

BY-LAW 2009-228

**A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 2009-132, BEING A BY-LAW
TO REGULATE OPEN AIR BURNING
IN THE CITY OF GREATER SUDBURY**

WHEREAS the Council of the City of Greater Sudbury deems it desirable to amend By-law 2009-132, a By-law to regulate open air burning in the City of Greater Sudbury, as amended;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. Section 1 of Part 1 of By-law 2009-132, to regulate open air burning in the City of Greater Sudbury, is hereby amended by adding the following definition of "chiminea", after the definition of "campfire" and before the definition of "City", as follows:

"Chiminea" means a non-combustible device made largely from pottery used to hold a small fire with a substantially enclosed hearth."

2. Section 7 of Part 3 of By-law 2009-132, to regulate open air burning in the City of Greater Sudbury, is hereby amended by deleting the following words from that Section as follows,

"7(3) No person shall set a demonstration or training fire, a fire for ceremonial purposes or a bonfire sponsored by an organization or group of persons unless all of the following conditions are met:

- (a) the person has the prior written consent of the Fire Chief to set the fire;
- (b) the fire is set and maintained in accordance with the written consent of the Fire Chief; and
- (c) the person does not leave the site of the fire until the fire is fully extinguished."

3. Section 7 of Part 3 of By-law 2009-132, to regulate open air burning in the City of Greater Sudbury, is hereby amended by adding a new Subsection to that Section as follows:

“7(4) No person shall set a demonstration or training fire, a fire for ceremonial purposes or a bonfire sponsored by an organization or group of persons unless all of the following conditions are met:

- (a) the person has the prior written consent of the Fire Chief to set the fire;
- (b) the fire is set and maintained in accordance with the written consent of the Fire Chief; and
- (c) the person does not leave the site of the fire until the fire is fully extinguished.”

4. Section 16 of By-law 2009-139 is hereby deleted and replaced with the following:

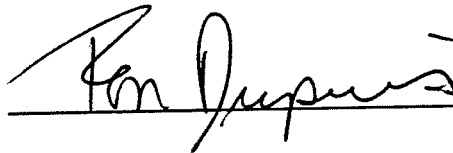
“16. No person shall set or maintain a fire in a chiminea unless he or she ensures all of the following conditions are met:

- (a) the chiminea:
 - (i) is not located on a balcony;
 - (ii) is not located on any combustible surface;
 - (iii) is in good working order;
 - (iv) is located at least six metres from any structure; and
 - (v) is located at least five metres from any forest or woodland;
- (b) all openings in the chiminea are completely covered by metal wire mesh with grid openings no larger than 12 millimetres in diameter;
- (c) the fire is confined to the chiminea;
- (d) the person burns only clean dry wood or charcoal in the chiminea; and


(e) the person sets and maintains the fire in the chiminea only during the time falling between one half hour before sunset and one half hour after sunrise of the following day, unless such person has the prior written consent of the Fire Chief to set or maintain the fire in the chiminea during any other time."

5. This By-law comes into force upon passage.

READ AND PASSED IN OPEN COUNCIL this 23rd day of September, 2009.



Deputy Mayor



Clerk