

**CORPORATION OF THE TOWNSHIP OF MCKELLAR**

**BY-LAW NO. 2024-38**

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**Being a By-law to Prescribe Times for Setting Fires and  
Precautions / Restrictions for Burning and to  
Repeal By-law No. 2019-24, as amended**

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**WHEREAS** Section 7.1(b) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended, [Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4 \(ontario.ca\)](#) provides that 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** section 2.4.4.4(1)(b) of the *Fire Code, O. Reg. 213/07*, as amended, [O. Reg. 213/07: FIRE CODE \(ontario.ca\)](#) prohibits open air burning unless approved, or unless such burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill, barbeque or spit, and is commensurate with the type and quantity of food being cooked;

**AND WHEREAS** Section 128 of the *Municipal Act, 2001*, S. O. 2001, c. 25, as amended [Municipal Act, 2001, S.O. 2001, c. 25 \(ontario.ca\)](#) provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances; and

**AND WHEREAS** Section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes Council to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it, and for costs payable by it for services or activities provided or done by or on behalf of any other municipality, or local board;

**AND WHEREAS** section 425(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, permits Council to pass by-laws providing that any person who contravenes any by-law of the municipality is guilty of an offence;

**AND WHEREAS** Section 429(1), subject to subsection (4), of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act;

**AND WHEREAS** section 444 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that if a municipality is satisfied that a contravention of a by-law has occurred, the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

**AND WHEREAS** Section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

**AND WHEREAS** *Ontario Regulation 207/96*, "Outdoor Fires," [O. Reg. 207/96: OUTDOOR FIRES \(ontario.ca\)](#) as amended by *Ontario Regulation 230/00*, made under the *Forest Fires Prevention Act*, regulates the burning of outdoor fires;

**AND WHEREAS** the Council of the Corporation of the Township of McKellar deems it expedient to regulate the setting of open fires, including establishing the times during which open air fires may be set;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Township of McKellar hereby enacts as follows:

**1.0 DEFINITIONS:**

Definitions of words and phrases used in this By-law that are not included in the list of definitions supplied, have the meanings that are commonly assigned to them in the context in which they are used, taking into account the specialized use of terms with the various trades and professions to which the terminology applies.

For the purpose of this by-law the following definitions shall apply:

**"Campfire/Recreation Fire"** means a fire situated outdoors set for the purpose of cooking, warmth or recreational enjoyment; and is included in the definition of **open air fire**;

**"Camping Establishment"** means a tourist establishment of at least six **campsites** and comprising of land used or maintained as grounds for the camping or parking of trailers, motorized coach, truck campers, campers or tents but not including mobile homes;

**"Campsite"** means an area of land within a tent and trailer park or **camping establishment** which is designed to accommodate the placement of tents, travel trailers, motor coach or truck campers for the temporary quarters of a travelling or vacationing public;

**"Chief Fire Official"** means the Fire Chief of the **Township** and **Township** staff or volunteers as designated by the Fire Chief and approved by Council;

**"Chiminea"** means clay, porcelain or metal receptacle used for the purposes of burning and constitutes an **open air fire** under this by-law;

**"Combustible"** means able to catch fire and burn easily;

**"Controllable Fire"** means any **open air fire** that can be **extinguished** using resources on the **property**;

**"Debris Fire"** means any **open air fire** used to dispose of large branches, many leaves or unpainted/untreated wood, in the course of property maintenance.

**"Daytime Burning"** means any burning as approved by the Chief Fire Official or Designate between the hours of 10 am and 6 pm 7 days a week.

