

# Chapter 124 Burning, Outdoor

## § 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.



## § 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 can only be issued to residential homeowners in accordance with this chapter. Commercial and industrial operations are not permitted to burn. 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.

## § 124-4 Inspections.

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 subsequent to 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. 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 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. All such burning shall be permitted before 10:00 a.m. and after 5:00 p.m., unless the Chief or Deputy Chief of the Fire Department prohibits such burning for reasons hereafter set forth in § 124-9.



**§ 124-8 Attendance of open fires.**

Any open 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.