



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

Regular Meeting of Council

Monday, September 26, 2011

7:00 p.m.

Council Chambers, Municipal Office, Kenilworth

AGENDA

Page 1 of 3

AGENDA ITEM	PAGE NO.
<u>CALLING THE MEETING TO ORDER</u>	
- Mayor Tout	
<u>O' CANADA</u>	
<u>PASSING AND ACCEPTANCE OF AGENDA</u>	
<u>DECLARATION OF PECUNIARY INTEREST</u>	
<u>MINUTES</u>	
1. Regular Meeting of Council, September 12, 2011	01
<u>DELEGATIONS, DEPUTATIONS, PETITIONS</u>	

AGENDA ITEM	PAGE NO.
<u>STANDING COMMITTEE, MINUTES, RECOMMENDATIONS AND STAFF REPORTS</u>	
1. Works Committee - Report Regarding Concession 4 Erosion Project Tender Quotes	09
2. Building/Property Committee - Minutes, September 13, 2011	10
3. Fire Committee - Minutes, September 20, 2011 - Draft Burn By-law	12 15
4. Water/Sewer Committee - Minutes, August 23, 2011	28
5. Works Committee - Minutes, August 23, 2011	32
<u>CORRESPONDENCE FOR COUNCIL'S INFORMATION AND DIRECTION</u>	
1. County of Wellington Re: Taxi By-law Amendments	35
2. Maitland Valley Conservation Authority Re: Maitland Valley Strategic Plan Outline and Activity Update	56
<u>BY-LAWS</u>	
1. 69-11 Being a By-law to Temporarily Close Main Street Mount Forest for the Purpose of Holding a Remembrance Day Parade	66
2. 70-11 Being a By-law to Temporarily Close Portions of George, Isabella, Georgina and Charles Streets, Arthur for the Purpose of Holding a Remembrance Day Parade	67

AGENDA ITEM	PAGE NO.
<u>OTHER BUSINESS</u>	
1. Report of Livestock Valuer Re: Livestock Claim - Peter Murray	68
<u>ITEMS FOR COUNCIL'S INFORMATION</u>	
Cheque Distribution Report – dated September 22, 2011	72
Town of Minto - Notice of Public Meeting to Consider An Application to Amend the Wellington County Official Plan and the Town of Minto Zoning By-law 01-86	
Henry Curtis - Thank you	
County of Wellington - Application for Official Plan Amendment, County File OP-2011-04 Proposed Wellington Place Institutional Campus	
<u>ANNOUNCEMENTS</u>	
<u>CLOSED MEETING SESSION</u>	
1. "Personnel" matters	
<u>CONFIRMING BY-LAW NUMBER 71-11, BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL</u>	
<u>ADJOURNMENT</u>	
Lorraine Heinbuch, Chief Administrative Officer/Clerk	

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Following Committee of Adjustment (7:20 p.m.)

Members Present:

**Mayor: Raymond Tout
Councillors: Sherry Burke
Mark Goetz
Andy Lennox
Dan Yake**

**Also Present: Chief Administrative Officer/Clerk: Lorraine Heinbuch
Executive Assistant: Cathy Conrad
Treasurer: John Jeffery**

The meeting was held in the Municipal Office Council Chambers, Kenilworth.

A. CALLING THE MEETING TO ORDER

Mayor Tout called the meeting to order.

B. O' CANADA

C. PASSING AND ACCEPTANCE OF AGENDA

**Moved by: Councillor Goetz
Seconded by: Councillor Burke**

THAT the Agenda for the September 12, 2011 Regular Meeting of Council be accepted and passed.

Resolution Number: 1

Carried

**D. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE
THEREOF**

None declared.

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Page Two

E. MINUTES

1. Regular Meeting of Council, August 29, 2011

Moved by: Councillor Goetz

Seconded by: Councillor Burke

THAT the Regular Meeting minutes of Council held on August 29, 2011 be adopted as circulated.

Resolution Number: 2

Carried

F. STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS

1. Arthur Area Fire Department
- August 2011 Fire Report
- August 2011 Fire Prevention Officer's Report

Moved by: Councillor Goetz

Seconded by: Councillor Burke

THAT the Council of the Corporation of the Township of Wellington North receive the Arthur Area Fire Department August 2011 Fire Report and Fire Prevention Officer's Report.

Resolution Number: 3

Carried

2. Mount Forest Fire Department
- August 2011 Fire Report
- August 2011 Fire Prevention Officer's Report

Moved by: Councillor Goetz

Seconded by: Councillor Burke

THAT the Council of the Corporation of the Township of Wellington North receive the Mount Forest Fire Department August 2011 Fire Report and Fire Prevention Officer's Report.

Resolution Number: 4

Carried

/3

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Page Three

F. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND
RECOMMENDATIONS** (continued)

3. Recreation & Culture Committee
- Minutes, September 6, 2011
- Report – Cuts to 2011 Recreation Budget

Moved by: Councillor Burke
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Recreation & Culture Committee meeting held on September 6, 2011.

Resolution Number: 5

Carried

Moved by: Councillor Burke
Seconded by: Councillor Goetz

THAT the Council of the Corporation of the Township of Wellington North approve the changes to the Recreation Budget outlined in the attached report from the Recreation Co-Ordinator and recommended by the Recreation & Culture Committee.

Resolution Number: 6

Carried

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Page Four

G. CORRESPONDENCE FOR COUNCIL'S INFORMATION AND DIRECTION

1. Walk for Cancer Care Committee
Re: Request for Waiving of Rental Fees for 3rd Annual Walk for Cancer Care

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North waive the rental fees charged to Walk for Cancer Care for contract #5218 in the amount of \$210.18. The waived rental fees to be charged to Waiver of Fees Account.

