

## For Information Only

### Open Air Burning By-Law - Communicating the Change

Presented To: Community Services Committee

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Type: Presentations

#### Resolution

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#### Finance Implications

The open air permit fees were approved by Finance and Administration Committee on November 17, 2015 and have been included in the 2016 Miscellaneous User Fee By-law. Permit Fee Revenue of \$10,000 was included in the 2016 approved operating budget.

## Health Impact Assessment

This initiative enhances citizen safety by ensuring compliance with the Open Air Burning By-law and the provincial legislation for smoke alarms and carbon monoxide alarms. It will also establish a database of open air burning sites in the City of Greater Sudbury. Compliance with the applicable legislation and knowledge of burn sites will greatly enhance firefighter health and safety, as well as the safety of the citizens.

## Background

The City of Greater Sudbury, and all of its constituent communities, have a long history of allowing open air burning fires on a fairly consistent basis with little or no cost to the citizens. This has led to the mistaken assumption on the part of the citizens that this ability is a right and not a privilege granted by the Fire Chief under the authority of the Fire Prevention and Protection Act. This will be changing in 2016 with the establishment of a permit and an annual fee for almost all open air. This initiative amounts to a change from reactive response to proactive approval.

Prior to this initiative, the Greater Sudbury Fire Service (GSFS) responded to open air burning fires on a complaint basis. The responding fire crews often found that the individuals who were burning were in contravention of the expectations outlined in the By-law. This put the obligation on the GSFS and By-law Enforcement to enforce the By-law on an after-the-fact basis. Further, it implies that many of the fires for

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**Health Impact Review**

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**Recommended by the Department**

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which the GSFS did not receive complaints, were likely also not within the expectations of the by-law; and were therefore, possibly of a dangerous nature. Also, the volunteer response areas of the City were obliged to dispatch for Open Air Burning complaints based on the nature of the complaint, which often would dispatch an entire station of up to 15 firefighters for the fire complaint. This is a costly practice which also commits precious resources which may be needed elsewhere for emergency response.

The new initiative enacts a permit process for the privilege of open air burning. The process will consist of an application, a site visit, an approval, and the issuance of a Permit. The fee for the site visit inspection includes processing and will vary as per the type of permit applied for. The fee is designed to be a cost-recovery amount and not to necessarily generate profit for the GSFS. The benefit of this process is that it ensures by-law compliance on a proactive basis and allows for the establishment of a database which identifies the location of approved permit holders. Further, it allows for the site visit and inspection to be of a scheduled nature with the appropriate number of personnel. The enforcement aspect becomes significantly easier, in that the most likely contravention is the failure to acquire a permit, not the application of the rules of the By-law. An additional inclusion in the process is the inspection of the homeowner's smoke alarms and carbon monoxide alarms. This ensures compliance with the related provincial legislation, and further ensures the safety of the residents and the responding fire personnel in the event of an occurrence.

### **Next Steps**

The GSFS is initiating a communications strategy to inform the citizens of the City of the imminent changes to the Open Air Burning By-law, and the details of the process to apply for a permit. The GSFS will coordinate with Corporate Communications, Information Technology, and Citizen Services Divisions to ensure a seamless implementation of the revised By-law, the billing program, and all other aspects of the initiative. In particular, the communication strategy is to change the perception of the citizens from a 'right' to a 'privilege'. The communication will include television and radio ads, newspaper public service announcements, and an amendment to the CGS website and the Fire Services website. This will include a Frequently Asked Question section to try to minimize the phone inquiries regarding this initiative.

Revisions to existing fire-related by-laws will be necessary to support the requirement of permits for open air burning (eg. Open Air Burning By-law). Fire Services will update the required by-laws and submit them to Council for consideration.