



AGENDA

CYFS - JCC

Tuesday, October 4, 2016 at 9:30 AM
Town of Aurora - Leksand Room

Agenda compiled on 23/09/2016 at 9:58 AM

Open Forum

Additions & Corrections to the Agenda

Declaration of Pecuniary Interest

Approval of Minutes

1. Central York Fire Services - Joint Council Committee Minutes of September 6, 2016. p. 1

The Central York Fire Services - Joint Council Committee recommends:

- a) THAT Central York Fire Services - Joint Council Committee Minutes of September 6, 2016 be received.

Items

2. Joint Central York Fire Services and Corporate Services Report - Finance 2016-41 dated September 22, 2016 regarding the Draft 2017 Operating and Capital Budgets - Update. p. 4

The Director of Financial Services/Treasurer and the Fire Chief recommend:

- a) THAT Joint Central York Fire Services and Corporate Services Report - Finance 2016-41 dated September 22, 2016 regarding the Draft 2017 Operating and Capital Budgets - Update be received and the following recommendations be adopted:

- i) THAT the Joint Council Committee (JCC) receive and review the draft budgets;

- ii) AND THAT the October 4, JCC meeting be used to finalize a recommendation to be sent to Aurora Council for review and then to Newmarket Council for approval.

3. Burning By-laws Discussion. p. 14
4. Verbal Update from the Fire Chief regarding the status of the new fire station.

New Business

Closed Session (if required)

Adjournment



MINUTES

Tuesday, September 6, 2016 at 9:30 AM
Town of Newmarket - Cane A & B

The meeting of the CYFS - JCC was held on Tuesday, September 6, 2016 in Town of Newmarket - Cane A & B, 395 Mulock Drive, Newmarket.

Members Present:

Aurora: Councillor Abel, Chair
Councillor Mrakas
Councillor Thompson

Newmarket: Councillor Bisanz
Councillor Hempen
Councillor Twinney

Staff Present:

Aurora: D. Elliott, Director, Corporate & Financial Services – Treasurer
L. Lyons, Town Clerk

Newmarket: R.N. Shelton, Chief Administrative Officer
A. Brouwer, Director of Legislative Services/Town Clerk
L. Georgeff, Director of Human Resources
M. Mayes, Director of Financial Services/Treasurer

CYFS: R. Comeau, Deputy Fire Chief
C. Duval, Assistant Deputy Fire Chief
R. Volpe, Deputy Fire Chief

The meeting was called to order at 9:30 a.m.

Councillor Abel in the Chair.

Open Forum

None.

Additions & Corrections to the Agenda

None.

Declaration of Pecuniary Interest

None.

Approval of Minutes

1. Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of June 7, 2016.

Moved by: Councillor Thompson
Seconded by: Councillor Twinney

THAT the Central York Fire Services - Joint Council Committee Minutes and (Closed Session) Minutes of June 7, 2016 be approved.

Carried

Items

2. Joint Central York Fire Services and Corporate Services Report - Finance 2016-35 dated August 9, 2016 regarding the Central York Fire Services Budget Report - Second Quarter.

The Director of Financial Services/Treasurer, Town of Newmarket provided a verbal update on the second quarter budget report and reported that the budget target should be met.

Moved by: Councillor Mrakas
Seconded by: Councillor Thompson

THAT Joint Central York Fire Services and Corporate Services Report - Finance 2016-35 dated August 9, 2016 regarding the Central York Fire Services Budget Report - Second Quarter be received for information purposes.

Carried

3. Joint Central York Fire Services and Corporate Services - Financial Services Report 2016-39 dated August 26, 2016 regarding the Draft 2017 Operating and Capital Budgets.

The Director of Financial Services/Treasurer, Town of Newmarket advised that the proposed operating budget is within the parameters established by Council of both Aurora and Newmarket. He further advised of increases to the infrastructure levy, adjustments to cost allocations and reviewed the proposed employment positions for 2017. Feedback on the draft 2017 operating and capital budgets from JCC members will be collected at the October meeting. Discussion ensued regarding the total cost to build the new fire hall. A memo detailing the total costs for the new fire hall will be provided to JCC Members.

Moved by: Councillor Thompson
 Seconded by: Councillor Bisanz

a) THAT Joint Central York Fire Services and Corporate Services - Financial Services Report 2016-39 dated August 26, 2016 regarding the Draft 2017 Operating and Capital Budgets be received and the following recommendations be adopted:

- i) THAT the Joint Council Committee (JCC) receive and review the draft budgets;
- ii) AND THAT the October 4 JCC meeting be used to finalize a recommendation to be sent to Aurora Council for review and then to Newmarket Council for approval.

Carried

New Business

- a) Councillor Thompson requested an update on the status of discussions with Richmond Hill for consolidated fire services. The Chief Administrative Officer, Town of Newmarket, advised that meetings have taken place between Richmond Hill, Aurora and Newmarket staff and that a further update will be provided in the fall.

Closed Session

The Chair advised that there was no requirement for a Closed Session.

Adjournment

Moved by: Councillor Thompson
 Seconded by: Councillor Twinney

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 9:45 a.m.