Resolution Number: 7

Carried

2. Royal Canadian Legion Mount Forest Branch 134
Re: Request for Proclamation of November 11, 2011 as Remembrance Day, Permission to Distribute Poppies and Temporary Road Closure

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT the Council of the Corporation of the Township of Wellington North declare November 11, 2011 as "Remembrance Day" and grant permission to the Royal Canadian Legions, Arthur and Mount Forest, for the distribution of poppies within Wellington North;

AND FURTHER THAT the CAO/Clerk be directed to prepare the necessary temporary road closure by-laws for Remembrance Day Parades.

Resolution Number: 8

Carried

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Page Five

H. BY-LAWS

1. 67-11 Being a By-law to Authorize the Execution of an Amendment to Lease Agreement Between Mount Forest Victory Church and the Corporation of the Township of Wellington North

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT By-law Number 67-11 being a by-law to Authorize the Execution of an Amendment to Lease Agreement Between Mount Forest Victory Church and the Corporation of the Township of Wellington North be read a First, Second and Third time and finally passed.

Resolution Number: 9

Carried

I. OTHER BUSINESS

1. Report of Livestock Valuer
Re: Livestock Claims
- Peter Murray

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North authorize payment of \$135.00 to Peter Murray for a livestock claim dated August 25, 2011.

AND FURTHER THAT Gord Flewwelling be paid \$75.00 for Livestock Valuer fees and \$20.00 for mileage.

Resolution Number: 10

Carried

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Page Six

I. **OTHER BUSINESS** (continued)

1. Report of Livestock Valuer
Re: Livestock Claims (continued)
- Peter Murray

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT the Council of the Corporation of the Township of Wellington North authorize payment of \$90.00 to Peter Murray for a livestock claim dated August 31, 2011.

AND FURTHER THAT Gord Flewwelling be paid \$75.00 for Livestock Valuer fees and \$20.00 for mileage.

Resolution Number: 11

Carried

2. County of Wellington Planning and Land Division Committee
Re: Comments for Consent Applications

B34/11 – Hummel

Council was in support of the application with the following conditions:

- that the location of the septic system on the retained lot be determined
- that the owner satisfy the requirements of the local municipality in reference to parkland dedication
- that the owner must abide by the Township Entrance Policy

B110/11 – Reeves Construction

Council was in support of the application with the following conditions:

- that the Township assumes NO responsibility for the proposed easement

/7

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Page Seven

J. ITEMS FOR COUNCIL'S INFORMATION

Cheque Distribution Report – dated September 8, 2011

Town of Petrolia

- Donations to Town of Goderich

County of Grey

- Official Plan Amendment (OPA) # 110

K. ANNOUNCEMENTS

Councillor Goetz recognized the Mount Forest and Arthur Agricultural Societies for the wonderful job they did organizing the fall fairs held during the past couple of weekends; and thanked the Arthur Fire Department for their demonstrations and displays at the Arthur Fall Fair.

Councillor Lennox also commended the Agricultural Societies for their work at the fall fairs and suggested that congratulations from the Township be passed on to the Ambassadors. Councillor Lennox extended an invitation from the Arthur Historical Society to the historical sign dedication at Petherton on Sunday, September 18 at 2:00 p.m.

Mayor Tout announced that the Mount Forest Patriots opening game will be held on Saturday, September 17 at 8:30 p.m.

L. CONFIRMING BY-LAW

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT By-law Number 68-11 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Regular Meeting held on September 12, 2011 be read a First, Second and Third time and finally passed.

Resolution Number: 12

Carried

/8

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, September 12, 2011

Page Eight

M. ADJOURNMENT

Moved by: Councillor Yake

Seconded by: Councillor Lennox

*THAT the Regular Council meeting of September 12, 2011 be adjourned at
8:01 p.m.*

Resolution Number: 13

Carried

C.A.O./CLERK

MAYOR



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

REPORT

TO: Lori Heinbuch CAO/Clerk

FROM: Dale Clark, Road Superintendent

DATE: September 21, 2011

RE: Concession 4 Erosion Project

Tenders have been received for work on Concession 4 Erosion Project on September 16th. This item was included in the 2011 road capital budget.

Tender Quotes

R & M Construction - Site 1 \$299,140.00 Site 2 \$179,844.00

VanDriel Excavating Inc - Site 1 \$147,778.10 Site 2 \$101,450.00

Budget amount \$215,000

Note: Engineering and HST extra.

The committee recommends accepting the tender for Site 1 from VanDriel Excavating Inc at cost of \$147,778.10 plus engineering and HST and the work on Site 2 deleted to be reconsidered in the future.

Township of Wellington North
Building/Property Committee Minutes – September 13, 2011 at 9:00 a.m.

Present: Chair Dan Yake
Councillor Mark Goetz
C.A.O. Lori Heinbuch
Chief Building Official Darren Jones
Building Inspector Patty Wright

The meeting was held in the Council Chamber at the Municipal Office in Kenilworth, starting at 9:05 am

Discussion Regarding Future of the Arthur Seniors Hall

Discussion took place regarding the required repairs and overall condition of the hall. Quotes were obtained for the roof and the masonry restoration. The committee directs the Building Department to obtain quotes for the remainder of the work.

Roof Design Former Sacred Heart Catholic School

Discussion took place and the committee will revisit the issue when repair estimates for the existing roof are available.

Roof Replacement for the Kenilworth Municipal Office

The cost of replacement was not budgeted for 2011 and therefore must be deferred to next year.

Minutes August 10, 2011

Moved by: Councillor Mark Goetz
Seconded by: C.A.O. Lori Heinbuch

That the minutes of the August 10, 2011 meeting be accepted.

Carried

Building Permit Monthly Report

Moved by: C.A.O. Lori Heinbuch
Seconded by: Chief Building Official Darren Jones

That the Building Permit Monthly Review for Period Ending August 30, 2011 was reviewed and accepted.

Carried

Other Business

Proposed Telecommunication Tower

Xplornet Communications Inc.'s request for Statement of Concurrence from the Township respecting a telecommunications tower proposed to be constructed on lands in the Township of Wellington North known as 9210 Concession 2.

