



THE CORPORATION OF THE TOWNSHIP OF HORTON
PROTECTIVE SERVICES COMMITTEE

July 17th, 2025
5:30 p.m.

1. Call to Order
2. Declaration of Pecuniary Interest
3. Minutes from Previous Meeting
 - i. May 14th, 2025 **PG.2**
4. Fire Chiefs Report and Update **PG.4**
6. MLES Reporting **PG.30**
7. Next Meeting Date
 - i. September 18th, 2025 – 5:00 p.m.
8. Adjournment

THE CORPORATION OF THE TOWNSHIP OF HORTON

Protective Services Committee MeetingMay 14th, 2025

5:30 p.m.

There was a Meeting of the Protective Services Committee held on Wednesday May 14th, 2025, in the Horton Council Chambers. Present was Chair Daina Proctor, and Councillor Glen Campbell, and Public Advisory Member Spencer Hopping. Staff present was Fire Chief Allan Cole, Deputy Fire Chief Mike Fortier, and CAO/Clerk Hope Dillabough – Recording Secretary.

Mayor David Bennett sent his regrets.

1. CALL TO ORDER

Chair Proctor called the meeting to order at 5:35 p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest expressed by Members of the Committee.

3. MINUTES FROM PREVIOUS MEETING

i) November 28th, 2024

Moved by Councillor Campbell

Seconded by Spencer Hopping

THAT the Protective Services Committee accept the Minutes of November 28th, 2024, as amended.

Carried

4. FIRE CHIEF'S REPORT AND UPDATE

Fire Chief Cole presented his report. Chief Cole presented the calls for service from mid November to December 31st, 2024 – total of 7 calls – and then January 1st, 2025 to date – total of 19 calls.

Chief Cole attended Renfrew County Chief's Association – December 4th, 2024 and March 5, 2025 and highlighted the various sub committees within the association.

Chief Cole discussed that the funds have been spent from the Fire Protection Grant received from the Province. Staff are required to report under the grant program once all funds have been spent. The second round of the funding should come up in 2026 for the Fire Department to make application for again.

Chief Cole summarized the correspondence and attachments provided in the package. Some of these included, but not limited to, 2024 Horton Fire Department Incident Statistics, 2024 Operational Review, and the Ontario Fire Marshal – Every Second Counts campaign.

Upon request for public education purposes, Chief Cole and Deputy Chief Fortier attended Christopher and Lola Lanes to discuss Emergency Services and what it means to live on a private road in terms of service and access to and from the Fire Department.

Deputy Chief Fortier discussed issues with the Honda pump purchased. CAO/Clerk offered support if required regarding warranty discussion. Deputy Chief Fortier is to take the pump to Kanata Honda to have it inspected and will move forward from there.

RETURN TO AGENDA

Chief Cole stated that all trucks have passed their safeties. Annual pump testing this Fall per regular schedule.

Chief Cole did some investigation into used Tankers in Ontario – there are none. Shared pricing for brand new stock vehicle – 680-720,000 CDN funds. Some financing discussion was had. New tanker asset management life cycle is estimated around 20 years.

Asset Management reporting was discussed. There were questions on the estimates that were inputted into the AMP software, however CAO/Clerk stated that Public Works Manager Adam Knapp has been requesting the actual numbers from the Fire Department. Support from the administration has been offered in terms of providing reports from the Accounts Payable software.

Radio discussion correspondence with Bell as the radio network needs to be upgraded. It will either be a cost incurred by the County or the cost is downloaded to all municipalities. The Protective Services Committee provided Mayor Bennett, County Representative, direction to inquire on the potential radio upgrades and bring back to Committee. There is a meeting to be held with Bell – Public Advisory Member Spencer Hopping will be attending along with the Chief and Deputy.

5. MLES REPORTS

The committee reviewed the reports. There was some discrepancy on the charges laid for March 2025. CAO/Clerk to confirm numbers with MLES.

6. Committee/Staff Members Concerns

Chair Proctor brought up the Open-Air Burning By-Law as she has spoken to residents. It was discussed that the timeframe is restrictive in terms of potential weather/environmental conditions and would like to bring forward a discussion to look at potential flexibility within these timeframes. Chief Cole reviewed that the by-law is 10 years old and could be due for review. Current timeframes enforced are within the Ministry of Natural Resources and Forestry (MNRF) guidelines, but the Chief understands it's quite restrictive. There is no real consistency among municipalities within the County in terms of open air burning by-laws.

Moved by Councillor Campbell

Seconded by Spencer Hopping

THAT Committee give direction to the Fire Chief to bring by-law 2016-23 to Committee for Review and discussion – timeframe of open air burning – environmental base.

Carried

6. NEXT MEETING DATE

The next meeting will be held July 17th, 2025, at 5:00 p.m.

7. ADJOURNMENT

Chair Proctor declared the meeting adjourned at 7:12 p.m.

CHAIR Daina Proctor

CAO/Clerk Hope Dillabough



Township of Horton COUNCIL / COMMITTEE REPORT

Title: Monthly Fire Report	Date:	July 09, 2025
	Council/Committee:	Fire Committee
	Author:	J. Allan Cole – Fire Chief
	Department:	Fire

CALL OUTS/RESPONSES:

Cal-Outs/Responses May 14, 2025 to July 07, 2025

Total This Period – Ten (10)

Total This Year to Date – Twenty-Nine (29)

- Structure Fire – Deck Area Only – (1)
- MVC – (4)
- General FA Activation – False Alarm – (2)
- Power Lines Down/Arcing – (1)
- Vehicle Fire – (2)

MEETINGS:

Renfrew County Chief's Association Meeting – June 05, 2025

TRAINING/WORKSHOPS/:

- Practical Evolutions NFPA 1001 FF1&2 to meet minimum requirements of Ontario Seal. (ongoing)
- Firefighter Interior Attack-Ontario Seal Certification Program-Based on NFPA2001 Chapter 4&5, 2019 Edition
- Intro to IMS – An Introduction to the Incident Management System – For Company Officers – In house Training (ongoing)
- External Training NFPA 1002 Pump Ops with AS&E Proctored Examination – Matt Harper– Mississippi Mills RTC
- Upcoming Training MLFTU – Renfrew County has received notification that the MLFTU will be available for training opportunities October 28, 29, 30 2025. HFD has spots booked for live fire training.

CORRESPONDENCE/ATTACHMENTS:

- 2026-23 Open Air Burning By-Law
- 2016-23 Set Fines POA Approval
- 2016-23 Back-Up Data HFD
- By-Law 2016-23 Briefing Note May 22, 2019

RETURN TO AGENDA

OUTSTANDING ISSUES/OLD BUSINESS:

Fire Department Access on Private Roads within the Municipality (Left on for Reference)

There are 149 registered Roads in the Township that have 911 addresses attached to them (Info based on CACC 911 Reporting Data).

Of the 141 registered Roads, 61, or 43% are deemed to be Private Roads not maintained by the Municipality and of varying roadbed condition.

We have completed the Private Road Condition Assessment on 61 Private Roads in the Township.

Based on our observations there are a sizeable number of 911 addresses located on private roads where we, as a Fire Department, could not provide the same level of service as would be expected of 911 addresses on Municipally Maintained Roads.

The following are some suggested options based on reviews of situations encountered with other municipalities having similar conditions.

- 1- Based on above, evaluate whether the FD has the appropriate equipment to meet the needs of the homeowners of these roads and consider alternate methods of response that may meet the minimum standards (IE: perhaps we would be well served with a Mini-Pumper for this type of work-dependent on number of roads, # of homeowners, # of roads inaccessible by the larger trucks etc.)
- 2- Consider either a) developing a By-Law establishing minimum road standards and enforcing compliance or b) revise the current E&R By-Law to indicate that HFD will do its best to provide an appropriate level of service but based on road condition we may not be able to.
- 3- Inform all homeowners serviced by Private Roads of the level of Emergency Response they are most likely to get based on the above.
- 4-

Public Information Open House was held on Tuesday October 08, 2024, with good participation from Staff, Council and Ratepayers.

