

Amendments to Open Air Burning By-law 73-2012 related to Sacred Fires

That the Safety and Facilities Services Committee recommend to City Council:

Whereas Open Air Burning By-law 73-2012, as amended (“By-law 73-2012, as amended”) regulates all open air burning within the City of Oshawa to ensure public safety and environmental protection; and,

Whereas consultations have been made with the Diversity, Equity and Reconciliation Division, specifically the Indigenous Relations Advisor; and,

Whereas Sacred Fires are integral ceremonies to Indigenous culture, serving as a spiritual gathering place for wellness, healing and prayer; and,

Whereas articles in the United Nations Declaration on the Rights of Indigenous People (U.N.D.R.I.P.) and the Calls to Action in the Truth and Reconciliation Commission (T.R.C.) Final Report recognize the importance of supporting Indigenous Peoples’ right to access Sacred Fire ceremonies; and,

Whereas the City of Oshawa has made commitments to recognizing U.N.D.R.I.P. and the T.R.C. Calls to Action as the framework for the City’s reconciliation efforts through CNCL-22-48; and,

Whereas clarity regarding specific types of fires in By-law 73-2012, as amended, is necessary to prevent misinterpretation by the public and to support enforcement efforts; and,

Whereas the proposed amendments include changes to Section 2 to enhance the definition and regulation of Sacred Fires to provide clear guidance on its meaning and to recognize the cultural and spiritual significance while ensuring proper safety measures; and,

Whereas the proposed amendments to Section 3.2 clarify that Sacred Fires do not require a Fire Permit but must adhere to appropriate safety considerations;

Therefore, that based on Item SF-25-16 dated March 12, 2025, Council pass a by-law to further amend Open Air Burning By-law 73-2012, as amended, to include definitions and regulations for Sacred Fires as generally set out in Attachment 1 to said Item, in a form and content acceptable to the Commissioner, Safety and Facilities Services Department and City Solicitor.



By-law -2025
of The Corporation of the City of Oshawa

Being a By-law to further amend By-law 73-2012, as amended (the "Open Air Burning By-law") of the Corporation of the City of Oshawa.

Whereas pursuant to SF-25-16, on March 12, 2025, the Safety and Facilities Services Committee recommended to The Council of the Corporation of the City of Oshawa that it is desirable to further amend the Open Air Burning By-law 73-2012, as amended, to allow for Sacred Fires to recognize their cultural and spiritual significance while ensuring proper safety measures;

Therefore it is enacted as a by-law of The Corporation of the City of Oshawa as follows:

1. The Open Air By-law 73-2012, as amended, is amended by deleting and replacing Section 2.9, which shall now read as follows:

"2.9 **"Open Air Fire"** means any fire situated outside, whether burned in a container or on the ground, not including a Barbecue, Personal Warming Device or Sacred Fire."

2. The Open Air By-law 73-2012, as amended, is further amended by adding a new definition after 2.13 for Sacred Fire, which shall read as follows:

"2.14 **"Sacred Fire"** means a ceremonial fire of deep spiritual and cultural significance to many Indigenous Peoples. It serves as a connection to the Creator, ancestors, and the natural world. Sacred Fires are central to ceremonies, gatherings, and healing practices, providing a space for prayer, reflection, and community."

All Interpretation numbering shall be renumbered to incorporate said definition.

2. Section 3.2(b) of the Open Air By-law 73-2012 is further amended by deleting the word "and" immediately after "Personal Warming Device;"
3. The Open Air By-law 73-2012, is further amended by adding a new subsection after 3.2(b), which shall read as follows:

"(c) a Person having a Sacred Fire; and,"

All Interpretation numbering shall be renumbered to incorporate said subsection.

By-law passed this day of , 2025

Mayor

City Clerk