

## ORDINANCE 713

### AN ORDINANCE REGARDING OPEN BURNING

#### SECTION 1 – PURPOSE AND DEFINITIONS

- a) Purpose of Ordinance: It is the purpose of this Ordinance to prescribe regulations consistent with State and nationally recognized standards for the safeguarding of life, health and property from the hazards of fire and explosion arising from the kindling of outdoor fires, wood stoves and outdoor wood burning boilers and furnaces.
- b) Definitions: The following definitions shall apply to all parts of this Ordinance:
- i) Combustible Material: Any substance which is inflammable, readily ignitable or free burning, such as but not limited to paper, rubbish, wood, grass and leaves.
  - ii) Grill or Outdoor Fireplace: Any metal or masonry structure used for the sole purpose of cooking outdoors.
  - iii) Outdoor Fire: Any fire in the open air, or outside the confines of a building for the purpose of disposing of any combustible material.
  - iv) Nuisance: An interference with public health and safety to an individual or individuals who come within the influence of the regulated activity or that constitutes an unreasonable annoyance to those living or owning property in the vicinity.

#### SECTION 2 – POWERS AND DUTIES OF THE FIRE MARSHAL

- a) Inspection: The Fire Marshal shall be certified as an open burning official as same is defined by Connecticut Administrative Regulation Section 19-508-17, as may be amended from time to time and shall be authorized to enforce the provisions of this Ordinance. To assist such enforcement, the Fire Marshal is authorized to enter any yards for the purpose of detecting and extinguishing fires created without compliance with this Ordinance.

#### SECTION 3 – PERMITS

a) Application for Permit: All applications for permits required by this Ordinance shall be made to the Fire Marshal in such form and in such detail as he shall prescribe. The Fire Marshal may require, where he deems it necessary, proof of compliance with the City zoning or building ordinances and may revoke a permit in case there has been a false statement or misrepresentation as to a material fact in such application.

b) Issuance or Permits: The Fire Marshal shall issue all permits required by this Ordinance when satisfied that the activity or condition for which the permit is sought poses no threat to life, health or property and is in conformance with the State of Connecticut Administrative Regulations Section 19-508-17 relative to the control of open burning, as same may be amended from time to time.

Formatted

c) Fire pits, wood fired barbecues, chimineas and campfires are exempt from the open burning permit guidelines provided they do not create a nuisance and are operated in accordance with any restriction or restrictions imposed on such burning.

#### **SECTION 4 – OUTDOOR WOOD BURNING STOVES, BOILER AND FURNACES**

Formatted

a) Outdoor wood burning furnaces, stoves and boilers as defined by Connecticut General Statute 22a-174(k) must comply with all relevant Connecticut Department of Environmental Protection regulations and requirements. Such furnaces, stoves and boilers also require building permits from the building official and fire marshal before installation.

#### **SECTION 5 – NUISANCE AND HAZARDS**

Formatted

a) Any fire shall be considered a non-permitted fire if it is determined to be a hazard or nuisance by the Fire Marshal, even if proper permits have been appropriately issued.

b) The Fire Marshal, after having been made aware of a particular open fire and having satisfied himself as to the circumstances and applicable requirements, shall cause any fire not specifically permitted or any fire deemed a hazard or nuisance to be immediately extinguished as a non-permitted fire and may summon the fire service to accomplish this extinguishment.

c) Upon receipt of a complaint concerning any open fire, the Fire Marshall shall cause an investigation to be made to determine the validity of the complaint and shall take enforcement action when deemed appropriate.

**SECTION 6 – APPEAL**

a) Any person issued a citation pursuant to this Section may appeal said citation in accordance with Section 1-11.1 of this Ordinance.

Formatted