

## THE CORPORATION OF THE CITY OF GUELPH

### By-law Number (2019)-20443

A By-law to prohibit the use of barbecues on balconies and to repeal By-law Number (1988)-12716, as amended by By-law Number (1991)-13762.

**WHEREAS** the City of Guelph adopted By-law Number (1988)-12716, as amended by By-law Number (1991)-13762, being a By-law to adopt the National Fire Code of Canada, 1985;

**AND WHEREAS** the National Fire Code of Canada, 1985 no longer applies to the City of Guelph;

**AND WHEREAS** the City of Guelph wishes to repeal By-law Number (1988)-12716, as amended by By-law Number (1991)-13762;

**AND WHEREAS** paragraph 7.1(1)(b) of the Fire Protection and Prevention Act, 1997, S.O. 1997, Chapter 4 permits the council of a municipality to pass by-laws regulating the setting of open air fires;

**AND WHEREAS** the City of Guelph wishes to prohibit the use of barbecues on balconies;

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:**

1. In this By-law the following terms shall have the corresponding meanings:
  - “Balcony” means a projecting platform on the outside of a Building, above the ground floor;
  - “Barbecue” means a barbecue, grill, or frame that could be used for the cooking of food over heat or flame, produced by gas, electricity, wood, charcoal or any other heat source;
  - “Building” means a residential building containing two or more dwelling units; and
  - “Ignite” means ignite, light or start.
2. No person shall Ignite, or permit to be Ignited, a Barbecue on a Balcony.
3. Every person who contravenes any provision of this By-law is guilty of an offence, and, on conviction, is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
4. By-law Number (1988)-12716, as amended by By-law Number (1991)-13762 be and hereby is repealed.

5. This by-law shall come into force and take effect upon passage.

**PASSED this TWENTY-EIGHT day of OCTOBER, 2019.**

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**CAM GUTHRIE – MAYOR**

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**STEPHEN O'BRIEN–CITY CLERK**