**"Extinguish"** means to put out or quench any **open air fire** completely, so that no smoke, hot or glowing embers are to remain;

**"Fire Ban"** means a ban, until further notice, of any **open-air fire** as declared by the **Chief Fire Official**, Township designates, or by the applicable Ministry, pursuant to this By-law;

**"Fire Chief"** means the person appointed by Council to act as Fire Chief for the Township of McKellar, as defined in the *Fire Protection and Prevention Act, 1997*, or a person designated by the Fire Chief with the approval of Council;

**"Fire Hazard Rating"** means one of the following ratings established from time to time by the Fire Chief and communicated publicly by the **Township** to indicate the risk of forest fires based on changing conditions: LOW, MODERATE, HIGH, EXTREME, and RFZ (Restricted Fire Zone);

**"Fire Season"** means the period from April 1 to October 31 of each year, as set out in the *Forest Fires Prevention Act, R.S.O. 1990, F.24*, as amended;

**"Fireworks"** see By-law No. 2019-22 for guidelines to set off fireworks within the Township.

**“Flammable Material”** means solids, liquids or vapours which could quickly ignite into flames or explode should sparks or flames or hot gases from an ignition or fire source come in contact with them;

**“Incinerator Fire”** means a non-combustible container used for the purposes of burning and constitutes an **open air fire** under this by-law;

**“Nuisance”** means excessive smoke, smell, airborne sparks or embers that is likely to disturb others, or that is likely to reduce visibility on roads in the vicinity of any fire or Open Air Burning;

**“Occupant”** means an individual over the age of 18 years, in possession of the property, to whom the property is rented, leased or sold as evidenced by a deposit receipt, rental agreement or lease, contract for sale or deed;

**“Officer”** means a Municipal Law Enforcement Officer, Police Officer, **Chief Fire Official**, or any other person appointed by by-law to enforce the provisions of this By-law;

**“Open Air Fire”** means a fire situated outdoors, whether burned in a container or on the ground, and includes a **chiminea, campfire/recreational fire, Debris Fire** and an **incinerator fire** but does not include an **outdoor campfire device**;

**“Outdoor campfire device”** means listed ULC or CSA gas (natural or propane) appliances, and includes a BBQ or heating unit that is fueled by charcoal and does not constitute an **open air fire** under this By-law;

**“Owner”** includes,

- (a) the registered owner of the land; and
- (b) the **person** for the time being managing or receiving the rent of the land, lot or premises in connection with which the word is used, whether on the **person’s** own account or as agent or trustee of any other **person**, or who would receive the rent if the land, lot and premises were let; and
- (c) a lessee or occupant of the lot who, under the terms of a lease, is required to repair and maintain the lot in accordance with the standards for the maintenance and occupancy of lot;

**“Permit”** means a Permit issued, at no charge, by the **Township** in accordance with this By-law and may reference a **Special Occasion Permit** or Daytime Burning;

**“Person”** includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation, and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative;

**“Property”** means a parcel of land which is capable of being legally conveyed;

**“Provincial Offences Act”** means the Provincial Offences Act, R.S.O. 1990, c. P. 33 and its regulations, as amended;

**“Public Land”** means any land registered in the name of the **Township**;

**“Restricted Fire Zone”** (RFZ) means a specific area in Ontario where Outdoor fires are not permitted for a specific period of time, pursuant to the *Forest Fires Prevention Act*, R.S.O. 1990, Chapter F.24 and *Ontario Regulation 207/96* (Outdoor Fires) made thereunder;

**“Special Occasion fire on public land”** means an open air fire for which a permit is required from the Chief Fire Official;

**“Township”** means the Corporation of the Township of McKellar or the land within the geographic limit of the Corporation of the Township of McKellar as the context requires.

## 2.0 APPLICATION

2.1 This by-law shall apply throughout the whole of the **Township**.

## 3.0 GENERAL PROVISIONS

- 3.1 No **person** shall set, maintain, permit or cause to be set or maintained an **open air fire** on **Public** lands without a current valid **permit issued by the Chief Fire Official**.
- 3.2 No **person** shall set, maintain, permit or cause to be set or maintained an **open air fire** in the **Township** other than in accordance with this By-law and the terms and conditions of this By-law.
- 3.3 An **owner** of **property** on which an **open air fire** has been set or permitted to burn shall be deemed to have permitted the **open air fire** and assumes all responsibility.
- 3.4 No **person** shall set, maintain, permit or cause to be set or maintained an **open air fire** during a **Extreme Fire Rating, Fire Ban or RFZ**.
- 3.5 Notwithstanding any other provision of this By-law, an **open air fire** may be set or maintained at any time of the day when **Fire Season** is not in effect.
- 3.6 Notwithstanding any provisions herein, no **person** shall set or maintain a fire; (a) 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; (b) on any highway, or public property within the Municipality; (c) on any asphalt surface; (d) in any park owned or operated by the Municipality without the written permission of the Municipality.

