

**THE CORPORATION OF THE  
TOWNSHIP OF BONNECHERE VALLEY**

**BY-LAW NO. 2005-37**

**BEING A BY-LAW FOR ESTABLISHING STANDARDS FOR OPEN  
AIR BURNING IN THE TOWNSHIP OF BONNECHERE VALLEY**

**WHEREAS**, Sections 8, Municipal Act 2001, Chapter 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS**, the Fire Protection and Prevention Act, 1997, Chapter 4, Section 2.6, sub-section 2.6.3.4, permits open air burning if approved;

**AND WHEREAS**, the Council of the Corporation of the Township of Bonnechere Valley deems it expedient to allow open air burning and to establish a permit system to control and/or regulate open air burning;

**AND WHEREAS**, the Council of the Corporation of the Township of Bonnechere Valley deems it necessary to set standards for open air burning according to the provisions of Section 7.1(1) the Fire Protection and Prevention Act, 1997, Chapter 4, for the entire Township;

**NOW THEREFORE**, the Council of the Township of Bonnechere Valley enacts as follows:

**DEFINITIONS**

“APPROVED” shall mean approved by the Chief Fire Official

“CHIEF FIRE OFFICIAL” shall mean the Municipal Fire Chief or members of the fire departments designated by the Municipal Fire Chief or persons appointed by the Fire Marshall, under Subsection 1.1.9 of the Fire Protection and Prevention Act.

“TOWNSHIP” shall mean the Corporation of the Township of Bonnechere Valley.

**PURPOSE**

1. (a) To allow open air burning within the Township, upon registration of intent to burn, for the purpose of burning grass, brush or other debris but does not include commercial, industrial or construction debris or any hazardous materials.
- (b) To allow open air burning in the Township with the exception of the downtown business core located in the Village of Eganville.

**PROCEDURE**

2. (a) Person(s) interested in engaging in open air burning in the Township shall first register at the Municipal Office during regular office hours or designated location.
- (b) Said person(s) registering an open air burn must be the assessed owner of the land upon which the open air burn is to take place or must be authorized in writing, by the assessed owner of the land upon which the open air burn is to take place, to act on his/her behalf.
- (c) Upon registering, person(s) shall receive a list of the requirements as set out by the Fire Department and shall sign, acknowledging receipt of same.

- (d) Registration allows a burn to take place over a two day period which shall be specified on the permit. Should the burn not take place during the two day period specified, re-registration is required.
- (e) Upon registration at the Municipal Office shall forthwith notify the Chief Fire Official of a pending open air burn.

**REGULATIONS**

- 3. (a) List of requirements attached hereto, and marked Schedule 'A' shall form part of this by-law and will be and hereby are the regulations.

**ENFORCEMENT**

- 4. (a) Any person(s) contravening any provision of this by-law shall be subject to a fine exclusive of costs for each such offence under the Provincial Offences Act, R.S.O.1990, P. 33.

**THAT**, By-Law No. 2001-48 be hereby rescinded.

**AND THAT**, this by-law come into force and effect immediately upon the passing thereof.

READ A FIRST AND SECOND TIME THIS 25<sup>TH</sup> DAY OF JULY, 2005

READ A THIRD TIME AND FINALLY PASSED THIS 25<sup>TH</sup> DAY OF JULY, 2005.

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Mayor Zig Mintha

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CAO Bryan Martin

**SCHEDULE 'A'**  
**TOWNSHIP OF BONNECHERE VALLEY**  
**BY-LAW NO. 2005-37**

List of requirements –

1. No person shall set out fires all year round without first obtaining a fire permit from the Township.
2. All fires set outdoors shall be between two (2) hours before sunset and extinguished two (2) hours after sunrise, or earlier, between April 1 and October 31 in each year.
3. Only a single pile is burned at any one time. The pile is not more than two (2) metres in diameter and not more than one (1) metre high. The pile is at least two (2) metres from any flammable material. When burning grass or leaf litter, the total area to be burned does not exceed 1 hectare. The flaming edge of the fire does not exceed 10 metres in length.
4. No person shall set fires out of doors to burn, or shall burn out of doors, toxic materials.
5. No person shall set fires out of doors except in the presence of a competent adult person. This person shall be in constant attendance of any burning operation in order to prevent same from spreading and/or endangering other property.
6. No person shall set out a fire in an area where it may have cause to spread due to grass, other vegetation, or wind.
7. No outside fire which causes inconvenience or irritation to others shall be permitted.
8. No person shall leave the site of a fire set outdoors before the fire is fully extinguished.
9. Every person who starts a fire shall ensure that he/she has adequate tools, equipment and water to contain the fire.
10. Notwithstanding the provisions above, open air fires may be set when such burning consists of a small confined fire, supervised at all times and is used to cook food on a grill or barbecue, or is for personal warmth.
11. All persons setting an open fire in the Township of Bonnechere Valley shall:
  - a) be responsible for any damage to property or injury to persons occasioned by the fire.
  - b) be liable for the costs incurred by the fire department including personnel, equipment, and apparatus necessary and called to extinguish the fire.
12. 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 bush area.
13. 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 lands which is normal and incidental for farming purposes shall be issued a permit to cover the period of the proposed fire, and will be required to notify the Fire Department for each day of the proposed fire.