Date

Councillor Abel, Chair



September 22, 2016

**JOINT CENTRAL YORK FIRE SERVICES AND CORPORATE SERVICES REPORT
- FINANCE 2016-41**

TO: Joint Council Committee

SUBJECT: Draft 2017 Operating and Capital Budgets - Update

ORIGIN: Central York Fire Services – Fire Chief
Director, Financial Services/Treasurer

RECOMMENDATIONS

THAT Joint CYFS / Corporate Services Report – Financial Services – 2016-41 dated September 22, 2016 regarding the Draft 2017 Operating and Capital Budgets – Update, be received and the following recommendations be adopted:

- 1. THAT the Joint Council Committee (JCC) receive and review the draft budgets;**
- 2. AND THAT the October 4 JCC meeting be used to finalize a recommendation to be sent to Aurora Council for review and then to Newmarket Council for approval.**

COMMENTS

Purpose

The purpose of this report is to provide an overview of the Operating and Capital Budget requests for 2017.

Budget Impact

The proposed 2017 Operating and Capital budgets are within the funding envelopes – tax impact established by both municipalities. Adjustments are recommended for capital financing.

Summary

The 2017 budget continues to address implementation of the 2014 Fire Department Master Plan Update (FDMPU) over a 5-year period.

BACKGROUND

On June 7, 2016 the Joint Council Committee (JCC) agreed to the following budget schedule:

June 7	Approval of schedule and report on drivers
September 6	Presentation of the draft budget to JCC
October 4	JCC recommendation of the draft budget to Aurora Council
October 18	Presentation of the CYFS draft budget to Aurora General Committee
October 25	Comments on the draft budget by Aurora Council
October 31	Presentation of CYFS draft budget to Newmarket Committee of the Whole
December 5	Adoption of CYFS budget by Newmarket Council

On September 6, JCC was presented with report 2016-39 which presented the draft operating and capital budgets for CYFS. Since that time, staff have reviewed the budget and propose some revisions that will reduce the tax impact but will not negatively impact the service level .

This report consolidates the details from that original report and should be received as a replacement for it. Changes are noted and highlighted in yellow.

DRAFT BUDGETS

OPERATING BUDGET

Wages and benefits

Sufficient provision has been included; however, with contract negotiations currently underway, it is possible that revisions may be required.

Overtime

Since 2011, there has been a substantial sustained decrease in overtime costs due to the staffing model employed. As a result, the budget has been significantly reduced from the amount previously allocated to overtime. However, in 2015 the budget allocation was exceeded. At the end of the second quarter of 2016, CYFS are within \$8,000 of the year to date budget. The 2017 budget request includes a \$20,000 reduction in overtime from the 2016 level of \$220,000 to \$200,000 to reflect management's efforts and success in managing this expense. As of January 2016, CYFS are undertaking a 4-year trial of 24-hour shifts.

New hires

4 new firefighter positions were budgeted to be hired in May of 2016, with a corresponding provision for 2/3rd of their annual salary. The remaining 1/3rd (\$150,220) needs to be included in 2017 and will cause a budget increase.

The 2017 draft budget includes the hiring of 4 additional firefighters and a Fire Prevention Inspector. These costs (\$445,570) have been de-annualized (\$344,177) to reflect a realistic hire date of April 1st. The April 1st hire date will allow us to meet the 60 day hiring obligations outlined in the Collective Agreement for replacing staff and prevent having two hiring and training streams. The FDMPU contemplated the hiring of additional support staff this year – Network and Communications Coordinator, Human Resources Consultant, and Fire & Life Safety Coordinator which have been deferred for future consideration.

Fleet Maintenance

The majority of the cost of fleet maintenance is an hourly charge by Newmarket staff (2016 budget - \$178,500). These rates will be increasing by 23% to \$218,960 in 2017 to reflect full cost recovery. This expense is tracking over budget and is expected to continue to exceed budget. As well, due to staff turnover, there will be a temporary need to send vehicles to outside vendors for service and repairs which may result in increased operating costs.

Support costs

The Town of Newmarket allocates a proportional share of its overhead costs to CYFS. This includes a share of human resources, payroll, accounting, procurement, legal, insurance and communications. These costs have been increased by 2.8% (to \$911,482) to align with the 10-year forecast.

Dispatch Service

The cost of dispatch services have been significantly under budget the past two years due to the York Region radio infrastructure upgrade which has been delayed. The cost sharing is expected to be in place for 2017. The budget has been revised accordingly..

Infrastructure Levy / Asset Replacement Fund (ARF)

The contributions to the Asset Replacement Fund have been increased by \$225,000 to meet the requirements as set out in the capital budget.

Cost Allocation

The 2017 budget reflects a 0.4% change in the cost allocation – Newmarket's share being decreased to 59.4% (2016 - 59.8%) and Aurora's share increasing to 40.6% (2016 -40.2%). This is a shift of \$100,000 in annual operating costs.

A four year rolling weighted average where the most recent year is weighted at 40% and the other three years are weighted at 20% each was adopted by JCC (see Joint CYFS and Corporate Services Report – Finance 2015-03). The funding model uses call volume, population and assessment value as the determinant of cost shares.

