THE CORPORATION OF THE TOWN OF DEEP RIVER

BY-LAW 25-2020

BEING A BY-LAW TO REGULATE THE SETTING OF FIRES WITHIN THE TOWN OF DEEP RIVER

WHEREAS Section 11 of the Municipal Act, 2001, S.O., c 25, as amended, authorizes Council of local municipalities to regulate matters related to the health, safety and well-being of inhabitants of the municipality;

AND WHEREAS the *Fire Protection and Prevention Act*, 1997, C.O. 1997, c.4, Section 7.1, as amended, states that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires, and regulating the setting of open air fires, including establishing the times during which open air fires may be set;

AND WHEREAS Section 425 of the Municipal Act, 2001, S.O., c 25, as amended, authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality is guilty of an offence;

AND WHEREAS the Council of the Town of Deep River is desirous of enacting a by-law to regulate the setting of fires;

NOW THEREFORE the Council of the Corporation of the Town of Deep River enacts as follows:

1. **DEFINITIONS**
   For the purposes of this by-law

   1.1 "**Approved**" means approved by the Chief Fire Official or his/her designate.

   1.2 "**Ban**" means a restriction or prohibition on Fires issued by the Chief Fire Official or his/her designate.

   1.3 "**Barbecue**" shall mean a portable or fixed device , including a Hibachi, which is designed and intended solely for the cooking of food in the open air, but does not include devices designed for personal warmth.

   1.4 "**Building**" means any structure used or intended for supporting or sheltering any use or occupancy, but does not include a non-enclosing open-sided structure.

   1.5 "**Chief Fire Official**" shall mean the Fire Chief of the Town or his/her designate.

   1.6 "**Combustible**" shall mean any material, trees or vegetation, combination of materials, or arrangement of materials in which any portion thereof are highly susceptible to catch fire when exposed to heat, flame, or other burning materials.

   1.7 "**Dangerous Condition**" shall mean:

      1.7.1 A lack of precipitation, which in the opinion of the Chief Fire Official increases the risk of the spread of fire;

      1.7.2 Winds, which in the opinion of the Chief Fire Official increases the risk of the spread of fire; or

      1.7.3 Any other condition declared by the Chief Fire Official to be a

dangerous condition, from time to time, which increases the risk of the spread of fire.

1.8 "**Exempt Fire**" means that, under specified conditions, a particular type or configuration of Fire as set out in Section 3 of this By-Law that does not require an Open Air Burning Permit or Recreational Fire Permit.

1.9 "**Fire**" means any fire set in the open air by any person within the boundaries of the Town.

1.10 "**Fire Permit**" shall mean a permit issued by the Chief Fire Official or designate signifying permission to set a Fire and establishing the conditions under which the permit is granted.

1.11 "**Incineration Device**" means a device that is operated and Regulated (licensed) under a Certificate of Approval from the Ontario Ministry of the Environment and is not subject to the requirements of this By-Law.

1.12 "**Made Safe**" means that all reasonable and prudent steps are taken to guard against injury to persons or property due to the fire and may include, but not be limited to erecting barriers and signs; grading of property; demolition of unstable structures; and the removal of residue left from the burning process.

1.13 "**Municipal Law Enforcement Officer**" means a Police Officer, or a person appointed by the Corporation of the Town of Deep River for the purpose of enforcing the provisions of this By-Law and related provincial offences by authority of the Ontario Police Services Act, 1990, as amended.

1.14 "**Open Air Burning Permit**" means a written conditional authorization permit issued by the Chief Fire Official or designate, to set or maintain an Open Air Fire as per any restrictions and conditions contained in this By-Law or as may be specified on the Open Air Burning Permit itself.

1.15 "**Open Air Fire**" means any Fire set outdoors, or set in a device or appliance located outside of a building, but does not include Recreational Fires, Exempt Fires, or Fires in devices installed outside of a building and that are used as a source of heat or power for the building or that are ancillary to a manufacturing process, and provided that such device is certified for the purpose by a recognized and appropriate agency.

1.16 "**Permit Holder**" shall mean any person who is a land owner, or person with pre- approved permission from the real property owner that has been granted a Permit for a Fire by the Town or Chief Fire Official.

1.17 "**Person**" shall mean any individual, association, firm, partnership, corporation, agent or trustee and their heirs, executors or other legal representatives of a person.

1.18 "**Recreational Fire**" shall mean a Fire that is set outdoors that is not an Open Air Fire, or Exempt Fire and that is maintained solely for providing warmth and recreational enjoyment.

