

Committee of the Whole (2) Report

DATE: Wednesday, October 11, 2023

WARD(S): ALL

TITLE: FIRE BURN PERMIT BY-LAW AMENDMENTS

FROM:

Gus Michaels, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

Staff seek to replace the City's Fire Burn Permit By-law according to the approved consolidation format and to incorporate several technical amendments.

Report Highlights

- In line with the City of Vaughan By-law Strategy, the City is continuing to consolidate, reformat and review all by-laws on a cyclical basis to create more accessible and transparent regulations.
- Harmonization and improvement of by-laws support a number of Term of Council Strategic Priorities, including Community Safety and Well-being and Service Excellence and Accountability.
- To promote more effective and expeditious compliance with the Fire Burn Permit By-law, staff are recommending that the By-law be designated under the City's Administrative Monetary Penalties By-law, and that penalties of \$200 for failing to comply with an order be established.

Recommendations

1. THAT the City's Fire Burn Permit By-law 149-99 be amended to strengthen enforcement provisions by adding the By-law as a designated by-law under the Administrative Monetary Penalties By-law, with non-compliance under the By-law being liable to a monetary penalty of \$200 for every offence, and with a new provision that stipulates that both Vaughan Fire and Rescue Services and By-law Enforcement Services officers may enforce the by-law; and

2. THAT the City's Fire Burn Permit By-law 149-99 be repealed and replaced to reflect the consolidated by-law format, with no other material changes to the By-law, except those noted in Recommendation 1, in a form satisfactory to the City Solicitor.

Background

The City of Vaughan is undergoing a process of creating new by-laws and updating existing ones. The By-law Strategy aims to create by-laws that address community needs and concerns. It also works to ensure that by-law service levels are measured and provide the best value possible for taxpayers.

The By-law Strategy, approved on June 24, 2014, aims to review and revise nearly 50 regulatory by-laws. The By-law and Compliance, Licensing and Permit Services Department has been reviewing, amending and consolidating existing regulatory by-laws, among which is Fire Burn Permit By-law 149-99.

The current Fire Burn Permit By-law was introduced on May 10, 1999. Since then, it has had one amendment, on November 29, 2022. As per the By-law Strategy, all by-laws need to be in the same format and have common general sections. Also, most City regulatory by-laws are currently under the City's Administrative Monetary Penalties By-law, providing for enforcement officers to be able to issue administrative monetary penalties.

Previous Reports/Authority

- [*Fire Burn Permit By-law*](#) (approved by Council on May 10, 1999)
- [*Administrative Monetary Penalties By-law*](#) (approved by Council on May 1, 2019)
- [*Item No. 12 of Report No. 38*](#) from November 22, 2022, *By-laws Technical Amendments* (approved by Council on November 29, 2022)

Analysis and Options

Staff are proposing amendments to the City's Fire Burn Permit By-law 149-99 to ensure that all regulatory By-laws have similar language, and are standardized, transparent and accessible for citizens. Also, staff propose to designate the City's Fire Burn Permit By-law 149-99 under the City's Administrative Monetary Penalties By-law 063-2019, as amended. Staff are proposing a number of technical amendments to this by-law, including:

- 1) introducing new general sections, in accordance with the City's approved by-law format, including short title, applicability and scope, fines, severability, transition, conflict with other by-laws, and force and effect;

- 2) introducing a new section that will provide clarity on who may enforce this by-law – both Vaughan Fire and Rescue Services and By-law officers will have the authority to enforce and issue penalty notices; and
- 3) designating the Fire Burn Permit By-law under the Administrative Monetary Penalties By-law. In this way, matters can be brought to adjudication and disposed in a much more efficient manner. This will allow both Enforcement Services and Vaughan Fire and Rescue Services to more effectively achieve compliance.

Financial Impact

There is no material financial impact to the City's budget as a result of the recommendations of this report.

Operational Impact

Vaughan Fire and Rescue Services were consulted in the preparation of this report.

Broader Regional Impacts/Considerations

There are no specific broader impacts or regional considerations beyond those already discussed in this report.

Conclusion

In accordance with City of Vaughan By-law Strategy, and in order to obtain greater efficiency in the administration of fire burn regulations in the City, it is deemed expedient to update and reformat the City's Fire Burn Permit By-law.

For more information, please contact: Susan Kelly, Chief Licensing Officer and Director of By-law and Compliance, Licensing and Permit Services, ext. 8952

Attachments

N/A

Prepared by

Kristina Palayeva, Regulatory Business Analyst, ext. 8721

Approved by

A handwritten signature in blue ink, appearing to read "Gus Michaels".

Gus Michaels
Deputy City Manager
Community Services

Reviewed by

A handwritten signature in black ink, appearing to read "Nick Spensieri".

Nick Spensieri, City Manager