



Fire and Emergency Services  
 111 McKinney Drive  
 Whitby, ON L1R 3M2  
 Phone: 905.668.3312  
 Email: fire@whitby.ca  
 Web: www.whitby.ca/fire

# Town of Whitby Permit

## Agricultural Fire Permit WFES-107A

**Permit Number:** \_\_\_\_\_

**Location of burn:** \_\_\_\_\_  
 (Municipal address)

**Expiry date:** \_\_\_\_\_  
 (expires at the end of the calendar year)

**Owner's name:** \_\_\_\_\_

**Mailing address:** \_\_\_\_\_  
 (if different than location of burn)

**Phone Number:** \_\_\_\_\_

**On-site Phone Number:** \_\_\_\_\_

### Important notice to owner

This permit is issued on the condition that By-law Number 6991-15 and the fire permit requirements shall be adhered to and the Ontario fire code will not be contravened. Failure to comply with the above provisions will negate approval or cancel the fire permit. Whitby Fire and Emergency Services is not responsible for actions that the Ontario Smoke Pollution Board may enact.

### Read all permit requirements numbered 1 - 14 before burning commences, especially:

- Notify Whitby Fire Communications Centre at 905.433.1234 before and after burning.
- Agricultural or Farm property must be **ten (10) acres** or greater.
- Keep fire to no larger than 1 m (3 ft.) x 1 m (3 ft.) x 1 m (3 ft.) and supervised at all times.
- Fire allowed during daylight hours only, do not start fire if windy conditions prevail.
- Agricultural items only allowed to be burned – No waste, debris or construction materials.
- Items burned cannot be brought in from other locations.
- **If an oversized fire, requirements 1 – 14, as amended by requirements 15 – 19 apply.**

In the interest of public safety, Whitby Fire and Emergency Services reserves the right to issue a ban, or temporarily suspend all approvals for open air burning should conditions as determined by Whitby Fire and Emergency Services warrant such action.

### Note: a permit will not be issued if a fire truck cannot access the burn site

I \_\_\_\_\_ (please print), have read and understood all the fire permit requirements.

\_\_\_\_\_  
 Owner Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 FPO site approval

\_\_\_\_\_  
 Date

**Check List:**

Site drawing to be completed for all permits (to be attached to all copies)

Fee paid: \$90.40 (\$80.00 + \$10.40 HST). Cheques only made payable to the Town of Whitby

