

**TEMAGAMI BURNING PERMIT**

Name of Permittee in Full	Phone No.
Permit Location:	Permanent Address (if different from Permit location)
Purpose of Permit:	Date: From: _____ to _____ Inclusive
Date Issued:	

**Subject to the following terms and conditions:**

1. The permittee shall keep the permit at the site of the burning operation conducted under the permit and shall produce and show the permit to any officer whenever requested by that officer.
2. **NO DAYTIME BURNING PERMITTED** (2 hrs after sunrise to 2 hrs before sunset) unless the permittee obtains daily Fire Chief approval for burning prior to ignition.
3. **ONLY** one (1) pile may be burned at any one time, and shall not exceed 2m in length, width and height, or is in a burn barrel.
4. The permittee shall have at the location of the fire sufficient persons and fire fighting equipment and water to contain/extinguish the fire.
5. The permittee or person in charge of a fire outdoors shall take all necessary steps to tend the fire, keep the fire under control and extinguish the fire before leaving the site.
6. The fire is kept at least 15 meters from any dwelling and/or from any structure. Where burning is conducted in a burn barrel, the barrel must be located at least at least 5 meters from any vegetation, dwelling and or structure.
7. All open air burning shall be in accordance with Open Burning Bylaw 11-976 and any other special circumstance requirements noted on this permit or attachment therein.
8. **NO BURNING** when wind speed exceeds 10 knots (gentle breeze), or the Forest Fire Hazard Rating is high or extreme (11 or greater)
9. \_\_\_\_\_ Other conditions (as authorized by the Fire Chief)

**INDEMNITY**

In consideration of The Corporation of the Municipality of Temagami issuing a permit for an open air burn, I, \_\_\_\_\_  
PRINT NAME undertake to indemnify the Corporation of the Municipality of Temagami against any liability incurred by it for any costs or expenses in controlling or extinguishing the fire contemplated by this permit and against all losses, damages, costs, charges and expenses which The Corporation of the Municipality of Temagami may incur in consequences thereof.

Signed and sealed at Temagami this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature of Permittee \_\_\_\_\_ Signature of issuing officer \_\_\_\_\_

**FAILURE TO CONDUCT OPEN AIR BURNING IN ACCORDANCE WITH BY-LAW 11-976 MAY RESULT IN A FINE PLUS FIRE EXTINGUISHING COST.**

**THIS PERMIT DOES NOT LIMIT IN ANYWAY THE PERMITTEE'S RESPONSIBILITY TO ADHERE TO THE FOREST FIRE PREVENTION ACT R.S.O. 1990, AND REGULATIONS MADE UNDER THE ACT.**

**Excerpt from By-Law No. 11-976, being a bylaw to regulate the setting of open air fires, including establishing times during which open air fires may be set, and precautions to be taken.**

The complete bylaw can be viewed by visiting: <http://www.temagami.ca/pagesmith/87>

2. (3) No person shall start a fire or permit the setting of a fire or allow a fire to burn during a Restricted Fire Zone order (RFZ); unless the activity is authorized under Outdoor Fires, O. Reg. 207/96 and a special circumstance permit, has been issued by the fire chief.
- (5). No person shall burn industrial waste, domestic waste, petroleum products, rubber, painted lumber, mixed demolition debris or anything else that will cause excessive smoke or fumes in addition to any other material identified in the regulations contained in the Environmental Protection Act.
5. (1) No person shall undertake to set or maintain any open air fire, other than a campfire, between April 1<sup>st</sup> and October 31<sup>st</sup> except in accordance with the conditions of the permit.

**General Requirements for Open Air Fires**

7. (1) Where the material to be burned in an open air fire is 2m or less in length, width and height, or is in a burn barrel, no person shall set or maintain an open air fire:
  - a. between April 1<sup>st</sup> and October 31<sup>st</sup>, unless a burning permit has been issued under section 4;
  - b. within 15m from any building, structure, hedge, fence, vehicular roadway of any kind or nature, overhead wiring, or any property line;
  - c. unless an area of 2m, around and over top of the fire, is free from any flammable materials;
  - d. unless the space around and above the fire is at least 5m from vegetation;
  - e. Unless a competent person, sixteen (16) years of age or older, maintains constant watch and control over the open air fire at all times from the time of the setting of the fire until the fire is totally extinguished;
  - f. Unless sufficient equipment capable of extinguishing the fire, such as rakes, shovels, or water, are on site and immediately available for use;
  - g. Unless the burn is conducted in such a manner as to prevent the escape of the fire from beyond the area of the pile being burnt;
  - h. That uses prohibited materials, which include grass, leaves, garbage, pressure or creosote treated wood, or any combustibles that produces toxic fumes other than those produced by the burning of untreated lumber, wood, tree limbs or branches;
  - i. under adverse weather conditions; or
  - j. Unless adjacent properties are protected and that *by-products* of the fire do not have a *Negative Impact* on persons, pets or the environment.
- (2). During the forest fire season (April 1<sup>st</sup> to October 31<sup>st</sup>), no person shall set an open air fire, other than a campfire, earlier than two hours before sunset or fail to completely extinguish set fires not later than two hours after sunrise the following day, or earlier.
- (3). Despite subsection 7(2) no permit holder shall conduct open air burning, other than a campfire, between the hours of two hours after sunrise to two hours before sunset during the forest fire season, unless:
  - a. A forest fire danger rating of 3 or less (Low); and
  - b. Obtaining fire chief permission on the day of each proposed open air fire.

**Additional requirements for Burn Barrels / incinerators**

8. (1) Despite clauses (a) (b) (c) and (e) of subsection 7(1) no person shall set or maintain an open air fire in a burn barrel / incinerator unless:
  - a. A valid burning permit, for the use of a burn barrel, is on site;
  - b. The barrel is in good condition, and equipped with a heavy duty screen with mesh size no greater than 5mm over the top to prevent debris, sparks and embers from flying out the barrel. Vent holes must be punched in the side for ventilation, and drainage holes in the bottom;
  - c. The barrel and an area of 2m around the barrel is on bare rock or other non-combustible material; and free of combustible materials;
  - d. The barrel is at least 5m from vegetation, building, structure, hedge, fence, vehicular roadway of any kind or nature, overhead wiring or any property line;
  - e. The only materials being burned are untreated wood scraps, tree limbs, branches, leaves and non-compostable material limited to paper products and sisal twine;
  - f. A person who starts a fire in an incinerator shall ensure that a responsible person monitors the fire until it is extinguished; and
  - g. In compliance with the requirements of subsection 7(1) clauses (d) and (f) to (j) inclusive.
- (2). Despite subsection 7(2) daytime burning in a burn barrel / incinerator is permitted where the conditions in subsection 8(1) are met.

**Penalty**

15. (1) Every person who contravenes any provision of this By-law is guilty of an offence.
  - (2). Every person who is convicted of an offence under this bylaw is liable to a fine as provided for in the **Provincial Offences Act, R.S.O. 1990, Chapter P.33.**
  - (4). Every person who sets a fire in contravention of this by-law or who fails to extinguish a fire once ordered to do so by an *Officer* shall, in addition to any penalty provided for herein, be liable to the municipality for all expenses incurred as approved by Council, for the purpose of investigating, controlling and extinguishing any fire set or left to burn, and such expenses may be recovered by court action or in a like manner as municipal taxes.
21. This by-law shall come into force on the date of final passing thereof.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 14<sup>TH</sup> DAY OF APRIL 2011.