Committee recommended that Xplornet Communications be advised that the proposal circulated as Industry Canada's Radio Communications and Broadcasting Antenna Systems protocol CPC-2-0-03 has met the Township's requirements.

General repairs to the Mount Forest Archives

The Building and Property Committee recommends to Council proceed with repairs to the north facing wall, removing the three windows and new sidewalks at a cost of \$2640.00 plus tax. The money to come from the General Property Budget as per the 2011 budget.

2012 Budgets

The 2012 Budgets were presented by Chief Building Official Darren Jones.

Building Department

Planning Department

By-law Enforcement Department

General Property

Date of Next Meeting

Oct 12, 2011 9:00am

Adjournment

Moved by: Chief Building Official Darren Jones

Seconded by: Councillor Mark Goetz

Carried

That the meeting is adjourned at 10:20 am

TOWNSHIP OF WELLINGTON NORTH

FIRE COMMITTEE MEETING MINUTES

September 20th, 2011 – 7:00 pm - Council Chambers

Members Present: Mark Goetz – Chair (Councillor)
John Jeffery, Treasurer
Jim Morrison, Arthur Fire Chief
Troy Lawlor, Arthur Deputy Fire Chief
Ron MacEachern, Mount Forest Fire Chief
Bill Hieber, Mount Forest Deputy Fire Chief

Also Present: Michelle Stone, Administration Support
Councillor Andy Lennox

Absent: Dan Yake - Councillor

Meeting was called to order at 7:00 pm.

1. Declarations of Pecuniary Interest

- None declared.

2. Approval of Minutes from August 16th, 2011 Minutes

Moved By: Jim Morrison
Seconded by: Troy Lawlor

THAT the Minutes from the August 16th, 2011 meeting be accepted.

Carried

3. Business Arising from Minutes

- **Full Time Fire Chief**

The Committee reviewed information presented at the meeting by Mount Forest Fire Chief Ron MacEachern, Arthur Fire Chief Jim Morrison and Councillor Mark Goetz. They discussed the current work load, their inability to be more proactive in fire services in Wellington North, the cost of a full time Fire Chief, possible cost savings that would result.

- **Burn By-law Draft**

The changes in the document that were sent back were reviewed by the Committee. The Committee recommended that the by-law be further amended to provide for the following:

- a) Burn Permit Fee be changed from \$25.00 to no charge
- b) Burn Permit be changed from 1 year to 6 months.

Moved By: Bill Hieber
Seconded By: Troy Lawlor

THAT the Committee recommend to Council that the Burn By-law be forwarded to the Chief Administrative Officer/Clerk to be amended in accordance with the direction of the Fire Committee and presented to Council for adoption at their next meeting.

Carried

- **New Tanker, Mount Forest Fire Department**

Ron MacEachern presented costing and timeline for new tanker for the Mount Forest Fire Department. He explained the pros and cons of purchasing between a combination pumper/tanker versus a pumper and tanker separately. He will obtain detailed descriptions and costs and for the next Fire Committee Meeting.

Jim Morrison advised that the Arthur Fire Department is also in need of new tanker.

- **Branding for the Fire Departments**

The two Fire Departments are working on some new designs for decals and logos, but have agreed that the name "Wellington North Fire Services" be adopted.

Moved By: Ron MacEachern

Seconded By: Jim Morrison

THAT the Committee recommend that Council adopt the name "Wellington North Fire Services" as the new official name of the Fire Department with the stations designated as Arthur Station and Mount Forest Station.

Carried

- **Re-Organization of Office Space at Mount Forest Fire Hall**

Ron MacEachern advised committee of the re-organization of the office space at the Mount Forest Fire Hall. Changes will be made to incorporate the Meeting Room into office space. The meeting room has become too small to be used for meetings by the Fire Department and will add much needed office space. The change will require the purchase of some door locks and some wiring for phones, computers etc. It will be a minimal cost and will be allocated to "Maintenance".

- **Fire Department Budgets**

Councillor Lennox handed out a presentation to review and discussed the new budget process and explained the reasoning for the change.

He also advised that training is available for those who would like it. The Township has Asset Management software that streamlines department finances. It can track, for example truck / vehicle maintenance – brakes, oil changes, or building maintenance – when a new roof was put on what building.

At the meeting with Southgate on the 17th regarding the Fire Agreement, the costs were reviewed by both sides. Southgate put forward their proposal for their contribution on operating and capital costs. The Finance Committee will review and meet with Southgate again with Wellington North's proposal.

4. Announcements

Ron MacEachern is proceeding with pricing for the roof for the main hall at the Mount Forest Fire Department.

The auxiliary generator is up and running at the Mount Forest Fire Hall.

The new ATV donated to the Mount Forest Fire Department is road worthy and was driven to the Lion's Club Meeting where they received the next \$5000.00 donation for that purchase.

At the Pike Lake 50th Fund Raiser Anniversary, the Mount Forest Fire Department was presented with a cheque for \$17, 662.50 and the Department is deciding where to make the best use of this donation.

The Mount Forest Fire Department will be having their Open House on Saturday, October 15th from 10 am to 2 pm at the Mount Forest Hall during Fire Prevention Week.

The Arthur Fire Department attended the Arthur Fall Fair and exhibited some of their fire equipment.

The Arthur Fire Department will be having their Open House on Wednesday, October 12th from 6 to 8 pm at the Arthur Fire Hall during Fire Prevention Week. They are doing "EDITH" (Exit Drills in the House)

5. Next Meeting

The next meeting will be on Tuesday, October 18th, 2011

6. Adjournment

7.

Moved: Bill Hieber
Seconded: Troy Lawlor

THAT the meeting be adjourned at 9:40 pm.