Copy to owner

Entered in CRISYS

Entered in AMANDA

**Fire permit requirements**

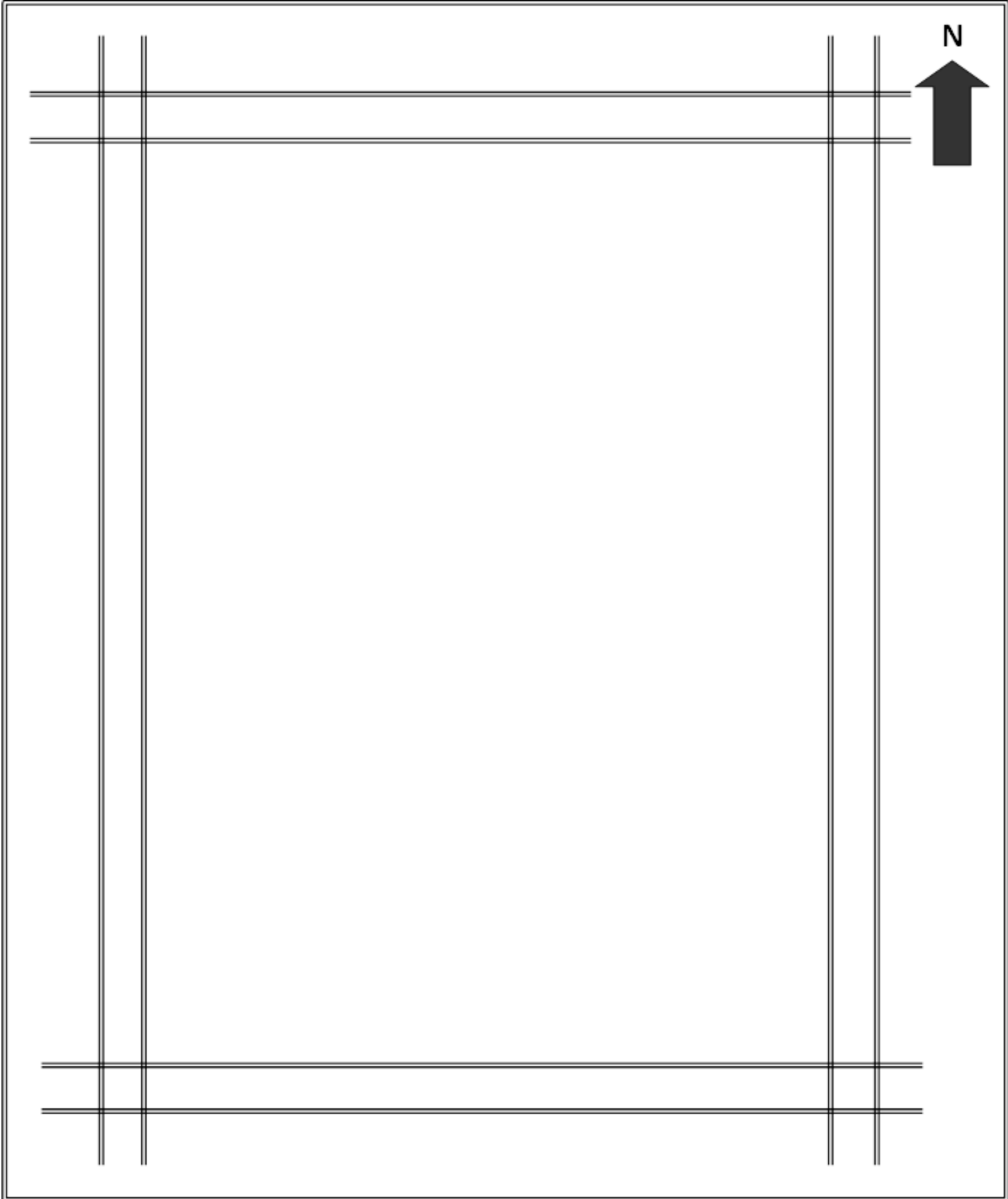
1. Only the burning of Agricultural or Farm waste is permitted (brush, vegetation), the burning of off-site landscaping debris, garbage or construction Material is not permitted.
2. Permits are required for each site and are valid until the end of the calendar year, from the date of issue.
3. A fire permit can only be issued to the owner of the property where the burning takes place, and the owner of the property is fully responsible for such fire.
4. Permits must be available for viewing at the burn site upon request.
5. A drawing of the burn site, with all distances and other requirements, shall be supplied by the owner and shall be attached to all permit copies.
6. The fire is to be attended to and supervised at all times.
7. Whitby Fire and Emergency Services Communications Center shall be notified at 905.433.1234 immediately before burning starts and immediately after the burning has been completely extinguished.
8. All fires must be completely extinguished at the end of each working/burning day.
9. All fires must be kept to a maximum size of 1 m (3 ft.) x 1 m (3 ft.) x 1 m (3 ft.) in area and height unless approved.
10. Equipment capable of extinguishing the fire at any time conditions warrant is to be on site at all times burning is carried out. (Example: portable fire extinguishers, garden hose, portable pump and hose, etc.)
11. A person who conducts open air burning shall use reasonable care to ensure that the site of the fire is not accessible to children.
12. No fire in the open air shall be set or maintained when rain or fog is present.
13. No fire in the open air shall be maintained when the wind is in such a direction or intensity to cause any or all of the following:
  - 1.1. The possible spread of the fire beyond the approved burn site;
  - 1.2. A decrease in the visibility on any highway or roadway;
  - 1.3. Any odour to such an extent or degree so as to cause discomfort to the persons in the immediate area; and/or

- 1.4. The wind speed is above 24 km/h.
14. No open air burning will be set or maintained if it is:
  - 1.5. In contravention of the Ontario Fire Code, the Environmental Protection Act or any other statutory requirements of the Province of Ontario or the Government of Canada;
  - 1.6. At a distance less than 15 m (49 ft.) from any building, structure, hedge, fence, vehicular roadway of any kind or nature, or overhead wiring;
  - 1.7. At a distance of less than 15 m (49 ft.) from any property line;
  - 1.8. Unless there is space clear and free from combustible material around the perimeter of such fire of at least 9 m (30 ft.);
  - 1.9. After sunset in the afternoon on any day and before sunrise in the forenoon of any day; (daylight hours only)
  - 1.10. With the aid of flammable or combustible liquids or accelerants of any kind; and/or
  - 1.11. On any site, or in the vicinity of any site, where construction or related activities are carried on.

