

# **THE CORPORATION OF THE TOWN OF HALTON HILLS**

## **BY-LAW 2002-0156**

### **BEING A BY-LAW to regulate the setting and spreading of fires on agricultural land.**

**WHEREAS** Section 210 (35) of the Municipal Act, c. M.45, R.S.O. 1990, as amended provides that Council may pass a By-law for prescribing the times that fires may be set in the open air and the precautions to be observed by persons setting out fires;

**AND WHEREAS** the Council of the Corporation of the Town of Halton Hills is empowered to enact By-laws to be made applicable to the whole municipality or to one or more defined areas thereof;

**AND WHEREAS** the Council of the Corporation of the Town of Halton Hills deems it to be in the best public interest and necessary to pass such a By-law;

**NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS HEREBY ENACTS AS FOLLOWS:**

1. **Definitions**

In this by-law,

(1) "Agricultural Lands" means any area designated as an Agricultural Zone under the provisions of any restricted area by-law in force in the Town of Halton Hills and any lot where the predominant use is for Agricultural purposes.

(2) "Chief Fire Official" means the Director of Fire Protection and Prevention Services or his designate.

(3) "Town" means the Corporation of the Town of Halton Hills.

2. This By-law shall apply to all Agricultural Lands within the Town and to the setting of fires in the open air on any such Agricultural Lands.
3. No person shall set or permit to be set a fire or maintain a fire on agricultural land within the Town of Halton Hills without first having obtained a permit from the Chief Fire Official for that fire.
4. No person shall set or permit to be set a fire or maintain a fire in contravention of the Ontario Fire Code, the Environmental Protection Act or any other statutory requirements of the Province of Ontario or the Government of Canada.
5. No person shall set or permit to be set a fire or maintain a fire closer to a built up residential area than is approved in the Permit by the Chief Fire Official not in accordance with a permit issued by the Chief Fire Official.
6. No person shall set or permit to be set a fire or maintain not in accordance with a permit issued by the Chief Fire Official.
7. No person shall leave a fire unattended.
8. No person shall set or permit to be set a fire where a fire ban is in effect.
9. The Chief Fire Official may revoke any or all permits, or refuse to issue permits where, in the opinion of the Chief Fire Official, the ability to control the fire is hampered by the existence at or near the proposed site of what the Chief Fire Official considers to be dangerous conditions.

10. The permit holder shall ensure that the permit is at the location of the fire and shall produce the permit for the Chief Fire Official upon request.
11. Nothing in this By-law shall be deemed to authorize or permit the commission of a nuisance and the granting of permission to set such fire herein shall not be deemed to relieve the applicant from, nor impose upon the Municipality, any civil or criminal liability that may otherwise be incurred by reason of the setting of such fire.
13. This By-law does not prohibit the use of a fire for legitimate cooking where the fire is contained in an area not exceeding 0.5 cubic meters identified in Section 2.6.3.4 of the Ontario Fire Code.
14. Every person who contravenes any provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this 9th day of December, 2002.

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K. Gastle, Mayor

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K. Landry, Clerk