Private Road Survey was distributed to get a feel for what ratepayer expectations are.

There may be additional merit in attaching this survey to a mailout package from the Township. Changes or comments on the survey content are always welcome.

Update May 10, 2025

DC Fortier and I met with the homeowners on Lola Lane and Christopher Lane to discuss access to their properties. We took 9614 to illustrate the sizes of the vehicles and space requirements for setting up pumper/tanker/portable water tanks in order to conduct fireground operations. Responses were mixed but for the most part positive. They are beginning to see the differences between coming into a scenario on a warm spring morning as opposed to night and/or in the wintertime. A very recent call for power lines down due to storm damage reinforced the messaging.

NOTE: It was observed that there are signage issues differentiating between where Lola Lane and Christopher Lane merge and which goes where. This could impact response times by HFD Pers. in the event of a major incident.

Old Business

As noted in minutes from previous meeting Open Air Burning By-Law 2016-23 is to be brought before committee for discussion.

Package attached.

Staffing

Current Staffing Compliment:

18 Firefighters all ranks.

We have lost an excellent firefighter due to a relocation move out of the immediate area.

Allowed Staffing Compliment

20 Firefighters all ranks.

We are looking to upstaff from current pool of candidates to meet compliment.

Recommendations coming shortly.

New Business

Fire Prevention Public Education

- HFD assisted with the Horton Canada Day festivities. Excellent work by all Horton Firefighters

Items of Note:

Capital Expenses: (update)

Unit 9717 Tanker Replacement

New Model Year Tankers are running in the \$680K to \$720K range.

Used ones are out there but very hard to source. I have secured some contact information for used models and will be following up with an additional report.

SCBA Replacement

The current set of ten (10) MSA SCBA will life-cycle out on or before 2029

SCBA Paks, Facepieces and 4500 PSI air bottles have a life expectancy of 15 years.

Replacement equipment budgetary Class D estimate puts a replacement program costing of \$12K per set. \$120K total +/- 20% contingency by 2029

Prepared by: J. Allan Cole, Fire Chief

Reviewed by: Hope Dillabough, CAO/Clerk

**CORPORATION OF THE TOWNSHIP OF HORTON
BY-LAW NO. 2016-23**

**BEING A BY-LAW FOR ESTABLISHING REQUIRMENTS FOR OPEN AIR BURNING IN
THE TOWNSHIP OF HORTON**

WHEREAS the Fire Code, (Ontario Regulation 213/07) Division B, Part 2, Section 2.4.4, Article 2.4.4.4 provides that open air burning shall not be permitted unless approved by the Fire Chief, or designate, or unless such burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill or a barbeque;

AND WHEREAS the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, provides:

In section 7.1(1)(a) that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of spreading of fires;

In section 7.1(1)(b) that a council of a municipality may pass by-laws regulating the setting of Open Air Fires, including establishing the times during which Open Air Fires may be set;

In section 7.1(3) that a by-law passed under section 7.1 may deal with different areas of the municipality differently;

In section 7.1(4) that a municipality may appoint an officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted in accordance with this section are being complied with;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides:

In section 10 (2) that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health safety and well-being of persons; 8. Protection of persons and property; 10. Structures, including fences and signs;

In section 391 that a municipality is authorized to pass by-laws imposing fees or charges on persons for services or activities provided or done by it or on behalf of it, and for the use of its property including property under its control;

In section 446 (1) that if a municipality has authority under the Act or under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

In section 446 (2) for the purposes of subsection (1), the municipality may enter upon land at any reasonable time;

In section 446 (3) that the municipality may recover the costs of doing a matter or thing under subsection (1) from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS the Forest Fires Prevention Act, R.S.O. 1990 Chapter F.24, as amended and Ontario Regulation 207/96 Outdoor Fires provides:

In section 10 that the period from the 1st day of April to the 31st day of October in each year shall be a fire season;

In section 18.(1) that if an officer finds on any lands, building, structure or equipment a condition or activity that, in his or her opinion, may cause danger to life or property from fire, the officer may make an order requiring the owner or person in control of the land, building, structure or equipment, the person who caused the condition, or any person engaged in or responsible for the activity to take such action, within the time specific by the order, as the officer considers necessary to eliminate or reduce the danger;

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In section 18.(2) that if the person against whom an order is made under subsection (1) does not comply with the order, the officer, with such assistants as he or she requires, may take such action as the officer considers necessary to eliminate or reduce the danger;

In section 18. (3) that the cost and expenses of any action taken by an officer and his or her assistants under subsection (23) are payable by the person against whom the order was made to the Minister of Finance, on the date specified in the request for payment, and are recoverable as a debt due the Crown in right of Ontario by any remedy or procedure available to the Crown by law.

NOW THEREFORE, the Council of the Township of Horton enacts as follows:

1.0 DEFINITIONS

In this by-law,

"Approved Pit" means an area of ground that has been completely cleared of combustible material and lined with a minimum thickness of 15 cm (6 inches) of sand or mineral soil that will extend a minimum of 30 cm (12 inches) beyond the limit of the fuel used for a Campfire.

"Authorized Agent" means any person authorized by the Fire Chief or the Council of the Township to carry out those duties.

"By-law Enforcement Officer" means a person appointed by Council of the Township as a by-law enforcement officer for the Township.

"Burn Barrel" means any container regardless of size or construction, covered with a screen having a mesh size of not more than 5 mm in which a fire can be set or maintained for the burning of materials.

"Campfire" means a contained fire, having a maximum fuel volume of .6 metres x .6 metres x .6 metres (2 feet x 2 feet x 2 feet), that is set or contained in an approved pit or outdoor fireplace or brazier and is used solely for the purposes of cooking food, providing warmth or recreational enjoyment.

"Fire Season" means the period from the 1st day of April to 31st day of October in each year shall be a Fire Season.

"Household Waste" means any Solid waste, composed of garbage and rubbish, which normally originates in a private home or apartment house.

"Incinerator" Means any enclosed chamber constructed for the purpose of burning materials but not an outdoor furnace.

"Investigator" Means the Fire Chief, Deputy Fire Chief, Fire Captains or By-Law Enforcement Officer of the Township.

"Open Air Fire/Bonfire" means a fire set in the open air for the purpose of burning brush or other approved combustible material, and includes fires in incinerators and pits, but does not include Campfires, barbeques or braziers.

"Outdoor furnace" means, but is not limited to, any enclosed device, appliance, equipment apparatus or structure that is designed, intended and/or used to provide heat and/or hot water to any associated structure, that operates by burning wood or any other fuel, including, but not limited to, paper pellets and agricultural products, is not located within the structure to be heated, and includes, but is not limited to, devices referred to as wood furnaces, outdoor boilers and outdoor stoves covered with a screen having a mesh size of not more than 5mm.

"Permit" means a permit issued by the Fire Chief, or Deputy Fire Chief signifying permission to set or maintain or allow being set or maintained an Open Air Fire and establishing the conditions under which the permission is granted.

"Person" includes an association, firm partnership, or corporation.

“Prohibited Materials” Shall mean any materials such as but not limited to household waste, petroleum products, plastics, rubber, painted lumber, tires, furniture, carpeting, styrofoam or any other item that could cause noxious or toxic smoke or fumes.