Training

The former Operations Centre on Timothy Street has been used by CYFS since 2011 as an interim Fire Training Facility. This was a temporary arrangement, however, without a suitable alternative location, Newmarket is prevented from using the land or facility for other planned purposes. Annual facility rental charges of \$30,000 have been included in the budget for rent in 2017.

Fire Department Recoveries

CYFS provides fire and emergency response services to Whitchurch-Stouffville, King, and East Gwillimbury. An annual retainer plus a per call fee is charged to the neighbouring municipalities. This revenue is tracking to exceed the budget of \$258,530 and has been increased by \$30,000 in 2017.

CAPITAL BUDGET**Replacement**

Capital replacements are funded by the Asset Replacement Fund (ARF). This includes the following for 2017:

- Replacement of 2 support Vehicles - \$60,000
- Replacement of 1999 Fire Engine - \$946,000
- Replacement of 8 Thermal Imaging Cameras - \$96,000
- Replacement of Personal Protective Equipment - \$37,178
- Replacement of Fire Equipment - \$65,000
- Replacement of 4 Mobile Data Terminals - \$40,000

A 10-year projection of future replacement requirements indicates that there will be a funding deficiency. As a result, the ARF contributions have been increased by \$225,000 for 2017.

Growth

The 2017 budget includes the 2nd phase for the construction of a 5th fire station (\$2,500,000), as well as bunker gear for the new recruits - \$16,000. Development Charges (DC's) are the funding source.

Other

A station security system to work in conjunction with the existing key fob security system (\$30,000) will ensure the safety of all staff members, as identified in the results of the Employee Engagement Survey.

US Exchange

Major capital purchases tend to be from US suppliers. As such, the increase in the exchange rate for US dollars has had a significant impact on our capital costs and reserves. This is the major reason for the increase in our capital funding requirements.

To reduce the risk of fluctuations, exchange rates are based on current values and will be locked in as soon as the budget is approved.

RESERVES

Financial Services report 2015-46 recommended a target level for the CYFS reserve fund. This was adopted by JCC. The three components are:

1. 50% of CYFS' total annual budget for the most volatile expenditure items such as overtime, fuel, vehicle repairs, utility costs, and legal costs. This provision would be about \$500,000;
2. Net contributions for light vehicle purchases, which will be \$276,000 at the end of 2016;
3. Other contingency amounts defined by JCC from time to time. At this time there is no requirement.

The target for the CYFS Reserve would be \$806,000. **Before any adjustments for 2016 operating results, the projected balance is \$311,000.**

At a future meeting, a proposal will be made to consolidate the light vehicle program into the Asset Replacement Fund (ARF).

IMPACT ON THE MASTER FIRE PLAN

This report is consistent with the budget methodology set out in the 2008 Master Fire Plan and it includes certain staffing recommendations from the 2014 Fire Department Master Plan Update (FDMPU) and sets the foundation for the needs of the Fire Service.

Implementation of the Fire Master Plan

The implementation staffing option selected by JCC was a phased in approach over 5 years. This included hiring four additional firefighters on an annual basis and additional support staff – fire prevention, etc. The draft 2017 budget defers some of these hirings for future consideration.

CONSULTATION

This report has been prepared by the Treasurer for the Town of Newmarket in consultation with the Fire Chief. The Treasurer for the Town of Aurora has reviewed this report.

BUDGET IMPACT

Operating Budget (Current and Future)

The draft operating budget, as presented, would result in a 0.87% tax increase for Newmarket and approximately a 1.21% tax increase for Aurora, prior to any reserve fund adjustments by either of the municipalities.

The difference in taxation bases and change in the allocation, account for the discrepancy in the increases.

Capital Budget

The capital budget will be within the funding envelope. A review of future funding requirements indicates that increases in contributions towards the Asset Replacement Fund (ARF) will be required.


CONTACT

For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at mmayes@newmarket.ca



Ian Laing, Fire Chief
Central York Fire Services

Reviewed by:



for: Mike Mayes, CPA, CGA, DPA
Director, Financial Services/Treasurer
Town of Newmarket

Dan Elliott, Director Financial Services
Treasurer
Town of Aurora

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Attachments:

- 2017 CYFS Draft Operating Budget - Update
- 2017 CYFS Capital Budget Summary
- 10 Year Forecast-Capital Request vs. ARF Contribution
- 10 Year Forecast-Capital Request vs. ARF Contribution with \$225K Increase

2017 CAPITAL BUDGET

FIRE SERVICES

Project Description	G/L Account No.
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Central York Fire Services

Bunker Gear for New Recruits	
Implementation of Station Security System	
Replacement of 2 Light Vehicles	
1999 Freightliner Fire Truck Replacement	
Replacement of Thermal Imaging Cameras	
Life Cycle Replacement of Bunker Gear	
Replacement of Equipment	
Replacement of Mobile Data Terminals, Modems & Antennas	
Station 4-5 Construction	

TOTAL - FIRE SERVICES

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EXPENDITURES	FINANCING					Remarks
	Total Cost	Asset Replace. Fund	Develop. Charges	Reserves & Reserve Funds	Operating Fund	Other