Carried

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

BY-LAW NUMBER -11

**BEING A BY-LAW TO TO REGULATE THE SETTING OF OPEN AIR
FIRES WITHIN THE TOWNSHIP OF WELLINGTON NORTH.**

AUTHORITY: Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 10(2).
Fire Prevention and Protection Act S.O. 1997, c 4, as amended, Section 7.1(1)

WHEREAS by Section 10 (2) of the *Municipal Act 2001, S.O. 2001, c.25*, council of a municipality may pass by-laws with respect to the economic, social and environmental well-being of the municipality and the health, safety and well-being of persons; and

WHEREAS by Section 7.1(1) of the *Fire Prevention and Protection Act S.O. 1997, c.4*, council of a municipality may pass by-laws regulating the setting of open air fires, including establishing the times during which open air fires may be set;

NOW THEREFORE the Council of the Corporation of the Township of Wellington North hereby enacts as follows:

1. Definitions

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

“Agricultural Use” shall mean means a use of land, buildings or structures for farming or agriculture and includes apiaries; aviaries; berry or bush crops; breeding, raising or training horses or cattle; greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; muck farms; field crops; research and/or breeding station; mushroom farms; nurseries; orchards; riding stables; the raising of sheep or goats, the raising of swine; or the breeding, boarding or sale of domestic animals; tree crops; truck gardening; woodlots; and such uses or enterprises as are customarily carried on in the field of general agriculture, and may include accessory packing, treating, storing, and sale of produce produced on the premises but does not include an abattoir, a kennel, or a rendering plant. A farm includes a detached dwelling house accessory to the main farming or Agricultural Use.

“Barbeque” shall mean appliances including a hibachi, a structure designed and intended solely for the cooking of food in the open air, and other similar commercially manufactured devices designed and intended solely for the cooking of food in the open air, but does not include devices predominantly designed for personal warmth.

"Burn Barrel" shall mean a metal barrel in sound condition no larger than a 170 L (45 gallon) drum with a heavy duty screen with mesh size not greater than 7 mm (0.2 inches) over the top to prevent debris from flying out of the barrel.

"By-law Enforcement Officer" shall mean a fire fighter, fire prevention officer, police officer or, any person appointed by Council as a by-law enforcement officer for the Township.

"Cooking Fire" shall mean a small confined fire, supervised at all times, and used to cook food. Maximum size of 0.6 m x 0.6 m (2 feet x 2 feet) contained by non-combustible material such as cement blocks, rocks, etc.

"Conservation Area" shall mean land owned by a conservation authority incorporated under the *Conservation Authorities Act*, R.S.O. 1990, c. C.27

"Council" shall mean the Council of the Township of Wellington North.

"Extinguishing Agent" shall mean a material used with fixed, automatic, or portable fire extinguishing systems to suppress or put out fires and include water or fire extinguisher.

"Fire Chief" shall mean the Chief of the Fire Department of the Township of Wellington North or his/her alternate/designate.

"Fire Pit" or "Fire Pit Area" shall mean an area of ground that has been completely cleared of combustible material and lined with a minimum thickness of 15 cm (6 inches) of sand or mineral soil that will extend a minimum of 30 cm (12 inches) beyond the use of Fuel and/or burning materials.

"Fuel" shall mean material, such as wood, that releases energy when it is burned, which can be used as a source of heat or power. This definition shall not mean gasoline, liquid fuels or accelerants.

"Open Air Burning" shall mean the ignition or incineration by fire of combustibles for the purpose of burning grass, clean wood other combustibles in any open place, yard, field or construction area, which is not enclosed by a building or structure and includes fires in barrels and Fire Pits.

"Organic Materials" shall mean straw, sticks and tree brush.

"Permit" shall mean a permit for Open Air Burning, for which an application can be obtained from the Township Office.

"Recreational Burning" shall mean burning with the use of a recreational burning device.

“Recreational Burning Device” shall mean any commercially manufactured device for the purpose of containing a recreational fire, including but not limited to a chimenea.

“Residential Area” means any properties zoned for residential purposes in the Township Zoning By-law that includes the following zones: Rural Residential (RR), Village Residential Low Density (R1), Village Residential Medium Density (R2), Residential First Density Zone (R1), Residential Second Density Zone (R2), Residential Multiple One (RM1) in addition to residential uses in mixed use zones that includes Hamlet Mixed Use (C3). Residential Mixed Use One (RMU1), Residential Mixed Use Town (RMU2) and Residential Mixed Use Three (RMU3).

“Township” means the Corporation of the Township of Wellington North.

“Township Office” shall mean the Township of Wellington North Municipal Office located at 7940 Sideroad 7 West, KENILWORTH, ON.

2. Administration

- 2.1 This by-law shall be administered and enforced by the “By-law Enforcement Officer” as defined in this by-law.
- 2.2 A By-law Enforcement Officer under this By-Law has the power upon producing identification to enter upon and examine any yards or buildings, other than a dwelling, at any reasonable time or times and may be accompanied by such other person or persons, as they deem necessary to properly carry out their duties under this by-law.
- 2.3 Open Air Burning, with the exception of Barbeques, Cooking Fires and the use of recreational burning devices, shall not be permitted within the Residential Areas of the Township of Wellington North, as per the definition of Residential Area outlined in this by-law.
- 2.4 Any person wishing to engage in Open Air Burning outside of a Conservation Area and outside of a Residential Area for any purpose whatsoever, shall fill out the required **Application for a Permit for Setting Open Air Fires** (outlined in Schedule B of this by-law), obtained from the Township, prior to the setting of such fire, save and except when such burning meets the definition of a Cooking Fire, Barbeque or the use of a Recreational Burning Device. **The applicant shall also pay the application fee of \$25.00 prior to approval. Remove as per Fire Committee**

Permits are valid for 365 days (one year) *change to six months as per Fire Committee* from the date of application submission and payment, which is the time period in which applicants are permitted to burn.