"Township" means the Corporation of the Township of HORTON

2.0 GENERAL REGULATIONS

2.1 No Person shall at any time:

- (a) Set, maintain or allow being set or maintain any Open Air Fire/Bonfire during the Fire Season.
- (b) Set, maintain or allow being set or maintained any Open Air Fire/Bonfire that is not a Campfire maintained within an Approved Pit without first obtaining a Permit from the Fire Chief or Deputy Fire Chief.
- (c) Burn any Prohibited Materials such as but not limited to Household Waste, petroleum products, plastics, rubber, painted lumber, tires, furniture, carpeting, styrofoam or any other item that could cause noxious or toxic smoke or fumes.
- (d) Burn any materials where the smoke from such fire impedes visibility on any public thoroughfare, or has a negative impact on neighbouring person's or properties.
- (e) Set, maintain or cause to be set or maintained any Open Air Fire/Bonfire:
 - (i) That is not a Campfire at any time within the geographical confines of the Residential One (R-1), Limited Service Residential (LSR) and Mobile Home Park (MHP) zones as described in the current approved Township of Horton Comprehensive Zoning By-law, except at a location approved by the Fire Chief or a firefighter designated by the Fire Chief. These zones are described generally as any built up residential area including water front areas in the Township of Horton.
 - (ii) That is oversize having a maximum fuel volume greater than 2 metres in diameter and 1 meter high except at a location approved by the Fire Chief or a firefighter designated by the Fire Chief.
 - (iii) Within 10 metres (app. 30 feet) of a building or wooded area.
 - (iv) Within 5 metres (app. 15 feet) of any other flammable material.
- (f) Without special permission issued by the Fire Chief, burn any restricted material such as but not limited to:
 - (i) A building or structure of any kind.
 - (ii) Any hay, straw or standing material.
 - (iii) Any green brush or wood.

2.2 No person shall at any time burn grass or leaf litter.

2.3 No person shall at any time use or allow being used a Burn Barrel, Incinerator or any similar device to burn any materials.

- (a) Further to 2.3 above, a Burn Barrel, Incinerator or similar device may be permitted in the Rural zone provided the barrel, incinerator or similar device meets a minimum setback of 100 metres (328 feet) from the property lot line and this use is only permitted between the dates of November 1 to March 31.

2.4 Outdoor Furnaces

- (a) No person shall at any time burn or allow to be burned any household waste or prohibited materials in any Outdoor Furnace.
- (b) Dry non-glossy paper, cardboard and natural vegetation may be used to start a fire in an Outdoor Furnace only.

2.5 The application for a fire Permit is made available on the Township of Horton's website or at the Municipal Office. An investigation of the premises and material to be burnt will be carried by the Fire Department prior to the issuance of the fire Permit. A fire Permit will be issued within 10 calendar days of application.

3.0 SAFETY

3.1 No person shall at any time set, maintain or allow to be set or maintained an Open Air Fire/Bonfire:

- (a) Unless a person over the age of 18 is in attendance and shall supervise all Open Air Fires/Bonfires until they are fully extinguished.
- (b) Unless equipment and other resources capable of controlling and extinguishing an Open Air Fire/Bonfire are available and maintained at the site until the fire is fully extinguished.
- (c) Except a Campfire in an Approved Pit, no earlier than two (2) hours before sunset and extinguished no later than two (2) hours after sunrise.
- (d) In the presence of any wind or wind gusts in excess of 11 Km/h or any other adverse burning conditions. i.e. dry weather

3.2 Every person setting or maintaining a Campfire shall ensure that such campfire is set or maintained in an Approved Pit and totally extinguished before leaving.

4.0 FIRE BANS

4.1 The Fire Chief may, at any time, and in the exercise of his or her sole discretion, issue a fire ban, effective for a specified period of time, prohibiting the setting of any and all Open Air Fires/Bonfires within any area of the Township based on MNR Guidelines, MNR indices rating or local conditions.

4.2 No person shall at any time while a level one (1) (yellow rating) fire ban is in effect set, maintain or allow any Open Air Fire/Bonfire other than a Campfire.

4.3 No person shall at any time while a level two (2) (red rating) fire ban is in effect:

- (a) Set, maintain or allow any Open Air Fire/Bonfire.
- (b) Set maintain or allow any Open Air Fire/Bonfire including but not limited to Campfires, outdoor fireplaces or other outdoor appliances that burn any fuel producing an open flame.
- (c) Enclosed barbeques fueled by propane or briquettes are exempt from section 4.3 (b) of this by-law

4.4 The Fire Chief will assess the need for a total or partial fire ban on a daily basis and will downgrade or cancel the fire ban as soon as possible based on MNR indices rating and local conditions.

4.5 Revocation of Permits

- (a) Notwithstanding any other provision of this by-law, the Fire Chief or Deputy Fire Chief may revoke any or all Permits, or refuse to issue Permits where one or more of the following conditions exist in respect of, or in proximity to, the proposed Open Air Fire/Bonfire Site:

- (i) A lack of precipitation that, in the opinion of the Fire Chief or Deputy Fire Chief, increases the risk of the spread of fire;
- (ii) Winds that, in the opinion of the Fire Chief or Deputy Fire Chief, increase the risk of the spread of fire;
- (iii) The issuance, by the Fire Chief, Fire Marshall, or other fire officials in the exercise of their statutory powers, of a fire ban or prohibition against any and all Open Air Fires; or
- (iv) Any other condition that in the opinion of the Fire Chief or Deputy Fire Chief will increase the risk of the spread of fire.

5.0 ADMINISTRATION AND ENFORCEMENT

This by-law shall be administered and enforced by the Fire Chief, Deputy Fire Chief, Fire Captains and By-law Enforcement Officer.

6.0 INSPECTION POWERS

- 6.1 An Investigator may at any time inspect any Open Air Fire/Bonfire to ensure that the provisions of this by-law have been and are being complied with and the person who has the care and control of such fire shall provide the Investigator with free and unobstructed access to the Open Air Fire.
- 6.2 Upon inspection under section 5 above, the Investigator:
- a) Is entitled to request and have produced any relevant Permits issued in respect of the Open Air Fire/Bonfire that is being inspected; and;
 - b) May, where there are reasonable and probable grounds that any offence under this by-law has been committed, request any person believed to have committed such offence to provide suitable identification and information, and
 - c) May, where there are reasonable and probable grounds that any offence under this by-law has been committed, order the person or persons to immediately extinguish the fire.

7.0 REMEDIAL ACTION - COSTS

- 7.1 Should the Township, through the Fire Department, or its authorized agent extinguish, demolish or repair property or, take any or all measures to terminate the danger of unauthorized activity, the Township shall recover all of the expenses incurred in respect thereof by any or all of the methods provided for in Section 446 of the Municipal Act, 2001 in addition to any other fees or charges prescribed. The person or persons responsible for setting, maintaining, or permitting to be set or maintained an Open Air Fire/Bonfire shall be liable to the Township by way of a fee or charge, in accordance with Schedule "B" to this by-law, on account of those costs and expenses incurred by the Township in:
- a. Investigating and responding to a complaint made to the Township or the Fire Department by any person acting reasonably and in good faith of a possible contravention of section 2 of this by-law.
 - b. The dispatching of Fire Department vehicles and fire-fighting personnel for the purpose of extinguishing the Open Air Fire/Bonfire.
 - c. Investigating any complaint from any person acting reasonably and in good faith, which complaint results from setting and/or maintenance of an Open Air Fire/Bonfire and, in the opinion of the Fire Chief or the Fire Chief's designate smoke or emissions from such Open Air Fire are contrary to the guidelines that are detailed in section 3 of this by-law.

- 7.2 All fees and charges payable under this by-law are due and owing to the Township within thirty (30) days of the date of an invoice rendered to the person liable to pay them.
- 7.3 All overdue accounts shall accrue interest at the rate of 1.25% per month (15% per annum), calculated monthly, from the due date until paid in full.
- 7.4 All fees and charges payable under this by-law constitute a debt of the person liable for payment of them to the Township and, in the case of owners of a property being responsible for payment of the fees and charges, the Township shall add the amount owing to the tax roll for the owner(s) real property and collect them in like manner as municipal taxes.
- 7.5 If a person who sets or maintains an Open Air Fire/Bonfire in contravention of this by-law is not the owner of the property but occupies or is using the property with the owners consent, the owner and the person conducting the Open Air Fire/Bonfire shall be jointly and severally liable to pay any fees and charges imposed by this by-law.

8.0 PENALTY PROVISIONS

Every person who contravenes or causes or permits the contravention of any provision of this by-law is guilty of an offence and upon conviction is liable to a fine, pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended as laid out in Schedule "A" to this by-Law.

9.0 SEVERABILITY

A decision of a competent court that one or more provisions of this by-Law are invalid in whole or in part does not affect the validity, effectiveness or enforce ability of the other provisions or part of provisions of this by-Law.

