

Supporting Information on Regulatory Proposals under the Proposed *Wildland Fire Management Act*

Ministry of Natural Resources

October 2025

Overview

Ontario is building stronger and more resilient communities by addressing the growing risks of wildland fires through proposed changes to the *Forest Fires Prevention Act*. If passed, Bill 27 would modernize the Act and rename it the *Wildland Fire Management Act* (WFMA), enhancing prevention, mitigation and response efforts across the province.

The Ministry of Natural Resources is strengthening measures to prevent, manage, and reduce the impact of wildland fires – helping protect families, communities, forests, and industries across Ontario’s fire region from this escalating threat. These legislative updates are part of a broader effort to protect Ontario and ensure communities are better prepared for future fire seasons. For information on Bill 27, see notice number [019-9282](#).

If Bill 27 is passed, we are proposing to make new regulations under the WFMA to:

- Establish a framework for the issuance of administrative monetary penalties (AMPs) to encourage compliance with wildland fire safety requirements.
- Prescribe the rates to be paid by the ministry, and the terms and conditions for when privately-owned equipment and operators are summoned to control or extinguish fires or respond to wildland fire emergencies.

We are also proposing to make changes to the Outdoor Fires Regulation (O. Reg. 207/96), including general updates and clarifications, changes to fire permit requirements, changes to requirements for burning slash piles, and administrative changes to align with proposed changes to the WFMA, if Bill 27 is passed.

In this document, the proposals are described in three parts:

- Part A: Establishing a regulatory framework for administrative monetary penalties (AMPs).
- Part B: Prescribing the rates, terms and conditions for privately-owned equipment and operators summoned under section 7 of the WFMA.
- Part C: Changes to the Outdoor Fires Regulation (O. Reg. 207/96).

How to provide feedback

We encourage you to provide feedback on the regulatory proposals directly through the [comment button](#) on the Environmental Registry notice (ERO notice number [025-1041](#)).

The Ontario Public Service (OPS) is committed to ensuring that government information and services are accessible for all Ontarians. If you require an alternate format to provide your feedback, please submit your request to WildlandFire@ontario.ca.

Part A: Establishing a regulatory framework for administrative monetary penalties (AMPs)

To protect Ontario and to modernize wildland fire management in Ontario, the ministry is proposing to establish a regulatory framework for issuing administrative monetary penalties (AMPs) under section 35.2 of the *Wildland Fire Management Act* (WFMA), if passed as part of Bill 27.

AMPs are a part of a progressive compliance continuum that would provide the ministry with an additional tool to promote compliance with the Act and its regulations. They offer a discretionary compliance alternative to laying charges that would be fair, transparent and efficient, and which are an increasingly common compliance tool used by other ministries and jurisdictions. An AMP is a compliance tool that sets out a monetary penalty for failure to comply with legislation. This tool offers an effective way to compel compliance that is less adversarial than laying charges and addressing contraventions in court.

In the proposed framework, AMPs would provide a discretionary compliance alternative to laying charges when the ministry is addressing non-compliance that causes or may cause wildland fire risk. It is intended that AMPs would be used in relation to contraventions of the WFMA that cause or increase wildland fire risk but have not resulted in a wildland fire.

Key components of the proposed AMPs framework

We are proposing to enable the ministry to issue AMPs for non-compliance with the WFMA in a way that is transparent, efficient and fair. The regulation is proposed to set out the following details.

Types of provisions, if contravened, that would be eligible for an AMP order:

The types of contraventions for which an AMP could be issued include failure to comply with:

- Provisions of the Outdoor Fires regulation and fire permit conditions (e.g., failure to keep a fire under control).
- Fire prevention and preparedness plan requirements (e.g., failure to prepare a required plan).

- Equipment and mitigation requirements (e.g., operating machinery in a forest area without a fire extinguisher).
- Industrial operation requirements (e.g., failing to ensure compliance by operators).
- Officer orders (e.g., unlawfully entering an area closed by an officer).

Penalty structure:

- Fixed penalty amounts would be set based on the type of contravention and level of risk, and whether the party responsible for the contravention is an individual or a corporation.
- The lowest base penalty amount is proposed to be \$1,500 for an individual and \$3,000 for a corporation, subject to multiplying factors where applicable.
- Multiplying factors:
 - Penalties would be doubled where the contravention occurs in a high wildland fire risk area (e.g., a restricted fire zone or an area subject to an implementation order) or is a repeated contravention within the last five years.
 - An additional daily penalty of \$500 would be applicable if the contravention occurred over multiple days.
- Despite the applicability of multiplying factors, the maximum penalty amount would be \$25,000 for individuals and corporations.
- Corporations would be subject to higher base penalties than individuals to reflect a greater expectation of due diligence and the broader scope and increased general level of risk associated with their activities.