1.19 "**Recreational Fire Permit**" shall mean a permit issued by the Chief Fire Official or designate signifying permission to set a Recreational Fire and establishing the conditions under which the permit is granted.

1.20 "**Responsible Person**" means any adult person (18 years of age and older) who, in the opinion of the Municipal Law Enforcement Officer, capable of exercising the required judgment and capable of performing the necessary actions to control a fire and prevent its unwanted spread.

1.21 "**Structure**" means anything constructed or erected, the use of which requires location on or in the ground.

1.22 "**Tenant**" means a person or individual with pre-approved written permission, approved by the Town from an owner of the property.

1.23 "**Town**" shall mean the Corporation of the Town of Deep River.

2. RESTRICTIONS ON BURNING

2.1 No person shall set or maintain an Open Air Fire or Recreational Fire except an Open Air Fire for which an Open Air Burning Permit has been issued, or a Recreational Fire for which a Recreational Fire Permit has been issued.

2.2 Every person who has obtained a Permit shall comply with the conditions of the issued Permit.

2.3 Only one fire pit/fire appliance/fire bowl, and one Burning Permit will be issued per property.

2.4 Recreational and Open Air Burning Permits are valid only at the address specified on the Permit (non-transferrable).

2.5 Recreational and Open Air Burning Permits are non-refundable.

3. EXEMPT FIRES

The following types of Fires are exempt from this by-law and such Fires may be set and maintained anywhere in the Town of Deep River provided that the conditions in this by-law are fully met:

3.1 Cooking Fires

3.1.1 A charcoal, compressed gas, or wood fire, that is confined within a barbecue that is exclusively designed for and being used for the cooking of food for human consumption or heat.

3.2 Construction or Maintenance Activities

3.2.1 An appliance of a portable nature which requires an open flame for the heating of a material during a construction or maintenance process, provided such appliance is safe to operate, and provided that it is not operated in such a manner as to create a fire hazard, and provided that the fire is attended at all times by a Responsible Person to supervise it until extinguished.

3.3 Other Flaming Devices

3.3.1 Candles, citron torches and similar items, and small fireworks under 50mm in diameter provided that all the following conditions are met

1. Such devices are not operated in or near dry vegetation; and

11. Such devices are not operated in any other place conducive to the development or the spread of fire or explosion; and

111. Such devices are consumer (family) fireworks, or licensed fireworks displays where permitted by other by-laws passed by the municipality.

3.4 Town of Deep River Fire Department

3.4.1 Open Air Fires set by the Town of Deep River Fire Department for the purposes of education, training, or other Town of Deep River Fire Department activity.

3.5 Special Events

3.5.1 Fires at any special event initiated and administered by the Town as authorized by Council and under the advisement of the Chief Fire Official.

4. GENERAL CONDITIONS ON FIRES, RECREATIONAL FIRES

Any person who sets or maintains an Open Air Fire or Recreational Fire shall be a Responsible Person and must take all necessary steps to ensure that all of the following conditions are met in addition to any other conditions set in this by-law:

4.1 Smoke

4.1.1 The smoke or other emissions from the Fire shall not travel to a neighboring property to such an extent or degree that, in the opinion of a Municipal Law Enforcement Officer, Chief Fire Official or designate, or the Ministry of Environment, it may cause discomfort to persons, loss of enjoyment or normal use of the property, interference with normal conduction of business, or damage to property.

4.1.2 The Smoke or other emissions from the Fire shall not travel across any public roadway to the extent or degree that, in the opinion of a Municipal Law Enforcement Officer, Chief Fire Official or designate, it may cause a public safety hazard to any person traveling on the roadway.

4.2 Clearances

4.2.1 Burning is prohibited in any location where the conditions exist such that there is a reasonable probability of such fire spreading to a building, structure, grass or other Combustible vegetation or material.

4.2.2 Every person who sets or maintains a Recreational Fire shall confine such Fire to an area that is a minimum of 15 feet in all directions (horizontal, vertical) from any Combustible structure, Combustible vegetation, accumulation of Combustible materials.

4.3 Material Restricted

4.3.1 Except as may be more specifically restricted elsewhere in this by-law, only the material listed on Schedule "A" may be burned.

4.4 Supervision

4.4.1 Constant supervision of the fire shall be maintained by a Responsible Person, with the necessary means immediately available to extinguish the fire or limit its spread; and having the means readily at hand to summon the fire department.

4.5 Extinguishment

4.5.1 At the completion of the burn the Fire shall be completely extinguished and the burn site shall be made safe before it is left unattended.

