

THE CORPORATION OF THE TOWNSHIP OF CARLOW/MAYO

BY-LAW NO: 08-2009

**Being a By-Law to amend By-Law No. 19-2007
to prescribe procedures for open fire
burning under the Ontario Fire Code and to set times
and precautions for burning under the Forest Fire
Prevention Act in the Township of Carlow/Mayo
And appointing a Chief Fire Official
For the Municipality**

WHEREAS it is deemed expedient by the Council of the Township of Carlow/Mayo to prescribe procedures for open fire burning under the Ontario Fire Code and to set times and precautions for burning under the Forest Fire Prevention Act and to appoint a Chief Fire Official for the municipality;

NOW THEREFORE the Council of the Corporation of the Township of Carlow/Mayo hereby enacts as follows:

1. That Eldon Stewart is hereby appointed as the Chief Fire Official and Terry Spence as the alternate Chief Fire Official, for the Township of Carlow/Mayo.
2. No persons shall start a fire outdoors from 7:00 a.m. to 7:00 p.m. during the period of April 1 to October 31.
3. No persons shall start a fire outdoors for the purpose of burning piled wood, brush, leaves, or discarded wood products unless:
 - (a) a responsible person is available to tend the fire until it is extinguished;
 - (b) the material is burned in a single pile that is less than two metres in diameter and less than two metres high;
 - (c) the fire is at least two metres from any flammable materials; and
 - (d) the person tending the fire has adequate tools and or water available to contain the fire.
4. No person shall burn wood, brush, leaves or any substance in an incinerator unless:
 - (a) the incinerator is an enclosed device constructed entirely of non-combustible material;
 - (b) the incinerator is at least five metres from any forest or woodland;
 - (c) the incinerator is at least two metres from any flammable materials; and
 - (d) the outlet of the incinerator is covered by a screen having a mesh size of not more than five millimetres.
5. Notwithstanding the provisions of section 2 hereof, open air fires may be set when such burning consists of a small confined fire not larger than 60 cm by 60 cm, supervised at all times, and is used to cook food on a grill or barbecue, or is for personal warmth.
6. No person shall set an unconfined fire (grass fire) unless:
 - (a) the total area to be burned does not exceed one hectare;
 - (b) the flaming edge of the fire does not exceed 30 metres in length;
 - (c) a responsible person tends the fire until it is extinguished;
 - (d) you have tools or water adequate to contain the fire to the fire site.

7. All persons setting an open air fire in the Township of Carlow/Mayo shall:
 - (a) be responsible to any damage to property or injury to persons occasioned by the said fire;
 - (b) be liable for all costs incurred by the municipality, including personnel, equipment and apparatus necessary and called to extinguish the said fire.
8. 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;
 - (c) an adverse affect on neighbouring lands and/or any person.
9. The Chief Fire Official is authorized to order any person to extinguish any fire or to cause such a fire to be extinguished when there is a breach of any of the provisions of this by-law or where, in his/her 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 partial or total ban against outdoor burning when atmospheric conditions or local circumstances make such fire hazardous. Bans against burning shall be posted.
11. Every person who contravenes any provision of this by-law is guilty of an offence, and upon conviction, is liable to a fine up to \$1,000.00.
12. This by-law may be cited as “Township of Carlow/Mayo Open Air Burning By-Law”.
13. This by-law shall come into full force and effect upon the final passing thereof.
14. That this By-Law repeals all previous By-Laws and/or Motions of Council pertaining to same.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 3rd DAY OF FEBRUARY 2009.

David A. Panabaker
Reeve

Arlene Cox
Clerk-Administrator