3. Open Air Burning

Any person who has obtained a Permit for Open Air Burning shall observe the following precautions and times during which fires may be set:

- 3.1 The fire must be under constant supervision and control of one adult from the time of lighting until it is completely extinguished.
- 3.2 Children under the age of 18 years are prohibited from lighting or igniting fires.
- 3.3 Fires shall only be lit or ignited after 7:00 a.m. (0700 hours) and shall be extinguished by 9:00 p.m. (2100 hours), unless an exemption is approved by the Fire Chief. In order to seek an exemption to this provision, persons must provide written request to the Fire Chief for his/her approval.
- 3.4 The fire shall not be planned, lit or ignited closer than 30 m (100 ft) from any building, structure, hedge, fence, road or overhead wire or obstruction of any nature, unless an exemption is approved by the Fire Chief. In order to seek an exemption to this provision, persons must provide written request to the Fire Chief for his/her approval.
- 3.5 There must be a space free and clear of combustible material and trees, shrubs and hedges around the perimeter of such fire of a radius of at least 7 m (25 ft).
- 3.6 The Fire Pit or Fire Pit Area will not exceed an area of 3 m x 3 m (10 ft x 10 ft).
- 3.7 The stacked height of materials to be made available to be burned will not exceed 2 m (6 ft) at any time.
- 3.8 Appropriate Extinguishing Agents will be on-hand at all times during the preparation of the fire, while the fire is underway, and until the fire is fully and completely extinguished.
- 3.9 Only the following materials may be burned: wood, organic materials and paper products. Under no circumstances are paint, solvent, rubber (e.g. tires), wire (including coating), plastics, asphalt, shingles, toxic chemicals (e.g. pesticides), or materials that violate the regulations of the Ministry of the Environment to be burned, ignited or added to the fire at any time.

- 3.10 The fire must not in any way cause discomfort, danger, irritation and/or nuisance for other residents. This shall include allowing smoke to enter into a neighboring residence or building.
- 3.11 Fires shall not be burned during periods of dry conditions or drought, as shall be specified from time to time by the Township's Fire Department.

4. Cooking Fires

Cooking Fires are permitted within Residential Areas in the Township and a Permit for Open Air Burning is not required for a Cooking Fire, provided that the following regulations are complied with:

- 4.1 The Cooking Fire must be under constant supervision and control of one adult from the time of lighting until it is completely extinguished.
- 4.2 Children under the age of 18 years are prohibited from lighting or igniting Cooking Fires.
- 4.3 A Cooking Fire shall only be lit or ignited after 7:00 a.m. (0700 hours) and shall be extinguished by 11:00 p.m. (2300 hours).
- 4.4 A Cooking Fire shall be a minimum of 3 m (10 ft) from any opening or combustible material.
- 4.5 There must be a space free and clear of combustible material and trees, shrubs and hedges around the perimeter of such Cooking Fire of a radius of at least 7 m (25 ft).
- 4.6 The stacked height of materials to be made available to be burned in a Cooking Fire will not exceed 2 m (6 ft) at any time.
- 4.7 Appropriate Extinguishing Agents will be on-hand at all times during the preparation of the Cooking Fire, while the fire is underway, and until the fire is fully and completely extinguished.
- 4.8 Only the following materials may be burned: wood, organic materials and paper products. Under no circumstances are paint, solvent, rubber (e.g. tires) wire (including coating), plastics, asphalt, shingles, toxic chemicals (e.g. pesticides) or materials that violate the regulations of the Ministry of the Environment to be burned, ignited or added to the fire at any time.
- 4.9 The Cooking Fire must not in any way cause discomfort, danger, irritation and/or nuisance for other residents.

4.10 Cooking Fires shall not be burned during periods of dry conditions or drought, as shall be specified from time to time by the Township's Fire Department.

5. Barbeques

Barbeques are permitted within Residential Areas in the Township and a Permit for Open Air Burning is not required for a Barbeque, provided that the following regulations are complied with:

- 5.1 The Barbeque shall be supervised at all times and should be placed on non-flammable material.
- 5.2 The fuel used is a commercially produced charcoal or briquette, or a flammable liquid commercially produced for the purpose of cooking, such as natural gas or propane gas.

6. Recreational Burning Device – Recreational Burning

- 6.1 A Permit is not required for Recreational Burning with the use of a Recreational Burning Device within Residential Areas in the Township or pits specifically designed for Recreational Burning, provided that each of the following regulations are complied with:
 - a) Recreational Burning may only be conducted between the hours of 10:00 a.m. and 11:00 p.m.; unless an exemption is approved by the Fire Chief. In order to seek an exemption to this provision, persons must provide written request to the Fire Chief for his/her approval.
 - b) Recreational Burning shall be confined to Recreational Burning Devices. When in use, the Recreational Burning Device shall be covered with a grill or a metal screen having a mesh size no larger than 2.5 cm (1 inch), which is positioned in such a manner as to prevent the escape of combustible materials including ash;
 - c) No more than 21 cm (8 inches) of the containment area shall be above grade with a maximum depth of 42 cm (16 inches);
 - d) No materials other than commercially produced charcoal, briquettes or clean, dry seasoned wood, not including pressure treated wood or creosote treated wood, may be burned;
 - e) The dimensions of the wood being burned shall not be greater than the size of the Recreational Burning Device and shall be totally confined within the Recreational Burning Device at all times;

- f) Recreational Burning Devices shall be confined to a location that provides for a minimum distance of 3 m (10 ft) in all directions from adjacent properties;
- g) Recreational Burning Devices shall be confined to an area that is a minimum of 3 m (10 ft) from combustible structures or objects;
- h) An Appropriate Extinguishing Agent shall be immediately available for use;
- i) Recreational Burning within Recreational Burning Devices shall be attended, controlled and supervised at all times and shall be completely extinguished before the Recreational Burning site is vacated;
- j) Recreational Burning Devices are not permitted for use when the wind speed exceeds 10 km per hours, or during rainy or foggy weather, or at times when a smog alert has been issued by the Ministry of the Environment for Ontario;
- k) Any other steps shall be taken as may be reasonably necessary to prevent the fire from getting beyond control or causing damage or becoming danger to life and/or property;
- l) Should the Fire Department be dispatched to a complaint regarding public safety due to fire hazard, the Fire Department will have the discretion to determine compliance with this section of the by-law and this discretion shall be final.

