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§ 124-1 Compliance required.

All persons shall comply with the following fire protection and safety requirements.

§ 124-2 Bonfires and other outdoor fires.

Outdoor burning of yard waste and bonfires shall be permitted only under the conditions set forth in this chapter. Only clean brush and untreated wood may be burned. Large logs and tree stumps, over 8 inches in diameter, shall not be allowed to be burned.

§ 124-3 Permit required; prohibited acts.

No person shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained on or in public or private property without having obtained a permit from the Fire Department. Permits shall be issued to residential homeowners in accordance with this chapter. During construction or demolition of buildings or structures, no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity.

An open fire is any fire not meeting the definition of a "Contained Fire" in section 124-7. Any open fire larger than 36" x 36" x 36" shall be deemed a Bonfire and subject to section 124-7.

Commercial and Industrial properties shall be allowed to obtain a burn permit, for the general maintenance of their property only, at the discretion of the Fire Chief or his designee and shall follow the requirements of a bonfire set forth in 124-4

§ 124-4 Inspections required for Bonfires.

Any open fire, larger than 36" x 36" x 36" shall be deemed a bonfire. No holder of a bonfire permit shall ignite the fire before it has been inspected by the Chief of the Fire Department or his designee, and no additional material shall be added to the fire after said inspection.

§ 124-5 Owner to sign permit.

All permits shall be signed by the owner of the land on which the fire is located, unless compliant with 124-11. The Chief of the Fire Department or his designee may require proof of ownership.

§ 124-6 Location restricted.

No person shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained on any private or public land unless the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure.

§ 124-7 Contained burning allowed without permit.

Burning is allowed when the fire is contained in a waste burner with a properly screened top or an outdoor fireplace and located safely on private property no less than 25 feet from any structure, fence or property line. *Other commercially available containers, commonly referred to as fire pits, fire rings, chiminea, etc. may be utilized.*

If the location of the container is unable to meet the 25-foot set-back due to the size of the property, the owner may request an exemption from that set-back through the Fire Chief. If the Fire Chief, or his designee, finds the container or outdoor fireplace does not pose a hazard, he may issue an exception permit for that calendar year. The fire location on the property shall not change once it has been inspected and given an exemption permit.

§ 124-8 Attendance of open or contained fires.

Any open or contained fire shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to a water supply or other extinguishing equipment readily available for use.

§ 124-9 Fires prohibited by Chief.

The Chief of the Fire Department, or his designee, may prohibit any or all bonfires and outdoor fires, whether in the open air or in Fire-Department-approved waste burners or outdoor fireplaces, when atmospheric conditions or local circumstances make such fires hazardous, or the smoke or fumes from such fires are a nuisance to adjoining or surrounding property or persons.

§ 124-10 Extinguishing by Fire Department.

The Chief of the Fire Department, or his designee, may extinguish or cause to be extinguished any or all bonfires and outdoor fires, whether in the open air or in Fire-Department-approved rubbish or waste burners or outdoor fireplaces, when atmospheric conditions or local circumstances make such fires hazardous or the smoke or fumes from such fires a nuisance to adjoining or surrounding property or persons.

§ 124-11 Permission to kindle on land of others required.

No person shall kindle a fire upon the land of another without written permission of the owner. The Chief of the Fire Department, or his designee, may require proof of ownership and agency.

§ 124-12 Violations and penalties.

Any person convicted of a violation of this chapter shall be subject to a fine as outlined below:

A.

First offense: a fine of \$100 or 10 days in jail, or both.

B.

Any offense thereafter: up to a fine of \$500 or 10 days in jail, or both.