

OUTDOOR FIRES LAW

Community Notice & Salient Fact Sheet

May 27, 2020 – In accordance with Section 7.2 of the Nipissing First Nation Land Code, notice is hereby given for the enactment of the proposed Outdoor Fires Law at the Council meeting scheduled to be held on Tuesday, July 7, 2020.

Should you wish to have a copy of the complete proposed law mailed or emailed to you, please contact the Land Office at 705-753-2922. Please direct any comments or concerns about the proposed law in writing to Cathy McLeod, Land Manager at cathym@nfn.ca or Nipissing First Nation Land Office, 36 Semo Road, Garden Village, ON P2B 3K2.

Salient Fact Sheet

Nipissing First Nation

Outdoor Fires Law No. LM-2020-02

BEING a Law for fire safety protection of community members and to protect community members' properties from harm and damage due to indiscriminate use of Fire, Fireworks, Smoke and Fire Pits on Nipissing First Nation hereinafter referred to as Nipissing First Nation Fire Outdoor Fires Law No. LM-2020-02

Purpose: Nipissing First Nation believes in the keeping its Community Members safe and protect Community Members' land and property from harm and damage due to indiscriminate use of fire, fireworks, smoke and fire pits.

Restrictions: No person shall set, maintain or cause or permit to be set or maintained an outdoor fire without a current valid permit. Without limiting the generality of the foregoing, this excludes recreational open air fires not measuring more than 3 feet in diameter.

Permits: The Fire Chief may issue permits, may impose any additional requirements or exempt any conditions, may require an inspection of the location where the fire is proposed, may revoke, suspend, or amend permits authorizing open air fires in their sole discretion. A permit is non-transferable to any other person or to new location and is valid from the date issued for the balance of the calendar year unless set out otherwise on the permit. Where a fire is permitted under this law it shall only be permitted between the hours of 6:00 p.m. and 6:00 a.m.

Fire Bans: The Fire Chief may impose a First Nation fire ban prohibiting all open air fires for the whole or any part of the First Nation, when weather or other conditions so warrant, for any period of time as the Fire Chief deems necessary.

Consumer Fireworks: No person shall discharge Consumer Fireworks without a permit except for the following periods: December 24th to January 1st from 6:00 pm to 11:00 pm, Victoria Day, Canada Day, National Indigenous Peoples' Day, Labour Day;

Every person to whom a permit is issued for the discharge of Consumer Fireworks shall immediately after the conclusion of the setting off or discharge of fireworks, carry out a site inspection and remove all unused, used or partly used fireworks from the site and dispose of or store following safe methods set out in the law.

Fire Service fees: Nipissing First Nation may recover the costs related to responding to fire calls where any person sets a fire without a permit. Should the Nipissing First Nation fire department respond to a fire that is in violation of this law, the person deemed responsible shall pay upon demand the costs incurred by the Nipissing First Nation Fire Department including the personnel, equipment and apparatus necessary to extinguish any fire set or burning contrary to any permit issued or this law. If any person fails to pay the costs under section 10 upon demand, that amount will be a debt to the First Nation and the First Nation may, in addition to any other remedies Nipissing First Nation may have, be recovered in like manner as any other debt a person may have with Nipissing First Nation.

Enforcement: An Enforcement Officer shall be permitted to enter upon any land at any reasonable time based on a reasonable belief that this law is being violated. An Enforcement Officer exercising a power of entry on behalf of the First Nation under this Law shall, on request, display or produce proper Identification. An Enforcement Officer may at his or her sole discretion, order a fire extinguished or brought into compliance with this Law or Permit and this order shall be final.

Offences and Penalty: Every person who contravenes this law is guilty of an offense and on conviction is liable to a fine of \$300.00 exclusive of costs.

Should you have any questions or concerns, please contact:

Cathy McLeod, Land Manager
705-753-2922 or cathym@nfn.ca