

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2020- 53

BEING A BY-LAW TO RESTRICT OUTDOOR FIRES ON CROWN LAND AT 6920
UPPER BIG CHUTE ROAD

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended, confers on a municipality broad authority to enable the municipality to govern its affairs as it considers appropriate including the power to regulate or prohibit respecting matters of municipal jurisdiction;

AND WHEREAS Section 7.1(1)(a) of the *Fire Protection and Prevention Act* authorizes the Council of a municipality to pass by-laws regulating fire prevention, including the prevention of the spreading of fires;

AND WHEREAS wildfires have occurred on lands owned by the Crown in Right of the Province of Ontario managed by the Ministry of Natural Resources and Forestry at 6920 Upper Big Chute Road and as more particularly shown in heavy outline on Schedule "A" attached hereto (the "Restricted Lands");

AND WHEREAS suppression of such wildfires requires significant financial resources in terms of manpower and use of fire suppression equipment;

AND WHEREAS Council of The Corporation of the Township of Severn (the "Township") deems it in the best interests of the Township to regulate outdoor fires on the Restricted Lands;

NOW THEREFORE the Council of The Corporation of the Township of Severn hereby enacts as follows:

1. DEFINITIONS

In this by-law, unless a contrary intention appears:

"fire" means any type of fire outdoors including a campfire or a fire on a charcoal barbeque, an outside wood burning furnace or a stove.

"fire protection services" includes:

- (a) fire suppression, fire prevention;
- (b) rescue and emergency services;
- (c) enforcement of the provisions of this By-law.

"firefighter" means the Fire Chief and any other person employed in, or appointed to, the Township Fire Department and assigned to undertake fire protection services, and includes a volunteer firefighter.

"Fire Chief" means the Fire Chief or designate for the Township of Severn.

"portable stove" means a commercially manufactured portable device used for cooking or warmth that is designed to be moved from one location to another by muscular power without the aid of any device.

"start", with respect to a fire means to kindle, light, place or set a fire, or cause a fire to be started.

2. PROHIBITION

No person shall start or maintain a fire outdoors on the Restricted Lands unless the fire is for the purpose of cooking or obtaining warmth and the fire is in a portable stove.

2.1 No person shall so use a portable stove for cooking or obtaining warmth on the Restricted Lands unless all of the following conditions are met:

- (a) the stove is at least one (1) metre from any naturally occurring flammable material;
- (b) the stove is designed to use a liquid or a gas as fuel;
- (c) a liquid or gas is used as the fuel; and
- (d) the flame in the stove can be extinguished by closing a fuel control valve or by closing the stove.

2.2 No person shall hinder, obstruct or impede any firefighter in the performance of his or her duties under this By-law.

3. OFFENCE

3.1 Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine in accordance with the provisions of the *Provincial Offences Act* and to any other applicable penalty.

4. GENERAL PROVISIONS

4.1 The Township of Severn Fire Department Fees and Charges By-law shall be applicable to this By-law.

4.2 Signage shall be posted by the Township in the immediate area of the Restricted Lands indicating that a fire ban is in place.

4.3 This By-law shall be enforced by the Fire Chief, a Township By-law Enforcement Officer and/or the Ontario Provincial Police.

5. REPEAL

5.1 That By-law 2019-46 as amended be repealed.

6. EFFECTIVE DATE

6.1 This By-law shall come into force and effect upon the date of passing.

BY-LAW read a first and second this 7th day of October, 2020.

BY-LAW read a third time and finally passed this 7th day of October, 2020.

THE CORPORATION OF THE TOWNSHIP OF SEVERN

Mayor, Mike Burkett

Deputy Clerk, Andrew Plunkett

SCHEDULE "A" TO BY-LAW 2020-53

OF THE CORPORATION OF THE TOWNSHIP OF SEVERN

THE RESTRICTED LANDS

Part Lots 22 - 27, Concession 4, former Township of Matchedash, now in the Township of Severn – Portion of 6920 Upper Big Chute Road.