16,000			16,000			
30,000				30,000		
60,000	60,000					
946,000	946,000					
96,000	96,000					
37,178	37,178					
65,000	65,000					
40,000	40,000					
2,500,000		1,500,000			1,000,000	Aurora's share

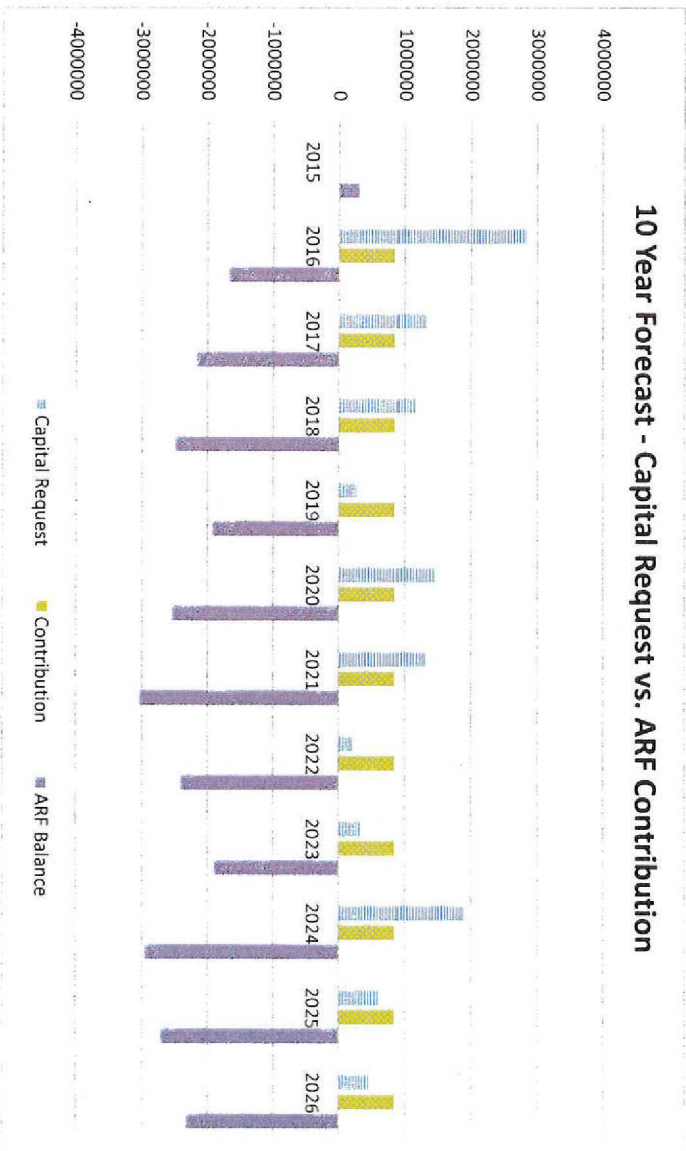
\$ 3,790,178	\$ 1,244,178	\$ 1,516,000	\$ 30,000	\$ 1,000,000	
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**CENTRAL YORK FIRE SERVICES
2017 DRAFT OPERATING BUDGET**

