

## **Operating Guideline # 822**

### **Open Air Burning Complaint Response**

**December 10, 2019**



#### **PURPOSE:**

The purpose of this Operating Guideline (OG) is to establish guidelines for responses involving open air burning complaints.

#### **ISSUE/RATIONALE:**

Open air burning is regulated in the Township of Muskoka Lakes through a local/municipal by-law ( By-law 2018-16 as amended). It is prohibited in some areas of the Township of Muskoka Lakes, and permitted in other areas with certain restrictions. Where open air burning is perceived to constitute a danger to public safety, there is provision for a fire department response. In such cases, the provisions of this OG will apply.

#### **GUIDELINE:**

1. Where the MLFD responds to a complaint of open air burning, the officer in charge of the first arriving unit should make an attempt to contact the property occupant and have the occupant extinguish the fire if the burning is in contravention of the by-law. If the burning is not in contravention of the by-law and no danger exists, the fire should not be extinguished.
2. If the occupant is not available or is unwilling/unable to extinguish the fire, and the fire is in contravention of the by-law, the fire shall be extinguished by the fire department. The occupant, if available, will be advised that they will be invoiced for the response, and a complaint will be registered with the MLFD enforcement professional, Captain of Fire Prevention.
3. Where a grass/brush fire etc. can be attributed to a violation of the open-air burning by-law, the officer in charge of the response shall fully document the circumstances and complete the requisite form, submitting it to administration for follow-up and billing.
4. Where a "FIRE BAN" is in effect due to environmental conditions, all open air burning is considered to be an emergency situation and full apparatus response is allowed and full extinguishment is necessary.
5. No daytime burning is allowed during the fire season which extends from April 1<sup>st</sup> until October 31<sup>st</sup> inclusively, unless you have a burn permit.
6. No permit is required for small fires 1 metre by 1 metre.
7. During the fire season fires shall only be set 2 hours before sunset and extinguished no later than 2 hours following sunrise.
8. Open air fires are no longer permitted once a fire ban has been declared.
9. Open air fires are not permitted when the wind velocity exceeds 16 km/h.

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10. No person shall allow or permit a fire to burn in such a manner that conditions from the smoke therefrom impairs the vision of a motorist.

11. No person shall allow a fire to become out of control. This includes the provision that all fires must be tended at all times and the person tending the fire must be able to extinguish the fire.

12. The fire must be under constant supervision and controlled from the time of lighting until it is fully extinguished.

13. There must be a space of at least 4.5 meters, free and clear of combustible material around the perimeter of the fire.

14. No person shall burn any refuse or garbage or allow a fire to continue to burn when known garbage is present.

15. Every person conducting an open air burn shall only burn clean, dry seasoned wood or yard waste.

16. Persons shall have adequate means of extinguishment available on site within 9 meters of the fire able to extinguish the fire.

#### **RESPONSIBILITY:**

It is the responsibility of all members to comply with the provisions of this OG and particularly that Company Officers (supervisors) and firefighters (workers) ensure that they adhere to their duties in accordance with the Occupational Health and Safety Act.

#### **REFERENCES:**

- Occupational Health and Safety Act (RSO 1990, c. 0.1)
- Muskoka Lakes Township by-law 2018-16 as ammended