**Additional requirements for oversized fires (fires larger than 1m x 1m x 1m) with the approval of the Chief Fire Official:**

15. Requirement #9 is replaced with a maximum burn size of 3m x 3m x 2m in height.
16. In addition to Requirement #10, a backhoe, loader, or other similar machinery must be on site while the fire is burning, must be in operable condition, and must be staffed by a licensed operator. The equipment shall be used to extinguish the fire and prevent it from spreading.
17. Requirement #15, subsections 1.6, 1.7, and 1.8 are replaced with a minimum clear distance to combustible materials from the fire perimeter of 40 meters.
18. The permit holder must contact Communications daily prior to and upon completion of each burning period.
19. Any other requirements deemed necessary by the Chief Fire Official.

**Site Plan Drawing**



How far from the main road is the burn location? \_\_\_\_\_

Can the burn location be seen from the main road?                      Yes                      No

**Office Consolidation:** This edition is prepared for purposes of convenience only, and for accurate reference recourse should be had to the original by-laws.

### **Town of Whitby - By-law # 6991-15 By-law to Regulate the Setting of Fires**

Being a By-law to regulate the setting of fires in the Town of Whitby.

Whereas Section 10 (2) of the Municipal Act 2001, S.O. 2001, c.25, provides that a Council of a municipality may pass by-laws with respect to the economic, social and environmental well-being of the municipality and the health, safety and well-being of persons;

And whereas Section 7.1 (1) of the Fire Prevention and Protection Act S.O. 1997, c.4, provides the a Council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires, and regulating the setting of open air fires, including establishing the times during which open air fires may be set;

And whereas, Part 2 of the Ontario Fire code, O. Reg. 213/07, Subsection 2.6.3.4 (1), provides that open air burning shall not be permitted unless approved, or unless such burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill or barbecue;

Now therefore, the Council of the Corporation of the Town of Whitby hereby enacts as follows:

#### **1. General**

- 1.1 No person shall light, ignite or start or cause to be lighted, ignited or started a fire of any kind whatsoever outside of the walls of a building, whether in the open air or enclosed by any permanent or portable incinerator or other device for burning garbage, rubbish or other waste material without having first obtained a written permit to do so from the Fire Chief.
- 1.2 That Le Nordik Spa be granted an exemption from this By-law to permit burning of solid fuel in enclosed fire pits for recreational purposes as part of the operation of their spa at 4015 Cochrane Street subject to:
  - Le Nordik Spa being fully responsible for their fires and agreeing to pay all costs associated with Whitby Fire and Emergency Services (WFES) responding to a fire associated with or resulting from their site, and;
  - All fires being attended to and supervised at all times by qualified and trained staff with adequate on site fire extinguishing equipment as approved by WFES, and;
  - A dry hydrant connection being installed for use by WFES to allow firefighting water to be relayed from the fire route to the lower ravine area, and;
  - All fires being located a minimum of 9 m (30 ft.) away from any combustible material in enclosures approved by WFES, and;

No accelerants being used to ignite fires and the solid fuel consisting only of dry wood, and;

Burning being discontinued in the event of dry or windy conditions, or when smoke becomes a hazard on Taunton Road, or is reported as a nuisance by neighbours, or when WFES has instituted a Town wide burning ban due to unsafe conditions or under any other situation or circumstance where deemed appropriate by WFES, and;

That the WFES be permitted to conduct inspections at any time as deemed appropriate by WFES.

- 1.3 Any person to whom a permit has been issued pursuant to section 1.1 shall place and keep a competent, adult person in charge of the fire at all times until it is fully extinguished and shall provide such person with such appliances and equipment as may reasonably be required, having regard to the nature and location of the fire, by the Fire Chief in the permit to control the fire and to prevent it from causing damage or becoming dangerous to persons or property.

## 2. Enforcement and Penalties

- 2.1 Anyone contravening the provisions of this By-law shall be guilty of an offence and shall be liable to a fine of not more than \$5,000.00, exclusive of costs, the amount of such fine to be recoverable under the Provincial Offenses Act.


## 3. Repeal of Existing By-law

- 3.1 By-law # 51-74 is hereby repealed in its entirety.

## 4. Effective Date

- 4.1 This by-law comes into force and effect of the date of passing thereof.

By-law read and passed this 20th day of April, 2015.



Don Mitchell, Mayor