10.0 BY-LAW NO. 2007-51 is hereby repealed effective May 5th, 2016.

11.0 BY-LAW COMING INTO EFFECT

This by-law shall come into force thirty (30) days after the passing of this by-law, at which time By-law No. 2007-51 shall not longer be in effect.

Read a first and second time this 05th day of April 2016.

Read a third time and passed this 05th day of April 2016.

MAYOR

CAO/Clerk

TOWNSHIP OF HORTON
Part 1 Provincial Offences Act
By-Law No. 2016-23 Open Air Burning
Schedule "A"
Schedule of Fines

Item	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set fine
1	Set, Maintain or allow an Open Air Fire during Fire Season	2.1 (a)	\$450.00
2	Set, Maintain or allow an Open Air Fire without a Permit	2.1 (b)	\$450.00
3	Burn Prohibited Materials	2.1 (c)	\$250.00
4	Impede visibility public thoroughfare	2.1 (d)	\$250.00
5	Set or maintain Open Air Fire R1 Zone	2.1 (e) (i)	\$250.00
6	Set or maintain Open Air Fire MHP Zone	2.1 (e) (i)	\$250.00
7	Set or maintain Open Air Fire LSR Zone	2.1 (e) (i)	\$250.00
8	Set or maintain an oversize Open Air Fire	2.1 (e) (ii)	\$250.00
9	Set or maintain an Open Air Fire within 10 meters of a building or wooded area	2.1 (e)(iii)	\$250.00
10	Set or maintain an Open Air Fire within 5 meters of flammable material	2.1 (e)(iv)	\$250.00
11	Burn restricted materials, no special permission	2.1 (f)	\$450.00
12	Burn grass or leaf litter	2.2	\$250.00
13	Burn Household Waste or Prohibited Materials in a Burn Barrel or Incinerator	2.3	\$250.00
14	Burn materials in a Burn Barrel or Incinerator in Fire Season	2.3 (a)	\$250.00
15	Burn Household Waste or Prohibited Materials in an Outdoor Furnace	2.4 (a)	\$450.00
16	Set or maintain Open Air Fire underage supervision	3.1 (a)	\$250.00
17	Set or maintain Open Air Fire no fire control measures on site	3.1 (b)	\$250.00
18	Set or maintain Open Air Fire non approved times	3.1 (c)	\$250.00
19	Set or maintain Open Air Fire adverse burning conditions	3.1 (d)	\$250.00
20	Campfire not set or maintained in an Approved Pit	3.2	\$250.00
21	Set or maintain an Open Air Fire during a level 1 (yellow rating) fire ban	4.2	\$450.00
22	Set or maintain an Open Air Fire during a level 2 (red rating) fire ban	4.3 (a)	\$450.00
23	Set, maintain or allow any Campfires during a level 2 (red rating) fire ban	4.3 (b)	\$450.00
24	Set, maintain or allow any fire in any Burn Barrel or Incinerator during a level 2 (red rating) fire ban.	4.3 (b)	\$450.00

NOTE: The general penalty provisions for the offences listed above is section 8 of By-Law 2016-23, a certified copy of which is on file.

SCHEDULE "B" TO BY-LAW NO. 2016-23

Schedule of Fees

1. Fees to respond to and investigate a complaint in regards to a possible violation under Section 2.0 about Open Air Fire/Bonfire
 - a. Fee of \$75.00 per response payable by the permit holder or person setting, maintaining or allowing such fire to be lit if the complaint is substantiated
 - b. Fee of \$75.00 per response payable by the complainant if the complaint is not substantiated
 - (i) Fee may be waived at the discretion of the investigator if in their opinion the complaint was reasonable and made in good faith but investigation showed no violation under any section of this by-law had occurred.
2. Cost Recovery Fees:
 - a. Dispatch of Fire-fighters - (to be calculated at \$25 per hour for a minimum of 2 hours per fire fighter responding to the scene and calculated on one half hour increments thereafter).
 - b. Dispatch of Fire Response vehicles actively involved in fighting the fire. - First hour (or part thereof) \$450.00 per vehicle, each additional half hour \$225.00 per vehicle.
 - c. Actual costs incurred by the Township for additional firefighting support from other outside agencies.
 - d. Actual costs incurred by the Township to replace or repair damaged equipment.
 - e. A 15% Administration charge shall be added to the Cost Recovery Fees calculated in clauses 2 a., 2 b., 2 c. and 2 d. set out above.

SCHEDULE "C" TO BY-LAW NO. 2016-23

Open Air Burning Permit

- (a) A person over the age of 18 is in attendance and shall supervise all Open Air Fires until they are fully extinguished.
- (b) Equipment and other resources capable of controlling and quickly extinguishing Open Air Fires shall be available and maintained at the site of the fire at all times. Equipment and other resources shall include as a minimum:
- Fire extinguisher (Optional for approved camp fire)
 - Shovels
 - Water hose/source of water
 - Sufficient personnel on site to manage the size of fire set.
- (c) Hours of all fires set outdoors shall be no earlier than two (2) hours before sunset and extinguished no later than two (2) hours after sunrise, or earlier except a campfire in an approved pit.
- (d) No Open Air Fires be set in the presence of any wind or wind gusts in excess of 11 Km/h or any other adverse burning conditions.

SCANNED JULY 29/16 1650E

THE HONOURABLE
JUSTICE HUGH L. FRASER
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE



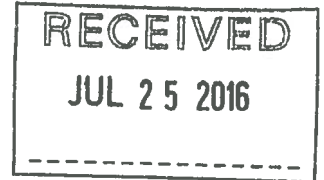
L'HONORABLE
JUGE HUGH L. FRASER
JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO

COURT HOUSE
161 ELGIN STREET, 6TH FLOOR
OTTAWA, ONTARIO
K2P 2L1

PALAIS DE JUSTICE
161, RUE ELGIN, 6^E ÉTAGE
OTTAWA (ONTARIO)
K2P 2L1

TELEPHONE/TÉLÉPHONE (613) 239-1520
FAX/TÉLÉCOPIEUR (613) 239-1572

July 4th, 2016



The Corporation of the Township of Horton,
2253 Johnston Road
RR5
Renfrew, Ontario
K7V 3Z8

Attention: Mackie McLaren

Dear Mr. McLaren:

Re: Set Fines – Provincial Offences Act – Part I
By-law No. 2016-23: Open Air Burning

Enclosed herewith are the original Order dated July 4th, 2016 and original schedule of set fines for By-Law No. 2016-23, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of Horton.

Yours truly,

Hugh L. Fraser
Regional Senior Justice
East Region
Enclosures

Randy
the set fines
have been approved
for our Burning Bylaw
(u)


RETURN TO AGENDA

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2016-23 of the Corporation of the Township of Horton attached hereto is the set fine for that offence. This Order is to take effect on July 4th, 2016.

Dated at Ottawa this 4th day of July 2016.