Authorized persons to impose AMPs:

- Managers in the ministry's Aviation, Forest Fire and Emergency Services Branch would be prescribed to issue orders imposing AMPs.
- The contents and service of an order imposing an AMP would follow what is outlined in the proposed WFMA (sections 35.2 and 35.4 respectively), including the information the order is required to contain and how it is to be delivered.

Review process:

The proposed WFMA outlines that a person who has received an order imposing an AMP may submit a request for a review of the order by the Minister of Natural Resources or the Minister's delegate. The request for review would need to be submitted to the Minister within 30 days after the day the order was served. Reviews would be based on written submissions to the delegated authority. The potential outcomes of a review would be to uphold, rescind or reduce the AMP.

Payment and collection of penalties:

The proposed WFMA sets out that payment of the penalty would be required within 30 days after the order imposing an AMP was served, unless a request for review was submitted. The payment would be made to the Minister of Finance, which would then be deposited to the government's Consolidated Revenue Fund. In situations where a review of the AMP is requested and the decision upholds the AMP order or requires the

payment of a reduced AMP, payment would be required within 30 days of the date on which the reviewer makes the final decision.

The proposed WFMA (subsection 35.2 (16)) states that if an AMP is not paid by the applicable deadline, the order imposing the AMP may be filed in the Superior Court of Justice and may be enforced as a court order.

Alignment with other tools and legislation:

The overall goal for AMPs under the WFMA is to provide an additional enforcement tool to promote compliance with the WFMA and its regulations to protect Ontario communities, industries, and resources.

AMPs would be able to be used alone or in conjunction with other enforcement tools under the WFMA, with the exception of charges for the same contravention under the WFMA. It is proposed that the ministry would not lay charges for the same contravention for which an AMP is issued, but it is proposed that failure to pay the AMP by the deadline would allow the ministry to reconsider laying charges for the original contravention.

If the ministry were to choose not to address a contravention by issuing an AMP, other compliance tools under the WFMA could continue to be used, such as education and voluntary compliance, warnings, orders, tickets and summons to court. It is anticipated that more serious offences and wildland fire impacts would continue to be addressed through the courts.

AMPs currently exist in the *Crown Forest Sustainability Act, 1994* (CFSA) and are applicable to wildland fire preparedness and mitigation requirements for the forest industry, among other contraventions. Under the WFMA, AMPs would be a tool that can be used with all industries in Ontario's Fire Region and would be complementary to the CFSA, not duplicative. In situations where an AMP could be issued under both Acts, the ministry would not issue an AMP under both for the same contravention.

Part B: Prescribing the rates, terms and conditions for privately-owned equipment and operators or persons summoned under section 7 of the WFMA

When there is a wildland fire, the ministry may need to summon privately-owned equipment and operators or other persons to support wildland fire suppression activities. For example, the ministry may need bulldozers and excavators to create a fire break to prevent a wildland fire from spreading. Due to the urgent need for rapid deployment, the ministry may need to call upon industry partners, municipalities and others who may have equipment located in areas near the fire.

Like the *Forest Fires Prevention Act*, the proposed WFMA provides the ministry with the right to summon assistance for the purposes of controlling or extinguishing a fire. In

addition, the WFMA would authorize the ministry to do so in order to respond to wildland fire emergencies more generally.

If Bill 27 is passed, the WFMA would enable the Minister to make regulations to set the rates, terms and conditions for when privately-owned equipment and operators or other persons are summoned to control or extinguish a fire or to respond to a wildland fire emergency.

Key components of the proposed rates, terms and conditions for summoned equipment and operators or persons

Compensation for summoned equipment:

The proposed regulation will set out the rates to be paid to owners of equipment that is summoned under the WFMA. We are proposing to prescribe the compensation rates for summoned equipment according to the Schedule of Rental Rates for Construction Equipment (referred to as the [Ontario Provincial Standard Specification 127](#) (type 127 in search bar) or “OPSS.PROV 127”), which is published annually by the Ministry of Transportation (MTO). This specification covers equipment rate compensation for work on a Time and Material Basis for MTO contracts. The rates are reviewed and updated by MTO on a regular basis to account for inflation, fuel prices and other factors that can cause cost changes, so that the rates accurately reflect the owner’s costs of owning and operating the equipment. The rates do not include the cost of the operator of the equipment. Some Ontario municipalities and other Canadian provinces rely on the OPSS.PROV 127 rates to inform various payments that they issue.

Where the ministry needs to summon a type of equipment that is not listed in the OPSS.PROV 127, it is proposed that the Minister of Natural Resources would provide for a reasonable compensation rate, or a process for calculating same, in the regulation.

