- (b) regulating the setting of open air fires, including establishing the times during which open air fires may be set.

AND WHEREAS the Council of the Corporation of the Municipality of Grey Highlands is empowered to enact By-laws to be made applicable to the whole municipality or to one or more defined areas thereof;

AND WHEREAS the Council of the Corporation of the Municipality of Grey Highlands deems it to be in the best public interest and necessary to pass such a By-law;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS HEREBY ENACTS AS FOLLOWS:

- 1) By-law 2001-70 BEING A BY-LAW FOR PRESCRIBING THE TIME FOR SETTING FIRES is hereby repealed.
- 2) In accordance with Article 2.6.3.4 (1) of the Ontario Fire Code only the Chief Fire Official (Fire Chief) of the Corporation of the Municipality of Grey Highlands or a designated duly appointed by By-law may approve open air burning within the Municipal boundaries of the Municipality of Grey Highlands.
- 3) Approval of the Chief Fire Official shall be in the form of a 'Permit to Conduct Open Air Burning'.
- 4) The Chief Fire Official or designate may set conditions specific to the burn site to help ensure the open-air burning is done in a safe manner.
- 5) No person shall set a fire within the Municipal boundary of Corporation of the Municipality of Grey Highlands without the approval of the Chief Fire Official in the form a 'Permit to Conduct Open Air Burning'.
- 6) All persons setting an open air fire in the Municipality shall
 - a) be responsible and liable for any damage to property or injury to persons resulting from the fire;
 - b) be liable for costs incurred by the Fire Department, including personnel, equipment and apparatus necessary and called in to extinguish the fire, if said fire gets out of control or is in violation of any condition or term of the Permit to Conduct Open Air Burning.
- 7) All persons setting an open air fire within the Municipal boundary shall ensure the fire is conducted in full compliance with all conditions of the 'Permit to Conduct Open Air Burning'.
- 8) A farmer who intends to set a fire in the open air for disposal of vegetation including brush and tree limbs on farm lands which is normal and incidental to farming purposes is required to have a 'Permit to Conduct Open Air Burning' and ensure the fire is conducted in full compliance with all conditions of the 'Permit to Conduct Open Air Burning'.

- 9) The Chief Fire Official or designate may
- a) Revoke 'Permit to Conduct Open Air Burning'
 - b) Order any person to extinguish any fire or
 - c) Cause such a fire to be extinguished

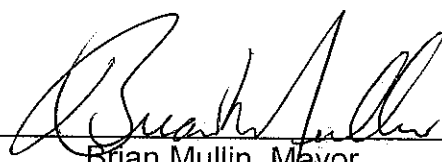
When there is a breach of any of the provisions of this by-law, the terms and conditions of the Permit or where, in his opinion, there is a danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.

- 10) The Chief Fire Official may declare a total ban against outdoor burning when atmospheric conditions or local circumstances make such fires hazardous.
- 11) A person conducting Open Air Burning without a 'Permit to Conduct Open Air Burning' or burning in contravention of the terms of the 'Permit to Conduct Open Air Burning' may be charged with contravening the Ontario Fire Code in addition to contravening this By-law.
- 12) Every person who contravenes any provision of this By-law is guilty of an offence and is liable to a provincial fine of not more than \$2,000.00 exclusive of costs under the Provincial Offences Act.
- 13) This By-law may be cited as the "Municipality of Grey Highlands Open Air Burning By-law".
- 14) This By-law shall come into full force and have effect immediately upon the final passing thereof.

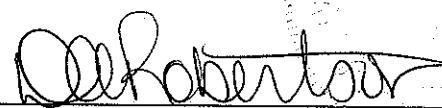
Read a first time this 30th day of August 2010.

Read a second and third time and finally passed this 13th day of September 2010.

The Corporation of the
Municipality of Grey Highlands



Brian Mullin, Mayor



Debbie Robertson, Municipal Clerk