



**THE CORPORATION OF THE TOWNSHIP OF CONMEE
BY-LAW # 2026-022**

A By-law to regulate Open Air Burning and the setting off of Fireworks within the Township of Conmee.

Recitals:

1. Council of The Corporation of the Township of Conmee is authorized under the *Municipal Act, 2001* to pass by-laws respecting the health, safety, and well-being of persons.
2. The *Fire Protection and Prevention Act, 1997* authorizes municipalities to regulate fire prevention and the setting of open-air fires.
3. The *Forest Fires Prevention Act* authorizes municipalities to regulate open air burning and to impose fire restrictions or fire bans in response to hazardous conditions.
4. Council considers it appropriate and expedient to modernize and consolidate its regulatory framework respecting open air burning and the use of fireworks within the Township.

NOW THEREFORE the Council of The Corporation of the Township of Conmee enacts as follows:

PART I – GENERAL

1. Short Title

This By-law may be cited as the **Open Air Burning and Fireworks By-law**.

2. Purpose

The purpose of this By-law is to regulate open air burning and the sale, possession, and setting off of fireworks within the Township of Conmee in order to protect public safety, property, and the natural environment.

3. Authority

This By-law is enacted pursuant to the *Municipal Act, 2001*, the *Fire Protection and Prevention Act, 1997*, the *Forest Fires Prevention Act*, and any successor legislation.

4. Definitions

In this By-law:

- a) **Chief Fire Official** means the Fire Chief of the Township of Conmee or their designate.
- b) **Dangerous Conditions** means conditions that, in the opinion of the Chief Fire Official, increase the risk of fire ignition or spread, including weather conditions, drought, wind, fuel load, or proximity to combustible materials.
- c) **Fire Ban** means a temporary prohibition or restriction on open air burning or fireworks imposed due to fire hazard conditions.

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- d) **Fire Permit** means a permit issued by or on behalf of the Township authorizing open air burning under prescribed conditions.
- e) **Fire Season** means a period during which additional restrictions on open air burning may be imposed due to elevated fire risk, as determined by the Chief Fire Official.
- f) **Low-Hazard Fireworks** and **High-Hazard Fireworks** have the meanings assigned under the *Explosives Act (Canada)*.
- g) **Municipality** means The Corporation of the Township of Conmee.
- h) **Open Air Burning** means the burning of materials outdoors and includes brush burning, debris burning, recreational fires, and agricultural burning, but does not include fires used solely for cooking or warmth where otherwise permitted.
- i) **Permit Holder** means a Person to whom a Fire Permit has been issued.
- j) **Person** means an individual, corporation, partnership, association, firm, or any other legal entity.
- k) **Recreational Fire** means an open air fire used solely for cooking, warmth, or recreational enjoyment that does not exceed 0.9 metres (3 feet) in height or in diameter, and that complies with all applicable requirements of this By-law and any additional criteria established by the Township from time to time.

PART II – OPEN AIR BURNING

5. General Prohibition

No person shall conduct open air burning within the Township except in accordance with this By-law.

6. Permit Requirements

6.1 A Fire Permit is required for all open air burning unless specifically exempted under this By-law.

6.2 For the purposes of this By-law, the **Fire Season** shall be deemed to run annually from **April 1 to October 31**, inclusive, unless extended, shortened, or otherwise modified by the Chief Fire Official in response to prevailing conditions.

6.3 Outside of the Fire Season, a Fire Permit is not required for open air burning, except where a Fire Ban, Fire Season declaration, or other restriction has been imposed under this By-law.

6.4 Recreational fires that comply with Township-established size, location, and safety requirements may be exempt from permit requirements at any time, subject to any Fire Ban, Fire Season restriction, or other condition imposed by the Chief Fire Official.

7. Permit Issuance and Administration

7.1 Fire Permits may be issued electronically or in such other form as the Township deems appropriate.

7.2 Fire Permits may be subject to a fee established by Council from time to time.

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7.3 A Fire Permit may include conditions respecting:

- the hours during which burning may occur;
- the types of materials permitted to be burned;
- fire size and location;
- supervision and required firefighting equipment; and
- weather, seasonal, or fire hazard-related restrictions.

7.4 Fire Permits shall be valid only for the period specified therein.

8. Suspension, Revocation, Fire Seasons, and Fire Bans

8.1 The Chief Fire Official may suspend, revoke, refuse, or shorten the duration of any Fire Permit where, in their opinion:

- fire hazard conditions exist;
- weather conditions are unsuitable;
- dangerous conditions arise; or
- public safety is at risk.

8.2 The Chief Fire Official may declare a Fire Season and impose additional conditions or restrictions applicable during that period.