5. OPEN AIR BURNING

5.1 The Chief Fire Official, or designate, shall review a written Open Air Burning Permit Application Form and may attend the said property for inspection during the days of issuance. Schedule "A" materials only will be allowed to be burned by the said real property owner or tenant who has a pre-approved letter from the owner.

5.2 Every person shall comply with all of the following conditions for an Open Air Fire:

5.2.1 Burning is prohibited on any public road allowance or municipal property unless such burning is being conducted by authorized employees or an authorized agency of the Town of Deep River;

5.2.2 A person shall obtain an Open Air Burning Permit from the Chief Fire Official or designate and shall comply with the conditions of such Permit;

5.2.3 No person shall burn material in an Open Air Fire other than those materials listed in Schedule "A" of this by-law;

5.2.4 No person shall set or maintain an Open Air Fire within 100 feet from any building, combustible structure, combustible vegetation, accumulation of combustible materials, unless written approval is received from the Chief Fire Official or designate;

5.2.5 Every person who sets or maintains an Open Air Fire shall confine such fire to a location that provides for a minimum distance of 40 feet in all directions from adjacent properties;

5.2.6 Every person who sets or maintains an Open Air Fire shall not burn any pile of material exceeding 36 sq. feet in area and 4 feet in height unless written approval is received from the Chief Fire Official or designate;

5.2.7 Every person who sets of maintains an Open Air Fire shall do so no earlier than two (2) hours before sunset, and all persons shall extinguish the Open Air fire no later than two (2) hours after sunrise, unless written approval is received from the Chief Fire Official or designate;

5.2.8 Every person who sets or maintains an Open Air Fire shall attend, control and supervise the Fire at all times and shall completely extinguish the Fire before the fire site is vacated;

5.2.9 Every person shall pay the prescribed fee as set out in Schedule "B" for an Open Air Burning Permit. The fee collected as set out in Schedule "B" is non-refundable regardless of whether or not the privileges granted under the permit have been exercised. No adjustment or refund of fee shall be provided due to suspension or revocation of any Open Air Burning Permit.

6. RECREATIONAL FIRES

6.1 Recreational Fire Permits may only be obtained by an owner of real property, or by those who provide the Town with written permission, approved by the Town, from an owner of real property, permitting the respective person to set a Recreational Fire on said real property and to burn Schedule "A" material.

6.2 Every person shall comply with all of the following conditions for a Recreational Fire:

6.2.1 A person shall obtain a Recreational Fire Permit from the Chief Fire Official or designate and shall comply with the conditions of such Permit;

6.2.2 No person shall burn material in a Recreational Fire other than those materials listed in Schedule "A" of this by-law;

6.2.3 A Recreational Fire pit shall be no larger than 30 inches by 30 inches in size by 24 inches in height;

6.2.4 No person shall set or maintain a Recreational Fire greater than the size of the container or fire pit, and the Recreational Fire shall be totally confined within the container or pit at all times;

6.2.5 Every person who sets or maintains a Recreational Fire shall confine such Fire to a location that provides for a minimum distance of 10 feet from adjacent properties;

6.2.6 Every person who sets or maintains a Recreational Fire shall confine such Fire to an area that is a minimum of 15 feet in all directions (horizontal, vertical) from any Combustible structure, Combustible vegetation, accumulation of Combustible materials;

6.2.7 The outdoor fire appliance/fire bowl be placed on a non-combustible surface (e.g. patio stones, sand, cement) with the surface extending 1 foot (12 inches) beyond the perimeter of the fire pit;

6.2.8 Every person who sets or maintains a Recreational Fire shall have an effective extinguishing agent of sufficient size and with the capability of extinguishing the fire shall on the site of the Fire and it shall be immediately available for use;

6.2.9 Every person who sets or maintains a Recreational Fire shall attend, control and supervise the Fire at all times and shall completely extinguish the Fire before the fire site is vacated;

6.2.10 Every person shall pay the prescribed fee as set out in Schedule "B" for a Recreational Fire Permit. The fee collected as set out in Schedule "B" is non- refundable regardless of whether or not the privileges granted under the permit have been exercised. No adjustment or refund of fee shall be provided due to suspension or revocation of any Recreational Fire Permit.