.....
Hugh L. Fraser, Regional Senior Justice
Ontario Court of Justice
East Region

Open Air Burning By-law 2016-23

TOWNSHIP OF HORTON
Part 1 Provincial Offences Act
By-Law No. 2016-23 Open Air Burning
Schedule "A"
Schedule of Fines

Item	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set fine
1	Set, Maintain or allow an Open Air Fire during Fire Season	2.1 (a)	\$450.00
2	Set, Maintain or allow an Open Air Fire without a Permit	2.1 (b)	\$450.00
3	Burn Prohibited Materials	2.1 (c)	\$250.00
4	Impede visibility public thoroughfare	2.1 (d)	\$250.00
5	Set or maintain Open Air Fire R1 Zone	2.1 (e) (i)	\$250.00
6	Set or maintain Open Air Fire MHP Zone	2.1 (e) (i)	\$250.00
7	Set or maintain Open Air Fire LSR Zone	2.1 (e) (i)	\$250.00
8	Set or maintain an oversize Open Air Fire	2.1 (e) (ii)	\$250.00
9	Set or maintain an Open Air Fire within 10 meters of a building or wooded area	2.1 (e)(iii)	\$250.00
10	Set or maintain an Open Air Fire within 5 meters of flammable material	2.1 (e)(iv)	\$250.00
11	Burn restricted materials, no special permission	2.1 (f)	\$450.00
12	Burn grass or leaf litter	2.2	\$250.00
13	Burn Household Waste or Prohibited Materials in a Burn Barrel or Incinerator	2.3	\$250.00
14	Burn materials in a Burn Barrel or Incinerator in Fire Season	2.3 (a)	\$250.00
15	Burn Household Waste or Prohibited Materials in an Outdoor Furnace	2.4 (a)	\$450.00
16	Set or maintain Open Air Fire underage supervision	3.1 (a)	\$250.00
17	Set or maintain Open Air Fire no fire control measures on site	3.1 (b)	\$250.00
18	Set or maintain Open Air Fire non approved times	3.1 (c)	\$250.00
19	Set or maintain Open Air Fire adverse burning conditions	3.1 (d)	\$250.00
20	Campfire not set or maintained in an Approved Pit	3.2	\$250.00
21	Set or maintain an Open Air Fire during a level 1 (yellow rating) fire ban	4.2	\$450.00
22	Set or maintain an Open Air Fire during a level 2 (red rating) fire ban	4.3 (a)	\$450.00
23	Set, maintain or allow any Campfires during a level 2 (red rating) fire ban	4.3 (b)	\$450.00
24	Set, maintain or allow any fire in any Burn Barrel or Incinerator during a level 2 (red rating) fire ban.	4.3 (b)	\$450.00

NOTE: The general penalty provisions for the offences listed above is section 8 of By-Law 2016-23, a certified copy of which is on file.

Approved.
He Fran

**CORPORATION OF THE TOWNSHIP OF HORTON
BY-LAW NO. 2016-23**

**BEING A BY-LAW FOR ESTABLISHING REQUIRMENTS FOR OPEN AIR BURNING IN
THE TOWNSHIP OF HORTON**

WHEREAS the Fire Code, (Ontario Regulation 213/07) Division B, Part 2, Section 2.4.4, Article 2.4.4.4 provides that open air burning shall not be permitted unless approved by the Fire Chief, or designate, or unless such burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill or a barbeque;

AND WHEREAS the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, provides:

In section 7.1(1)(a) that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of spreading of fires;

In section 7.1(1)(b) that a council of a municipality may pass by-laws regulating the setting of Open Air Fires, including establishing the times during which Open Air Fires may be set;

In section 7.1(3) that a by-law passed under section 7.1 may deal with different areas of the municipality differently;

In section 7.1(4) that a municipality may appoint an officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted in accordance with this section are being complied with;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides:

In section 10 (2) that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health safety and well-being of persons; 8. Protection of persons and property; 10. Structures, including fences and signs;

In section 391 that a municipality is authorized to pass by-laws imposing fees or charges on persons for services or activities provided or done by it or on behalf of it, and for the use of its property including property under its control;

In section 446 (1) that if a municipality has authority under the Act or under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

in section 446 (2) for the purposes of subsection (1), the municipality may enter upon land at any reasonable time;

In section 446 (3) that the municipality may recover the costs of doing a matter or thing under subsection (1) from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS the Forest Fires Prevention Act, R.S.O. 1990 Chapter F.24, as amended and Ontario Regulation 207/96 Outdoor Fires provides:

In section 10 that the period from the 1st day of April to the 31st day of October in each year shall be a fire season;

In section 18.(1) that if an officer finds on any lands, building, structure or equipment a condition or activity that, in his or her opinion, may cause danger to life or property from fire, the officer may make an order requiring the owner or person in control of the land, building, structure or equipment, the person who caused the condition, or any person engaged in or responsible for the activity to take such action, within the time specific by the order, as the officer considers necessary to eliminate or reduce the danger;

RETURN TO AGENDA

Open Air Burning By-law 2016-23

In section 18.(2) that if the person against whom an order is made under subsection (1) does not comply with the order, the officer, with such assistants as he or she requires, may take such action as the officer considers necessary to eliminate or reduce the danger;

In section 18. (3) that the cost and expenses of any action taken by an officer and his or her assistants under subsection (23) are payable by the person against whom the order was made to the Minister of Finance, on the date specified in the request for payment, and are recoverable as a debt due the Crown in right of Ontario by any remedy or procedure available to the Crown by law.

NOW THEREFORE, the Council of the Township of Horton enacts as follows:

1.0 DEFINITIONS

In this by-law,

"Approved Pit" means an area of ground that has been completely cleared of combustible material and lined with a minimum thickness of 15 cm (6 inches) of sand or mineral soil that will extend a minimum of 30 cm (12 inches) beyond the limit of the fuel used for a Campfire.

"Authorized Agent" means any person authorized by the Fire Chief or the Council of the Township to carry out those duties.

"By-law Enforcement Officer" means a person appointed by Council of the Township as a by-law enforcement officer for the Township.

"Burn Barrel" means any container regardless of size or construction, covered with a screen having a mesh size of not more than 5 mm in which a fire can be set or maintained for the burning of materials.

"Campfire" means a contained fire, having a maximum fuel volume of .6 metres x .6 metres x .6 metres (2 feet x 2 feet x 2 feet), that is set or contained in an approved pit or outdoor fireplace or brazier and is used solely for the purposes of cooking food, providing warmth or recreational enjoyment.

"Fire Season" means the period from the 1st day of April to 31st day of October in each year shall be a Fire Season.

"Household Waste" means any Solid waste, composed of garbage and rubbish, which normally originates in a private home or apartment house.

"Incinerator" Means any enclosed chamber constructed for the purpose of burning materials but not an outdoor furnace.

"Investigator" Means the Fire Chief, Deputy Fire Chief, Fire Captains or By-Law Enforcement Officer of the Township.

"Open Air Fire/Bonfire" means a fire set in the open air for the purpose of burning brush or other approved combustible material, and includes fires in incinerators and pits, but does not include Campfires, barbeques or braziers.

"Outdoor furnace" means, but is not limited to, any enclosed device, appliance, equipment apparatus or structure that is designed, intended and/or used to provide heat and/or hot water to any associated structure, that operates by burning wood or any other fuel, including, but not limited to, paper pellets and agricultural products, is not located within the structure to be heated, and includes, but is not limited to, devices referred to as wood furnaces, outdoor boilers and outdoor stoves covered with a screen having a mesh size of not more than 5mm.

"Permit" means a permit issued by the Fire Chief, or Deputy Fire Chief signifying permission to set or maintain or allow being set or maintained an Open Air Fire and establishing the conditions under which the permission is granted.

"Person" includes an association, firm partnership, or corporation.

“Prohibited Materials” Shall mean any materials such as but not limited to household waste, petroleum products, plastics, rubber, painted lumber, tires, furniture, carpeting, styrofoam or any other item that could cause noxious or toxic smoke or fumes.

"Township" means the Corporation of the Township of HORTON

2.0 GENERAL REGULATIONS

2.1 No Person shall at any time:

- (a) Set, maintain or allow being set or maintain any Open Air Fire/Bonfire during the Fire Season.
- (b) Set, maintain or allow being set or maintained any Open Air Fire/Bonfire that is not a Campfire maintained within an Approved Pit without first obtaining a Permit from the Fire Chief or Deputy Fire Chief.
- (c) Burn any Prohibited Materials such as but not limited to Household Waste, petroleum products, plastics, rubber, painted lumber, tires, furniture, carpeting, styrofoam or any other item that could cause noxious or toxic smoke or fumes.
- (d) Burn any materials where the smoke from such fire impedes visibility on any public thoroughfare, or has a negative impact on neighbouring person's or properties.
- (e) Set, maintain or cause to be set or maintained any Open Air Fire/Bonfire:
 - (i) That is not a Campfire at any time within the geographical confines of the Residential One (R-1), Limited Service Residential (LSR) and Mobile Home Park (MHP) zones as described in the current approved Township of Horton Comprehensive Zoning By-law, except at a location approved by the Fire Chief or a firefighter designated by the Fire Chief. These zones are described generally as any built up residential area including water front areas in the Township of Horton.
 - (ii) That is oversize having a maximum fuel volume greater than 2 metres in diameter and 1 meter high except at a location approved by the Fire Chief or a firefighter designated by the Fire Chief.
 - (iii) Within 10 metres (app. 30 feet) of a building or wooded area.
 - (iv) Within 5 metres (app. 15 feet) of any other flammable material.
- (f) Without special permission issued by the Fire Chief, burn any restricted material such as but not limited to:
 - (i) A building or structure of any kind.
 - (ii) Any hay, straw or standing material.
 - (iii) Any green brush or wood.