Updated: September 21, 2016

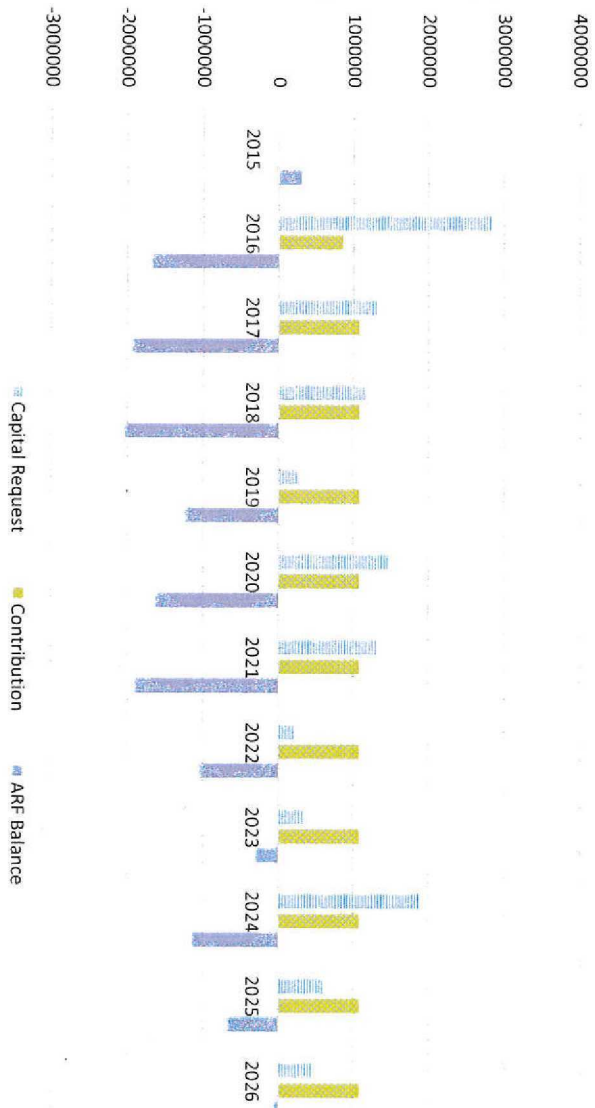
OBJECT ACCOUNTS	2016		2017 Budget			Increase/(Decrease)	
	Budget	Actual	Base	G & E	Total	\$	%
Expenses							
4011 Management Salaries	615,201	262,065	627,788		627,788	12,587	2.0%
4021 Regular Salaries & Wages	14,191,054	6,292,601	14,449,677	259,052	14,708,729	517,675	3.6%
4024 Standby/Callback	86,000	509	86,000		86,000	-	0.0%
4025 Overtime	220,000	102,058	220,000	(20,000)	200,000	(20,000)	-9.1%
4026 Lieu Time Paid	617,000	9,325	617,000		617,000	-	0.0%
4031 Casual/Seasonal Wage	12,000	4,201	12,000	8,000	20,000	8,000	66.7%
4106 Workers' Compensation	93,500	46,752	93,500		93,500	-	0.0%
4109 Direct Payroll Benefits	4,553,930	1,929,389	4,632,375	75,125	4,707,500	153,570	3.4%
Sub Total Salaries and Benefits	20,388,685	8,646,898	20,738,340	322,177	21,060,517	671,832	3.3%
4216 Stationery & Office Supplies	15,000	8,964	15,000		15,000	-	0.0%
4217 Photocopier Lease & Supplies	5,000	3,216	5,000		5,000	-	0.0%
4219 Emergency Mgmt. Materials	4,000	543	4,000		4,000	-	0.0%
4229 Janitorial Supplies	22,000	7,904	20,000		20,000	(2,000)	-9.1%
4232 Fuel for Vehicles	120,000	35,843	110,000		110,000	(10,000)	-8.3%
4261 Uniforms, Clothing	125,000	115,217	130,000	2,000	132,000	7,000	5.6%
4269 Misc.	9,500	7,890	11,000		11,000	1,500	15.8%
4272 Vehicle Repairs & Maintenance	130,000	52,717	130,000		130,000	-	0.0%
4273 Building Repairs & Maintenance	90,000	40,739	120,000		120,000	30,000	33.3%
4274 Electrical Repairs	7,200	7,355	-		-	(7,200)	-100.0%
4276 HVAC Repairs	3,000	473	-		-	(3,000)	-100.0%
4277 Plumbing Repairs	1,500	9,920	-		-	(1,500)	-100.0%
Total	101,700	58,487	120,000		120,000	18,300	18.0%
4278 Equipment Repairs & Maintenance	95,500	45,746	95,500		95,500	-	0.0%
4278.01 Medical Equipment	15,000	5,287	15,000		15,000	-	0.0%
4278.02 Firefighter Equipment	3,000	41	3,000		3,000	-	0.0%
4278.04 Radio Costs	25,000	-	35,000		35,000	10,000	40.0%
Total	138,500	51,074	148,500		148,500	10,000	7.2%
4299 Capital Acquisitions	67,000	30,629	67,000	800	67,800	800	1.2%
4303 Cell Phone	18,000	9,424	20,250	1,400	21,650	3,650	20.3%
4311 Hydro	92,000	49,602	90,000		90,000	(2,000)	-2.2%
4321 Heat	55,000	14,449	50,000		50,000	(5,000)	-9.1%
4331 Water	17,000	6,520	15,000		15,000	(2,000)	-11.8%
4404 Consulting Services	60,000	-	60,000		60,000	-	0.0%
4425 Education/Corporate Tuition Assist.	11,000	-	11,000		11,000	-	0.0%
4462 Fire Prevention	25,000	1,742	28,000		28,000	3,000	12.0%
4463 Fire Investigation	2,500	-	2,500		2,500	-	0.0%
4464 Association Allowance	3,000	3,000	3,000		3,000	-	0.0%
4465 Dispatch Service	505,000	-	460,000		460,000	(45,000)	-8.9%
4466 Wellness Program	145,000	17,032	145,000		145,000	-	0.0%
4471 Mileage/Parking/Tolls	3,800	691	4,000		4,000	200	5.3%
4472 Memberships & Subscriptions	4,500	2,344	7,500		7,500	3,000	66.7%
4474 Training	97,000	19,648	100,000	45,000	145,000	48,000	49.5%
4478 Conferences & Seminar Fees	17,500	14,916	20,000		20,000	2,500	14.3%
4511 Street Snowploughing Contract	11,275	4,448	10,000		10,000	(1,275)	-11.3%
4662 Contingency Account	45,000	49,187	45,000		45,000	-	0.0%
5105-5109 Work Order Charges	178,500	119,299	218,960		218,960	40,460	22.7%
5151- 5162 Support Cost Allocation	886,407	171,905	911,482		911,482	25,075	2.8%
4911 Transfer to Capital	6,600	3,300	6,600		6,600	-	0.0%
4936 Asset Replacement Fund	850,000	425,000	850,000	225,000	1,075,000	225,000	26.5%
Total Expenses	24,160,467	9,931,890	24,557,132	596,377	25,153,509	993,042	4.1%
Revenues							
7431 Fire Dept. Recoveries	258,530	34,994	260,000	30,000	290,000	31,470	12.2%
7471 Misc. Charges	15,000	6,233	10,000		10,000	(5,000)	-33.3%
Total Revenues	273,530	41,227	270,000	30,000	300,000	26,470	9.7%
Net Expenditure Before Transfers	23,886,937	9,890,663	24,287,132	566,377	24,853,509	966,572	4.0%
Transfers to/(from) Reserve Fund							
4922 Transfer to Reserve Fund	55,000	27,500	55,000		55,000	-	0.0%
7542 From Reserve Fund	(12,000)	-	(12,000)		(12,000)	-	0.0%
Net Expenditure	23,929,937	9,918,162	24,330,132	566,377	24,896,509	966,572	4.0%
Newmarket's share(2017-59.40%; 2016-59.80%)	14,310,102	5,928,086	14,452,098	336,428	14,788,526	478,424	3.3%
Aurora's share(2017-40.60%; 2016-40.20%)	9,619,835	3,990,077	9,878,033	229,949	10,107,983	488,148	5.1%
	23,929,937	9,918,162	24,330,132	566,377	24,896,509	966,572	4.0%

