

Sec. 26-2 - Open burning.

(a)

Prohibited. No person shall build any outdoor fire within the corporate limits of the city, except as set forth in subsection (b) of this section.

(b)

Exceptions. Exceptions to the provision set forth in subsection (a) of this section are as follows:

(1)

Cooking fires, subject to the following conditions:

a.

All cooking fires shall be in UL-listed or FM-listed outdoor cooking appliances, (i.e., charcoal grills, propane grills, etc.)

b.

All cooking fires shall be extinguished after cooking is completed.

c.

All cooking fires shall be burned in a safe manner.

d.

A competent person shall continually attend all cooking fires. The person shall have readily available approved extinguishing equipment (i.e., fire extinguisher or garden hose connected to water supply).

(2)

Outdoor fireplaces, subject to the following conditions:

a.

Outdoor fireplaces shall be used in a safe manner and in accordance with the manufacturer's instructions.

b.

The creation of excessive smoke is prohibited and only dry wood is to be burned in such fireplaces. Paper, leaves, trash or other material is prohibited.

c.

The outdoor fireplace shall be complete with a burn pan, lid and fire screen completely around the device.

d.

A competent person shall continually attend all fires in an outdoor fireplace. The person shall have readily available approved extinguishing equipment (i.e., fire extinguisher or garden hose connected to water supply).

(3)

Outdoor cooking or burning in designated city-owned park fireplaces or in designated firepits in designated campgrounds within a city park (see [section 50-72\(7\)](#) for further park burning regulations).

(4)

Controlled burning of grass or similar vegetation for environmental management purposes, with the prior written approval of the fire chief.

(5)

Ceremonial campfires or bonfires, with the prior written approval of the fire chief.

(6)

Other occasions of desirable outdoor burning not otherwise specified in this subsection (b), but not as an alternative to refuse removal or disposal, with the prior written approval of the fire chief.

(c)

Approval and special permit granted. Whenever approval and a special permit are granted by the fire chief under subsections (b)(4), (5) and (6) of this section for outdoor burning, the permit may specify and be conditioned on observance of safety restrictions and insurance requirements in amounts as set forth in the schedule of required insurance on file with the city clerk-treasurer, set forth in such permit.

(d)

Prohibition by fire chief. The fire chief shall be permitted to prohibit any or all outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.

(e)

Burning on streets. No materials may be burned upon any street, curb, gutter or sidewalk within the city.

(f)

Liability. Persons utilizing and maintaining outdoor fires within the city shall be responsible for any liability resulting from damage caused by such fire.

(Code 1989, § 5-2-9; Ord. No. 05-03, 7-8-2003)