7. Burn Barrels

- 7.1 The use of Burn Barrels shall not be permitted within Residential Areas of the Township.
- 7.2 Burn Barrels shall only be permitted for use in the instances of a strike or lock-out.
- 7.3 Properties zoned for Agricultural Uses, or farmland, shall be exempt from the provisions of Section 7.2 of this by-law.
- 7.4 A Permit for Open Air Burning shall not be required for Burn Barrels, provided that each of the following conditions are complied with:
 - a) A Burn Barrel must be a metal barrel in sound condition no larger than a 170 L (45 gallon) drum with a heavy duty screen with mesh size not

greater than 7 mm (0.2 inches x 0.2 inches) over the top to prevent debris from flying out of the barrel;

b) Vent holes must be punched in the side for ventilation, and drainage holes in the bottom with the adequate clearance from surrounding vegetation or structures;

c) Wood used within fire barrels shall be no longer than .46 m (18 inches);

d) Flames from fires barrels may not extend over the top of the barrel.

8. Offence

8.1 Any person who lights or ignites a fire in the open air, or allows or causes a fire to be lit in the open air is in violation of this by-law, or fails to comply with an order given under Section 8.3 herein, shall, in addition to any applicable fine, pay the fee for the emergency service in accordance with the Township's Tariff of Fees for Fire Department Services and Rescue Operations, as established by by-law from time to time.

8.2 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act, R.S.O. 1990, c.P. 33*.

8.3 The "By-law Enforcement Officer" as defined in this by-law is authorized to order any person to extinguish any fire when there is a breach of any of the provisions of this By-law or where, in their opinion, there is a danger of such fire spreading or otherwise endangering life or property.

9. Exceptions/Exemptions

9.1 The Fire Department shall be exempt from the provisions of this by-law for the purposes of educating and training.

9.2 In order to seek an exemption to provisions within this by-law, persons must provide written request to the Fire Chief for his/her approval.

10. Prohibitions

10.1 The Fire Chief may, in its absolute discretion, declare a complete prohibition against outdoor burning when the atmospheric conditions or

local circumstances make such fires hazardous, which shall apply to Open Air Burning, Cooking Fires and Open Air Burning Devices. This prohibition shall not apply to Barbeques.

11. General Provisions

11.1 This by-law shall come into force upon the date of its passing and will thereupon repeal Township of Wellington North By-law Number .

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS DAY OF , 2011.**

**RAYMOND TOUT,
MAYOR**

**LORRAINE HEINBUCH
CHIEF ADMINISTRATIVE OFFICER/CLERK**

Schedule A of By-law Number

Township of Wellington North

PART I Provincial Offences Act

By-law No.

a by-law to regulate the setting of open air fires.

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision	COLUMN 3 Set Fine (includes cost)
1	Set fire without permission.	Section 2.4	\$130.00
2	Fail to maintain constant supervision of fire.	Section 3.1	\$130.00
3	Burn fire within 30 m (100 ft) of structure.	Section 3.4	\$130.00
4	Allow combustible material within 7 m (25 ft) of fire.	Section 3.5	\$130.00
5	Fail to keep Extinguishing agents on hand at all times during a fire.	Section 3.8	\$130.00
6	Burn paint, rubber, wire, plastics, asphalt, shingles or other materials.	Section 3.9	\$230.00
7	Burn fire which causes discomfort, danger, irritation or nuisance to residents.	Section 3.10	\$130.00
8	Burn fire in dry or drought conditions.	Section 3.11	\$230.00
9	Fail to maintain constant supervision of Cooking Fire.	Section 4.1	\$130.00
10	Permit Cooking Fire outside of permitted times.	Section 4.3	\$130.00
11	Permit Cooking Fire within 3 m (10 ft) of an opening or combustible material.	Section 4.4	\$130.00
12	Permit a Cooking Fire within 7 m (25 ft) of trees, shrubs or hedges.	Section 4.5	\$130.00
13	Fail to keep Extinguishing agents on hand at all times during a Cooking Fire.	Section 4.7	\$130.00
14	Burn Cooking Fire in dry or drought conditions.	Section 4.10	\$130.00

15	Permit Open Air Burning outside of permitted times.	Section 6.1 (a)	\$130.00
16	Permit Open Air Burning Device within 3 m (9.8') of adjacent property.	Section 6.1 (f)	\$130.00
17	Permit Open Air Burning Device within 3 m (9.8 ft) of a structure.	Section 6.1 (g)	\$130.00
18	Fail to maintain constant supervision of Open Air Burning Device.	Section 6.1 (i)	\$130.00
19	Permit Burn Barrel to be used in residential area.	Section 7.1	\$130.00

NOTE: the general penalty provision for the offences listed above is section 61 of the *Provincial Offences Act, R.S.O. 1990, c.P.33*

Schedule B of By-law Number



Township of Wellington North

APPLICATION FOR A PERMIT FOR SETTING OPEN AIR FIRES

APPLICATION FEE = \$25.00 remove as per Fire Committee

Name of Applicant: _____
Address of Applicant: _____
Phone Number: _____ Email: _____

EXACT LOCATION WHERE BURNING WILL TAKE PLACE (Green Sign #):

DATES IN WHICH BURNING WILL TAKE PLACE:

NOTE:
An approved applicant is valid for **365 days change to six months as per Fire Committee**
The applicant must be the registered owner of the property or **authorized agent. Add as per Fire Committee**
Applicants are required to fill out one application form per property.
Approval is subject to prohibition against outdoor burning when the atmospheric conditions or local circumstances make such fires hazardous.

I, the undersigned, as an applicant for setting open air fires in the Township of Wellington North, agree to the following terms, set out in By-law Number _____ :

- The fire must be under constant supervision and control of one adult from the time of lighting until it is completely extinguished.
- Children under the age of 18 years are prohibited from lighting or igniting fires.
- Fires shall only be lit or ignited after 7:00 a.m. (0700 hours) and shall be extinguished by 9:00 p.m. (2100 hours).

