

**THE CORPORATION OF THE TOWNSHIP OF
KILLALOE, HAGARTY AND RICHARDS**

BY-LAW # 1-02

A by-law for prescribing the time for setting fires in the Township of Killaloe, Hagarty and Richards, and the precautions to be observed.

WHEREAS Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, provides that councils of municipalities may pass by-laws for prescribing the times that fires may be set and the precautions to be observed by persons setting out fires;

NOW THEREFORE the Council for the Corporation of the Township of Killaloe, Hagarty and Richards hereby enacts as follows:

1. All persons setting an open-air fire or an incinerator fire in the Township of Killaloe, Hagarty and Richards during the fire season shall be subject to the following regulations:
 - (a) The fire season is from the first day of April up to and including, the 31st day of October.
 - (b) The material to be burned shall be limited to clean wood, clean wood wastes, grass and wood by-products, these being subject to Ministry of Environment regulations.
 - (c) Brush piles for burning must be no larger than two meters in diameter, two meters high and placed not less than ten meters apart. There may be no more than three brush piles burning at any one time.
 - (d) In the case of burning grass, the area to be burned shall be less than one acre and the length of the flaming edge shall be less than thirty meters.
 - (e) The person conducting the burning must ensure that the means of extinguishing the fire is available at the site at all times during the fire, namely shovels, rakes, water and extra manpower.
 - (f) The person conducting the burning must ensure that the fire is ignited two hours before sunset, or later, and is extinguished two hours after sunrise, or earlier.
 - (g) During the period from April 1 to October 31, inclusive, no open-air burning shall be allowed within the boundaries of the former Village of Killaloe, those being the boundaries that existed on June 30, 2000.
 - (h) During the period from November 1 to March 31, inclusive, open-air burning shall be allowed within the boundaries of the former Village of Killaloe as designated in Section 1(g), subject to the following conditions:
 - i) There shall be no open-air burning in a built up area.
 - ii) There shall be no open-air burning within five hundred feet of a residence.
 - iii) There shall be no open-air burning allowed without the prior approval of the Fire Chief or his/her designate.
 - iv) All other provisions of the open-air burning by-law for the Township of Killaloe, Hagarty and Richards, with the exception of Section 1(f), must be complied with.
2. Incinerators may be used under the following conditions:
 - (a) They shall be enclosed devices.
 - (b) They shall be at least five meters from any forest.
 - (c) They shall be at least two meters from any flammable material.
 - (d) They shall be covered by mesh less than 5 mm in size.
 - (e) There shall be a responsible person over the age of 16 years monitoring the fire until it is out.

3. All persons setting an open-air fire in the Township of Killaloe, Hagarty and Richards shall:

- (a) Be responsible for any damage to property or injury to persons, occasioned by the said fire.
- (b) Be held liable for costs incurred by the fire department, including personnel, equipment and apparatus necessary and called in to extinguish the said fire or exposures (fire started from the initial fire).

4. No open-air fire shall be permitted when the wind is in such a direction or intensity as to cause any of the following:

- (a) A decrease in visibility on any highway or roadway.
- (b) A rapid spread of fire through a grass or brush area.

5. A farmer who intends to set or maintain a fire in the open air on a specified day for disposal of vegetable matter or vegetation on farm land which is normal or incidental for farming purposes shall:

- (a) Contact the Fire Chief or his/her designate for approval prior to igniting the fire.

6. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine as prescribed under the Provincial Offences Act, and all costs incurred by the Township of Killaloe, Hagarty and Richards for the extinguishing the fire.

7. This by-law may be cited at the "Township of Killaloe, Hagarty and Richards Open-Air Burning By-Law".

8. This by-law repeals all previous open-air burning by-laws of the former Township of Hagarty & Richards and the former Village of Killaloe.

9. This by-law shall come into force and take effect upon final passing thereof.

Read a first and second time this 8th day of January, 2002.

Read a third time and finally passed this 22nd day of January, 2002.

Janine Bush

Reeve

Anna Guaden
CAO/Clerk-Treasurer