## 4. TERMS AND CONDITIONS OF AN OPEN AIR FIRE

- 4.1 No **person** shall set, maintain, permit or cause to be set or maintained an **open air fire** in the **Township** other than in accordance with the following:
- (a) where a **permit** is required (Daytime Burning or Special Event), the **permit** shall be available for inspection at the **property** upon request;
  - (b) no more than one (1) **controllable fire** on a **property**, except on a **campsite** or **camping establishment** at any time, unless otherwise approved by the **Chief Fire Official**;
  - (c) an **open air fire** shall not exceed 2 metres in diameter, 2 metres in height and shall not be less than 5 metres from a building, fence, hedge, other combustible material, highway, overhead wire or a property line or as otherwise restricted by this By-law;
  - (d) the burning only of brush, leaves and unpainted/untreated wood is permitted;
  - (e) an **open air fire** shall be attended and supervised at all times by a **person** at least sixteen (16) years of age;
  - (f) an **open air fire** shall not occur without appropriate extinguishing agents such as portable fire extinguishers, pressurized garden hose, shovel, rake, portable pump and hose, bobcat (or similar) being on-hand at all times until the **open air fire** is **extinguished**;
  - (g) an **open air fire** shall be **extinguished** when not attended and supervised by a **person** at least sixteen (16) years of age;
  - (h) an **open air fire** is not permitted when the wind velocity may cause the following unsafe conditions:

- (i) a decrease in visibility on any highway, road or navigable channel;
- (ii) the rapid spread of fire through grass, brush, forested area or other **property** that was not intended to be burned;
- (i) an **open air fire** shall not create excessive smoke;
- (j) an **open air fire** is not permitted during an extreme fire rating, **fire ban** or RFZ;
- (k) an **open air fire** shall not create a nuisance or have an adverse effect on a neighbouring **property owner**;
- (l) in conditions or a location that the **open air fire** is not safe from ignition to **extinguishment**;
- (m) on a **property** other than on a **property** that the **person** owns or lawfully occupies;
- (n) permit-less burning is between the hours of 6:00 p.m. on one day and no later than 10:00 a.m. the following day; a Daytime Burning Permit shall be required between 10:00 a.m. and 6 p.m.;
- (o) is only permitted during a low or moderate fire danger rating, unless otherwise permitted by this By-law;
- (p) a **Special Occasion permit** shall be available at the discretion of the Chief Fire Official, and may be cancelled at any time by the Chief Fire Official should conditions or applicable Ministry recommendations change. The permit holder shall indemnify and save harmless the Corporation of the Township of McKellar and its employees from any and all claims, demands, causes of action, costs or damages that the Township may suffer, incur or be liable for resulting from the open air burning as set out in this By-law, whether with or without negligence on the part of the permit holder, the permit holder's employees, directors, contractors and agents. The Chief Fire Official may refuse to issue a permit if (i) the proposed open air burning would contravene this By-law; or, (ii) the owner or permit holder has previously contravened any permit conditions or other provisions of this By-law.

