

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 133-2025

A By-law to amend Fire Burn Permit By-law 157-2023, as amended, to reflect changes to the legislative authority for municipalities to appoint municipal by-law enforcement officers, update definitions and clarify interpretation of the By-law.

WHEREAS subsections 11(2)6. and 11(2)8. of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass bylaws respecting the health, safety and well-being of persons and the protection of persons and property;

AND WHEREAS the City of Vaughan (the “City”) enacted Fire Burn By-law 157-2023;

AND WHEREAS section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 gives municipalities the authority to appoint *Municipal By-law Enforcement Officers* and repeals and replaces the *Police Services Act*, R.S.O. 1990, c. P. 15 which previously gave municipal councils that authority;

AND WHEREAS the Council of the Corporation of the City of Vaughan deems it necessary to amend the Fire Burn Permit By-law to reflect this change to legislative authority, and make other updates regarding definitions and interpretation of the By-law;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That Fire Burn Permit By-law 157-2023, as amended, be amended by:
 - (a) deleting and replacing section 3.0 with the following:

3.0 3.0 Definitions and Interpretation

 - (1) In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context requires.
 - (2) Wherever a word is used in this By-law with its first letter capitalized and the whole word italicized, the term is being used as it is defined in 3.0(6) of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.

- (3) Any reference to a statute, regulation, by-law or other legislation shall include such statute, regulation, by-law or legislation as amended, re-enacted, replaced, or superseded.
- (4) Where any expression of time occurs or where any hour or other period of time is stated, the time referred to shall be standard time except in periods when daylight saving time is in effect, in which periods it shall be daylight saving time.
- (5) Where measurements are used in this By-law, the Metric system shall be deemed to be the official and required system of measurement. Measurements in the Imperial system are provided for convenience purposes only.
- (6) In this By-Law:
- “Administrative Penalties By-law” refers to *City Administrative Penalties By-law 240-2024*;
- “Applicant” means the *Owner* of a building or property who applies for a Permit or any Person authorized in writing by the *Owner* to apply for a Permit on the *Owner's* behalf;
- "Chief Fire Official" means the Fire Chief of the *City* or a member or members of the Vaughan Fire and Rescue Service designated by the Fire Chief;
- "City" means The Corporation of the City of Vaughan;
- "Dangerous Condition" means, in the opinion of the *Chief Fire Official*:
- (a) a lack of precipitation which increases the risk of the spread of Fire;
 - (b) winds which increase the risk of the spread of Fire;
 - (c) a decrease in visibility due to the smoke from the Fire, on any highway or roadway;
 - (d) any odour or residue to such an extent or degree so as to cause complaint of nuisance from other Persons in the immediate area; or
 - (e) any other condition declared by the *Chief Fire Official* to be a Dangerous Condition, from time to time;
- "Enclosed Fire" means a *Fire* set within the confines of any building, or

contained within any container constructed for incineration purposes according to the specifications of the *Fire Code*, and *Fires* built in fireplaces or metal or brick barbecues, for cooking purposes;

"Equipment and Resources" means sufficient personnel and equipment such as rakes, shovels, back hoes, bulldozers, front-end loaders, or water on-site required to control a *Fire*;

"Fees and Charges By-law" refers to *City Fees and Charges 251-2024*;

"Fire" means any fire set by any Person within the boundaries of the *City*, but does not include an Enclosed Fire;

"Fire Code" means the Ontario Fire Code (O. Reg. 213/07) made under the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4;

"Municipal By-law Enforcement Officer" means a person appointed as a Municipal By-law Enforcement Officer, pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P.15 or section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1, to enforce the provisions of this By-law;

"Officer" means an employee or officer of the *City* responsible for the enforcement of the provisions of this By-law, as amended, or its successor by-law, and includes any member of the Vaughan Fire and Rescue Services, a Provincial Offences Officer, and a *Municipal By-law Enforcement Officer* of the *City*;

"Owner" means the registered owner of property, or any Person, firm or corporation having control over or possession of the property or any portion thereof, including mortgagee in possession, receiver and manager, trustee and trustee in bankruptcy, or other legal representatives of an owner to whom the context can apply according to law;

"Permit" means the document issued by the *Chief Fire Official* signifying permission to set a *Fire*;

"Person" means any individual, association, firm, partnership, corporation, agent or trustee and the heirs, executors, or other legal representatives of a Person to whom the context can apply according to law;

“Provincial Offences Act” refers to *Provincial Offences Act, R.S.O. 1990, c. P.33*’;

“Vaughan Fire and Rescue Service” means a fire department within the meaning of the *Fire Protection and Prevention Act, 1997*, and is deemed to include any member of the Vaughan Fire and Rescue Service.

- (b) deleting and replacing all references to “Administrative Monetary Penalties By-law 063-2019, as amended, or its successor by-law” and “Administrative Monetary Penalties By-law” with “Administrative Penalties By-law”;
- (c) deleting and replacing references to “Administrative Monetary Penalties” with “Administrative Penalties”;
- (d) deleting and replacing references to “administrative monetary penalty” with “administrative penalty”; and
- (e) deleting and replacing references to “Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended” and “Provincial Offences Act, R.S.O. 1990, c.P.33, as amended” with “*Provincial Offences Act*”; and
- (f) deleting and replacing “Fees and Charges By-law, as amended” with “*Fees and Charges By-law*”.

Voted in favour by City of Vaughan Council this 24th day of June, 2025.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 14 of Report No. 23 of the Committee of the Whole.
Report adopted by Vaughan City Council on June 24, 2025.
City Council voted in favour of this by-law on June 24, 2025.
Approved by Mayoral Decision MDC 010-2025 dated June 24, 2025.
Effective Date of By-Law: June 24, 2025