- The fire must not be planned, lit or ignited closer than 30 m (100 ft) from any building, structure, hedge, fence, road or overhead wire or obstruction of any nature.
- There must be a space free and clear of combustible material and trees, shrubs and hedges around the perimeter of such fire of a radius of at least 7 m (25 ft).
- The Fire Pit or Fire Pit Area will not exceed an area of 3 m x 3 m (10 ft x 10 ft)
- The stacked height of materials to be made available to be burned will not exceed 2 m (6 ft) at any time.
- Appropriate Extinguishing Agents will be on-hand at all times during the preparation of the fire, while the fire is underway, and until the fire is fully and completely extinguished.
- Only the following materials may be burned: wood, organic materials and paper products. Under no circumstances are paint, solvent, rubber (e.g. tires) wire (including coating), plastics, asphalt, shingles, toxic chemicals (e.g. pesticides) or materials that violate the regulations of the Ministry of the Environment to be burned, ignited or added to the fire at any time.
- The fire must not in any way cause discomfort, danger, irritation and/or nuisance for other residents.
- Fires shall not be burned during periods of dry conditions or drought, as shall be specified from time to time by the Township's Fire Chiefs.
- The fee for an Application for a Permit for Setting Open Air Fires is \$25.00. *remove as per Fire Committee*

By signing below, I am hereby indicating that I have read the terms of the Application for Setting Open Air Fires, as set out in By-law -11 (attached to this application) and I agree to these terms:

Signature of Applicant

Date

<p>OFFICE USE ONLY</p> <p>Application Received by: _____</p> <p>Date Received: _____</p> <p><input checked="" type="checkbox"/> \$25.00 Fee Payment Received from Applicant <i>remove as per Fire Committee</i></p> <p><input type="checkbox"/> Copy of Application Faxed to Fire Chief/Deputy Fire Chief at (519)</p> <p><input type="checkbox"/> Copy of Application Faxed to _____ Fire Station at (519)</p> <hr/> <p>NOTES:</p> <p>_____</p>

WATER/SEWER COMMITTEE MEETING

August 23, 2011

Members: Sherry Burke Chair
Andy Lennox
Barry Trood
Corey Schmidt (regrets)
Dale Clark (Roads Superintendent)
Melissa Irvine (regrets)

Start: 8:30 am **End: 10:30 am**

Minutes from the July 19/11 committee meeting were previously circulated and approved by Council

Business from July 19th meeting

- Discussion took place regarding servicing for a possible new lot at the north-west corner of Durham St. and Henry St. (Hummel property). The new lot if granted would be serviced by an existing sanitary at property line off Henry St and water could also be serviced off of Henry St when required. If a new sanitary service was required for the existing house on the lot it would have to come in from Durham St. Presently the existing house is on a septic bed and is serviced by municipal water from the watermain at the intersection of Henry and Durham Streets.
- Committee was informed that the 5 year DWQMS financial plan was reviewed by BM Ross with their comments to Township Treasurer John Jeffery. John reviewed the comments with the committee and will be forwarding a revised DWQMS 5 year financial plan to Council for approval. Once approved by Council it will be sent to MOE for their approval.
- The Trash Pump was offered to the Twp. of Mapleton to purchase however they were not interested in doing so. Presently the pump is being rented out to them through OCWA for \$25 per hour. Staff is now looking into auctioning the Trash Pump and obtaining a price for it.
- Ontario One Call staff was not able to make the meeting but have indicated that they plan to attend our Sept 20th committee meeting to discuss the Ontario One Call System.

1. OCWA Client Review

Richard Laliberte and Scott Craggs of OCWA reviewed 2011 Client Report (January 1, 2011 to June 30, 2011) for the Arthur and Mount Forest Treatment Plants with the committee. Some costs are up over forecasted budget however OCWA indicated that most costs should balance off as the year progresses. Extra costs have been incurred at Arthur Treatment Plant for Alum because of the ongoing testing at the Plant as well as infiltration. OCWA is reviewing their

Sludge Haulage costs and has put out an RFP for this work. This work is to be a 2 year contract. Barry thought it was a good idea that after hours call ins be identified so we may note any trends, if, any, that may help reduce call in costs to the Township.

2. Arthur Treatment Plant/Frederick St Pumping Station

This tabled item was changed to the September Water/Sewer meeting.

3. Staff Reports (see attached)

4. By-Law regarding Private Well Drilling

Discussion took place regarding the drilling or altering of an existing well in the Township where municipal water is available within the road allowance. The issue was brought forward to Barry from Councillor Mark Goetz.

The Zoning By-Law No. 66-1 (6.8) (a) states: "No development of any kind within the urban areas of Mount Forest and Arthur shall be permitted within any zone, except as outlined in 6.8(b) unless serviced by municipal sewage collection facilities and municipal water supply, except that this provision shall not apply to any public use or utility which by its nature does not require such services." (6.8 (C) states: "No new private wells shall be installed, to serve as a primary or an accessory water source, on any lands where municipal water distribution system is available within a road allowance, or otherwise, abutting the property." It was the committee recommendation that the said well in question can't be re-drilled in the existing well under this by-law. Barry is to follow up with Councillor Goetz regarding this by-law.

5. HFI Agreement with Township

The existing agreement between HFI of Mount Forest and the Township was re-written by Barry and given to Township CAO Lori Heinbuch for Council approval. HFI has changed their name to "First Class Portable Services Inc" and rules regarding hours of access to the Treatment Plant has also been changed in the agreement.

