

**Local Law #2008-003**

**A LOCAL LAW AMENDING CHAPTER 714, ARTICLE III,  
OF THE MUNICIPAL CODE PROVIDING FOR REGULATIONS  
FOR OPEN BURNING.**

**NOW, THEREFORE, BE IT ENACTED by the City Council of the City of  
Canandaigua, as follows:**

**SECTION 1. Chapter 714, Article III, shall be amended to include the following:**

**§ 714-36. Open burning.**

**A. Open burning inside Canandaigua City limits:**

- (1) No open burning is allowed inside the City Limits of Canandaigua except as authorized in Subsection A(2) below. All exceptions require approval by the Fire Chief and issuance of a valid burn permit by the Fire Department. The permit fee shall be the same amount as the fire inspection fee established by resolution of the City Council
- (2) Exceptions.
  - (a) Permits may be obtained for cooking fires that require pits, i.e., pig roasts and recreational bonfires. These permits will be for one-time use or special events.
  - (b) A permit is not required for established barbecue grills, portable cooking appliances, commercial outdoor fire pits, ceramic or clay fire pots and similar devices.
- (3) Complaints. Open burning that will be offensive or objectionable to a reasonable person because of smoke or odor emissions, or when atmospheric conditions or local circumstances make such fires hazardous, shall be prohibited. Upon notice by the Fire Department, all fires must be immediately extinguished.

**B. General regulations for open burning permits. Anyone with a valid open burning permit shall follow the regulations listed below.**

- (1) Safety guidelines.
  - (a) A minimum distance of 50 feet shall be maintained between any fire and any structure or combustible material.
  - (b) Debris piles should be no larger than eight feet wide and six feet high.
  - (c) Debris material shall be no larger than four inches in diameter.

- (d) Burning shall not be permitted during windy conditions or when expected winds will exceed 10 miles per hour. The permittee shall check the weather forecast to avoid burning during high winds or extremely dry conditions.
  - (e) All fires must be constantly attended by a competent adult having extinguishing equipment ready to use. All fires must be completely extinguished prior to the attendant leaving.
  - (f) The permittee shall always have an adequate water supply, a rake and a shovel available.
  - (g) The open burning permit must be on site at all times.
- (2) Prohibited materials. No person shall burn any of the following materials:
- (a) Routine yard and garden clean-up waste.
  - (b) Structures.
  - (c) Construction debris.
  - (d) Household garbage.
  - (e) Materials that produce excessive smoke (rubber, plastic, wire insulation, tires, wet grass, leaves, etc.).
  - (f) Commercial/business waste.

**SECTION 2. This local law shall take effect upon filing with the Secretary of State.**

**ADOPTED** this \_\_\_ day of August, 2008.

ATTEST:

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Nancy C. Abdallah  
City Clerk/Treasurer