7. PROHIBITIONS

7.1 Notwithstanding any provisions herein, no person shall set or maintain an Open Air Fire or Recreational Fire:

7.1.1 In contravention of the Ontario Fire Code, the Forest Fire Prevention Act, the Environmental Protection Act or any other statutory requirements of the Province of Ontario;

7.1.2 On any highway or other public property of the Town without written permission of the Town;

7.1.3 In any park owned or operated by the Town without written permission of the Town;

7.1.4 In the front or side yard of any commercial or industrial zoned property within the Town;

7.1.5 When dangerous conditions exist that could reasonably cause the Fire to spread beyond a burn site, or could decrease the visibility on a highway;

7.1.6 For commercial purposes or gain.

8. BURNING OF RUBBISH PROHIBITED

8.1 No one shall install, use, and maintain an unlicensed Incineration Device for the burning of garbage or other refuse in any class or classes of building.

9. FIRE BAN

9.1 Despite the existence of a valid Open Air Burning Permit or Recreational Fire Permit, the Chief Fire Official, or designate, may issue a Ban on any or all Open Air Fires and Recreational Fires, and may suspend, without recourse, any or all Permits and cause to be extinguished any or all Open Air Fires and Recreational Fires, until such conditions as the Chief Fire Official, or designate, may indicate are met.

9.2 No person shall set or maintain an Open Air Fire or Recreational Fire during a Ban despite a person having obtained a valid permit.

10. GENERAL PROVISIONS

10.1 The Permit Holder or any Person, who sets or maintains an Open Air Fire or Recreational Fire, shall be held responsible and shall be liable with respect to the provisions, conditions, and penalties contained in this By-law.

10.2 The Permit Holder shall indemnify and save harmless the Town of Deep River from any and all claims, demands, causes of action, losses, costs or damages that the Town of Deep River may suffer, incur or be liable for resulting from the open air fires as set out in the by-law, whether with or without negligence on the part of the Permit Holder, the Permit Holder's employees, directors, contractors and agents.

10.3 A Municipal Law Enforcement Officer, the Chief Fire Official, or designate, shall have the right to enter at all reasonable times upon any property in order to ascertain whether this by-law is being obeyed, and carry into effect the By-law.

10.4 At the discretion of the Chief Fire Official, a site inspection of the proposed burn location, whether for an open air burn or a recreational fire, may be required.

10.5 Permit fees are outlined in Schedule "B" attached to and forming part of this By-law;

10.5.1 A permit may be issued for up to ten (10) consecutive days for an Open Air Burning Permit and may be extended by written permission from Fire Chief or Designate.

10.5.2 A Recreational Fire Permit is only valid for the calendar year in which it was issued.

10.6 The fees collected for each Open Air Burning Permit or Recreational Fire Permit are non-refundable regardless of whether or not the privileges granted under the permits have been exercised. No adjustment or refund of fee shall be provided due to suspension or revocation of any Permit.

10.7 The Open Air Burning Permit shall specify as precisely as possible the civic or street address of the location of the intended fire. Separate Open Air Burning Permits will be required for properties at different addresses.

10.8 Any Permit Holder who is in violation of this By-law shall have their Permits summarily revoked and all fires shall be immediately extinguished or shall be caused to be extinguished.

10.9 Open Air Burning Permits and Recreational Fire Permits are non-transferable.

11. COST FOR FIRE SUPPRESSION EQUIPMENT

11.1 If fire suppression or fire safety personnel and vehicles are dispatched to respond to a Fire, the person in control of the Open Air Fire, or Recreational Fire and/or the Permit Holder and/or the property owner may be charged, at the discretion of the Town, for the cost of such response according to the rates attached as Schedule "B" to this By-law. However, nothing in any schedule of rates shall be construed as limiting the rights of the Town to seek restitution or other direct or consequential damages or costs incurred beyond those listed.

11.2 The quantity and type of fire vehicles and personnel dispatched to respond for the purposes of extinguishing, controlling, or investigating any Open Air Fire or Recreational Fire are at the discretion of the Chief Fire Official or designate.

11.3 The Town shall have a lien on the land for the amount spent on the services specified in Schedule "B", and the amount shall be deemed to be municipal real taxes and shall be added to the collector's roll and shall be collected in the same manner and with the same priorities as municipal real property taxes pursuant to the Municipal Act, 2001, as amended.

12. OFFENCE

12.1 Permit – False Information

No person shall knowingly provide false or misleading information for the purposes of obtaining an Open Air Burning Permit or Recreational Fire Permit.

12.2 Permit-Authority to Revoke

Notwithstanding Section 2 and 3 of this By-law, the Municipal Law Enforcement Officer may revoke any or all permits. The Chief Fire Official may refuse to issue permits where, in the opinion of the Chief Fire Official the ability to control the fire is hampered by the existence in or near the proposed burn site of a dangerous condition.