## 5.0 GENERAL BURNING RESTRICTIONS FOR CAMPFIRE/RECREATION FIRES

- 5.1 Notwithstanding any other provision contained in this By-law, no **person** shall set, maintain, permit or cause to be set or maintained a **campfire/recreation fire** other than in accordance with the following:
- (a) the **campfire/recreation fire** shall not exceed 1 metre in diameter or height;
  - (b) be a minimum of 3 metres from a building, fence, hedge, other combustible material, **flammable** material, highway, overhead wire or a **property** line;
  - (c) **For cooking purposes**, burning is permitted any time of day during a low, moderate or high fire danger rating.
  - (d) an **campfire/recreational fire** is not permitted during an extreme fire rating, **fire ban** or RFZ
  - (e) where the site of the **campfire/recreation fire** is contained by bare rock, masonry or non-combustible material for a minimum distance of 2 metres of clearance from the outer edge of the **campfire/recreation fire**;
  - (f) only 1 controllable campfire/recreational fire per property
  - (g) shall not create excessive smoke or become a **nuisance**

- (h) shall be constantly attended by a responsible party a minimum of 16 years of age
- (i) shall not occur without appropriate extinguishing agents such as portable fire extinguishers, pressurized garden hose, shovel, rake, portable pump and hose, being on-hand at all times until the **campfire/recreational fire is extinguished**;
- (j) CSA approved outdoor recreational fire simulators can only be fueled by propane fuel delivered via CSA approved/inspected delivery systems.

## 6.0 INCINERATOR FIRE

- 6.1 Notwithstanding any other provision of this By-law, no **person** shall set, maintain, permit or cause to be set or maintained an **incinerator fire** other than in accordance with the following:
- (a) with a screen cover in place during the **incinerator fire**;
  - (b) the size of the non-combustible container shall not exceed a size, more than 2 meters in diameter, by 1 meter in height.
  - (c) be a minimum of eight (8) metres from a building, fence, hedge, other combustible material, **flammable material**, highway, overhead wire or a **property line**;
  - (d) during a low or moderate fire danger rating;
  - (e) only paper, wood, brush, leaves or unpainted/untreated wood products are burned.

## 7.0 GRASS OR LEAF LITTER FIRE

- 7.1 Notwithstanding any other provision of this By-law, no person shall set, maintain, permit or cause to be set or maintained a grass or leaf litter fire other than in accordance with the following, in addition to the General Provisions/Conditions of Sections 3 and 4 above:
- (a) the total area to be burned does not exceed 1.0 hectare;
  - (b) the length of the flaming edge does not exceed thirty (30) metres;
  - (c) the fire is started between the hours of 6:00 p.m. one day and no later than 10:00 a.m. the following day;
  - (d) during a low or moderate fire danger rating;
  - (e) a responsible person is available to tend the fire until the fire is extinguished;
  - (f) the person tending the fire has tools and/or water adequate to contain the fire within the fire site.

## 8.0 DECLARATION OF A FIRE BAN AND FIRE DANGER RATINGS

- 8.1 The **Chief Fire Official** is responsible for establishing and declaring fire danger ratings and a **Fire Ban**. A graphical depiction of the fire danger ratings is outlined on Schedule A to the By-law.
- 8.2 A Fire Danger Rating or a **Fire Ban** may be posted or advertised through the local media, on the **Township's** website or on Fire Danger Rating signs within the **Township**. All **Special Occasion** and Daytime Burning permits will be suspended.
- 8.3 Any persons found to be burning, setting off fireworks, or lighting or releasing a Chinese lantern during a declared and established **Fire Ban** shall be subject to a municipal fine in the amount equivalent to the current Ministry of Transportation (MTO) rates per apparatus response automatically for a second occurrence and at the discretion of the Chief Fire Official in the first offence;

8.4 Any persons found to be burning or setting off fireworks in a **Restricted Fire Zone (RFZ)** shall be subject to fines as levied by the Ministry of Natural Resources and Forestry as referenced at [www.ontario.ca](http://www.ontario.ca).

