

THE CORPORATION OF THE MUNICIPALITY OF CENTRE HASTINGS

BY-LAW NUMBER 2014-31

BEING a By-law to regulate the setting of open air fires.

WHEREAS Council of the Corporation of the MUNICIPALITY OF CENTRE HASTINGS is empowered under the Fire Protection and Prevention Act, 1997, S.O.1997, c. 4, as amended, to pass by-laws regulating fire prevention, including the prevention of the spreading of fires; and

WHEREAS Council is empowered under the Fire Protection and Prevention Act to pass bylaws regulating the setting of open air fires, including establishing the times during which open air fires may be set; and

WHEREAS Council is empowered under the Municipal Act, 2001, S.O. 2001, c. 25., as amended, to pass by-laws to prohibit and regulate public nuisances, including matters that, in the opinion of Council, are, or could become or cause public nuisances; and

WHEREAS Council considers excessive smoke, smell, airborne sparks or embers to be or could become or cause public nuisances by creating negative health effects on neighbouring residents, increasing fire exposure hazards, infringing the enjoyment of the use of neighbouring properties and generating false fire alarms.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF CENTRE HASTINGS ENACTS AS FOLLOWS:

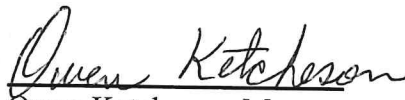
1. The provisions of this By-law shall apply to those lands located within the boundaries of the Municipality of Centre Hastings.
2. For the purposes of this By-law "Fire Department" means the fire department organized under the Municipal Act that provides fire protection for the Municipality of Centre Hastings. "Fire Chief" means the chief fire official of the Municipality appointed by the Council of the Corporation of the Municipality of Centre Hastings.
3. The Municipality of Centre Hastings shall levy the fees as set out in the attached Schedule 'A', and said fees shall be due and owing to the Municipality of Centre Hastings for each occasion upon which the Fire Department attends at the site of a fire. Said fees shall be invoiced to the insurance company of the party or parties who own the property on fire. said fee shall be used for Fire Department Capital Cost only. Cases of hardship created by fire will be considered individually.
4. Where said fees are not paid within thirty days of the date of demand, said fees will be added to the tax roll of the Municipality of Centre Hastings and will be collected in like manner as Municipal taxes.
5. During the period between April 1 and October 31 in any calendar year, no fire for the burning of grass, rubbish, garbage, wood or other combustible material shall be permitted outdoors between the hours of 0700 and 1900 (7:00 a.m. - 7:00 p.m.):
 - (a) Unless such fire is used exclusively for cooking or warmth or,
 - (b) Unless such fire is limited to an area no greater than 1 metre by 1 metre and attended at all times by one or more persons 19 years of age or older, or,
 - (c) Unless such fire is confined within a metal container and is covered by metal mesh less than ¼ " (one quarter inch) in size or screening to prevent the escape of coals, as and cinders;
 - (d) The burning of hazardous and/or toxic materials will not be permitted at any time.

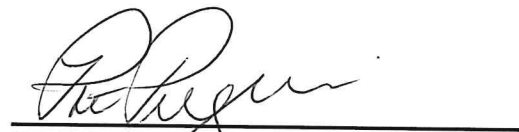
6. All persons setting fires contrary to these regulations will be charged under the Fire Protection and Prevention Act, 1997, S. O. 1997, c. 4 and will be responsible for the cost of extinguishing said fire according to Schedule "A.
7. All persons settings fires within the requirements of this By-law and fail to keep control of said fire will be responsible for all costs of extinguishment and damage done by said fire.
8. Notwithstanding the provisions of Section 5 of this By-law, the Fire Chief or his agent or assign may issue an order at his/her discretion to restrict or ban any fires in the Municipality of Centre Hastings if, in his opinion, climatic conditions are such -that a severe or extreme risk of fire may exist which could pose a threat to public safety or property.

This By-law shall come into force and take effect immediately on the date of passing and all By-laws inconsistent with this By-law are hereby repealed.

Read a first and second time this 30th day of April, 2014.

Read a third time and finally passed this 30th day of April, 2014.


Owen Ketcheson, Mayor


Pat Pilgrim, CAO-Clerk

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Schedule 'A'

FEEES TO BE CHARGED AT THE RATE OF \$ 420.00 (MTO RATE) PER VEHICLE PER HOUR OR ANY PORTION THEREOF AND EVERY HOUR OR PARTIAL HOUR THEREAFTER.