

Ontario Fire Code Sentence 2.4.4.4(1) states "Open air burning shall not take place unless (a) it has been **approved**, or (b) the open-air burning consists of a small, confined fire that is (i) used to cook food on a grill, barbecue or spit, (ii) commensurate with the type and quantity of food being cooked, and (iii) supervised at all times."

Interpretation

A 'small, confined fire' used to cook food is defined as a fire reasonably proportioned to the food being cooked. Cooking of food other than on a grill/BBQ or spit requires an open air burn permit. The fire must be contained in a fire pit or enclosure that is constructed of a non-combustible material such as stones, cement or metal. The enclosure shall be designed to limit the size of the fire to the surface area of a household barbecue. **The fire must be extinguished immediately after the food has been cooked.**

Permit to Conduct Open Air Burning General Requirements

1. The Fire Department Communication Centre shall be notified (905-877-1133) prior to and at the completion of each commercial/construction, farm, or special Open Air Burn. When contacting the Communication Centre regarding Open Air Burning reference the **Permit Number** at the top of the **Permit** form.
2. Burning shall be conducted as per the conditions of the permit. Approval to burn with extended hours may be granted in circumstances where it is demonstrated to the satisfaction of the Chief Fire Official that it is necessary and may be done safely. The approved hours shall be specified on the **Permit**.
3. At least one person named on the permit shall ensure they are present at and attends the fire at all times until completely extinguished.
4. At least one person named on the permit shall ensure an approved method of extinguishment shall be readily available on site in order to prevent the fire from spreading beyond control, and/or causing damage or danger to persons or property. Adequate equipment shall be as specified on the **Permit** by the issuing Chief Fire Official in consideration for the location, and materials to be burned.
5. At least one person named on the **Permit** shall ensure the fire **does not include** any of the products listed below:
 - petroleum based products such as oil or grease
 - asphalt materials including building materials;
 - aerosol or pressurized containers;
 - wood products with high glue content such as particle board/plywood;
 - any product known to be harmful to the environment
 - rubber products including tires;
 - plastic products;
 - wood or paper products treated with chemical preservatives or any type of finish;
 - household garbage

NOTE: leaves and other compostable yard waste may not be burned in the urban areas or where yard waste pick-up is available.

6. At least one person named on the permit shall ensure the burn site has a minimum clear distance from building structures, hedges, fences, property lines and/or windbreaks as specified on the **Permit**.
7. At least one person named on the permit shall ensure the burn site is clear of ground cover vegetation as specified on the **Permit**.
8. At least one person named on the permit shall ensure the volume of materials burned at one time does not exceed that specified on the **Permit**.
9. At least one person named on the permit shall ensure the fire is contained in the manner specified on the **Permit**.
10. At least one person named on the permit shall ensure the fire does not:
 - cause discomfort to other persons;
 - cause loss of enjoyment to normal use of property;
 - interfere with the normal conduct of business, or
 - impair visibility on any public highway or roadway.
11. At least one person named on the permit shall ensure that Open Air Burning does not contravene rules or regulations set forth by the Ministry of the Environment.

Recreational/Residential Specific Requirements

12. Only seasoned (dry) wood shall be burned. Burning of leaves or other compostable yard waste is prohibited in the urban areas or where yard waste pick-up is available.
13. Only paper and kindling (no flammable or combustible liquids) shall be used to start the fire.
14. Where children will be present, they shall not be allowed to play with the fire and shall be supervised by an adult person at all times.
15. No fire container shall be used to obstruct pedestrian or vehicle traffic either on the roadway or the entrance to the property (i.e. steel drum or barrel).

Municipal Address

16. The municipal address of the property must be clearly posted at the burn site.
17. In rural areas and at construction sites where no municipal address is assigned to the site, the Notice provided by the Halton Hills Fire Department shall be posted at the entrance to the site.

Penalties

Any violation of the conditions of the **Permit to Conduct Open Air Burning**, in the opinion of the Fire Department, will result in any or all of the following action(s) being taken.

- Extinguishment of the fire.
- Revoking of the **Permit to Conduct Open Air Burning**.
- Refusal of future requests for a **Permit to Conduct Open Air Burning**.
- Assessment of Service Charges per the Town User Fee By-Law
- Laying of charge(s) under the authority of the Fire Protection and Prevention Act 1997.

Subsection 28(3)(b) of the Fire Protection and Prevention Act 1997 states: "An individual convicted of an offence is liable to, in the case of an offence for contravention of the fire code, a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both."

Subsection 28(4) of the Fire Protection and Prevention Act 1997 states: "A corporation is convicted of an offence is liable to a fine of not more than \$100,000."

Subsection 28(5) of the Fire Protection and Prevention Act 1997 states: "A director or officer of a corporation who knows that the corporation is violating or has violated a provision of the fire code is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or both."

Cost Recovery

In the event the Fire Department responds to extinguish Open Air Burning being conducted without a **Permit**, or in violation of the conditions of the **Permit**, the full costs of extinguishment, including labour costs and equipment costs, as determined by the Chief Fire Official may be charged to the property owner and/or **Permit Holder**.