12.3 Permission - Withdrawn Permit

The Municipal Law Enforcement Officer , Chief Fire Official, or designate may withdraw a permit and/or stop an open air burning/recreational fire if, in their respective opinion, the fire is causing a negative impact on the occupants of adjacent land, smoke produced by the fire is causing visibility concerns on roads in the area of the burn, the weather has deteriorated and has become unfavorable for an open air burn, conditions attached to the granting of permission are not being adhered to or if this By-law is being contravened.

12.4 Order to Extinguish Approved or Unapproved Fires

The Municipal Law Enforcement Officer, Chief Fire Official, or designate may order the permit holder, land owner or occupant to immediately extinguish a Fire when a change in conditions occurs (i.e. Provincial fire ban, high wind velocity, etcetera).

12.5 Order- Permit Holder/Owner/Occupant - Extinguish Approved or Unapproved Fire The Permit Holder, owner or occupant of land (on which an approved or unapproved open air burn is located), shall immediately extinguish the fire upon being ordered to do so by the Municipal Law Enforcement Officer, Chief Fire Official, or designate.

12.6 Failure to Extinguish Approved or Unapproved Fires-Liable for Costs

Should any Permit Holder, land owner or occupant fail to extinguish an

approved or unapproved fire when ordered to do so, the Municipal Law Enforcement Officer, Chief Fire Official, or designate may take action to have the fire extinguished and the person who owns or occupies the land on which the open air burning is located shall be responsible for any and all costs incurred by the Town of Deep River Fire Department in extinguishing the fire.

13. ENFORCEMENT AND ENACTMENT

13.1 Regulations - Offence
No person shall fail to comply with the provisions set out in this By-law.

13.2 Enforcement
This By-law shall be administered and enforced by the Town.

13.3 Contravention- Penalties
Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act, R.S.O. 1990*, c. P. 33.

13.4 Continuation - Repetition - Prohibition by Order
The Court in which the conviction has been entered, and any Court of competent jurisdiction thereafter, may make an Order prohibiting the continuation or repetition of the offence by the person convicted and such Order shall be in addition to any other penalty imposed on the person convicted.

13.5 Default-Collection of Costs
A person shall be liable to the Town for all expenses reasonably incurred for the purpose of controlling and extinguishing of any fire so set, maintained, or left to burn. Such expenses may be recovered by court action or in a like manner, or as municipal taxes or Council may provide that the expense incurred, with interest, shall be payable in annual installments not exceeding ten years.

13.6 Separation
If any Court of competent jurisdiction finds that any of the provisions of this By-law is ultra vires of the jurisdiction of Council to pass or is invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of this By-law.

14. SCHEDULES - ATTACHED

14.1 The following schedules attached hereto, hereby forms part of this By-law:
A - Authorized Materials That May be Burned Under This By-law
B - Fees that May be Collected or Charged under the Provisions of this By-law C - Set Fine Schedule
D - Open Air Burning Permit Application form
E - Recreational Burning Permit Application form

15. EFFECTIVE DATE

15.1 This By-Law shall take effect upon the final passing thereof and upon approval by the Ministry of the Attorney General.

READ A FIRST AND SECOND TIME JUNE 10, 2020

READ A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF JUNE, 2020.

Suzanne D' Eon, Mayor

Jackie Mellon, Acting Clerk

SCHEDULE "A"

Authorized Materials That May be Burned Under This By-Law

All materials other than those listed below are specifically prohibited from being burned:

- Wood and wood by-products that have not been chemically treated or painted or stained
- White or brown: paper and cardboard for the purposes of starting an authorized fire
- Dry: brush, stumps, hay, straw, and grass and other dry yard or natural agricultural materials but not including animal wastes and parts of animals unless such animals are diseased
- Natural or petroleum gases or liquids used as appliance fuels
- Charcoal materials intended for B-B-Q use
- Other clean burning Combustible materials that may be specifically Approved by the Chief Fire Official or his/her designate

SCHEDULE "B" TO BY-LAW 25-2020

Fees that May be Collected or Charged Under the Provisions of this By-Law

1.	Open Air Burning Permit (Valid for one calendar year per property. Additional permits required within the same calendar year for the same property are at no charge.)	$20.00 Annual Fee
2.	Recreational Fire Permit (valid for one calendar year):	$20.00 Annual Fee
3.	Response rates for fire vehicles: Per fire vehicle for the first hour or any part thereof Per fire vehicle for each additional ½ hour or part thereof	 $200.00 $100.00
4.	Police officers and guards:	Wages and Expenses as incurred
5.	Other costs incurred by the Town:	Wages and Expenses as incurred