## 9.0 PERMIT

9.1 A **person** making an application for a **Special Occasion Permit** on public land, or Daytime Burning permit shall:

- (a) submit a complete application in the form provided by the **Township**;
- (b) submit plans showing the location of buildings in relation to **property** lines;
- (c) submit any other documents as may be required by the **Township**;

9.2 A **permit** is valid for the event and period of time for which it is issued.

9.3 A **permit** is valid only for the **property** identified on the **permit**.

9.4 A **permit** is not transferable.

9.5 The **Chief Fire Official** may:

- (a) refuse to issue a **permit** where a **person** has previously failed to comply with the terms and conditions of a **permit** or the provisions of this By-law;
- (b) impose any additional terms or conditions that he considers necessary in the interest of public safety;
- (c) vary the terms and conditions of a **permit** upon conducting an inspection and determining safety is maintained through approved site specific terms and conditions;
- (d) revoke a **permit** for failing to comply with the terms and conditions of a **permit** or the provisions of this By-law;
- (e) issue a **permit** for an **open air fire** to be set during hours not otherwise permitted by this By-law.

9.6 The **Chief Fire Official** is hereby delegated authority to issue a **permit** in accordance with the provisions of this By-law.

## 10.0 PROHIBITIONS

10.1 (a) No person shall:

- (i) start or tend an **open air fire**, or permit an **open air fire** to be set or maintained contrary to any provision of this By-law;
- (ii) contravene any conditions of setting or tending an **open air fire** under this By-law;
- (iii) contravene any conditions of a permit issued under this By-law;
- (iv) contravene an official order to discontinue **open air fire** activity;
- (v) contravene an official order to extinguish an **open air fire**.

## 11.0 TOWNSHIP & PROVINCIAL AGENTS EXEMPT

11.1 The **Township** and the Ministry are exempt from the provisions of this By-law.

## 12.0 RIGHT OF ENTRY

- 12.1 An **Officer** may enter at all reasonable times upon any **property** to ascertain whether the provisions of this By-law are obeyed and to enforce and carry into effect the provisions of this By-law.
- 12.2 No **person** shall hinder or obstruct, or attempt to hinder or obstruct, an **Officer** from carrying out inspections of **property** to ensure compliance with this Bylaw.
- 12.3 An **Officer** must, upon request, display or produce proper identification.

## 13.0 OBSTRUCTION

- 13.1 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.
- 13.2 Any **person**, who has been alleged to have contravened any of the provisions of this By-law, shall identify himself/herself to the **Officer** upon request. Failure to do so shall be deemed to have obstructed or hindered the **Officer** in the execution of his/her duties.
- 13.3 A refusal of consent to enter or to remain in a room or place actually used as a dwelling does not constitute hindering or obstruction within the meaning of subsection 13.4 unless the **Township** is acting under an order under Section 438 of the *Municipal Act*, or a warrant under Section 439 of the *Municipal Act*, or in the circumstances described in Section 437(d) or (e) of the *Municipal Act* or in accordance with the powers as dictated under the F.P.P.A. 1997.

## 14.0 ENFORCEMENT AND PENALTY

- 14.1 The enforcement of this By-law shall be conducted by an **Officer**.
- 14.2 Every **person** who contravenes any provision of this By-law or every director or **Officer** of a corporation, who knowingly concurs in the contravention by a corporation is guilty of an offence and upon conviction is liable to a fine as provided for under the **Provincial Offences Act**.
- 14.3 Upon conviction any penalty imposed under this By-law may be collected under the authority of the **Provincial Offences Act**.

## 15.0 RECOVERY OF COSTS

- 15.1 In addition to any fines or penalties established elsewhere in accordance with this By-law, the **person(s)** responsible for setting or maintaining, or permitting to be set or maintained, an **Open Air Fire** and/or the **property owners** shall be liable to the **Township** by way of a fee or charge, as calculated in accordance with Schedule B to this By-law, on account of those costs and expenses incurred by the **Township** including:
- (a) Investigating and responding to a complaint made to the **Township**, the **Chief Fire Official**, an **Officer** or by any **person** acting reasonably and in good faith, which results from setting and/or maintenance of the **Open Air Fire** and, in the opinion of the **Chief Fire Official** or other **Officer**, the smoke or emissions from such **Open Air Fire** are causing or have caused actual discomfort to the complainant, or was in violation of a By-law;
- (b) The dispatching of an **Officer**, a Fire Department and/or other agencies, their vehicles, equipment or aircraft, and fire-fighting and/or emergency support personnel for the purpose of: investigating a complaint and/or initiating the controlling or extinguishing an **Open Air Fire** that is in violation of the By-law.



