

- i. the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of a warrant issued under the Provincial Offences Act, R.S.O1990, as amended.
- ii. a warrant issued under the Provincial Offences Act, R.S.O1990, as amended is obtained.

9.0 REMEDIATION

- 9.1 The Chief Fire Official is authorized to order any person to extinguish any fire or to cause such a fire to be extinguished when there is a breach of any of the provisions of this By-law or where, in his/her sole discretion, there is a danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.
- 9.2 Where an owner is in default of doing any matter or thing directed or required to be done under this By-law, The Chief Fire Official or Municipal By-law Enforcement Officer may direct such matter or thing to be done at the owner's expense.
- 9.3 The Municipality may recover the remedial action costs incurred under any section of this by-law by action, or by adding them to the tax roll and collecting them in the same manner as taxes in accordance with Section 446 of the Municipal Act.

10.0 OBSTRUCTION

- 10.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this by-law
- 10.2 Any person who has been alleged to have contravened any of the provisions of the by-law, shall identify themselves to the Chief Fire Official or Municipal By-law Enforcement Officer upon request, failure to do so shall be deemed to have obstructed or hindered the officer in the execution of their duties.

11.0 OFFENCES AND PENALTIES

- 11.1 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided in Section 61 of the Provincial Offences Act, R.S.O 1990, Chapter P.33, as amended.
- 11.2 Any person who contravenes any provision of this By-Law is guilty of an offence and liable to a fine not more than \$5,000.00 exclusive of costs, under the Provincial Offences Act, as per Schedule "A" attached.

12.0 MUNICIPALITY NOT LIABLE

- 12.1 The Municipality assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any person or property that is subject of this By-law.

13.0 VALIDITY AND SEVERABILITY

- 13.1 Should any section, subsection, clause, paragraph or provision of this By-law be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the Part so declared to be invalid.

14.0 SEPARATE OFFENCE

- 14.1 For the purpose of this By-law, each day of a continued offence shall be deemed to be a separate offence.

15.0 REPEALED

15.1 By-law No.02-15 is hereby repealed.

16.0 EFFECTIVE DATE

16.1 This By-law shall come into force and take effect on May 24, 2022.

PASSED and **ENACTED** this 24th day of May, 2022

Original Signed by Mayor Beaulieu

Original Signed by Kristina Miousse

Renald Y. Beaulieu, Mayor

Kristina Miousse, Clerk

Municipality of Greenstone

BY-LAW #22-47

SCHEDULE "A"

Set Fine Schedule

Part 1, Provincial Offences Act

Item	Short Form Wording	Offence Creating Provision	Set Fine (includes costs)
1	Day Burning	3.6, 3.10	\$250.00
2	Oversized Burn Area	2.1, 3.5	\$150.00
3	Failure to obtain a fire permit	2.2, 3.1, 3.9	\$150.00
4	Burn material other than dry wood or wood by products Class "A" materials	2.3, 3.4, 4.2	\$350.00
5	Within allowable distance from a combustible structure, forest or object	2.5, 3.7, 4.4	\$150.00
6	Setting out an open-air fire or campfire during a fire ban	2.8	\$300.00
7	Set a Fire in unsafe weather conditions	2.10, 2.17	\$150.00
8	Leave an open-air fire unattended or unsupervised	2.11, 3.2	\$150.00
9	Ignite or release an ignited flying lantern	2.12	\$250.00
10	Open-air Fire/Campfire on Municipal Property	2.13	\$150.00
11	Failure to report a set fire out of control	2.18	\$150.00
12	Failure to extinguish any fire as ordered by the Chief Fire Official or designate	2.20	\$150.00
13	Continuing a non-recreational fire with an expired permit	3.1	\$250.00
14	Open air fire causing adverse effect	2.17(iii), 3.3	\$200.00
15	Burning garbage in an outdoor furnace	4.2	\$150.00
16	Sell, cause or permit to be sold flying lanterns	5.2	\$250.00
17	Hinder or obstruct enforcement officer	10.1	\$450.00

Municipality of Greenstone

BY-LAW #22-47

SCHEDULE "B"

Outdoor Fires in Campgrounds During
A Restricted Fire Zone
ONTARIO REGULATION 207/96
As Amended by Ontario Regulation 64/10

"Regulations" means the regulations made under Forest Fires Prevention Act. R.S.O. 1990.c.F.24,s.1.

1. No person shall start a fire outdoors unless conditions will allow the fire to burn safely from start to extinguishment. O. Reg. 207/96, s.1 (1)
2. A campground offers camping facilities to the public on a temporary basis and meets all of the following criteria:
 - I. The campground allows camping only in cabins and designated campsites, and all are accessible by motor vehicle as defined in the Highway Traffic Act.
 - II. The campground does not allow campfires between 9 a.m. and 6 p.m during the fire season except for the purpose of cooking or warmth.
 - III. The campground clearly posts the hours campfires will be allowed.
 - IV. The campground has printed information on safe campfires and provides it to all of its guests.
 - V. The campground has adequate equipment to control and extinguish a fire, that can be taken to any campsite or cabin within 5 minutes.
 - VI. The campground has on site at all times staff or a competent person who are instructed in the location and the use of the equipment described in 2(V).
 - VII. The campground has reliable two-way telecommunications equipment to allow it to obtain assistance if a fire escapes control.
3. No person shall use a portable or permanent charcoal installation for cooking or warmth in a restricted fire zone in a campground described in section 2 unless all of the conditions in subsection 2(II) are met and all of the following conditions are met:
 - I. The installation is designed to use commercially produced charcoal as fuel, and
 - II. Commercially produced charcoal is used as the fuel, and
 - III. The owner or operator of the campground expressly permits a charcoal installation to be used during a time when the campground is in a restricted fire zone.
4. No person shall set a wood fire in a permanent fire installation in a campground described in section 2 in a restricted fire zone unless all of the following conditions are met:
 - I. The fire is contained in,
 - (a) an above ground fire grate or fireplace that is designed to burn wood safely and that cannot be moved to an unsafe location, or
 - (b) a pit in the ground that has fireproof walls and is designed to burn wood safely.
 - II. The fire is at least 3 metres from any forest or woodland, and the area within the 3 metre radius is completely free of flammable material, and
 - III. The space immediately above the fire installation is at least 3 metres from any overhanging vegetation, and
 - IV. The owner or operator of the campground expressly permits the fire to be

set during a time when the campground is in a restricted fire zone.

During a total fire ban no fires are permitted even for cooking or warmth, whether in a campground or not.