

ORDINANCE NO. OR14-07

**AN ORDINANCE AMENDING THE MUNICIPAL CODE,
CHAPTER 34, FIRE PREVENTION AND PROTECTION,
ARTICLE III, FIRE PREVENTION STANDARDS,
SECTION 34-97 RECREATIONAL FIRES,
IN THE CITY OF BRILLION, CALUMET COUNTY, WISCONSIN**

The Common Council of the City of Brillion do ordain as follows:

Section 1: Chapter 34, Fire Prevention and Protection, Article III. Fire Prevention Standards, Section 34-97 Recreational Fires is hereby repealed and recreated as follows;

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.

- (11) The permit specified above shall require the payment of a \$25.00 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, this section, 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 this section. 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.
- (20) No recreational fire pits are permitted on mobile home lots, recreational area or within the mobile home park perimeter.
- (21) Any entity, person, firm, association, corporation, or property owner who shall violate any provisions of this Chapter shall be subject to a penalty as provided within the Chapter 70, Public Nuisances, City of Brillion Municipal Code.

SECTION II: This ordinance shall take effect upon passage and publication as required by law.

Ordinance Number OR14-07 introduced and its adoption moved by Alderperson Van Frachen; and seconded by Alderperson Edinger.

Upon a pole vote thereon, the result was as follows:

6 Votes Cast
6 Votes Yes
0 Votes No

The Mayor declared Ordinance Number OR14-07 adopted, approved and signed the same this 28th day of July, 2014.

Gary Deiter
Mayor

Attested:

Lori M. Gosz, CMC
City Administrator/Clerk-Treasurer