- 15.2 All fees and charges payable under this By-law, are due and owing to the **Township** within thirty (30) days of the date of an invoice rendered to the **person** liable to pay them.
- 15.3 All overdue accounts shall accrue interest at the rate of 1.25% per month (15% per annum), calculated monthly, from the due date until paid in full.
- 15.4 If a **person** who sets or maintains an **Open Air Fire** contrary to this By-law is not the **owner** of the **property** but occupies or is using the **property** with the **owner's** consent, the **owner** and the **person** conducting the **Open Air Fire** shall be jointly and severally liable to pay any fees and charges imposed by this By-law.
- 15.5 All fees and charges payable under this By-law constitute a debt of the **person** liable for payment of them to the **Township** and, in the case of **owners** of a **property** being responsible for payment of the fees and charges, the **Township** may add the amount owing to the tax roll for the **owner(s)** real property and collect them in like manner as municipal taxes.

## 16.0 SEVERABILITY

- 16.1 If any section, clause or provision of this By-law is for any reason declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the By-law as a whole or in part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed.

## 17.0 SINGULAR AND PLURAL

- 17.1 In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.

## 18.0 SHORT TITLE

- 18.1 The short title of this By-law is the "Open Air Burning By-law".

## 19.0 ADMINISTRATION


- 19.1 That By-law No. 2019-24 and By-law No. 2023-53, an amendment to By-law No. 2019-24, are hereby repealed.
- 19.2 This By-Law shall come into force and take effect on the date of its passing.

**READ a FIRST and SECOND** time this 4<sup>th</sup> day of June, 2024.

  
 \_\_\_\_\_  
 David Moore, Mayor

  
 \_\_\_\_\_  
 Karlee Britton, Acting Clerk/Administrator

**READ a THIRD** time and **PASSED** in **OPEN COUNCIL** this 18<sup>th</sup> day of June, 2024.

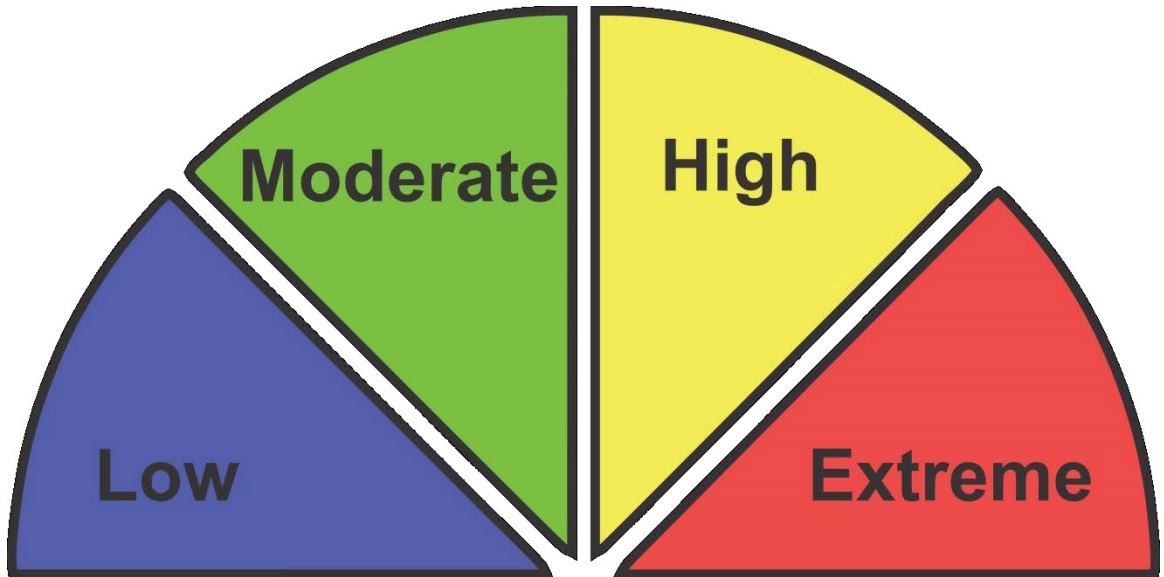
  
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 David Moore, Mayor

  
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 Karlee Britton, Acting Clerk/Administrator