2.2 No person shall at any time burn grass or leaf litter.

2.3 No person shall at any time use or allow being used a Burn Barrel, Incinerator or any similar device to burn any materials.

- (a) Further to 2.3 above, a Burn Barrel, Incinerator or similar device may be permitted in the Rural zone provided the barrel, incinerator or similar device meets a minimum setback of 100 metres (328 feet) from the property lot line and this use is only permitted between the dates of November 1 to March 31.

Open Air Burning By-law 2016-23

2.4 Outdoor Furnaces

- (a) No person shall at any time burn or allow to be burned any household waste or prohibited materials in any Outdoor Furnace.
- (b) Dry non-glossy paper, cardboard and natural vegetation may be used to start a fire in an Outdoor Furnace only.

2.5 The application for a fire Permit is made available on the Township of Horton's website or at the Municipal Office. An investigation of the premises and material to be burnt will be carried by the Fire Department prior to the issuance of the fire Permit. A fire Permit will be issued within 10 calendar days of application.

3.0 SAFETY

3.1 No person shall at any time set, maintain or allow to be set or maintained an Open Air Fire/Bonfire:

- (a) Unless a person over the age of 18 is in attendance and shall supervise all Open Air Fires/Bonfires until they are fully extinguished.
- (b) Unless equipment and other resources capable of controlling and extinguishing an Open Air Fire/Bonfire are available and maintained at the site until the fire is fully extinguished.
- (c) Except a Campfire in an Approved Pit, no earlier than two (2) hours before sunset and extinguished no later than two (2) hours after sunrise.
- (d) In the presence of any wind or wind gusts in excess of 11 Km/h or any other adverse burning conditions. i.e. dry weather

3.2 Every person setting or maintaining a Campfire shall ensure that such campfire is set or maintained in an Approved Pit and totally extinguished before leaving.

4.0 FIRE BANS

4.1 The Fire Chief may, at any time, and in the exercise of his or her sole discretion, issue a fire ban, effective for a specified period of time, prohibiting the setting of any and all Open Air Fires/Bonfires within any area of the Township based on MNR Guidelines, MNR indices rating or local conditions.

4.2 No person shall at any time while a level one (1) (yellow rating) fire ban is in effect set, maintain or allow any Open Air Fire/Bonfire other than a Campfire.

4.3 No person shall at any time while a level two (2) (red rating) fire ban is in effect:

- (a) Set, maintain or allow any Open Air Fire/Bonfire.
- (b) Set maintain or allow any Open Air Fire/Bonfire including but not limited to Campfires, outdoor fireplaces or other outdoor appliances that burn any fuel producing an open flame.
- (c) Enclosed barbeques fueled by propane or briquettes are exempt from section 4.3 (b) of this by-law

4.4 The Fire Chief will assess the need for a total or partial fire ban on a daily basis and will downgrade or cancel the fire ban as soon as possible based on MNR indices rating and local conditions.

4.5 Revocation of Permits

- (a) Notwithstanding any other provision of this by-law, the Fire Chief or Deputy Fire Chief may revoke any or all Permits, or refuse to issue Permits where one or more of the following conditions exist in respect of, or in proximity to, the proposed Open Air Fire/Bonfire Site:

- (i) A lack of precipitation that, in the opinion of the Fire Chief or Deputy Fire Chief, increases the risk of the spread of fire;
- (ii) Winds that, in the opinion of the Fire Chief or Deputy Fire Chief, increase the risk of the spread of fire;
- (iii) The issuance, by the Fire Chief, Fire Marshall, or other fire officials in the exercise of their statutory powers, of a fire ban or prohibition against any and all Open Air Fires; or
- (iv) Any other condition that in the opinion of the Fire Chief or Deputy Fire Chief will increase the risk of the spread of fire.

5.0 ADMINISTRATION AND ENFORCEMENT

This by-law shall be administered and enforced by the Fire Chief, Deputy Fire Chief, Fire Captains and By-law Enforcement Officer.

6.0 INSPECTION POWERS

- 6.1 An Investigator may at any time inspect any Open Air Fire/Bonfire to ensure that the provisions of this by-law have been and are being complied with and the person who has the care and control of such fire shall provide the Investigator with free and unobstructed access to the Open Air Fire.
- 6.2 Upon inspection under section 5 above, the Investigator:
 - a) Is entitled to request and have produced any relevant Permits issued in respect of the Open Air Fire/Bonfire that is being inspected; and;
 - b) May, where there are reasonable and probable grounds that any offence under this by-law has been committed, request any person believed to have committed such offence to provide suitable identification and information, and
 - c) May, where there are reasonable and probable grounds that any offence under this by-law has been committed, order the person or persons to immediately extinguish the fire.

7.0 REMEDIAL ACTION - COSTS

- 7.1 Should the Township, through the Fire Department, or its authorized agent extinguish, demolish or repair property or, take any or all measures to terminate the danger of unauthorized activity, the Township shall recover all of the expenses incurred in respect thereof by any or all of the methods provided for in Section 446 of the Municipal Act, 2001 in addition to any other fees or charges prescribed. The person or persons responsible for setting, maintaining, or permitting to be set or maintained an Open Air Fire/Bonfire shall be liable to the Township by way of a fee or charge, in accordance with Schedule "B" to this by-law, on account of those costs and expenses incurred by the Township in:
 - a. Investigating and responding to a complaint made to the Township or the Fire Department by any person acting reasonably and in good faith of a possible contravention of section 2 of this by-law.
 - b. The dispatching of Fire Department vehicles and fire-fighting personnel for the purpose of extinguishing the Open Air Fire/Bonfire.
 - c. Investigating any complaint from any person acting reasonably and in good faith, which complaint results from setting and/or maintenance of an Open Air Fire/Bonfire and, in the opinion of the Fire Chief or the Fire Chief's designate smoke or emissions from such Open Air Fire are contrary to the guidelines that are detailed in section 3 of this by-law.

Open Air Burning By-law 2016-23

- 7.2 All fees and charges payable under this by-law are due and owing to the Township within thirty (30) days of the date of an invoice rendered to the person liable to pay them.
- 7.3 All overdue accounts shall accrue interest at the rate of 1.25% per month (15% per annum), calculated monthly, from the due date until paid in full.
- 7.4 All fees and charges payable under this by-law constitute a debt of the person liable for payment of them to the Township and, in the case of owners of a property being responsible for payment of the fees and charges, the Township shall add the amount owing to the tax roll for the owner(s) real property and collect them in like manner as municipal taxes.
- 7.5 If a person who sets or maintains an Open Air Fire/Bonfire in contravention of this by-law is not the owner of the property but occupies or is using the property with the owners consent, the owner and the person conducting the Open Air Fire/Bonfire shall be jointly and severally liable to pay any fees and charges imposed by this by-law.

8.0 PENALTY PROVISIONS

Every person who contravenes or causes or permits the contravention of any provision of this by-law is guilty of an offence and upon conviction is liable to a fine, pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended as laid out in Schedule "A" to this by-Law.

9.0 SEVERABILITY

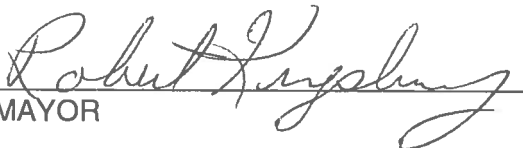
A decision of a competent court that one or more provisions of this by-Law are invalid in whole or in part does not affect the validity, effectiveness or enforce ability of the other provisions or part of provisions of this by-Law.