SCHEDULE "C"
Set Fine Schedule

TOWN OF DEEP RIVER
PART 1 Provincial Offences Act, R.S.O. 1990, Chap. P.33, as amended
By-law 25-2020 Burning By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN2 Provision creating or defining offence	COLUMN3 Set Fine
1.	Set/Allow Fire - No Permit	2.1	$250.00
2.	Set/Allow Fire - Failure to comply with Permit	2.2	$250.00
3.	Permit- Provided False Information for the Purpose of Obtaining Permit	12.1	$250.00
4.	Set-Maintain Fire - Prohibited Period	9.2	$250.00
5.	Set/Maintain Fire - Illegal Incineration Devise	8.1	$250.00
6.	Set/Maintain Fire - On Public Property	7.1.2	$250.00
7.	Set/Maintain Fire - In Municipal Park	7.1.3	$250.00
8.	Set/Maintain Fire - On Commercial/Industrial Property	7.1.4	$250.00
9.	Set/Maintain Fire - During Dangerous Conditions	7.1.5	$250.00
10.	Set/Maintain Fire - For Commercial Purpose/Gain	7.1.6	$250.00
11.	Open Air Burn - Prohibit Time	5.2.7	$150.00
12.	Open Air Burn - Burn Prohibited Material	5.2.3	$150.00
13.	Open Air Burn - Exceed Maximum Size	5.2.6	$150.00
14.	Open Air Burn - Too Close to Property Line	5.2.5	$150.00
15.	Open Air Burn - Too Close to Combustible Items	5.2.4	$150.00
16.	Open Air Burn - Left Unattended	5.2.8	$250.00
17.	Recreational Fire - Burn Prohibited Material	6.2.2	$150.00
18.	Recreational Fire - Exceed Maximum Size	6.2.4	$150.00
19.	Recreational Fire - Too Close to Property Line	6.2.5	$150.00
20.	Recreational Fire - Too Close to Combustible Items	6.2.6	$150.00
21.	Recreational Fire - Left Unattended	6.2.8	$150.00
22.	Recreational Fire - No Effective Extinguishing Agent	6.2.7	$150.00

NOTE: The penalty provision for the offences indicated above is Section 13.3 of By-law 25-2020, a certified copy of which has been filed.

SCHEDULE "D"

Town of Deep River
Fire Department
2020 OPEN AIR BURNING PERMIT APPLICATION – 10 DAY PERMIT

PERMIT NUMBER O20/

Please note that a payment of **$20.00** is required before a 10 day Open Air Burning Permit is issued. Additional 10 day open air burning permits are required within the same calendar year for the same property at no charge.

Contact Information *(Please Print Clearly)*	
Applicant:	☐ Owner ☐ Tenant – You must have a signed letter from the property owner giving permission.
First Name:	
Last Name:	
Email Address:	
Phone Number:	
Address:	

Burning Information			
Property Address:			
Start Date:		**End Date:**	

Open Air Fire Conditions	
Condition	**I Agree**
Only material as outlined in Schedule "A" of By law 25-2020 can be burned.	☐
Burning is prohibited on any public road allowance or municipal property unless such burning is being conducted by authorized employees or authorized agency of the Town of Deep River.	☐
No person shall set or maintain an Open Air Fire within 100 feet from any building, combustible structure, combustible vegetation, accumulation of combustible materials, unless written approval is received from the Chief Fire Official or designate.	☐
Every person who sets or maintains an Open Air Fire shall confine such fire to a location that provides for a minimum distance of 40 feet in all directions from adjacent properties.	☐
Every person who sets or maintains an Open Air Fire shall not burn any pile of material exceeding 36 sq. feet in area and 4 feet in height unless written approval is received from the Chief Fire Official or designate.	☐
Every person who sets or maintains an Open Air Fire shall do so no earlier than two (2) hours before sunset, and all persons shall extinguish the Open Air Fire no later than two (2) hours after sunrise, unless written approval is received from the Chief Fire Official or designate.	☐
An effective method of extinguishing the fire shall be at the site of the burning and be immediately available for use (i.e. source of water).	☐

