



Corporation of the Municipality of Temagami

Memo No
2020-M-043

Memorandum to Council

Subject:

Open Air Burning By-law 11-976

Agenda Date:

May 14, 2020

Attachments:

Open Air Burning Bylaw 11-976 with set fines bylaw 13-1007 (consolidated)

RECOMMENDATION

BE IT RESOLVED THAT Council direct that the requirements of O.Reg 207/96 be followed when enforcing a Provincial Restricted Fire Zone or Municipal Fire Ban;

AND FURTHER THAT a full review of By-Law 11-976 be presented for Council's consideration at the meeting scheduled for November 19, 2020, being the first meetings after the 2020 restricted fire season.

INFORMATION

Under a Restricted Fire Zone (RFZ) order, issued by the Province, *Organized Campgrounds* meeting the definition under O. Reg. 207/96: *Outdoor Fires* are permitted to have campfires.

Municipal Open Air Burning Bylaw 11-976 is more restrictive, only permitting campfires in *Organized Campgrounds* "where necessary to provide comparable campfire amenities as offered at adjacent provincial parks"

During the RFZ in summer of 2018, a campground operator requested relief from the municipal bylaw regulations, citing excessive restrictions imposed by the Fire Chief by not allowing campfires in their *Organized Campground* during a RFZ. As the Provincial Parks in the Municipality were not allowing campfires, the Fire Chief was unable to grant the request.

Both Municipal Fire Chiefs recognize the restrictions imposed on Organized Campgrounds during a RFZ can have a financial implication to the owner's business and recommend changes to the Municipal Open Air Burning bylaw to closer reflect provincial legislation specific to Organized Campgrounds during a RFZ.

The following, recommended changes, are submitted for council's consideration:

Section 6 of Open Air Burning By-law 11-976 is amended by adding the following:

(5) Organized Campgrounds, meeting the definition and requirements of O. Reg. 207/96: Outdoor fires, shall be exempt from all provisions of this by-law for the purposes of campfires during a RFZ or Municipal Fire Ban.

Sub-section 11(5) of the Open Air Burning Bylaw 11-976 is repealed and the following substituted:

(5). The Fire Chief may authorize open air burning during a Restricted Fire Zone or during a Municipal Open Air Burning Ban:

- a. where necessary for a ceremonial event (where authorized, by MNR, under section 5.2 of O. Reg. 207/96); or
- b. for organized campgrounds (meeting requirements under O. Reg. 207/96: Outdoor Fires)

Sub-section 12(3) is repealed and the following substituted:

(3). No person shall set an open air fire at any time when a burning ban has been declared by the Fire Chief, unless authorized under 11(5) of this by-law.

Prepared by: Jim Sanderson, Temagami Fire Chief