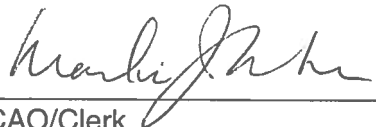
10.0 BY-LAW NO. 2007-51 is hereby repealed effective May 5th, 2016.**11.0 BY-LAW COMING INTO EFFECT**

This by-law shall come into force thirty (30) days after the passing of this by-law, at which time By-law No. 2007-51 shall not longer be in effect.

Read a first and second time this 05th day of April 2016.

Read a third time and passed this 05th day of April 2016.


MAYOR


CAO/Clerk

Open Air Burning By-law 2016-23

TOWNSHIP OF HORTON
Part 1 Provincial Offences Act
By-Law No. 2016-23 Open Air Burning
Schedule "A"
Schedule of Fines

Item	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set fine
1	Set, Maintain or allow an Open Air Fire during Fire Season	2.1 (a)	\$450.00
2	Set, Maintain or allow an Open Air Fire without a Permit	2.1 (b)	\$450.00
3	Burn Prohibited Materials	2.1 (c)	\$250.00
4	Impede visibility public thoroughfare	2.1 (d)	\$250.00
5	Set or maintain Open Air Fire R1 Zone	2.1 (e) (i)	\$250.00
6	Set or maintain Open Air Fire MHP Zone	2.1 (e) (i)	\$250.00
7	Set or maintain Open Air Fire LSR Zone	2.1 (e) (i)	\$250.00
8	Set or maintain an oversize Open Air Fire	2.1 (e) (ii)	\$250.00
9	Set or maintain an Open Air Fire within 10 meters of a building or wooded area	2.1 (e)(iii)	\$250.00
10	Set or maintain an Open Air Fire within 5 meters of flammable material	2.1 (e)(iv)	\$250.00
11	Burn restricted materials, no special permission	2.1 (f)	\$450.00
12	Burn grass or leaf litter	2.2	\$250.00
13	Burn Household Waste or Prohibited Materials in a Burn Barrel or Incinerator	2.3	\$250.00
14	Burn materials in a Burn Barrel or Incinerator in Fire Season	2.3 (a)	\$250.00
15	Burn Household Waste or Prohibited Materials in an Outdoor Furnace	2.4 (a)	\$450.00
16	Set or maintain Open Air Fire underage supervision	3.1 (a)	\$250.00
17	Set or maintain Open Air Fire no fire control measures on site	3.1 (b)	\$250.00
18	Set or maintain Open Air Fire non approved times	3.1 (c)	\$250.00
19	Set or maintain Open Air Fire adverse burning conditions	3.1 (d)	\$250.00
20	Campfire not set or maintained in an Approved Pit	3.2	\$250.00
21	Set or maintain an Open Air Fire during a level 1 (yellow rating) fire ban	4.2	\$450.00
22	Set or maintain an Open Air Fire during a level 2 (red rating) fire ban	4.3 (a)	\$450.00
23	Set, maintain or allow any Campfires during a level 2 (red rating) fire ban	4.3 (b)	\$450.00
24	Set, maintain or allow any fire in any Burn Barrel or Incinerator during a level 2 (red rating) fire ban.	4.3 (b)	\$450.00

NOTE: The general penalty provisions for the offences listed above is section B of By-Law 2016-23, a certified copy of which is on file.

SCHEDULE "B" TO BY-LAW NO. 2016-23

Schedule of Fees

1. Fees to respond to and investigate a complaint in regards to a possible violation under Section 2.0 about Open Air Fire/Bonfire
 - a. Fee of \$75.00 per response payable by the permit holder or person setting, maintaining or allowing such fire to be lit if the complaint is substantiated
 - b. Fee of \$75.00 per response payable by the complainant if the complaint is not substantiated
 - (i) Fee may be waived at the discretion of the investigator if in their opinion the complaint was reasonable and made in good faith but investigation showed no violation under any section of this by-law had occurred.
2. Cost Recovery Fees:
 - a. Dispatch of Fire-fighters - (to be calculated at \$25 per hour for a minimum of 2 hours per fire fighter responding to the scene and calculated on one half hour increments thereafter).
 - b. Dispatch of Fire Response vehicles actively involved in fighting the fire. - First hour (or part thereof) \$450.00 per vehicle, each additional half hour \$225.00 per vehicle.
 - c. Actual costs incurred by the Township for additional firefighting support from other outside agencies.
 - d. Actual costs incurred by the Township to replace or repair damaged equipment.
 - e. A 15% Administration charge shall be added to the Cost Recovery Fees calculated in clauses 2 a., 2 b., 2 c. and 2 d. set out above.

SCHEDULE "C" TO BY-LAW NO. 2016-23

Open Air Burning Permit

- (a) A person over the age of 18 is in attendance and shall supervise all Open Air Fires until they are fully extinguished.
- (b) Equipment and other resources capable of controlling and quickly extinguishing Open Air Fires shall be available and maintained at the site of the fire at all times. Equipment and other resources shall include as a minimum:
- Fire extinguisher (Optional for approved camp fire)
 - Shovels
 - Water hose/source of water
 - Sufficient personnel on site to manage the size of fire set.
- (c) Hours of all fires set outdoors shall be no earlier than two (2) hours before sunset and extinguished no later than two (2) hours after sunrise, or earlier except a campfire in an approved pit.
- (d) No Open Air Fires be set in the presence of any wind or wind gusts in excess of 11 Km/h or any other adverse burning conditions.



HORTON FIRE DEPARTMENT

2253 Johnston Road
RR#5 Renfrew, Ont.
K7V 3Z8
613-432-6271 Ext. 106

Position Paper Reference Burning Bylaw 2016-23 Effective April 05, 2016

Historical Call Data - 2013 to 2017

2013 Fire Calls		49 Calls/Responses Total					
Calls as a direct response to Open Air Burning							
Date	# of Fire Firefighters	Hours Applied to Call		# Apparatus	Rate	Cost	
23-Apr-13	12		4		\$18.50	\$888.00	
			4	3	\$300.00	\$3,600.00	
	4		4		\$18.50	\$296.00	
			2	1	\$300.00	\$600.00	
27-Apr-13	6		1		\$18.50	\$111.00	
27-Apr-13	5		3		\$18.50	\$277.50	
			3	3	\$300.00	\$2,700.00	
28-Apr-13	8		2		\$18.50	\$296.00	
			2	3	\$300.00	\$1,800.00	
7-May-13	10		6		\$18.50	\$1,110.00	
			5	3	\$300.00	\$4,500.00	
	6		3		\$18.50	\$333.00	
19-May-13	7		2		\$18.50	\$259.00	
			1	3	\$300.00	\$900.00	
09-Aug-13	8		2		\$18.50	\$296.00	
			2	3	\$300.00	\$1,800.00	
12-Aug-13	11		2		\$18.50	\$407.00	
			1	3	\$300.00	\$900.00	
11-Sep-13	7		2		\$18.50	\$259.00	
			1	3	\$300.00	\$900.00	
05-Nov-13	3		1		\$18.50	\$55.50	
						\$22,288.00	

2014 Fire Calls		32 Calls/Responses Total					
Calls as a direct response to Open Air Burning							
Date	# of Fire Firefighters	Hours Applied to Call		# Apparatus	Rate	Cost	
26-Apr-14	4		2		\$18.50	\$148.00	
			2	3	\$300.00	\$1,800.00	
						\$1,948.00	

2015 Fire Calls		38 Calls/Responses Total					
Calls as a direct response to Open Air Burning							
Date	# of Fire Firefighters	Hours Applied to Call		# Apparatus	Rate	Cost	
10-Jan-15	11		2		\$18.50	\$407.00	
			1	3	\$300.00	\$900.00	
01-Mar-15	12		2		\$18.50	\$444.00	
			1	3	\$300.00	\$900.00	
16-Apr-15	11		6		\$18.50	\$1,221.00	
			4	3	\$300.00	\$3,600.00	
	10		4		\$18.50	\$740.00	
			4	3	\$300.00	\$3,600.00	
18-Apr-15	13		8		\$18.50	\$1,924.00	
			5	3	\$300.00	\$4,500.00	
06-May-15	9		2		\$18.50	\$333.00	
			2	3	\$300.00	\$1,800.00	
						\$20,369.00	

