

DIVISION 2. BURNING

Sec. 34-96. Fires restricted.

- (a) **Burning regulated.** No person shall kindle any garbage, grass or trash within the city.
- (b) **Grass fires regulated.** No person shall kindle any grass fire within the city without first securing a written permit from the city clerk/treasurer, who shall issue such permit only upon approval of and subject to any conditions for the protection of life and property imposed by the fire chief.
- (c) **Bonfires regulated.** No person shall kindle or cause to be kindled any fire in or upon any street, alley, public way, park or any public or private ground within the city.
- (d) **Fires regulated.** No person shall kindle or cause to be kindled any other fire in or upon any street, alley, public way, park or any public or private ground within the city, except self-contained charcoal or propane fueled cooking grills.

Sec. 34-97. Recreational fires.

All recreational fires shall comply with the following requirements:

- (1) No permanent or portable fire pit shall be closer than 20 feet from any building, structure, shed or garage.
- (2) No recreational fire shall be built larger than three feet by three feet.
- (3) All permanent recreational fire pits shall be built in a below ground pit surrounded on the outside by a non-combustible material such as concrete block, metal or rocks with a minimum depth of ten inches and shall be covered when not in use.
- (4) All portable recreational fires shall be built in a device commercially manufactured for that purpose to contain outdoor wood fires and must be used in accordance with the manufacturers specifications and must be placed upon a non-combustible surface.
- (5) All recreational fires shall be extinguished and in ground pits shall be covered when not in use.
- (6) No recreational fire shall be started unless there are favorable conditions for **burning** with regard to wind direction and speed.
- (7) Material for recreational fires shall not include rubbish, garbage, treated wood, wet wood or trash and shall not contain any flammable or combustible liquids or chemicals (wet/dry).
- (8) Adequate fire suppression equipment shall be immediately available to control or extinguish the fire.
- (9) Any person who wishes to have a recreational fire in a fire pit on their property must prior to any construction of a fire pit or fire, obtain a permit from the city clerk. The permit shall contain the name, address and telephone number where the fire pit is to be installed. Such permit is limited to the family of the person

named at that address and is not transferable to any other person nor to any other location.

- (10) Any person requesting a permit must file with the city clerk a document containing the signatures of all adjoining property owners (this includes all property that adjoins at a corner of their lot) indicating that the adjoining residents have no objections to the issuance of the permit or the use of a fire pit on the applicant's property. This permit must be renewed annually.
- (11) The permit specified above shall require the payment of a \$15.00 annual registration fee. This fee shall be for the purpose of licensing existing fire pit locations in the city and for the city to notify owners of such pits of any necessary communications that may be necessary from time to time.
- (12) A copy of these **burning** regulations, section 34-97, shall be given to each person upon completion of the **permit** application and payment of the fee. Acknowledgment of receipt of these regulations shall be indicated on the application form.
- (13) Recreational fires may be started and allowed to continue to burn between 4:00 p.m. and 12:00 a.m. Sunday through Thursday and 4:00 p.m. and 1:00 a.m. on Friday and Saturday nights. Any fires **burning** outside of these hours is presumed to be unreasonable and the holder of the **permit** may be subject to a misdemeanor fine in addition to the revocation of their **permit** to have a recreational fire on their property.
- (14) All recreational fires shall be attended at all times by at least one responsible person 18 years of age or older.
- (15) No recreational fire shall be allowed that causes smoke, which is a public nuisance or causes a traffic hazard because of diminished visibility. "Public nuisance" is defined as set forth in Chapter 70 of this Code.
- (16) Recreational fires shall not be built so as to allow flames to reach more than three feet above the ground.
- (17) The city clerk shall send to any person holding a **burning permit**, a copy of any subsequent amendments to section 34-97 of this chapter. These amendments may be sent by regular mail.
- (18) The fire chief may post "no burn" conditions from time to time based on environmental conditions by posting on the outdoor signs of the fire department and the city library. No **burning** or other recreational fires whatsoever shall be allowed during such time without the prior written authorization of the fire chief.
- (19) Ceremonial or religious fires, which are not otherwise allowed under this ordinance, shall be allowed upon receipt of written authorization of the fire chief.

(Ord. No. OR01-06, § 1, 7-9-2001)

Sec. 34-98. Outdoor cooking fires.

All outdoor cooking fires shall comply with the following requirements:

- (1) Outdoor cooking fires shall be built in a device or structure designed and or manufactured for that purpose.
- (2) Outdoor cooking fires shall be extinguished when not being used.
- (3) Outdoor cooking fires in portable devices shall not be allowed above the first floor of any building.
- (4) Outdoor cooking fires in self-contained charcoal or propane fueled cooking grills shall be allowed at anytime.

(Ord. No. OR01-06, § 1, 7-9-2001)

Secs. 34-99--34-112. Reserved.