Open Air Fires shall be attended, controlled and supervised at all times by a Responsible Person and shall be completely extinguished before the fire site is vacated.	☐
The smoke or other emissions from the fire shall not travel to a neighbouring property to such an extent or degree that, in the opinion of a Municipal By-Law Enforcement Officer, it may cause discomfort to persons, loss of enjoyment or normal use of the property, interference with normal conduction of business, or damage to property. The smoke or other emissions from the Fire shall not travel across any public roadway to the extent or degree that, in the opinion of a Municipal Law Enforcement Officer, it may cause a public safety hazard to any person travelling on the roadway.	☐

Terms	
	I Agree
I have read and understand By-Law 25-2020, and agree to comply with the conditions contained therein and fully realize that any breach of these conditions could result in a fine being issued against me.	☐
I understand that the issuance of a permit shall not be deemed a waiver of the provisions of any municipal by-law or provincial statute.	☐
In the event that a permit is approved, I further understand that any departure from the conditions of this permit, any municipal by-law or provincial stature, could result in this permit being revoked and that, in this event, I shall not be entitled to any claim, whatsoever, against the municipality or an official thereof.	☐
I confirm that the information contained in this application is correct.	☐

Refer to **By-Law 25-2020** Burning By law for more detailed information.

A printed copy of this permit must be made available upon inspection.

Random inspections will take place and smoke alarms will be tested at the time of inspection.
Always check the Municipal Website prior to burning to ensure a burning ban is not in effect.

X _____
Signature of Applicant

FOR OFFICE USE ONLY

X _____
Municipal Official

Date: _____

Paid $20 – Initial Permit ☐
– Additional Permit ☐

Cash ____ **Cheque** ____ **Debit** ____

Receipt #: _____

Permit Issued: ☐

Town of Deep River

Open Air Burning Permit

10 Day Permit – Permit # O20/_____.

_____, 2020 to _____,2020

Issued to: _____

Property Address: _____

Date Issued: _____

I agree to the conditions listed below.

X _____
Signature of Applicant

X _____
Municipal Official

Conditions:

- Only material as outlined in Schedule "A" of By law 25-2020 can be burned.
- Burning is prohibited on any public road allowance or municipal property unless such burning is being conducted by authorized employees or authorized agency of the Town of Deep River.
- No person shall set or maintain an Open Air Fire within 100 feet from any building, combustible structure, combustible vegetation, accumulation of combustible materials, unless written approval is received from the Chief Fire Official or designate.
- Every person who sets or maintains an Open Air Fire shall confine such fire to a location that provides for a minimum distance of 40 feet in all directions from adjacent properties.
- Every person who sets or maintains an Open Air Fire shall not burn any pile of material exceeding 36 sq. feet in area and 4 feet in height unless written approval is received from the Chief Fire Official or designate.
- Every person who sets or maintains an Open Air Fire shall do so no earlier than two (2) hours before sunset, and all persons shall extinguish the Open Air Fire no later than two (2) hours after sunrise, unless approval is received from the Chief Fire Official or designate.
- An effective method of extinguishing the fire shall be at the site of the burning and be immediately available for use (i.e. source of water).
- Open Air Fires shall be attended, controlled and supervised at all times by a Responsible Person and shall be completely extinguished before the fire site is vacated.
- The smoke or other emissions from the fire shall not travel to a neighbouring property to such an extent or degree that, in the opinion of a Municipal By-Law Enforcement Officer, it may cause discomfort to persons, loss of enjoyment or normal use of the property, interference with normal conduction of business, or damage to property.
- The smoke or other emissions from the Fire shall not travel across any public roadway to the extent or degree that, in the opinion of a Municipal Law Enforcement Officer, it may cause a public safety hazard to any person travelling on the roadway.

Please Note:

- Additional 10 day open air burning permits are required within the same calendar year for the same property at no charge.
- A copy of this permit must be made available upon inspection.
- Random inspections will take place and smoke alarms will be tested at the time of inspection.
- Always check the Municipal Website prior to burning to ensure a burning ban is not in effect.

SCHEDULE "E"

Town of Deep River
Fire Department
2020 RECREATIONAL BURNING PERMIT APPLICATION

PERMIT NUMBER R20/

Please note that a payment of **$20.00** is required before a Recreational Burning Permit is issued.

