

THE CORPORATION OF THE TOWNSHIP OF MADOC
BY-LAW NO. 1445-2018

BEING a by-law to amend by-law 1328-2013 to provide for fees for various services provided by the municipal Fire Department for their attendance at sites of fires set in the open air within the Township of Madoc.

WHEREAS Section 210(49) of the Municipal Act, R.S.O. 1990, Chapter M45 as amended, authorizes the Council of a local municipality to pass by-laws for the prevention of fires and the spread of fires and, Section 220.1 (2) of the Municipal Act, R.S.O. 1990, Chapter M45, as amended, authorizes Councils of local municipalities to pass by-laws imposing fees for the services provided and;

WHEREAS Ontario Regulation 207/96 made under the Forest Fires Prevention Act of Ontario provides for outdoor fires;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MADOC HEREBY ENACTS AS FOLLOWS:

1. THAT the provisions of this by-law shall apply to those lands located within the boundaries of the Township of Madoc.
2. THAT for the purposes of this by-law "Fire Department" means the fire department organized under the Municipal Act that provides fire protection for the Township of Madoc. "Fire Chief" means the chief fire official of the municipality appointed by the Council of the Corporation of the Township of Madoc.
3. THAT the Township of Madoc shall levy the fees as set out in the attached Schedule 'A', which fees shall be due and owing to the Township of Madoc for each occasion upon which the Fire Department attends at the site of an open air fire and said fees are payable to the Township of Madoc by the party or parties who are deemed to be responsible for the cause of the fire by the Fire Chief of the Township of Madoc or his agent or assign.
4. THAT where said fees are not paid within thirty days of the date of demand, said fees will be added to the tax roll of the Township of Madoc and will be collected in like manner as municipal taxes.
5. THAT during the period between March 31 and October 31 in any calendar year, no fire for the burning of grass, rubbish, garbage, wood or other combustible material shall be permitted outdoors between the hours of 0700 and 1900 (7:00 a.m. - 7:00 p.m.).
6. THAT notwithstanding the provisions of Section 5. of this by-law, the Fire Chief or, in his absence, his Deputy or assign, may issue an order at his discretion to restrict or ban any fires in the Township of Madoc if, in his opinion, climatic conditions are such that a severe or extreme risk of fire may exist which could pose a threat to public safety or property.
7. THAT notwithstanding the provisions of Section 5. of this by-law, no one, during any period of any year shall burn or cause to burn grass, rubbish, garbage, wood, or other combustible material on a property unless such fire is confined to an area no greater than three (3) metres by three (3) metres and attended at all times by one or more persons 19 years of age or older.

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8. THAT this by-law shall come into force and take effect immediately on the date of passing.

**READ A FIRST, A SECOND TIME AND THIRD TIME AND FINALLY PASSED
THIS ____ DAY OF _____, 2018.**

REEVE

CLERK

THE CORPORATION OF THE TOWNSHIP OF MADOC
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SCHEDULE 'A'

<u>Equipment</u>	<u>Rate</u>
Pumper	\$250.00/hour
Pumper/Tanker	\$250.00/hour
Tanker	\$250.00/hour
Emergency Van	\$250.00/hour
Equipment Van	\$250.00/hour
Firefighter	\$30.00/hour

In any case where a fraction of an hour is charged, the fee shall be taken to the next full hour - ie. - equipment committed for 1.25 hours will charge for 2 hours.