

# Open Burn Ordinance

*Section 10.1.5 Open source fires or open Burnings.* Open source fires or open burnings are prohibited within the city except where specifically permitted as follows:

- A. No person may kindle, authorize or maintain a rubbish fire or bonfire on public or private land or on any street or alleyway.
- B. The burning of leaves, trees, logs, brush or stumps is prohibited.
- C. Cooking fires using solid fuel such as charcoal, wood and wood like materials, are prohibited on balconies or covered patios or within 10 feet of any structure. Gas fired cooking units such as propane grills are permitted.
- D. Use of an outdoor fireplace equipped with a spark arrester is permitted if it complies with the following:
  - 1. The outdoor fireplace must be used in accordance with the manufacturer's recommendations;
  - 2. The fireplace is not located within 25 feet of any structure; and
  - 3. The fireplace is maintained in good condition.
- E. Barbecues, outdoor fireplaces, and grills may not be used for the disposal of rubbish, trash, or combustibles.
- F. Burning that is offensive or objectionable because of smoke or odor emission must be extinguished immediately. The Fire Department is authorized to order the extinguishment of illegal open burning or fires and any burning or fires creating a hazard.
- G. The use of sky lanterns is prohibited. For the purposes of this subsection, a sky lantern means any airborne paper lantern, also known as Kongming Lantern or Chinese lantern, sky candle, or fire balloon which is constructed from oiled rice paper on a bamboo frame, and contains a small candle or fuel cell composed of a waxy flammable material, which when lit, the flame heats up the air inside the lantern, thus lowering its density and causing the lantern to rise into the air, or any similar device.
- H. The following fires are approved:
  - 1. Small cooking fire contained in a vessel designed for that use so long as it complies with the subsections above.
  - 2. Outdoor fireplaces that comply with the subsections above.
  - 3. Salamanders or other devices used for heating construction or other workers so long as no nuisance is created.
  - 4.

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Controlled wild fire burns may be allowed by the Fire Marshall when this action is necessary to protect rare plants dependent on fire for seed production.

5.

Open fire for recognized ceremonial purpose only may be permitted after obtaining approval from the Fire Official subject to the following:

a.

The fire must be constantly attended; and

b.

A garden hose, fire extinguisher or other approved fire extinguishing equipment must be available for immediate use.

6.

Small fires used by municipal firefighters for training purposes.

I.

Fees. Persons who cause the fire department to respond due to a violation of this section are responsible for the Fire Department's costs and expenses as set forth in [Chapter 38](#) "Emergency Services," Article III "Recovery of certain emergency response costs," Division 4 "Incidents involving the response of the Fire Department."