8.3 The Chief Fire Official may declare a Fire Ban applicable to all or part of the Township.

9. Operational Requirements

Every person conducting open air burning shall:

- remain on site and supervise the fire at all times;
- have adequate firefighting equipment readily available;
- maintain the fire under control at all times; and
- fully extinguish the fire before leaving the site or by the time specified in the permit.
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10. Prohibited Materials

No person shall burn refuse, construction or demolition materials, plastics, rubber, treated or painted wood, household waste, or any material prohibited by provincial or federal legislation.

PART III – FIREWORKS

11. Sale and Use Restrictions

11.1 The sale of High-Hazard Fireworks is prohibited within the Township.

11.2 Low-Hazard Fireworks may be sold and used only in accordance with this By-law and applicable federal legislation.

12. Fireworks Permits

12.1 No person shall set off High-Hazard Fireworks or hold a fireworks display without a permit issued by the Chief Fire Official.

12.2 A permit may be required for Low-Hazard Fireworks in circumstances determined by the Township, including organized displays or special events.

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13. Permit Applications and Conditions

13.1 Applications for fireworks permits shall be made in the form and within the timeframe established by the Township.

13.2 The Chief Fire Official may inspect the site of a proposed fireworks display where deemed necessary.

13.3 Fireworks permits may include conditions respecting:

- storage and handling;
- site safety;
- supervision and qualifications of operators;
- cleanup and disposal of debris; and
- weather, seasonal, or fire hazard-related restrictions.

14. Fire Hazard Restrictions

No fireworks shall be discharged during a Fire Ban, Fire Season restriction, or where fire hazard conditions render such activity unsafe, as determined by the Chief Fire Official.

PART IV – ENFORCEMENT AND ADMINISTRATION

15. Enforcement Authority

This By-law may be enforced by the Chief Fire Official, a By-law Enforcement Officer, or any other person authorized by the Township.

16. Compliance Orders

An enforcement officer may order any person to immediately extinguish a fire or cease fireworks activity where it poses a risk to life, property, or the natural environment.

17. Cost Recovery

Where the Township incurs costs responding to a fire or fireworks incident arising from non-compliance with this By-law, such costs may be recovered from the responsible person, including in a like manner as municipal taxes.

18. Indemnification

Except to the extent permitted by law, every person who conducts open air burning or sets off fireworks shall indemnify and save harmless the Township, its officers, employees, and agents from any claims, costs, or damages arising from such activities.

19. Application of Greater Restrictions

Where the provisions of this By-law are less restrictive than those imposed under provincial legislation, a Fire Ban, a Fire Season restriction, or an order of a competent authority, the more restrictive provision shall apply.

PART V – OFFENCES, PENALTIES, AND FINAL PROVISIONS

20. Offences and Penalties

Every person who contravenes this By-law is guilty of an offence and, upon conviction, is liable to penalties as provided in the *Provincial Offences Act*.

21. Set Fines

21.1 The offences set out in Schedule "B" to this By-law are designated as offences for the purposes of Part I of the Provincial Offences Act.

21.2 For the purposes of proceedings under Part I of the Provincial Offences Act, the set fines indicated in Schedule "B" are hereby adopted.



21.3 Schedule "B" shall come into force upon approval by the Regional Senior Justice of the Ontario Court of Justice.

22. Severability

If any section, subsection, or provision of this By-law is declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this By-law.

23. Repeal and Replacement

23.1 By-law No. 690, being a by-law to regulate open air burning, and By-law No. 914, being a by-law to regulate the setting off of fireworks, and all amendments thereto, are hereby repealed.

23.2 This By-law is enacted in replacement of all former by-laws, resolutions, or portions thereof that regulate open air burning or fireworks within the Township of Conmee, to the extent of any inconsistency.

24. Effective Date

This By-law shall come into force and take effect on the date of passing.

Passed this 23rd day of June, 2026.

THE CORPORATION OF THE TOWNSHIP OF CONMEE



Mayor Sheila Maxwell



Clerk Karen Paisley

SCHEDULE "A"
OPERATIONAL REQUIREMENTS FOR OPEN AIR BURNING

1. GENERAL REQUIREMENTS

1.1 Every person conducting open air burning shall:

- (a) ensure the fire is supervised at all times;
- (b) have sufficient equipment available to control and extinguish the fire;
- (c) ensure the fire does not create a nuisance, hazard, or undue smoke affecting neighbouring properties or roadways; and
- (d) fully extinguish the fire before leaving the site.

2. RECREATIONAL FIRES (NO PERMIT REQUIRED)

2.1 A Recreational Fire does not require a Fire Permit provided that:

- (a) the fire does not exceed 0.9 metres (3 feet) in height or diameter;
- (b) the fire is used solely for cooking, warmth, or recreational enjoyment; and
- (c) all requirements of this Schedule and the By-law are complied with.