Year	Capital Request	Contribution	ARF Balance
2015			307,469
2016	2,834,000	850,000	-1,676,531
2017	1,332,820	850,000	-2,159,351
2018	1,177,599	850,000	-2,486,950
2019	281,377	850,000	-1,918,327
2020	1,465,412	850,000	-2,533,740
2021	1,338,962	850,000	-3,022,701
2022	225,676	850,000	-2,398,377
2023	338,215	850,000	-1,886,592
2024	1,903,955	850,000	-2,940,548
2025	609,329	850,000	-2,699,877
2026	465,667	850,000	-2,315,544



Year	Capital Request	Contribution	ARF Balance
2015			307,469
2016	2,834,000	850,000	-1,676,531
2017	1,332,820	1,075,000	-1,934,351
2018	1,177,599	1,075,000	-2,036,950
2019	281,377	1,075,000	-1,243,327
2020	1,465,412	1,075,000	-1,633,740
2021	1,338,962	1,075,000	-1,897,701
2022	225,676	1,075,000	-1,048,377
2023	338,215	1,075,000	-311,592
2024	1,903,955	1,075,000	-1,140,548
2025	609,329	1,075,000	-674,877
2026	465,667	1,075,000	-65,544

Capital Request vs. ARF Contribution With \$225K Increase





CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2009-64

A BY-LAW TO REGULATE OUTDOOR BURNING.

WHEREAS it is deemed advisable to regulate by By-law the setting and burning of outdoor fires for the fire protection of persons and property;

AND WHEREAS Section 11(2) of the *Municipal Act*, 2001 authorizes municipalities to pass by-laws respecting the health, safety and well-being of persons and respecting the protection of persons and property;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

Definitions

1. In this By-law:
 - (a) "Appliance" means a device to convert fuel into energy, and includes all components, controls, wiring and piping;
 - (b) "Approved" means approved by the Chief Fire Official;
 - (c) "Fire Official" means the Fire Chief, Chief Fire Prevention Officer, Fire Prevention Officer, Fire Prevention Inspector, Captain or Firefighter of Central York Fire Services;
 - (d) "Fire" means the burning or combustion of materials in the open air,
 - (e) "Permitted Outdoor Fires" means:
 - Small, confined fires, supervised at all times and used to cook food on a grill or a barbecue;
 - An appliance that is in conformance with the *Technical Standards and Safety Act*, 2000, that is for outdoor use and is installed in accordance with the manufacturer's instruction
 - Any fire entirely contained in an appliance designed, constructed or manufactured for the purpose of cooking food for consumption;
 - Candles and other manufactured appliances designed for illumination or the suppression of insects;
 - (f) "Person" includes a natural individual and their heirs, executors, administrators or other legally appointed representatives, a corporation, partnership or other form of business association;
 - (g) "Town" means the Town of Newmarket.

Scope:

2. The provisions of this By-law shall apply to all lands and premises within the Town of Newmarket.

Prohibition Against Outdoor Fires:

3. Other than as permitted under the Ontario Fire Code and defined in Section 1 as "Permitted Outdoor Fires", no person shall set a fire or allow a fire to burn outdoors except in accordance with the provisions of this by-law as set out in the Regulations applicable to outdoor fires below and all other applicable provincial, municipal and federal laws and regulations.

Regulations Applicable to Outdoor Fires:

4. No Person or owner of a property shall:
- (a) Start or allow to burn a fire during a fire ban as issued by the Fire Chief;
 - (b) Start or allow to burn a fire on commercial or industrial properties;
 - (c) Start or allow to burn a Fire between the hours of 11 p.m. and 8 a.m.
 - (d) Start or allow to burn a fire except in a container, apparatus or physical construct that is capable of controlling the spread of the Fire;
 - (e) Start or allow a fire to burn in a manufactured appliance, such as those devices commonly referred to as "chimineas", unless the material being burnt is of such limited quantity that it fits well within the confines of the appliance and the appliance is not on a combustible surface, including a wooden deck;
 - (f) Burn any of the following materials: automobile and truck bodies, tires, oil, grease, paint, cloth, rags and plastics, animal husbandry refuse, such as animal fecal deposits or manure and animal carcasses, domestic waste such as food scraps, cloth, rags, clothing and household plastics, flammable or combustible liquids or accelerants and wood products that have been painted or otherwise treated;
 - (g) Burn any material that is normally collected under the Municipality's garbage, blue box or yard waste collection programs.
 - (h) Start or allow to burn a fire larger in diameter than 0.75 metres and no more than one (1) metre in height, including flame height;
 - (i) Start or allow to burn a fire unless it is four (4) metres from the edge of the container, apparatus or physical construct to any lot line, building, structure, deck, hedge, tree, fence, vehicular right of way or overhead wire;
 - (j) Start or allow to burn a fire unless a responsible person of at least eighteen (18) years of age is present at all times that a fire is burning.
 - (k) Start or allow to burn a fire unless a garden hose is located in close proximity to the Fire with the hose valve opened to facilitate quick and thorough extinguishment of the fire;
 - (l) Start or allow to burn a fire on any land or premises where construction of a building or structure is ongoing;
 - (m) Start or allow a fire to burn when the direction or intensity of the wind may cause the uncontrolled spread of the fire to other combustible materials, including grass and brush.

Exemptions:

5. The Fire Chief may approve other outdoor fires for special occasions on municipal property with any appropriate restrictions stipulated at the time of the approval.

Compliance:

6. For the purposes of this by-law, the following person shall be appointed officers authorized to enter upon lands and into structures at any reasonable time to conduct inspections and determine whether or not the provisions of this by-law are being complied with:
- (a) Fire Chief
 - (b) Chief Fire Prevention Officer
 - (c) Fire Prevention Officer
 - (d) Fire Prevention Inspector

- (e) Captain
 - (f) Firefighter, or
 - (g) Any officer or agent of Central York Fire Services
7. Where an inspection is conducted pursuant to the provisions of this by-law, the person conducting the inspection may:
 - (a) Require the production for inspection of documents or things relevant to the inspection;
 - (b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) Require information from any person concerning a matter related to the inspection including their name, address, phone number and identification; and
 - (d) Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
 8. These powers are in addition to, and do not abrogate from, any other powers of the Town, Central York Fire Services, their employees, agents or servants or any other law enforcement authority under the provisions of any legislation, regulations or by-laws.
 9. Central York Fire Services will respond to calls complaining of outdoor fires that do not comply with the provisions of this by-law. If it is determined by Central York Fire Services that any outdoor burning taking place at a property is not in accordance with this by-law, the person responsible for the Fire will be directed to extinguish it or it will be extinguished by Central York Fire Services.
 10. Where Central York Fire Services responds to a complaint of an outdoor fire not in compliance with this by-law, Central York Fire Services may charge the cost of responding to such fire, including the costs of personnel, equipment and apparatus required to respond to such fire, at the person's or property owner's expense. The Town may recover the costs of responding to a fire by adding the costs to the tax roll of the owner of the property where the fire was located, and collecting those costs in the same manner as property taxes.
 11. This By-law shall be administered and enforced by the Chief Fire Official.
 12. The provisions of this by-law shall come into force and effect upon third reading hereof.

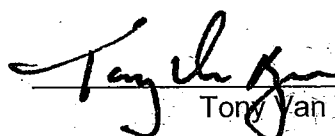
Repeal:

13. By-law Number 1994-20 is hereby repealed.

Short Title:

14. The short title of this by-law shall be the "Outdoor Burning By-law".

ENACTED THIS 22ND DAY OF JUNE, 2009.


Tony Van Bynen, Mayor


Anita Moore, Town Clerk

THE CORPORATION OF THE TOWN OF AURORA

By-law Number 5111-09

BEING A BY-LAW to regulate outdoor burning

WHEREAS subsection 11(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes municipalities to pass by-laws respecting the health, safety and well-being of persons and respecting the protection of persons and property;

AND WHEREAS the Council of The Corporation of the Town of Aurora deems it advisable to regulate by by-law the setting and burning of outdoor fires for the fire protection of persons and property;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA ENACTS AS FOLLOWS:

Definitions

1. In this By-law:

(a) "Appliance" means a device to convert fuel into energy, and includes all components, controls, wiring and piping;

(b) "Approved" means approved by the "Chief Fire Official", as defined in section 1.4.1.2 of Ontario Regulation 213/07 (Fire Code), as amended, made under the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended;

(c) "Fire" means the burning or combustion of materials in the open air;

(d) "Fire Official" means the Fire Chief, Chief Fire Prevention Officer, Fire Prevention Officer, Fire Prevention Inspector, Captain or Firefighter of Central York Fire Services;

(e) "Permitted Outdoor Fire" means:

(i) a small, confined fire, supervised at all times and used to cook food on a grill or a barbecue;

(ii) a fire set and maintained in an Appliance that conforms with the *Technical Standards and Safety Act, 2000*, S.O. 2000, c. 16, as amended, and that is for outdoor use and is installed in accordance with the manufacturer's instructions;

(iii) any fire entirely contained in an appliance designed, constructed or manufactured for the purpose of cooking food for consumption; and

(iv) candles and other manufactured appliances designed for illumination or the suppression of insects;

(f) "Person" includes a natural individual and his or her heirs, executors, administrators or other legally appointed representatives, a corporation, partnership or other form of business association; and

(g) "Town" means The Corporation of the Town of Aurora.

