



Cornwall City Council

DEPARTMENT: Fire Services
REPORT NUMBER: 2019-02-FS
PREPARED BY: Pierre Voisine, Fire Chief
REPORT DATE: August 29, 2019
MEETING DATE: Sep 09, 2019 07:00 PM
SUBJECT: Open Air Burning

PURPOSE

The report provides Council with insight on the difficulties and risk associated with the City's Open Air Burning By-law. The By-law currently allows residents to burn campfires within City Limits.

RECOMMENDATION

That Council approve the recommendation to rescind By-Law 2014-063 and replace it with an updated By-law which ceases the practice of Open Air burning in the City of Cornwall.

FINANCIAL IMPLICATIONS

The elimination of the Open Air burning permits program would negatively impact revenues by approximately \$8,000 per year.

STRATEGIC PRIORITY IMPLICATIONS

The Fire Master Plan is an integral part of the City's Strategic Plan; Pillar 1 Quality of Life, ii. Fire Master Plan.

BACKGROUND / DISCUSSION

The Ontario Fire Code prohibits Open Air Burning in Ontario unless an approval mechanism is regulated under Municipal By-law. The City's current By-law (2014-063) was enacted in 2014, and was intended to update the 2009 version.

The By-law sets the conditions in which Open Air Burns are to be permitted within the City. Open Air Burning in the City can only occur from April 1st to October 31st, from sunset to midnight. Permit applications are review by the Cornwall Fire Services, and permits are issued in accordance with the By-law requirements. Restrictions included in the current By-law regulate the type of wood used, the size of the fire, separation distances, and extinguishment conditions. The current By-law language is inadequate in many regards and should, in the least be updated to specify additional specifications of grade, pad and spark arrester specifications. It also does not provide direction with regards to gas fired appliances.

The uses of the permits vary, from yard clean up, to the most common use, residential campfires. The dates and times in which the By-law applies should also be revisited. Permits are only issued to building owners which have the appropriate separation distances from combustible materials, therefore a significant number of residents cannot apply for the benefit.

Cornwall Fire Services issue approximately 80 permits per year and permits are valid for three years. There are approximately 260 valid permits in place at any given time, therefore a very small percentage of the City's population actually enjoy the ability to have a campfire.

We have seen a net increase in Open Air Burning complaints; in 2018 we responded to 62, during the 6 month burn period, and we have already surpassed 51 complaints by July 26th 2019. Complaints typically arise from residents who dislike the smoke generated from the fires of law abiding permit holders, and from neighbors of residents who are burning without permits. Many of these residents believe open air burning is permissible in light of the mere existence of other fires in the City. These complaints create and contribute to, strained relationships between neighbors. The majority of complaints are for nuisance smoke affecting the wellness and tranquility of others.

It is important to note that rarely do Open Air fires contribute to structural fires. Open Air fires in our urban setting are a significant irritation to a sizable percentage of our population, though they do not, in themselves pose a fire risk.

There is a Health and Safety component to this issue. Wood bases fires create particulate matter composed of many different chemicals. The haze often encountered on warm summer night in the city is a by-product of these fires. Attached to this report is a more in-depth explanation of the health related impacts from the medical Officer of Health.

The City of Cornwall is 62 Kilometers squared with a population density of 756.8/km². The City does not have any "fringe" or outlying rural areas appropriate for this practice, which is where most other municipality allow open air burning to occur. Consequently, Council should cease the practice of Open Air burning. Other communities have struggled with this issue, where, typically urban, or areas with higher population density prohibit Open Air burning. Here is a brief outline of comparators:

Peterborough: Only TSSA approved appliance which burn gas or propane are approved for use.

Hawkesbury: Burning permits may be issued in fringe areas of the municipality. Open Air Burning is prohibited in the "Central Business and urban area" of the Corporation.

Ottawa: Open air fires are not permitted in the City of Ottawa except in areas as outlined in the by-law, mostly rural areas.

Brockville: By-law allows the use of outdoor fireplaces upon inspection of the Fire Department; not allowed in the populated areas of the municipality.

Belleville: By-law allows the use of outdoor fireplaces, however the conditions related to separation distances make it virtually impossible to meet its requirements in an urban setting.

The intent is to grandfather the current permit holders and cease emitting permits immediately.

The updated By-law permits the use of certified gas fire pits, which are now commonly available and safe, provided they are supervised at all times while in use. This option will enable more residents the opportunity to enjoy a fire, without the impact to neighbors, and reducing unnecessary complaints.

ACCESSIBILITY IMPACT

.

ATTACHMENTS



WOODSMOKE-CORNWALL-2019.pdf Open Air Burn by-law DRAFT.doc

Motion to approve the recommendation to rescind By-Law 2014-063 and replace it with an updated By-law which ceases the practice of Open Air burning in the City of Cornwall.

A recorded vote on this matter resulted as follows:

Votes For = 8

Bernadette Clement, Mayor
Claude E. McIntosh, Councillor
Elaine MacDonald, Councillor
Syd Gardiner, Councillor
Carilyne Hébert, Councillor
Maurice Dupelle, Councillor
Glen Grant, Councillor
Todd Bennett, Councillor

Votes Opposed = 3

Dean Hollingsworth, Councillor
Justin Towndale, Councillor
Eric Bergeron, Councillor

Moved By: Claude E. McIntosh, Councillor

Seconded By: Todd Bennett, Councillor

Motion Carried

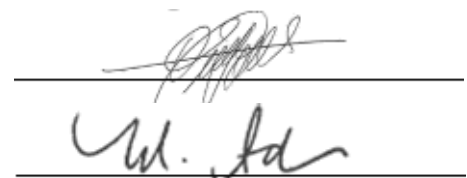
Approval

September 04, 2019 12:06 PM

Pierre Voisine
Fire Chief

September 04, 2019 12:45 PM

Maureen Adams
Chief Administrative Officer

The image shows two handwritten signatures. The top signature is in dark ink and appears to be 'P. Voisine'. The bottom signature is in blue ink and appears to be 'M. Adams'. Each signature is written over a solid horizontal line.



Open Air Burn by-law DRAFT.doc



ATTPEW7R.pdf