The regulation would also set out terms and conditions pertaining to equipment compensation rates including, for example, eligibility for compensation when the equipment is in standby mode rather than engaged in operation and eligibility for compensation during transport time.

Compensation to operators:

The ministry is committed to providing fair compensation to equipment operators or other persons who are summoned to provide support in controlling or extinguishing wildland fires or during wildland fire emergencies. For operator wages, we are proposing to set the wage rates according to the hourly wage that the operator receives when working as an employee of the equipment owner. For self-employed individuals, the Minister of Natural Resources would provide for the hourly compensation rate, or a process for calculating same, in the regulation or in a Minister’s Order.

Equipment damage or loss:

Recognizing that industry partners have experienced difficulty in obtaining damage insurance for equipment loss or damage related to wildland fire, it is proposed that the regulation will provide clarity to equipment owners that the ministry will repair or replace

any equipment that has been summoned and is damaged or lost during use for the purposes of controlling or extinguishing a wildland fire or responding to a wildland fire emergency, subject to conditions. For example, pre-existing damage and damage caused by operator negligence, third parties, normal wear and tear, or faulty maintenance would not be eligible for repair or replacement by the ministry.

Part C: Changes to the Outdoor Fires Regulation

We are proposing to amend the existing Outdoor Fires Regulation (O. Reg. 207/96) to make the following changes, helping the ministry to continue to safeguard public safety and the sustainable management of natural resources.

General updates and clarifications:

- Clarify that a person left in charge of an outdoor fire must be a responsible person.
- Clarify that a fire in an incinerator located outdoors is an outdoor fire.
- Expand the existing prohibition on starting power saws within three meters of where they are fueled to include operating a power saw within three metres of where any equipment is fueled.
- Provide that wildland fire suppression training materials must be approved by the ministry but are not required to be prepared by the ministry.
- Change the requirement for fire intensity reports to be available at every fire management headquarters to being available at one central telephone number.

Changes to fire permit requirements:

- Remove the requirement to obtain a fire permit for Indigenous ceremonial and cultural burning during the fire season or in a restricted fire zone, enabling Indigenous communities to conduct traditional burning activities or have fires for ceremonial events. We are proposing that rather than obtain a fire permit, that the ministry would be notified 24 hours in advance of the location and expected duration of the fire. Outdoor fire safety precautions would still apply, such as ensuring that the fire can burn safely from start to extinguishment, ensuring that a responsible person is always tending the fire, taking all necessary steps to keep the fire under control and extinguishing the fire before leaving the site.
- Remove the requirement to obtain a fire permit from the ministry if a person is burning in accordance with a burn permit issued by a municipality, thus removing the necessity to obtain two different permits for the same fire. Outdoor fire safety precautions would still apply, such as ensuring that the fire can burn safely from start to extinguishment, ensuring that a responsible person is always tending the fire, taking all necessary steps to keep the fire under control and extinguishing the fire before leaving the site.
- Expand the authority for a wildland fire compliance officer to issue fire permits for any type of fire outdoors, such as burning cardboard and manufactured wood products.

- Update the permitting process to improve efficiency, transparency, and user experience by making the fire permit available digitally to clients.

Changes to requirements for forest industry slash piles:

- Create an exemption to the requirement to have a person on site at all times while slash pile burns are conducted by the forest industry outside of the fire season if the fire is conducted in accordance with a ministry-approved low complexity prescribed burn plan.

Administrative changes:

If Bill 27 is passed, a number of administrative amendments to the existing Outdoor Fires regulation (O. Reg. 207/96) will be needed to align with proposed changes to the WFMA.

The administrative amendments include:

- Updating terminology in the regulation to align with changes to terminology used in the WFMA. For example, “forest area” would be changed to “wildland area” and some references to “officer” would be changed to “wildland fire officer” and others to “wildland fire compliance officer”.
- Restructuring the regulation to be consistent with proposed changes to the WFMA which consolidate multiple offence provisions into a single offence provision under the WFMA.
- Restructuring the permit provisions to align with what is provided for in the WFMA.
- Restructuring the provisions containing requirements for fire extinguishers or other equipment to be of a certain type and in serviceable condition so as to align with what is provided for in the WFMA.
- Restructuring the provisions for outdoor fires for cooking and warmth during the fire season to make them more easily understood.

Seeking comments on the proposals:

We invite feedback and input from the public, Indigenous communities and stakeholders across the province on these proposed changes, so that we can continue to address the growing risks of wildland fires and modernize the wildland fire program.

Comments may be provided through Environmental Registry notice number [025-1041](#), or by sending them to WildlandFire@ontario.ca. The comment period closes on December 15, 2025.