

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2026 -13

BEING A BY-LAW FOR ADMINISTRATIVE MONETARY PENALTIES UNDER THE
FIRE PROTECTION AND PREVENTION ACT 1997 S.O. 1997 C. 4 AS AMENDED
ONTARIO FIRE CODE O. REG. 213/07, AS AMENDED,
ONTARIO REGULATION 260/25
IN THE MUNICIPALITY OF MAGNETAWAN

WHEREAS The *Municipal Act, 2001, S.O. c. 25, Section 10(6)* authorizes the Council of a Municipality to pass By-laws respecting health, safety, and well-being of persons;

AND WHEREAS Ontario Regulation 260/25 prescribes and modifies certain requirements, duties, and obligations under the *Fire Protection and Prevention Act, 1997*;

AND WHEREAS the Council of the Municipality of deems it appropriate to designate provisions of the *Fire Protection and Prevention Act, 1997*, including those provisions as prescribed, supplemented, or modified by Ontario Regulation 260/25, for enforcement through the Administrative Monetary Penalties System;

AND WHEREAS Ontario Regulation 333/07, Administrative Penalties, made under the *Municipal Act, 2001*, authorizes the designation of provincial legislation and regulations for the purposes of an administrative monetary penalties system;

AND WHEREAS The *Municipal Act, 2001, S.O. c.25, Section 434.1 (1)* authorizes the Council of a Municipality without limiting sections 9, 10 and 11, that a Municipality may require a person, subject to such conditions as the Municipality considers appropriate, to pay an administrative penalty if the Municipality is satisfied that the person has failed to comply with a By-law of the Municipality passed under this Act. 2017, c. 10, Sched. 1, s. 75.

AND WHEREAS on January 1, 2026, Ontario Regulation 260/25: Administrative Penalties made under the *Fire Protection and Prevention Act, 1997 (FPPA)* came into force;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN HEREBY ENACTS AS FOLLOWS:

1.0 This By-law may be cited as the "Magnetawan Fire Code AMPS By-law".

2.0 PROHIBITION

2.1 As noted in the provisions of the Ontario Fire Code, O. Reg. 213/07, made under the *Fire Protection and Prevention Act, 1997*, that are prescribed by provincial regulation for the purposes of administrative penalties, as being subject to the Administrative Monetary Penalty System of the municipality.

2.2 The provisions of Division B and Division C of the Ontario Fire Code (O. Reg. 213/07, as amended) are designated for enforcement under the Municipality of Magnetawan's Administrative Monetary Penalty System.

3.0 PENALTIES

3.1 Every person and/or owner and/or occupant who contravenes and/or directs another person(s) to contravene and/or permits another person the doing of any act which contravenes any of the provisions of this By-law is guilty of an offence and may be subject to:

- fees, fines, penalties, and/or charges under the Administrative Monetary Penalties By-law and/or
- fees or charges as per the current Fees and Charges By-law and/or
- upon conviction is liable to a fine, to a maximum of \$5,000 (five thousand dollars) for each offence exclusive of the costs, as prescribed by the *Provincial Offences Act, R.S.O. 1990, c.P. 33*, as amended.

And further, in addition to any other remedy and to any other penalty the person convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of section 442 of the *Municipal Act*.

- 3.2 Pursue any other collection mechanisms available to the Municipality pursuant to the Regulations or a law which may include deeming the outstanding amount to be unpaid taxes and adding this outstanding amount to the tax roll and collecting it in the same manner as Municipal Taxes.
- 3.3 Administrative penalties for Ontario Fire Code contraventions are prescribed by the Fire Protection and Prevention Act, 1997 S.O. 1997 c. 4 as amended Ontario Regulation 213/07, as amended. A second, third, or subsequent order applies where the order is issued within three (3) years after the first order was issued in respect of the same provision.
- 3.4 Fees, fines, penalties, and/or charges are as Schedule "A" attached for 2026 and are to be incorporated into the current Fees and Charges By-law. Any changes to Schedule "A" will be made during the annual updating of the Fees and Charges By-law and will be contained therein.

4.0 ENFORCEMENT

- 4.1 That this By-law shall come into force and effect on the date of passing.
- 4.2 Nothing herein shall be deemed to limit the ability of the Ontario Provincial Police or the Ontario Fire Marshal Office to enforce this By-law at any time.
- 4.3 The enforcement of the By-law is assigned to any By-law Enforcement Officer, Fire Chief and/or designate for the Municipality of Magnetawan.

5.0 SEVERABILITY

- 5.1 All sections of this By-law shall be deemed to be separate and independent and the invalidity of any section or provision thereof shall not affect the remaining sections.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 25th day of March 2026.

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**



Mayor



CAO/Clerk



FEES, FINES, PENALTIES, AND/OR CHARGES SCHEDULE

SCHEDULE "A"

TO BY-LAW 2026-13

**ADMINISTRATIVE MONETARY PENALTIES UNDER THE
FIRE PROTECTION AND PREVENTION ACT 1997 S.O. 1997 C. 4 AS AMENDED
ONTARIO FIRE CODE O. REG. 213/07, AS AMENDED,
ONTARIO REGULATION 260/25**

The following provisions of Division B and Division C of the Ontario Fire Code (O. Reg. 213/07, as amended) are designated for enforcement under the Municipality of Magnetawan's Administrative Monetary Penalty System (AMPS)

Division B – Fire Code Provisions	
Fire Code Provision	Set Fine
All Division B provisions listed in Schedule 1 of Ontario Regulation 213/07	1st Offence \$200 2nd Offence \$400 3rd Offence \$600
Division C – Fire Code Provisions	
Fire Code Provision	Set Fine
All Division C provisions listed in Schedule 1 of Ontario Regulation 213/07	1st Offence \$200 2nd Offence \$400 3rd Offence \$600

Fees, fines, penalties, and/or charges are as Schedule "A" attached for 2026 and are to be incorporated into the current Fees and Charges By-law. Any changes to Schedule "A" will be made during the annual updating of the Fees and Charges By-law and will be contained therein.