



Open Air Burning By-law

By-law Number 96-59

The Council of The Corporation of the Town of Caledon ENACTS as follows:

1. In this By-law,
“Fire chief” means the Chief of the Fire & Emergency Services of the Corporation of the Town of Caledon, or his designate;
“open air” means any open place, yard, field or construction area which is not enclosed by a building or structure.
“permit” means a permit issued by the Fire Chief or his designate to set a fire in the open air in non settlement areas for a specified day or over a specified time period greater than one day.
2. The Fire chief shall be responsible for the administration and enforcement of this By-law.
3. No person shall set or maintain or cause to be set or maintain a fire in the open air unless a permit has been issued therefor by the Fire Chief.
4. **No open air fire shall be set or maintained**
 - (a) **in settlement areas;**
 - (b) **between sunset and sunrise;**
 - (c) **at a distance of less than ten (25) metres from any building, structure, hedge, fence, vehicular roadway or overhead wire or obstruction of any kind or nature whatsoever;**
 - (d) **if the wind velocity is greater than twenty-four (24) kilometres per hour;**
 - (e) **that is greater in size than one cubic metre in area;**
 - (f) **that is greater than one metre in height; or**
 - (g) **without there being a space clear and free of combustible material around the perimeter of the fire of at least five (5) metres.**

5. An open air fire must comply with the provisions of the Environmental Protection Act, R.S.O. 1990, c.E.19
6. The permit holder shall maintain a constant watch and control over the open air fire from the time of the setting of the fire until the fire is totally extinguished.
7. A person may set a fire or cause to be set or maintain a fire in the open air without obtaining a permit if the fire is to be used for the purpose of cooking or heat, provided that:
 - (a) the fire is not more than 1 square metre in area or more than 1 metre in height;
 - (b) a distance of not more than five (5) metres is maintained between the fire and any building structure, hedge, fence, vehicular roadway or overhead wire or obstruction of any kind or nature whatsoever; and
 - (c) there is compliance with subsections 3(3), 4(6), section 5 and section 6 of the By-law.
8.
 - (1) A person is guilty of an offence if the person:
 - (a) furnishes false information in the application for a permit under this By-law; or
 - (b) contravenes this By-law.
 - (2) A person who is convicted of an offence is liable to a fine of not more than \$5,000 exclusive of costs pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c.P.53.
9. If a court of competent jurisdiction declares any provisions or part of a provision, of this By-law to be invalid or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.
10. Open Air Burning is not permitted on days when the Ministry of Environment issues a smog alert for southern Ontario.

Burn Permits are be obtained by phoning the Service at (905) 584-2272
Monday to Friday Between the hours of 9:30Am and 4:00PM

ENACTED AND PASSED this 8th day of July 1996

IN AN EMERGENCY CALL 911