THE CORPORATION OF THE TOWNSHIP OF MCKELLAR

Schedule "A" of By-law No. 2024- 38

FIRE RATINGS



LOW	MODERATE	HIGH	EXTREME
<p><b>LOW and MODERATE FIRE RATINGS:</b></p> <p>No person shall start an <b>open air fire</b> during the <b>Fire Season</b> (April 1<sup>st</sup> to October 31<sup>st</sup>) other than between the hours of 6:00 <b>p.m.</b> one day and 10:00 <b>a.m.</b> the following day.</p> <p>A <b>Campfire</b> for preparing food is permitted any time of day. A campfire for recreation purposes is permitted between 6:00pm one day and 10:00am the next day.</p>		<p>Fire Danger is <b>SERIOUS</b></p> <p>An <b>open air fire</b> is <b>not</b> permitted except a <b>Campfire/Recreation Fire</b></p> <p><b>NO FIREWORKS</b></p>	<p>Fire Danger is <b>EXTREMELY HIGH</b></p> <p><b>NO OPEN BURNING</b> of any kind!</p> <p><b>TOTAL FIRE BAN DECLARED</b></p> <p><b>NO FIREWORKS</b></p>

**THE CORPORATION OF THE TOWNSHIP OF THE MCKELLAR**

**Schedule “B part 1, of By-law No. 2024- 38**

**COSTS OF INVESTIGATION / ENFORCEMENTS PER SECTION 16.1**

<b>ITEM</b>	<b>AUTHORITY SECTION</b>	<b>RELATED COSTS MAY INCLUDE</b>	<b>CALCULATED &amp; DOCUMENTED BY</b>
Responding to a Scene	Section 15.1	TIME, per <b>Officer</b> @ \$50.00 per hour	<b>Officer's</b> time sheets & related video/photos
Occurrence and Investigation Time	Section 15.1	TIME, per <b>Officer</b> @ \$75.00 per hour	<b>Officer's</b> time sheets & related video/photos
Court – <b>Officer</b> Time	Section 15.1	TIME, per <b>Officer</b> @ \$75.00 per hour	<b>Officer's</b> time sheets & related video/photos
Court – Prosecutor(s) Costs	Section 15.1	TIME, as per Prosecutor's Case Invoice	Legal Invoice(s)
Administrative Costs	Section 15.1	Staff TIME	Office Staff & <b>Officer(s)</b> logged hours
Equipment/Apparatus Cost	Section 15.1	Current MTO Rate plus personnel plus any additional costs per incident. Total replacement cost for every or any damaged unit of equipment or material used in the response	Current rate set by MTO on the day(s) of the occurrence, personnel time sheets, replacement cost at the time of the occurrence

**SCHEDULE “B part 2” of By-law No. 2024- 38 COST OF: FIRE CONTAINMENT and/or SUPPRESSION SERVICES AND FEES**

The cost(s) for all Fire Control equipment or devices, or suppression personnel, are based on the current MTO rates.

This shall be calculated from the initial dispatch of The Fire Department or support agency under contract or agreement, until such time as each is back in service and the vehicle/device or personnel are back at their base and have been returned to operational level.

The above category Costs will be invoiced by the **Township** and will be due thirty days from the date of the invoice and interest shall accrue and be added to the amount at the rate of 1.25% per month commencing 30 days following the delivery or sending of the invoice.

These fees are in addition to any fines or penalties established elsewhere, in accordance with this By-law.

**NOTE:** The above cost and fee schedule(s) “B” parts 1 & 2- may be amended at any time at the discretion of the Council of the **Township of McKellar**.