2016 Fire Calls		41 Calls/Responses Total					
Calls as a direct response to Open Air Burning							
Date	# of Fire Firefighters	Hours Applied to Call		# Apparatus	Rate	Cost	
22-Feb-16	6		2		\$18.50	\$222.00	
			1	3	\$300.00	\$900.00	
05-Apr-16	2016-23 comes into effect						
16-Apr-16	10		3		\$18.50	\$555.00	
			3	3	\$300.00	\$2,700.00	
03-May-16	8		2		\$18.50	\$296.00	
			1	3	\$300.00	\$900.00	
12-May-16	1		1		\$18.50	\$18.50	
03-Oct-16	12		2		\$18.50	\$444.00	
			1	3	\$300.00	\$900.00	
						\$6,935.50	

2017 Fire Calls		38 Calls/Responses Total					
Calls as a direct response to Open Air Burning							
Date	# of Fire Firefighters	Hours Applied to Call		# Apparatus	Rate	Cost	
04-Jul-17	8		2		\$18.50	\$296.00	
			1	3	\$300.00	\$900.00	
18-Sep-17	2		1		\$18.50	\$37.00	
			1	1	\$300.00	\$300.00	
06-Dec-17	9		2		\$18.50	\$333.00	
			1	3	\$300.00	\$900.00	
						\$2,766.00	

RETURN TO AGENDA

HORTON FIRE DEPARTMENT



May 22, 2019

Briefing Note

Reference: Proposed changes/amendments to Open Air Burning By-Law 2016-23

HFD is of the understanding that Council (in light of the recent flooding situation 2019) is considering amending By-Law 2016-23 to allow/extend/relax the current By-Law requirements, giving affected homeowners the option to dispose of flood damaged wood/debris by burning.

Documentation:

- FPPA 1997 Municipal By-Laws 7.1 (3) does allow for different areas of a municipality to be treated differently in regards to Municipal By-Laws.
- Currently 2016-23 confirms that the "Fire Season" shall be from April 01 to October 31 each year and NO Open-Air Burning (with the exception of campfires) shall take place during the Fire Season.
- 2016-23 2.1(c) outlines what cannot be burned.
- 2016-23 2.1(d) prohibits burning that has a negative impact on neighbouring person's or properties.
- 2016-23 2.1(e)(i) no open air burning within zoning of LSR
- The Set Fines for this By-Law have been registered with the Province of Ontario pursuant to the provisions of the Provincial Offences Act.

Notes/Considerations: HFD has the following concerns/considerations.

- As per FPPA 1997 Council does have the authority to treat differently certain areas of the Municipality.
- The entire area in question is zoned LSR. There has never been open air burning in this area with the exception of campfires (it is a built-up residential area.)
- You can expect multiple complaints from neighbours as per 2016-23 2.1 (d)
- HFD has concerns that Prohibited Material (as noted in 2016-23 2.1(c) will be burned at will to facilitate the clean-up.
- HFD is currently providing limited response to the affected areas as we cannot get in to some of these roads with our large trucks. A comprehensive survey of the road network in the flood affected areas will need to be taken before we try to get our big apparatus in to an emergency scene.
- As this By-Law has been registered under the POA, there are concerns that amending the By-Law would make it Null and Void.
- Amending the By-Law for certain areas of the Municipality to deal with this year's flood situation would basically make the By-Law unenforceable for any other areas of the Municipality.

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Renfrew, K7V 3Z8

ph.613-432-6271 x 106
fax.613-432-3658

RETURN TO AGENDA

Horton Twsp. - April 2025					
#	Date	Complainant	Location	Status	Total Calls
1	01-Apr	Open Storage	Humphries Rd	Resolved	1
2	04-Apr	Stray Dog	Eady Rd	Resolved	1
3	09-Apr	Barking Dog	Fraser Rd	1st Warning	1
4	13-Apr	Property Standards	Johnston Rd	Ongoing	1
5	17-Apr	Garbage/ Debris	Lime Kiln Rd	Resolved	1
6	22-Apr	Stray Dog	Whitton Rd	Resolved	1
7	26-Apr	Property Standards	Melissa Lane	Resolved	1
8	29-Apr	Barking Dog	Nadobny Lane	1st Warning	1
TOTAL					8

LEGEND

* Same Location

GOA: Gone On Arrival

Vicious Dog: A dog that has demonstrated aggressive tendencies but has not actually bitten or attacked

Dog Attack: Involves a dog that has bitten or attacked a person or animal.

Other calls: Refers to a calls that don't fit into other category

RETURN TO AGENDA

Monthly Summary 2025									
2025	Animal	Parking	prop. Stand	Noise	Other	Pound	Total	Tickets	Charges
Jan	3				2		5		
Feb	5		1				6		
Mar	6		2		1		9		2
Apr	4		3		1		8		
May									
Jun									
Jul									
Aug									
Sep									
Oct									
Nov									
Dec									
Total	18	0	6	0	4	0	28	0	2

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Horton Twsp. - May 2025					
#	Date	Complainant	Location	Status	Total Calls
1	03-May	Stray Dog	Bruce St	Resolved	1
2	08-May	Dog at Large	Garden of Eden Rd	1st Warning	1
3	10-May	Barking Dog	Eady Rd	1st Warning	1
4	11-May	Dog at Large	Johnston Rd	1st Warning	1
5	14-May	Property Standards	Granthan Rd	Ongoing	1
6	20-May	Garbage /Debris	River Rd	Resolved	1
7	22-May	Stray Dog	Pleasant View	Owner Found	1
8	25-May	Firearms	Whitton Rd	Resolved	1
9	26-May	Missing Dog	Calvin Rd	Resolved	1
10	30-May	Property Standards	Johnston Rd	Ongoing	1
TOTAL					10

LEGEND

* Same Location

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RETURN TO AGENDA

Monthly Summary 2025									
2025	Animal	Parking	prop. Stand	Noise	Other	Pound	Total	Tickets	Charges
Jan	3				2		5		
Feb	5		1				6		
Mar	6		2		1		9		2
Apr	4		3		1		8		
May	6		3		1		10		
Jun									
Jul									
Aug									
Sep									
Oct									
Nov									
Dec									
Total	24	0	9	0	5	0	38	0	2

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Horton Twsp. - June 2025					
#	Date	Complainant	Location	Status	Total Calls
1	03-Jun	Stray Dog	Highway 60	Resolved	1
2	05-Jun	Property Standards	McBride Rd	Ongoing	1
3	08-Jun	Property Standards	Knight St	Ongoing	1
4	12-Jun	Stray Dog	Eady St	Resolved	1
5	14-Jun	Property Standards	Grantham Rd	Ongoing	1
6	20-Jun	Missing Dog	Goshen Rd	Resolved	1
7	21-Jun	Boat Ticket		Resolved	1
8	24-Jun	Property Standards	River Rd	Resolved	1
9	25-Jun	Barking Dog	Whitton Rd	1st Warning	1
10	27-Jun	Missing Dog	Cotieville	Resolved	1
11	29-Jun	Property Standards	Castleford Rd	Resolved	1
12	30-May	Property Standards	Johnston Rd	Ongoing	1
TOTAL					12

LEGEND

* Same Location

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RETURN TO AGENDA

Monthly Summary 2025									
2025	Animal	Parking	prop. Stand	Noise	Other	Pound	Total	Tickets	Charges
Jan	3				2		5		
Feb	5		1				6		
Mar	6		2		1		9		2
Apr	4		3		1		8		
May	6		3		1		10		
Jun	5	1	6				12		3
Jul									
Aug									
Sep									
Oct									
Nov									
Dec									
Total	29	1	15	0	5	0	50	0	5

RETURN TO AGENDA