General information

- Mt. Forest Treatment Plant was inspected by the MOE on June 22/23 2011 with no major issues.
- Golden Valley semi-annual report was read to the committee. This report was done by Dale Murray of Triton Engineering. The committee was in favour of the report as read. Barry will follow up with Golden Valley.
- **Next Meeting: September 20th @ 8:30 am**

Water Sewer Committee Meeting

August 23, 2011

Foreman Report

- BI & I Insurance in Well # 3 Mount Forest to inspect diesel generator and booster pump
- Installed new filters, lamp, and glass sleeve on Kenilworth UV system
- Tested temporary watermain on Main St. South for super chlorination and bacteria
- Landmark completed confined space / rescue upgrades and painting the top of the Mount Forest water tower
- Took quarterly sampling as required (nitrates / nitrites, and THM's)
- Ongoing work on Main St. South construction site : valving down mains, locates, bacteria sampling
- Maintenance on well #8 and well #5 Singer flow control valves
- Dug and repaired leaking curb stop at 304 Wellington St. East
- Vactored and repaired service leak at 116 Walton St.
- Re painted numbers on Mount Forest fire hydrants
- Completed Arthur main valve inspections
- Sewer back up at 135 Egremont St. on town property (McLellans cleared blockage)
- Coulter Meter Service in well #6 for annual meter calibration
- Site meeting at Reeves subdivision on Albert St.
- Dug, lowered, and insulated water services that freeze at 107 and 121 Frederick St. West
- Sewer back up at 30 Duke St. on town property (McLellans cleared blockage)
- Staff safety training
- DWQMS training / mock drill scenarios
- Received and Reviewed new Drinking Water Licenses and Drinking Water Permits

Process Compliance Analyst Monthly Report
August 23, 2011

- enter July data for microbiological, & distribution residuals into spreadsheets
- enter July flow data into Ministry of Environment Water Taking Reporting System
- backup Mount Forest & Arthur SCADA for July
- received quarterly sample bottles for Mount Forest and Arthur, all results are compliant with regulations
- met John Wilkinson, Minister of Environment regarding Press Conference for Well Aware program and Sustainable Municipality Award
- received Municipal Drinking Water Licenses & Drinking Water Works Permits for Mount Forest and Arthur Water Systems
- held staff training: safety talks, review updated Ops Plan, training hours, tabletop mock drills, Municipal Drinking Water Licenses & Drinking Water Works Permits Overview
- started to review and update Operations Manuals for both systems

WORKS COMMITTEE MEETING
August 23, 2011

Committee: Andy Lennox, Chairman
 Sherry Burke
 Barry Trood
 Dale Clark

Start: 10:30 am End: 11:45 pm

Minutes of the July 19th meeting were previously circulated and approved by Council.

Business from the July 19th meeting:

- Grand River Conservation Authority has approved drawings conditional on a site meeting being arranged. Garth Noecker from K. Smart is preparing a tender to be circulated by September 1st and to close by September 15th.
- A meeting is to be arranged with Gil Deverell the Township Lawyer and Township Staff to discuss options of how to best deal with Private Storm Drains that are no longer serviced or maintained by the Township.

1) 2011- 12 MTO Winter Contracts

Winter maintenance contracts have been received from the Ministry of Transportation for the Connecting Links in Mount Forest and Arthur. The MTO is offering the winter maintenance services for Highway 6 and 89 connecting link in Mount Forest at a cost of \$22,750. The winter maintenance services on Highway 6 in Arthur at a cost of \$7,550. The above prices are plus HST. Committee recommends excepting the above quoted prices for the 2011-2012 winter season.

2) Works Communication Update

A meeting was held with Packet Works about installing communication systems in the Works Yards. Discussion was had on placing a 60 foot tower in the Damascus Yard at a cost of \$8250. Links will also be placed in the Mount Forest and Arthur Works Yard at a cost of \$4100. These links will allow for email and internet access and connection for the GPS Equipment. Installing the link at the Mount Forest Works Yard is complete. Committee recommends proceeding with work.

3) Equipment Painting Quotes

Quotes have been received for the painting of equipment. Three prices were obtained for each piece of equipment. Lowest price for painting and blasting of the 2004 International truck was \$4342 and was received from Epochs Garage Ltd of Kenilworth. The 2000 Volvo truck and the 1990 tandem pony pup received lowest quotes from Custom Blasting at Conn for a combined price of \$7575. All quotes plus HST. Committee recommends proceeding with work.

4) Seasonal Staffing

The Township has hired seasonal staffing for the winter months to keep overtime hours to a minimum and to help meet hours of work. Extra fulltime and seasonal staff need to be hired to meet minimum maintenance standards. The Works Department will be short a fulltime person and at least one and possibly two seasonal staff depending on requirements of the Water Department. Discussion took place on staffing and requirements to meet these needs. Committee recommends that Director of Public Works and Road Superintendent bring back their requirements for staffing.

5) Sign Reflectivity

The Minimum Maintenance Standards for Municipal Highways (Reg. 239/02) has changed regarding signs as of February 18th 2010. The regulation now requires certain signs to be checked for reflectivity once per year. This requirement requires the Township to have the work done by an outside source or to purchase a retroreflectometer. The cost to have the work completed for the Township is \$12500 annually. The Wellington County Road Superintendents Association is looking into purchasing two hand held units to be shared by the County and the Municipalities. The cost of purchasing the units would be covered by the Association. The only cost to the Township to complete the work would be wages and transportation. Committee agreed to support the purchase of the retroreflectometers by the Roads Superintendents Association.

6) General Information

- Backhoe training completed on August 3rd to 5th by Dan Whetham, Dan McNabb, Norm McLellan, and Doug McGilloway
- K Smart & Assoc. have been contacted to do bridge inspections
- GPS Equipment has arrived and Township staff to start installing as soon as time permits
- MRC Wireless have been contacted to begin radio updates as budgeted
- Road construction on Sideroad #5 East has begun and completion is expected by the end of August
- Roadside grass cutting has started for the fall season
- Screening Plant and Stacker have been scheduled for recycling of street sweepings and placement of winter sand in sand shed buildings
- Quote for installation of new sidewalk from York Street to Whites Bridge was obtained from Reeves Construction and presented to committee for discussion
- Joe Johnson Equipment is still looking for a good used sweeper that will meet the needs of the Township
- A revised draft copy for Tile Drain Outlets or Crossing Township Road Allowances will be circulated for committee approval

Next Meeting: September 20th