2.2 Every Recreational Fire shall:

- (a) be located at least 4 metres from any building, structure, fence, or combustible material;
- (b) be set on non-combustible ground or within a cleared area;
- (c) have a minimum vertical clearance of 4 metres from overhead vegetation; and
- (d) be controlled and extinguished in accordance with this Schedule.

2.3 Notwithstanding subsection 2.1, Recreational Fires are prohibited during a declared Fire Ban.

3. FIRES REQUIRING A PERMIT

3.1 Any open air burning that does not meet the definition of a Recreational Fire shall require a Fire Permit.

3.2 Without limiting the generality of subsection 3.1, a Fire Permit is required for:

- (a) brush burning;
- (b) land clearing or debris burning;
- (c) agricultural burning; and
- (d) any fire exceeding 0.9 metres (3 feet) in height or diameter.

4. WEATHER CONDITIONS

4.1 No person shall set or maintain a fire where:

- (a) wind speeds exceed 15 kilometres per hour; or
- (b) weather conditions increase the risk of fire spread, as determined by the Chief Fire Official.

5. PERMITTED AND PROHIBITED MATERIALS

5.1 Only the following materials may be burned:

- (a) untreated wood;
- (b) brush, branches, and natural vegetation.

5.2 No person shall burn:

- (a) household waste or garbage;
- (b) plastics, rubber, or synthetic materials;

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- (c) painted, treated, or stained wood;
- (d) construction or demolition materials; or
- (e) any material prohibited by provincial or federal legislation.

6. FIRE SIZE AND CONTROL

6.1 No person shall:

- (a) maintain more than two (2) burn piles at one time; or
- (b) exceed a total burn area greater than 0.04 hectares (0.1 acres).

6.2 No person shall maintain a brush pile exceeding 1.8 metres by 1.8 metres (6 feet by 6 feet) in size.

6.3 Every fire shall be kept under control at all times.

7. FIRE CONTROL EQUIPMENT

7.1 Every person conducting open air burning shall have immediately available:

- (a) a supply of water sufficient to control the fire; and
- (b) at least one (1) shovel or similar hand tool.

7.2 Additional equipment may be required by the Chief Fire Official based on the nature of the burn.

8. SUPERVISION

8.1 Every fire shall be attended at all times by a responsible person.

8.2 The person supervising the fire shall:

- (a) be capable of taking immediate action to control or extinguish the fire; and
- (b) not be impaired by alcohol or drugs.

9. HOURS OF BURNING

9.1 Unless otherwise authorized by a Fire Permit, no person shall:

- (a) start a fire earlier than two (2) hours before sunset; or
- (b) allow a fire to burn later than two (2) hours after sunrise.

10. FIRE PERMIT CONDITIONS

10.1 All fires conducted under a Fire Permit shall comply with:

- (a) this Schedule; and
- (b) any additional conditions imposed by the Fire Permit.

10.2 Where there is a conflict, the more restrictive provision shall apply.

11. FIRE BAN AND RESTRICTIONS

11.1 No person shall conduct open air burning during a declared Fire Ban.

11.2 All fires shall comply with any additional restrictions imposed by the Chief Fire Official.

12. COMPLIANCE

12.1 Failure to comply with this Schedule constitutes a violation of the By-law.

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SCHEDULE "B" – SET FINES

Part I Provincial Offences Act

ITEM	SHORT FORM WORDING	PROVISION	SET FINE
1.	Conduct open air burning without a permit	Section 6.1	\$200.00
2.	Fail to comply with conditions of a Fire Permit	Section 7.3	\$200.00
3.	Conduct open air burning during a Fire Ban	Section 8	\$300.00
4.	Fail to supervise a fire	Schedule A (1.1)(a)	\$200.00
5.	Exceed maximum brush pile size	Schedule A (6.2)	\$200.00
6.	Fail to keep fire under control	Schedule A (6.3)	\$200.00
7.	Fail to extinguish a fire	Schedule A (1.1)(d)	\$250.00
8.	Burn prohibited materials	Schedule A (5.2)	\$250.00
9.	Set off fireworks without a permit	Section 12.1	\$200.00
10.	Set off fireworks during a Fire Ban	Section 14	\$300.00
11.	Fail to comply with an order to extinguish fire	Section 16	\$300.00
12.	Fail to maintain required setback distance	Schedule A (2.2)(a)	\$200.00
13.	Fail to have required fire control equipment	Schedule A (7.1)	\$200.00

Set Fines

The offences set out in Schedule "B" to this By-law are designated as offences for the purposes of Part I of the Provincial Offences Act. Schedule "B" shall come into force upon approval by the Regional Senior Justice of the Ontario Court of Justice.

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