

# THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

## BYLAW NUMBER 2023-45

Being a Bylaw to Amend a Bylaw for the  
Purpose of Regulating Open Air Burning

WHEREAS Subsection 7.1(1) of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, allows the council of a municipality to pass bylaws regulating the setting of open air fires, including establishing the times during which open air fires may be set;

AND WHEREAS Section 10(2)(6) of the Municipal Act, 2001, S.O. 2001, c. 25, allows the municipality to pass a bylaw respecting the health, safety and well-being of persons;

AND WHEREAS the Council of The Corporation of the Township of Sables-Spanish Rivers deems it expedient to impose regulations and the issuance of burning permits to control open air burning for protecting inhabitants, property owners and property in the municipality;

NOW THEREFORE The Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. PART 1 – Definitions is hereby amended by adding the following:

“Agricultural/Land Clearing Fire” means a fire set for the purpose of clearing land for agricultural purposes.

2. PART 4 – PROHIBITIONS – SPECIFIC TYPES OF PERMITTED FIRES is amended by inserting the following section:

### Agricultural/Land Clearing – Permit

21. (1) No person shall set or maintain an Agricultural/Land Clearing fire without a valid burn permit issued in accordance with this Bylaw

- (2) No person holding a valid burn permit for agricultural/land clearing shall set or maintain such fire unless he or she ensures:

- (a) the fire is set and maintained at a distance of no less than 30 meters or such greater distance as may be specified in the burn permit from:

- i) the nearest building or other combustible structure
- ii) the nearest bush line
- iii) any overhead wires

- b) piles do not exceed 5 meters high by 5 meters wide

- c) burn piles consist of solely wood, tree limbs, branches

- d) a water source is available at all times in the event spot fires occur

- e) only one pile is burned at a time

- f) there is supervision of the fire at all times

- g) the fire is not set or maintained except during the time between 6:00 pm and 6:00 am the following day

- (3) The applicant must provide the following to obtain a permit:

- a) identification

- b) the civic address of the burn site

- c) be the legal owner of the property or have written permission from the landowner authorizing the burn
- (4) A fire safety plan must be submitted with the following information:
  - a) location of the burn piles
  - b) sketch of the burn site location
  - c) location of water supply
  - d) location of safety zones
  - e) emergency preparedness plan (ie: who calls 911 and how that call is being made in the event of an emergency)
  - f) list of people supervising the fire and contact information
  - g) location of fire department access
  - h) no changes shall be made to the Fire Safety Plan unless authorized by the Fire Department
  - i) Failure to comply with an approved Fire Safety Plan will result in charges as set out in Bylaw 2012-09 Schedule B-1
- (5) The Fire Safety Plan shall be reviewed and approved by a member of the Fire Department prior to burning.

And all subsequent sections shall be renumbered to be continuous.

- 3. This Bylaw hereby amends Bylaw 2016-25;
- 4. This bylaw shall come into force and take effect on third and final reading.

READ A FIRST AND SECOND TIME THIS 13<sup>th</sup> DAY OF DECEMBER, 2023.

  
MAYOR – K. BURKE

  
CLERK – A. WHALEN

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS  
13<sup>th</sup> DAY OF DECEMBER, 2023.

  
MAYOR – K. BURKE

  
CLERK – A. WHALEN