Contact Information *(Please Print Clearly)*	
Applicant:	☐ Owner ☐ Tenant – You must have a signed letter from the property owner giving permission.
First Name:	
Last Name:	
Email Address:	
Phone Number:	
Address:	

Burning Information	
Property Address:	

Recreation Fire Conditions	
Condition	I Agree
No material other than commercially produced charcoal, briquettes or clean, dry seasoned wood may be burned.	☐
Recreational fire pits shall be no larger than 30 inches by 30 inches in size by 24 inches in height.	☐
The outdoor fire pit/fire appliance/fire bowl be placed on a non-combustible surface (i.e. patio stones, sand, cement) with the surface extending 1 foot (12 inches) beyond the perimeter of the fire pit.	☐
The dimension of the fuel being burnt shall not be greater than the size of the container or pit at all times.	☐
A Recreational Fire Pit shall be confined to a location that provides for a minimum distance of 10 feet from adjacent properties.	☐
Recreational Fires shall be confined to an area that is a minimum of 15 feet in all directions (horizontal, vertical) from any combustible structure, combustible vegetation, or accumulation of combustible materials (i.e. overhead tree branches, hydro wires).	☐
An effective method of extinguishing the fire shall be at the site of the burning and be immediately available for use (i.e. source of water).	☐

Recreational Fires shall be attended, controlled and supervised at all times by a Responsible Person and shall be completely extinguished before the fire site is vacated.	☐
The smoke or other emissions from the fire shall not travel to a neighbouring property to such an extent or degree that, in the opinion of a Municipal By-Law Enforcement Officer, it may cause discomfort to persons, loss of enjoyment or normal use of the property, interference with normal conduction of business, or damage to property. The smoke or other emissions from the Fire shall not travel across any public roadway to the extent or degree that, in the opinion of a Municipal Law Enforcement Officer, it may cause a public safety hazard to any person travelling on the roadway.	☐

Terms	
	I Agree
I have read and understand By-Law 25-2020, and agree to comply with the conditions contained therein and fully realize that any breach of these conditions could result in a fine being issued against me.	☐
I understand that the issuance of a permit shall not be deemed a waiver of the provisions of any municipal by-law or provincial statute.	☐
In the event that a permit is approved, I further understand that any departure from the conditions of this permit, any municipal by-law or provincial stature, could result in this permit being revoked and that, in this event, I shall not be entitled to any claim, whatsoever, against the municipality or an official thereof.	☐
I confirm that the information contained in this application is correct.	☐

Refer to **By-Law 25-2020** Burning By law for more detailed information.

A printed copy of this permit must be made available upon inspection.

Random inspections will take place and smoke alarms will be tested at the time of inspection.
Always check the Municipal Website prior to burning to ensure a burning ban is not in effect.

X _____

Signature of Applicant

FOR OFFICE USE ONLY

X _____

Municipal Official

Date: _____

Paid $20 ☐

Rec#_____

Cash ____ **Cheque** ____ **Debit** ____

Town of Deep River

Recreational Burning Permit

Valid for 2020 – Permit # R20/_____

Issued to: _____

Property Address: _____

Date Issued: _____

I agree to the conditions listed below.

X _____
Signature of Applicant

X _____
Municipal Official

Conditions:

- No material other than commercially produced charcoal, briquettes or clean, dry seasoned wood may be burned.
- Recreational fire pits shall be no larger than 30 inches by 30 inches in size by 24 inches in height.
- The outdoor fire pit/fire appliance/fire bowl be placed on a non-combustible surface (i.e. patio stones, sand, cement) with the surface extending 1 foot (12 inches) beyond the perimeter of the fire pit.
- The dimension of the fuel being burnt shall not be greater than the size of the container or pit at all times.
- A Recreational Fire Pit shall be confined to a location that provides for a minimum distance of 10 feet from adjacent properties.
- Recreational Fires shall be confined to an area that is a minimum of 15 feet in all directions (horizontal, vertical) from any combustible structure, combustible vegetation, or accumulation of combustible materials (i.e. overhead tree branches, hydro wires).
- An effective method of extinguishing the fire shall be at the site of the burning and be immediately available for use (i.e. source of water).
- Recreational Fires shall be attended, controlled and supervised at all times by a Responsible Person and shall be completely extinguished before the fire site is vacated.
- The smoke or other emissions from the fire shall not travel to a neighbouring property to such an extent or degree that, in the opinion of a Municipal By-Law Enforcement Officer, it may cause discomfort to persons, loss of enjoyment or normal use of the property, interference with normal conduction of business, or damage to property.
- The smoke or other emissions from the Fire shall not travel across any public roadway to the extent or degree that, in the opinion of a Municipal Law Enforcement Officer, it may cause a public safety hazard to any person travelling on the roadway.

Please Note:

- A copy of this permit must be made available upon inspection.
- Random inspections will take place and smoke alarms will be tested at the time of inspection.
- Always check the Municipal Website prior to burning to ensure a burning ban is not in effect.