Scope:

2. The provisions of this By-law shall apply to all lands and premises within the geographic confines of the Town of Aurora.

Prohibition Against Outdoor Fires:

3. Other than a Permitted Outdoor Fire or as permitted under the Fire Code, no person shall set a Fire or allow a Fire to burn outdoors except in accordance with the provisions of this By-law, particularly as set out in section 4 of this By-law and all other applicable provincial, municipal and federal laws and regulations.

Regulations Applicable to Outdoor Fires:

4. No Person or owner of a property shall:

- (a) start or allow a Fire to burn during a fire ban as issued by the Fire Chief;
- (b) start or allow a Fire to burn on commercial or industrial property;
- (c) start or allow a Fire to burn between the hours of 11 p.m. and 8 a.m.;
- (d) start or allow a Fire to burn except in a container, apparatus or physical construct that is capable of controlling the spread of the Fire;
- (e) start or allow a Fire to burn in a manufactured appliance, such as those devices commonly referred to as "chimineas", unless the material being burnt is of such limited quantity that it fits well within the confines of such appliance and the appliance is not on a combustible surface, including a wooden deck;
- (f) burn any of the following materials:
 - (i) automobile and truck bodies;
 - (ii) tires;
 - (iii) oil;
 - (iv) grease;
 - (v) paint;
 - (vi) cloth or rags;
 - (vii) plastics;
 - (viii) animal husbandry refuse, such as animal fecal deposits or manure and animal carcasses;
 - (ix) domestic waste, such as food scraps, cloth, rags, clothing and household plastics;
 - (x) flammable or combustible liquids or accelerants; and
 - (xi) wood products that have been painted or otherwise treated;
- (g) burn any material that is normally collected under a municipality's garbage, blue box or yard waste collection programs;
- (h) start or allow a Fire to burn larger than 0.75 metres in diameter and no more than one (1) metre in height, including flame height;
- (i) start or allow a Fire to burn unless it is four (4) metres from the edge of the container, apparatus or physical construct to any lot line, building, structure, deck, hedge, tree, fence, vehicular right of way or overhead wire;
- (j) start or allow a Fire to burn unless a responsible person of at least eighteen (18) years of age is present at all times that a Fire is burning.
- (k) start or allow a Fire to burn unless a garden hose is located in close proximity to the Fire with the hose valve opened to facilitate quick and thorough extinguishment of the Fire;
- (l) start or allow a Fire to burn on any land or premises where construction of a building or structure is ongoing; or

(m) start or allow a Fire to burn when the direction or intensity of the wind may cause the uncontrolled spread of the Fire to other combustible materials, including grass and brush.

Exemptions:

5. The Fire Chief may approve other outdoor fires for special occasions on Town property with any appropriate restrictions stipulated at the time of the approval.

Compliance:

6. For the purposes of this By-law, the following persons shall be appointed officers authorized to enter upon lands and into structures at any reasonable time to conduct inspections and determine whether or not the provisions of this By-law are being complied with:

- (a) Fire Chief;
- (b) Chief Fire Prevention Officer;
- (c) Fire Prevention Officer;
- (d) Fire Prevention Inspector;
- (e) Captain;
- (f) Firefighter; or
- (g) Any officer or agent of Central York Fire Services.

7. Where an inspection is conducted pursuant to the provisions of this By-law, the person conducting the inspection may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any person concerning a matter related to the inspection, including their name, address, phone number and identification; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

8. These powers are in addition to, and do not abrogate from, any other powers of the Town, Central York Fire Services, their employees, agents or servants or any other law enforcement authority under the provisions of any legislation, regulations or by-laws.

9. Central York Fire Services will respond to calls complaining of any Fire that does not comply with the provisions of this By-law. If it is determined by Central York Fire Services that any outdoor burning taking place at a property is not in accordance with this By-law, the person responsible for the Fire will be directed to extinguish it or it will be extinguished by Central York Fire Services.

10. Where Central York Fire Services responds to a complaint of a Fire that is not in compliance with this By-law, Central York Fire Services may charge the cost of responding to such Fire, including the costs of personnel, equipment and apparatus required to respond to such Fire, to the person who started the Fire or to the owner at whose property the Fire was located. The Town may recover the costs of responding to a Fire by adding the costs to the tax roll of the owner of the property where the Fire was located, and collecting those costs in the same manner as property taxes.

11. This By-law shall be administered and enforced by the Chief Fire Official.

12. The provisions of this By-law shall come into force and effect upon third reading hereof.

Repeal:

13. By-law Number 4745-05.P is hereby repealed.

Short Title:

14. The short title of this By-law shall be the "Outdoor Burning By-law."

READ A FIRST AND SECOND TIME THIS 21ST DAY OF JULY, 2009.

READ A THIRD TIME AND FINALLY PASSED THIS 21ST DAY OF JULY, 2009.

PHYLLIS M. MORRIS, MAYOR

LUCILLE KING, TOWN CLERK